

Vietnamese Civilian Personnel Records in the National Archives

On 20 February 1996, Mrs. Khuc Minh Tho and Sedgwick Tourison visited with Richard Boylan, archivist at the National Archives, Suitland, Maryland. The visit was at Mr. Boylan's invitation and was specially arranged to provide Mrs. Khuc Minh Tho and her association membership with information about Vietnamese civilian personnel and pay records recently discovered at the National Archives in Suitland.

According to Mr. Boylan, the majority of Vietnamese Civilian Personnel Records are kept where such civilians are normally sent and stored, at the civilian personnel records center in St. Louis, Missouri. Agencies such as the Department of State, Immigration & Naturalization Service, and others routinely query the civilian personnel records center to verify the employment of foreign nationals who worked for the United States.

There are currently approximately 50,000 cubic feet of records at the St. Louis center. Although these personnel records relate to civilian employees of many foreign nations, the clear majority of these records pertain to Vietnamese employed by the United States during the Vietnam War.

One archivist surveyed the requests coming to the personnel center during 1993. At that time, the center received over 600 requests per month for personnel information and an average of one-third of the requests pertained to Vietnamese, the next largest foreign national group being requests relating to Filipinos. The archivist noted that some of the requests for employment verification came from the ODP office in Bangkok but it did not appear that the ODP office had sent many requests, during the period the archivist examined the incoming requests. At the same time, both Mrs. Tho and Mr. Tourison have received correspondence from Vietnam from prospective emigrants rejected by ODP/INS/JVA because there was no evidence of a previous employment relationship with the United States.

In 1995 the National Archives in Suitland, Maryland discovered an estimate 500 cubic feet of previously unknown Vietnamese civilian personnel records in its underground storage site. These documents arrived at the National Archives in dozens of separate shipments in the first half of the 1970s. Based on box labels, the documents had been shipped first to a U.S. Army records center on the Ryukyu Island, known to most as Okinawa, and were then transferred to the National Archives in Suitland. Examining some of these records, Mr. Boylan ventured an opinion that it was obvious that the Americans did not want to abandon these records in Vietnam. Records such as these are kept in different underground storage rooms at Suitland, each room the size of a football field with 18 foot ceilings, the boxes of documents carefully located by room, section, row, and shelf, each room temperature controlled to help prolong the life of the documents. Researchers can gain access to those records that have been opened to the public and National Archives staff help locate documents of interest, but they

do not do the work for the researcher to find specific information. Mr. Boylan explained that his branch office in Suitland, Maryland archives paper documents. Due to extremely limited personnel, the Archives is often only able to establish a permanent record about an arriving shipment and must wait sometimes decades before it is possible actually to inventory each box. In the case of the Vietnam War, for example, it may be in the middle of the 21st Century before all Vietnam War documents have been properly catalogued.

The National Archives has screened through some of the boxes of Vietnamese civilian personnel records. The archives discovered, for example, civilian employee records of Vietnamese civilian employees who served with USOM and USAID, Vietnamese civilian employees of the Defense Attache Office, missing U.S. military health records, records of U.S. civilian employees, personnel records of Vietnamese civilians employed by private U.S. firms under contract to the U.S. government and others, the exact scope of which are as yet uncatalogued due to a shortage of personnel.

Mr. Boylan brought two boxes of records to provide Mrs. Tho a sample of the condition of the records and the problems for archivists, particularly after the records arrive in St. Louis. The first box contained approximately 100 brown files, each file neatly labeled with name and a four-digit employee number in sequential order. These files were discovered to be the payroll records of Vietnamese assigned to the Xay Dung Nong Thon training center at Vung Tau. Each file contained the annual payroll figures and all deductions, as well as a laminated plastic payroll card with the employees picture and other basic information.

The second box contained a jumbled mass of several dozen manila folders, each manila folder containing the personnel documents of a specific employee. A careful examination by Mrs. Tho determined the records pertained to some civilian employees of USAID assigned at Banmethuat, Nha Trang and other locations in the second half of the 1960s. The personnel documents of each employee typically included the individual's fingerprint card, photograph, police check, hiring information, performance reports, promotion and special qualification pay decisions, and other typically personnel documents. It appeared as if someone had taken the personnel records and had merely stuffed them into old folders; it was obvious the documents would be a nightmare to catalogue. Mrs. Tho recognized one file as that of someone she had known in the past and she stopped to wonder, where is that person today? Could these records be of help to the woman today? There was no way to tell.

According to Mr. Boylan, the 500 cubic feet of previously unknown Vietnamese civilian personnel records is an important find. He has drawn this conclusion in light of the large number of records and compared with current records at St. Louis, evidence that many groups of records appear to be complete and do not duplicate records at St. Louis and the obvious reality that many records may pertain to Vietnamese who may have been denied emigration because St. Louis was unable to verify their employment.

Since the fall of 1975 when Mr. Tourison first reported about the discovery of the long missing Vietnamese civilian personnel files, Mr. Boylan has received several hundred requests, requests he is unable to answer. His office is developing a form letter to be sent to each individual as soon as practical, advising them to contact a specific office in St. Louis because the National Archives is expected to transfer all records there within the next week. Mr. Boylan agreed to continue receiving requests and advising correspondents whom they should contact when the records are shipped to St. Louis late in the week of 26 February. Mr. Boylan stressed that it will take personnel at St. Louis several months to try and identify and begin to integrate the personnel records once they arrive in St. Louis.

Mr. Boylan also suggested Vietnamese desiring information from St. Louis contact the following:

National Records Center
Attention: Paul Gray, Assistant Director
9700 Page Boulevard
St. Louis, Missouri 63132

Examining the personnel records, it became apparent to Mrs. Tho and Mr. Tourison that the records will indeed be a problem for those who must catalogue them. It is also possible that some Vietnamese former employees may still be unable to find their records. But, examining the boxes of payroll and personnel files, it is possible that there will be a way to help those with missing employee files to confirm their employment.

For example, the personnel files of USAID/USOM civilian employees often identifies the name of the person the new employee replaced, provides the name of all supervisors, and often gives the names of co-workers. It appears, therefore, that former employees who are experiencing difficulties might want to think about the names of those they replaced and those who replaced them, in hopes that the personnel records of others may contain information about them. In the case of the Xay Dung Nong Thon payroll records, for example, are the names of the supervisors such as Lt. Col. Be and Lt. Col. Thieu, plus many others. The Xay Dung Nong Thon records, and there may be thousands of them since the box screened contained payroll records numbered between about 3900 and 4200, and the records pertaining to training cadre, medical cadre, and others assigned to or receiving their pay from the Xay Dung Nong Thon training center.

Mr. Boylan asked Mrs. Tho to inform her members and other interested parties about a problem in processing requests received from Vietnamese in Vietnam. In most cases, it is almost impossible to read the name and address of the sender in Vietnam. A Defense Department intelligence officer, Robert DeStatte, has helped him read the names and address of many of the several hundred correspondents. But, Mr. Boylan continued, it would be most helpful if correspondents could print their names and addresses so he and his staff can read the mail sent to them.

Mr. Boylan can be contacted at the National Archives as follows:

National Archives & Records Administration
Suitland Reference Branch (NNRR)
Attn: Richard Boylan
Washington, DC 20409

Since the Vietnamese civilian personnel records are being readied for shipment to St. Louis, it will be some time before those who need the information within them can have their requests for information satisfied. Since the volume and scope of the long missing payroll and civilian personnel records are significant, some action must be taken to bring this issue to the attention of ODP and Department of State.

It is unclear how many Vietnamese former civilian employees may have been rejected by ODP/INS because there was no record of their wartime affiliation. Since the 500 cubic feet of records may contain as many as 1.5 million pages of documents, a truly historic discovery, it is obvious that this material may be of help to some individuals who were previously rejected by ODP/INS. Mr. Boylan stressed that no U.S. government agency has ever asked him for information from these records because no one knew that these records were at the National Archives. Now that they have been located, however, it is important to determine how the discovery of these records will affect current and future State/ODP policy and how a reasonable solution to this problem can be developed, in view of the anticipated end of the ODP/HO program.



United States Department of State

Washington, D.C. 20520

February 21, 1996

Mrs. Khuo Minh Tho
President
Families of Vietnamese Political Prisoners Association
P.O. Box 5435
Arlington, VA 22205-0635

Dear Mrs. Tho,

Having reviewed your letter of February 6, I want to make a formal response to that part of your letter which raises concerns about services provided by the Phoenix affiliate of Lutheran Immigration and Refugee Services (LIRS). Please be assured that we take such concerns very seriously.

Your letter alleges inadequate housing and medical referrals for LIRS clients. Upon receipt of your letter, I sent one of my staff to Arizona to look into these matters. She met with Arizona state officials, LIRS Phoenix staff, and Mr. Bui Minh Nga, in addition to reviewing LIRS casefiles and interviewing recently arrived refugees in their homes.

We asked Mr. Bui Minh Nga for specific cases which would support these allegations. Unfortunately, of the three LIRS cases he cited, two had arrived in 1993. My staff met with the third family, which had arrived on September 26, 1995.

Casefile review indicated that during the family's first three months in Phoenix, LIRS staff were at the family's home a total of twenty-nine times. At the home visit, the family confirmed that LIRS staff had transported family members to numerous medical appointments and provided translation services, had transported family members daily to and from the hospital to visit the principal applicant when he was hospitalized, had arranged for a volunteer to take the family grocery shopping on a regular basis, and had assisted the family through applications for food stamps, social security cards, SSI and other benefits. The staff was assisting one handicapped family member through the complex process of acceptance into a vocational rehabilitation program. (According to the Arizona State Coordinator, of all the local resettlement agencies, LIRS is unique in its commitment and ability to enroll refugees in vocational rehabilitation.)

The housing was not inadequate. The apartment is on the ground floor and is near a major thoroughfare with handicapped bus service.

Casefile review and home visits to a number of recently arrived families, including cases with special medical needs, indicated that not only is the LIRS affiliate in compliance with the terms of the Cooperative Agreement with the Department of State for Refugee Reception and Placement, they far exceed minimum requirements in terms of client contact, home visits, and support services for those with special medical needs. In addition, refugees resettled in Arizona receive extensive medical follow-up, including eye and dental exams, thanks to a special initiative organized by the Arizona State Coordinator.

Your concerns were also raised in a meeting with the Arizona State Coordinator, who described the LIRS affiliate as providing better than average refugee services. He stated that he does not have concerns about inadequate housing or medical referrals by the LIRS affiliate. As casefile review at the affiliate indicated that some clients had been told by the Phoenix Association of Former Political Prisoners that the affiliate was disadvantaging them by incorrectly interpreting eligibility for benefits, another Arizona state official attended part of the meeting to discuss eligibility. His description of eligibility paralleled the information given to clients by LIRS staff.

We are keenly aware of your dedication in assisting former political prisoners. Your views have always been respected by me and by my colleagues. We therefore hope that we have been able to alleviate your concerns with regard to LIRS Phoenix. As you have formally raised these issues, you may wish to write to Mr. Ralston Deffenbaugh, Jr., Executive Director of LIRS, to put the record straight. You may also wish to follow up with his deputy, Jack Griswold, at (212) 532-6350.

Knowing that all of us share the same goal of improving conditions for former political prisoners, we hope that all parties can collaborate and support each other's efforts.

Sincerely,



Anita Botti, Chief
Domestic Operations
Bureau of Population,
Refugees, and Migration

cc: LIRS: Ralston Deffenbaugh, Jr.



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) 560-0058 * Fax: (703) 204-0394

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February 6, 1996

Ms. Anita Botti
Chief, Domestic Refugee Admissions
Bureau for Population, Refugees and Migration
U.S. Department of State
Washington, D.C. 20520

Dear Anita:

You will recall that I traveled to Phoenix and Tucson last November where I met with the resettled communities of former political prisoners and their families. The holidays, intervening furloughs and blizzards delayed this letter to you. From our years of working together, I know the issues surrounding the success of their resettlement are as important to you as they are to the families of the Vietnamese Political Prisoners Association. On Saturday, November 25th, we met with 107 former political prisoners in the Phoenix Refugee Center and the next day we met with 37 former prisoners at the Tucson Asian Community Center. We also visited the homes of twenty newly-arrived families in these two cities.

In general the resettlement of the former political prisoners has gone well in Arizona. The job market is robust and the non-governmental agencies that work with the families for the most part have done well. The city of Phoenix provides a supportive resettlement environment. Many of the families who arrived some time ago have benefitted from housing and jobs that included electronic assembly training and language training without financial aid from any source. Our association believes that the city of Phoenix would be an appropriate location for resettlement of some of the special forces commandos that are being processed by INS at this time for resettlement in the United States as refugees.

Ms. Anita Botti
Chief, Domestic Refugee Admissions
Bureau for Population, Refugees and Migration
U.S. Department of State
February 6, 1996

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Our trip did uncover several concerns. It appears that the Lutheran International Refugee Services (LIRS) is not providing adequate housing and medical referral support for assigned families. If our observation is correct, this would be distressing since LIRS has accepted many handicapped cases. Unfortunately, due to the Thanksgiving holiday we did not have the opportunity to visit the Lutheran International Refugee Services.

Another concern is the continuing frustration experienced by some of the families concerning the eligibility and processing of the unmarried over-21 sons and daughters. Although Ms. Phyllis Coven, Director of the Office of International Affairs at INS, agreed to implement a policy of humanitarian exception to the blanket exclusion of the over-21's, this change is not getting through to the interviewing officers of the Orderly Departure Program (ODP) (Attachment #1 and #2). I realize that this area of admissions is not within your job purview, but our association would welcome any informal suggestions you may have as to how to overcome this problem. This problem is particularly urgent due to the pending proposed changes to immigration law that would exclude the petitioning of sons and daughters over 21 years of age as a family preference category. The advanced age of the former prisoners makes them dependent on the support and care of their now adult sons and daughters, who through the years have remained integral parts of the household. To deny the former prisoners the support of these sons and daughters during their resettlement now is to take from them one of the major elements upon which they must rely for an independent and dignified old age.

At this time our association is focusing its efforts on assisting with the resettlement of the former special commandos. As you know from the association's work with the former political prisoners over the past twenty years, our members have valuable experience in helping newly arrived refugees in the following areas: meeting and assisting at the airport,

Ms. Anita Botti
Chief, Domestic Refugee Admissions
Bureau for Population, Refugees and Migration
U.S. Department of State
February 6, 1996

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housing, transportation to local appointments, clothing, initial food supplies, registration with the Social Security Administration, appointment with county social service offices and assistance with school/ESL enrollment. All of these elements are important in smoothing the transition of the families as they resettle and giving them the greatest opportunity to rebuild their lives in a climate of psychological, emotional and physical well-being. We in the association are eager to help with any resettlement of the former commandos cases in this area. I held a meeting of the association together with other supporting organizations to discuss this resettlement assistance and I have enclosed a copy of the minutes of that meeting for your reference (Attachment #3).

I have also enclosed a copy of a letter from David A. Hartman of USCC (Attachment #4) concerning resettlement of the special commandos in this area. Also enclosed is a copy of our letter to Senator McCain (Attachment #5) and a letter from Senator Hatfield to Warren Christopher (Attachment #6).

I think it would be helpful if we could meet with you in the near future to discuss this resettlement effort. I look forward to your always wise counsel on these matters and to seeing you soon.

Warm regards,



Khac Minh Tho
President

Attachments

**MINUTES OF THE
FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION (FVPPA)
MEETING WITH THE
NATIONAL CONGRESS OF VIETNAMESE IN AMERICA (NCVA) AND THE
WASHINGTON AREA LEAGUE OF VIETNAMESE ASSOCIATIONS (LVA)**

**Sunday, February 4, 1996
11:00 A.M.**

(Resettlement Assistance for the Special Commandos)

Present: Le Van Ba
Nguyen Ngoc Bich
Khuc Minh Tho
Le Tho Trung
Tran Ngoc Thach

1. Orientation, Welfare and Employment: Mrs. Tho has had a meeting with the Diocese of Arlington Office of Resettlement (USCC) to secure the latter's help with the coming resettlement of special forces commandos. By a letter of January 24, 1996, Mr. David Herrmann agreed to help in the following areas:

- Provide help in processing any paperwork in regards to each case before arrival.
- Provide maximum funding available for each case.
- Provide Newcomers to America Orientation Program to each refugee family the next week after arrival.
- Provide referral services to all required agencies.

In terms of employment, we have assurances of Fairfax, Arlington County Employment Services and other local employment agencies to "enroll employable refugees in employment search programs." As far as welfare benefits are concerned, there is no indication that they are changing from the current provisions.

2. Airport Meet and Assist: NCVA and the Washington Area League of Vietnamese Associations will enlist the cooperation of local Vietnamese American associations to welcome the newcomers on arrival.

3. Housing and Furnishings: Vista Gardens will make a number of apartments available to newcomers and their families. Various churches have promised to help with furniture and household utensils.

4. Initial Food Provisions: FVPPA and friends will make sure as part of the initial welcome that each newcomer family will be provided with enough food provisions to tide the families over from the time of their arrival to the time when USCC provides them with the initial check.

5. Miscellaneous Items/Issues: A Task Force, coordinated by FVPPA, will be formed to split responsibilities and take care of the following issues for the newcomers:

- Social Security Numbers
- County Social Services Appointments
- Transportation
- School Enrollment/ESL Training
- Health Screening and Care

6. Job Training and Job Placement: The newcomers will be placed in those programs available in Arlington and Fairfax (a joint responsibility of USCC and FVPPA).

The meeting adjourned at 1:15 p.m.

**U.S. IMMIGRATION & NATURALIZATION SERVICE
OFFICE OF INTERNATIONAL AFFAIRS
(202) 633-3577
FAX: (202) 633-1068**

425 EYE STREET, N.W.
(ULICO BUILDING, THIRD FLOOR)
WASHINGTON, D.C. 20536

DATE: 11/13/95

TO: Khuc Minh Tho

FROM: Kathleen Thompson

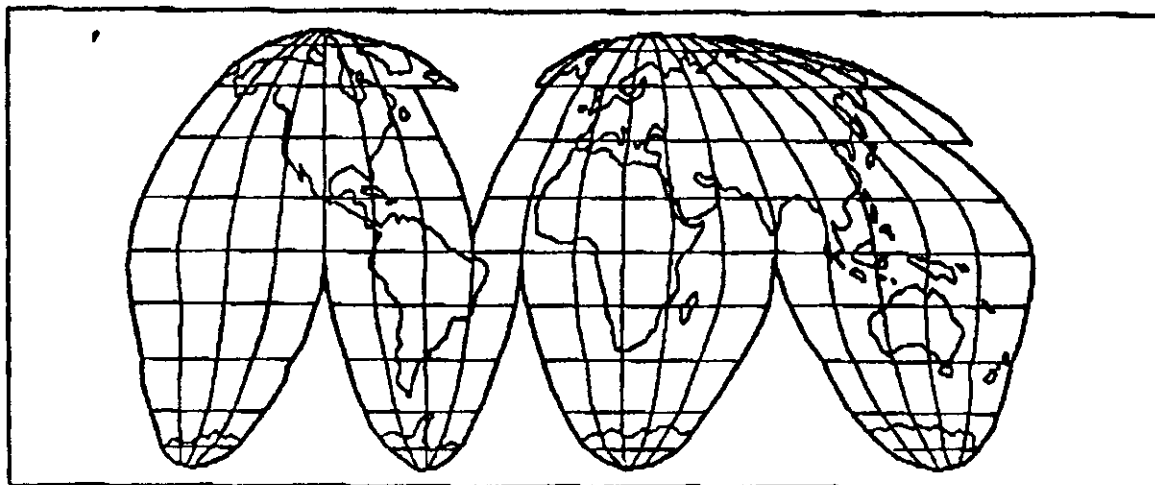
FAX NUMBER: (703) 204-0394

NUMBER OF PAGES: 0

REMARKS:

I've forwarded your letter expressing your interest in sponsoring the "Lost Commando" cases to Anita Botti at the Department of State (PRM) since she deals with resettlement and sponsorship issues. She should be in touch with you directly. Her phone number is 663-1071.

INS processing of this group is going well. As of the beginning of the month, 36 cases had been approved. State and INS recently authorized interviews for an additional 12 cases.





U.S. Department of Justice
Immigration and Naturalization Service

#1

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

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APR 11 1995

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

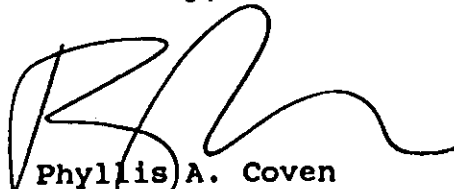
Dear Mrs. Tho:

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

Embassy of the United States of America



August 15, 1995

Bangkok, Thailand

Ms. Khuc Minh Tho
President
Families Of Vietnamese Political Prisoners Association
P.O.Box 5435
Arlington, VA 22205-0635

Dear Ms. Khuc:

Thank you for your letter of June 30, 1995 received by this office on August 4, 1995. You wrote concerning the refugee applications of Do Thi Thai and her children (ODP file IV-339699/H33-447).

The referenced applicants were interviewed by a U.S. immigration officer in Ho Chi Minh City on June 6, 1995. They were scheduled for their interview due to our error. In fact, the policy that precludes the over twenty-one year old children of refugee applicants from being scheduled for interview had already been announced when we scheduled these applicants for an interview. The last interview trip to include over twenty-one year old derivative refugee applicants ended on April 17, 1995. After that date, no over twenty-one year old derivative refugee applicants have been scheduled, with the exception of cases involving a "last remaining family member". Since Hua Thi Mong Hoa and Hua Thi Thao Trang are both over twenty-one years old, neither of them can be given special consideration as the last remaining family member. For this reason, their refugee applications were denied when they appeared at the interview with their mother.

Under U.S. immigration law, refugee applicants who are also eligible for immediate relative immigrant status must enter the U.S. as immigrants, rather than as refugees. This does not preclude the principal applicant's children who are under twenty-one years old from being considered for refugee status. Since Do Thi Thai's daughter, Hua Thi Thu Thanh has been in the U.S. for a number of years and may now be a U.S. citizen, we have requested verification of her immigration status from the Immigration and Naturalization Service (INS). In the meantime, if she is now a U.S. citizen, she should file an immediate relative immigrant visa petition with INS on behalf of her mother. Once we receive an approved immigrant visa petition on behalf of Do Thi Thai, or confirmation from INS that Hua Thi Thu Thanh is not yet a U.S. citizen, we will continue processing Do Thi Thai's and her minor son's applications.

I hope this information will be helpful to you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martha Sardinas".

Martha Sardinas
Director
Orderly Departure Program

MS/jsj (5320a/30-31)

Refugee Eligibility

Individuals may apply for admission to the US as refugees under ODP's Regular Subprogram or Re-education Subprogram. If approved, an applicant may travel to the US as a refugee unless someone in the US is eligible to file an immediate relative visa petition on his/her behalf. In this case, the applicant must enter the US as an immigrant although their approved children may travel as refugees.

Previously all ODP applicants approved as refugees were allowed to be accompanied by their spouse and unmarried sons and daughters who continuously resided in the family household. In December 1994 the US Department of State and the US Immigration and Naturalization Service announced that refugees interviewed after April 14, 1995 are allowed to be accompanied by their spouse and unmarried sons and daughters *under the age of twenty-one*. Exceptions may be made for sons and daughters who are over the age of twenty-one if they are the last remaining, dependent, family member in Vietnam who might be subject to severe hardship if left alone or who are disabled and have no relatives in Vietnam to care for them.

Former Re-education Center Detainee Subprogram

All applicants who were interned in re-education centers for three or more years due to their pre-1975 association with US government policies in Vietnam are eligible for an interview under the Re-education Subprogram. Time served in re-education centers as a result of unsuccessful attempts at illegal departure or post-75 counter-revolutionary activities does not qualify for ODP interview eligibility purposes nor do the various probation periods to which former detainees were often subjected following release. Spouses of former detainees who died as a direct result of time spent in re-education may also be eligible for an interview provided they have evidence to support their claim.

Until recently, under a bilateral arrangement between the US and Vietnamese governments, former re-education center detainees registered with the Socialist Republic of Vietnam (SRV) to have their names included on a Vietnamese interview list ('HO' list) by presenting their re-education release certificates with their applications for exit permission. On March 31, 1994, ODP accepted the last interview list (H44) for this program. Remaining applicants were given until September 30, 1994 to register directly with ODP.

Regular Subprogram

Applicants in any of the following categories are eligible for a refugee interview in the Regular Subprogram: beneficiaries of 'Visas 93' refugee petitions (form I-730); certain parents whose children in the US are both unaccompanied and under the age of 21; applicants with at least five years of former employment with the US government or a US private company or organization; and individuals with between one and three years of re-education who also provide evidence of one or more years of US government or private employment or any period of training in the US under US government auspices.

Meeting the interview criteria listed above is not a guarantee of approval. At the interview, applicants must prove they meet the definition of a refugee as defined under §101(a)(42) of the Immigration and Nationality Act (INA). Briefly, this provision of the law requires a demonstration of persecution or a well-founded fear of persecution in one's home country on account of his/her race, religion, nationality, membership in a particular social group or political opinion.

Refugee Registration Deadline

It is no longer required that refugee applicants be named on an SRV interview list as long as they have exit permission granted by the Vietnamese authorities. All refugee applicants who meet the above criteria and who have supplied copies of documentary evidence to support their claims qualify for an interview if they established an ODP file prior to September 30, 1994.

Pre-Interview Processing

When ODP receives evidence of refugee eligibility, the file is reviewed and any additional documentation needed is requested. Applicants seeking refugee status as former employees of the US government or US private companies must have documentary evidence to support their claims. This may be in the form of old personnel action notices, letters of recommendation, letters from former colleagues in the US, pay stubs, certificates or verification notices from the agency or the appropriate records center. Applicants whose eligibility includes US government sponsored training in the US must also provide documentary evidence of their training.

MINUTES OF THE
FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION (FVPPA)
MEETING WITH THE
NATIONAL CONGRESS OF VIETNAMESE IN AMERICA (NCVA) AND THE
WASHINGTON AREA LEAGUE OF VIETNAMESE ASSOCIATIONS (LVA)

Sunday, February 4, 1996
11:00 A.M.

(Resettlement Assistance for the Special Commandos)

Present: Le Van Ba
 Nguyen Ngoc Bich
 Khuc Minh Tho
 Le Tho Trung
 Tran Ngoc Thach

1. Orientation, Welfare and Employment: Mrs. Tho has had a meeting with the Diocese of Arlington Office of Resettlement (USCC) to secure the latter's help with the coming resettlement of special forces commandos. By a letter of January 24, 1996, Mr. David Herrmann agreed to help in the following areas:

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- Provide Newcomers to America Orientation Program to each refugee family the next week after arrival.
- Provide referral services to all required agencies.

In terms of employment, we have assurances of Fairfax, Arlington County Employment Services and other local employment agencies to "enroll employable refugees in employment search programs." As far as welfare benefits are concerned, there is no indication that they are changing from the current provisions.

2. Airport Meet and Assist: NCVA and the Washington Area League of Vietnamese Associations will enlist the cooperation of local Vietnamese American associations to welcome the newcomers on arrival.

3. Housing and Furnishings: Vista Gardens will make a number of apartments available to newcomers and their families. Various churches have promised to help with furniture and household utensils.

4. Initial Food Provisions: FVPPA and friends will make sure as part of the initial welcome that each newcomer family will be provided with enough food provisions to tide the families over from the time of their arrival to the time when USCC provides them with the initial check.

5. Miscellaneous Items/Issues: A Task Force, coordinated by FVPPA, will be formed to split responsibilities and take care of the following issues for the newcomers:

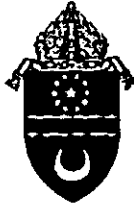
- Social Security Numbers
- County Social Services Appointments
- Transportation
- School Enrollment/ESL Training
- Health Screening and Care

6. Job Training and Job Placement: The newcomers will be placed in those programs available in Arlington and Fairfax (a joint responsibility of USCC and FVPPA).

The meeting adjourned at 1:15 p.m.

DIOCESE OF ARLINGTON

80 North Glebe Road • Arlington, VA 22203



OFFICE OF RESETTLEMENT

Lower Level • Tel: (703) 524-2130 • Fax (703) 524-2741

4

January 24, 1996

Mrs. Khuc Minh Tho
President
Families of Vietnamese Political
Prisoners Association
P.O. Box 5434
Arlington, VA 22205-0635

Dear Mrs. Tho:

The Staff of USCC / Refugee Services / Diocese of Arlington, Virginia would like offer to the Families of Vietnamese Political Prisoners Association the following services in your effort to resettle Vietnamese Commandos and Special Forces group who were caught and imprisoned during the 1960's in Northern Virginia.

1. Provide help in processing any paperwork in regards to each case before arrival.
2. Provide maximum funding available for each case.
3. Provide Newcomers to America Orientation Program to each refugee family the next week after arrival.
4. Provide referral services to all required agencies.

Note: Fairfax County Employment Services will enroll each employable refugee in the employment search program in our office on the final day of our orientation program. The Fairfax County Employment will work to find employment for the Commando cases within the first 6 months after arrival.

Note: In phone conversation with Cathy Cooper, Virginia State Refugee Coordinator, there will be no changes to the Virginia Refugee Cash Assistance Program as of this date.

Sincerely your,

David A. Herrmann
Resettlement Director



Migration and Refugee Services

902 Broadway, 8th Floor New York, NY 10010-6093 (212) 387-7300 FAX (212) 387-8601

November 16, 1995

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

Dear Mrs. Tho:

It was good to hear from you recently concerning your continuing efforts on behalf of the deserving cases left in Vietnam, particularly the special forces group and your aspirations of helping them resettle in Northern Virginia. I applaud your perseverance and effectiveness in the face of increasingly unsympathetic policy makers on the question of who from Vietnam should be admitted to the United States.

Your letter was very timely, because we are currently in the process of establishing 1996 operating budgets for our refugee resettlement network, including the Catholic Charities program in Arlington. Although you and Dave Herrmann are a bit more optimistic than I about the prospects for Vietnamese admissions for next year, we are confident that between USCC and Dave's office we can establish a budget plan that maintains the staffing necessary to continue the resettlement assistance required by newly arriving, USCC-sponsored refugees.

Thank you for your continued interest in and support for USCC refugee programs. I wish you the very best of luck in your advocacy efforts. And, please know that we remain available to assist in any way possible to advocate for the Vietnamese deserving of U.S. resettlement opportunities.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Franken".

Mark Franken
Director, Refugee Programs

cc: Dave Herrmann



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December 14, 1995

The Honorable John McCain
Senator, United States Congress
Washington, D.C.

Dear Senator McCain:

We are writing to give you a report of our recent trip to Phoenix and Tucson on November 23-28, 1995 to meet with the communities of resettled former political prisoners and their families who reside in those two wonderful cities.

Before covering the substantive specifics of the trip, we want to take this opportunity to express our appreciation for the assistance of Ms. Deborah Jacobus, who took the time to introduce us to your staff and explain their duties and various roles. She has been helpful and instrumental in the lives of many former political prisoners and their families, specifically in the area of the ODP program. Deborah personified the welcoming spirit of America and her warm professionalism was felt and appreciated by all.

We are happy to report that the resettlement of the former political prisoners has gone well in Arizona. The job market is robust and the non-governmental agencies that work with the families for the most part have done well. The cities of Tucson and Phoenix provide a supportive resettlement environment and we will convey this feeling to the Department of State and other non-governmental agencies who will work the resettlement of the special forces commandos who are now being processed by INS at this time.

Our trip did uncover several concerns. Our association and the former political prisoners continue to experience frustration with the eligibility and processing of the unmarried over-21 sons and daughters of political prisoners. You will recall that your office was most helpful in directing the attention of the staff of INS (Office of International Affairs, Director, Ms. Phyllis Coven) to reconsider the blanket exclusion of these family members. Ms. Coven agreed to implement a policy of humanitarian exception for unmarried sons and daughters who constituted an integral part of the household of the former political prisoner. INS also agreed to extend the cutoff for general eligibility of the unmarried over 21's from February to April of this year given the fact that the Orderly Departure Program (ODP) suddenly implemented the policy eligibility change without consultation.

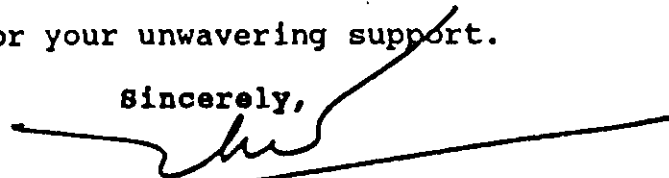
Despite the assurances from INS, ODP continues to refuse a humanitarian exception consideration for the unmarried over 21's and also refuses to reconsider the cases that were summarily denied an interview before April of this year. Many elderly former political prisoners, who have resettled in this country, and many who are being processed now, will be unable to cope in their new lives without the support of their unmarried sons and daughters, who faithfully remained in the household to await resettlement with their fathers. As ODP processing of the former political prisoners is coming to an end, it is crucial that we clarify these issues as soon as possible. We must again call on the assistance of your office in this matter.

We must also report that the resettled former political prisoner communities in both Tucson and Phoenix complained about the lack of responsiveness to inquiries from ODP in Bangkok. The policy confusion discussed above, along with the inability to obtain timely and accurate answers (both phone and letter) from ODP, has created a high level of anxiety and frustration among the families. A clear and reasoned "no" is often better than a delayed and confused "don't know". Please, we implore you; help us.

Our association believes that the urgency of the issues surrounding the remaining caseload of former political prisoners in the twilight of the ODP, requires urgent intervention, both with INS and the Bureau of Population, Refugees and Migration (PRM) at the U.S. Department of State. We would like to meet with your staff to discuss the best strategy for effecting this change.

Again, thank you for your unwavering support.

Sincerely,



Mrs. Khuc Minh Tho
President

Attachment

United States Senate

WASHINGTON, DC 20510-3701

#6

December 7, 1995

The Honorable Warren M. Christopher
Secretary
Department of State
Washington, D.C. 20520

Dear Warren:

Over the years, the Orderly Departure Program (ODP) has permitted many former political prisoners, former U.S. employees and others with past association to the United States to leave Vietnam through the U.S. Refugee Program. However, to access this program, most have had to wait for many years, during which time they have often suffered economic and political discrimination -- sometimes as a result of their application for ODP. I am writing to call your attention to a number of problems which have arisen with respect to this worthwhile program.

Throughout the program for former reeducation camp prisoners, now almost ten years old, the former prisoners have been permitted to bring their wives and children with them, including unmarried adult children. After waiting so many years, and insisting to their children that they remain unmarried, recent applicants have been told that their adult children can no longer come to the United States with them. The children of the former prisoners have not only avoided marriage but have suffered discrimination over the years as a result of their parent's ODP application. It seems most unfair, both to them and to their parents, to deny them at this late date in the program. This should be reviewed and the use of Public Interest Parole reinstated for these last few participants in this long and successful program.

Recently, the U.S. Refugee Program has begun to schedule interviews with U.S. immigration officers eight weeks after the date of the invitation to appear at such an interview. Unfortunately, the Vietnamese government is very often not producing exit permits in time for such interviews and, without exit permits, the interviews are canceled. This has resulted in a very high no show rate (about 70%). While interviews can be rescheduled, the procedure for such rescheduling also leaves open the possibility that many will not be interviewed due to their failure to meet artificial rescheduling requirements. Finally, it appears that the Department of State may establish a deadline of March 1996 for ODP interviews for refugee status.

In short, as the result of an apparent haste to wind up this long and honorable program, in which the United States has sought to discharge its obligations to some of those who have most suffered from their association with U.S. programs and purposes, may find themselves left behind. I urge that care be taken to assure that this program be continued until all deserving cases have been given an opportunity for a fair hearing.

The Honorable Warren M. Christopher
December 7, 1995
Page two

Finally, only a small fraction of former U.S. government employee applications (about 5%) are currently being approved for refugee status by the INS. This would not be the case if the provisions of the Lautenberg Amendment were applied. At a minimum, such cases would be offered parole under the Lautenberg standard if denied refugee status. This should be corrected in this final phase of the program.

The Administration has made adjustments to the program so that the "lost commandos" are now being processed, and a "Track II" process is being put into place to provide INS interviews for deserving Vietnamese currently in first asylum camps around the region. Bringing the ODP to a close in a responsible way would be the third element in fulfilling our responsibilities to those Vietnamese who have worked with us.

Thank you for your kind attention to this matter.

Kind regards.

Sincerely,



Mark O. Hatfield
United States Senator

MOH:ks

cc: Doris Meissner

INTERVIEWS OF RECENTLY-ARRIVED BOSNIANS...

In order to collect additional information on the atrocities committed during and after the fall of Srebrenica in October 1995, the Human Rights Watch will be conducting interviews with the Bosnian refugees who were recently released from the detention centers in Serbia and have arrived in the United States. Any resettlement agency with information or access to refugees wishing to share their stories can contact Diane Paul at (212) 972-8400.

Also, the Bureau of Democracy, Human Rights and Labor is collecting information on war crimes. Agencies who know refugees interested in offering evidence of war crimes may contact Crystal Nix at (202) 647-3809 or Josiah Rosendatt at (202) 647-1385 of the State Department.

Obviously, this sensitive matter must ultimately be decided by the refugees. Strict confidentiality will be exercised in these interviews and refugee name and addresses will not be given out to outside organizations.

REFUGEE PROCESSING - BELGRADE...

The November-December 1995 INS circuit ride to Belgrade took place during the 27 November to 7 December period. Two INS officers interviewed for a total of 9 working days.

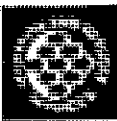
The first week was spent on mission to the two detention centers in Southern Serbia where the officers interviewed and approved 199 cases/214 people referred by UNHCR for U.S. resettlement.

The second week was spent in Belgrade interviewing USRP cases. A total of 97 cases/283 people were interviewed by INS during this period and of this number, 91 cases/276 people were approved.

REFUGEE PROCESSING - ODP...

Below are the highlights of the ODP Statistical Summary Report for the end of November 1995.

- Refugee interview attendance
Eighty percent (80%) of refugee applicants proposed for interview in FY 1996 were unable to attend an interview. The large majority of these were unable to obtain documents issued by and required by the Vietnamese government. Files were prepared for more than 13,000 applicants. Fewer than 3,000 were interviewed.
- * Former political prisoners
* Interviews are scheduled to conclude in June 1996.
- Amerasians
While as many as several thousand Amerasians are estimated to remain in Vietnam, ODP is of the opinion that most who wished to depart have done so.
- Family Reunification
Visas are now processed in accordance with worldwide US visa guidelines.



December 4, 1995

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REFUGEE PROCESSING - BELGRADE...

INS officers are heading to Southern Serbia this week to complete the special processing of 201 cases/220 people - all of whom are Moslem males who fled the Bosnian Serb Army invasions of Srebrenica and Zepa and who are being detained in two camps in the mountains of southern Serbia.

Bios on approved cases are expected within the next week. If expedited assurances are received from the volags, the refugees are expected to depart for the U.S. by mid- to late January.

REFUGEE PROCESSING - SAUDI ARABIA...

INS conducted an interview tour to Rafha camp from October 30th through November 17th. A total of 548 cases/776 persons were adjudicated by the INS with a 60% approval rate or 465 persons.

Post has issued a request to all voluntary agencies to expedite the assurances for all Iraqi cases. Assurances for all cases allocated the week of November 29th should be received by JVA/Saudi Arabia by COB Wednesday, December 6, so that JVA and IOM can process approximately 150 refugees before the Christmas season and Ramadan for departure to the U.S. by mid to late January.

The next INS tour to Rafha camp is expected for March 1996.

REFUGEE PROCESSING - ODP...

ODP reported that high no-show rates continued into September. Of the applicants proposed for interview, 71% did not attend.

Current statistics on No-show Interview (NSI) letters show that 68.5% of No-show applicants failed to attend an interview because they were unable to obtain exit permission. Twenty-five percent cited a variety of other reasons for the NSI. Only 6% of responses indicate that the applicants have withdrawn their application, have died or have departed by other means.

The Department of State has instructed JVA to terminate the registration of any refugee applicant who failed to attend their scheduled interview. JVA will attempt to contact NSI applicants after they fail to appear for interview. Applications will be terminated if no correspondence has been received within 2 months of the original interview date.



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FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION

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Telephone: (703) 560-0058 * Fax: (703) 204-0394

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February 8, 1996

Ms. Anita Botti
Chief, Domestic Refugee Admissions
Bureau for Population, Refugees and Migration
U.S. Department of State
Washington, D.C. 20520

Dear Anita:

Per your request for additional information regarding the Lutheran International Services (LIRS) agency referred to in my letter of February 6, 1996, please be advised that our contact person was Mr. Bui Minh Nga. Mr. Bui is President of the Former Political Prisoners Association in Phoenix, Arizona. He can be contacted as follows:

Mr. Bui Minh Nga
4630 West San Miguel Avenue
Glendale, Arizona 85301
Telephone: (602) 937-4845 (Home)

Please feel free to contact me if you require additional information or have questions and/or concerns.

Thanking you in advance for your immediate attention and response, as always.

Sincerely,

Khuc Minh Tho
President



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February 5, 1996

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Ms. Kathleen Thompson
Office of International Affairs
Immigration and Naturalization Service
Department of Justice
Washington, D.C.

Ban Chấp Hành T.Ư.
Executive Board

Dear Kathleen:

KHÙC MINH THƠ
President
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Vice President
NGUYỄN VĂN GIỚI
Secretary General
TRƯƠNG THỊ LANG ANH
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Deputy Treasurer

I feel compelled to ask for a meeting with you in the near future due to several issues with a short time fuse. I have not been able to address these issues with you sooner due to the holidays, furloughs and blizzards.

Cố Vấn Đoàn
Advisory Committee

HIỆP LOWMAN
NGUYỄN XUÂN LAN
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Of particular concern is the continuing frustration experienced by some of the families concerning the eligibility and processing of the unmarried over 21 sons and daughters. As you will recall from our earlier meetings, Ms. Coven agreed to implement a policy of humanitarian exception to the blanket exclusion of over-21 unmarried sons and daughters following the abrupt introduction of this policy in December of 1994. Over a year later, it is fair to say that ODP's implementation of this policy has been half-hearted and haphazard (see attachments). The deadline for the over-21's is now the 17th of April, 1995 and many families whose over-21 sons and daughters were summarily excluded by the policy are not receiving the opportunity to have their cases reviewed for humanitarian exception (see attachments).

This issue is even more critical due to proposed changes to family preference immigration law that would exclude former prisoners from even petitioning for their sons and daughters once they arrive. The advanced age of the former prisoners makes them dependent on the support and care of their now adult sons and daughters who through the years have been integral parts of the household. To deny the former prisoners the support of these sons and daughters during their resettlement now is to take from them one of the major elements upon which they must rely for an independent and dignified old age.

Ms. Kathleen Thompson
Office of International Affairs
Immigration and Naturalization Services
Department of Justice

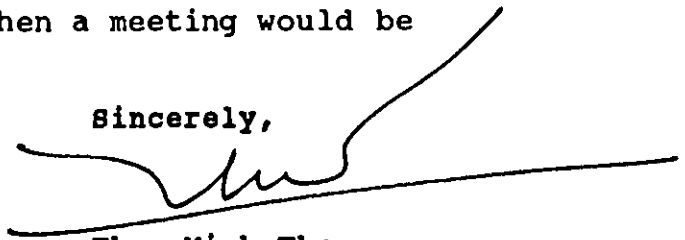
- 2 -

On the brighter side, I would also like to talk to you about the processing and resettlement of the commandos. Our association greatly appreciates your assistance in this program and we would like to talk about the status of the cases.

Finally, I would like to talk with you about the processing of the remaining caseload of former political prisoners. We have heard that ODP is winding up and we are concerned about the staffing to process the remaining caseload as well as the availability of adequate refugee admission numbers in light of on-going budget cuts.

Please let me know when a meeting would be convenient for you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Khuc Minh Tho', is written over a horizontal line. The signature is stylized and cursive.

Khuc Minh Tho
President

Attachments

**AGENDA FOR MEETING BETWEEN
FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION
AND IMMIGRATION AND NATURALIZATION SERVICE**

1. Status of processing under the humanitarian exception policy the unmarried over-21 sons and daughters of the former political prisoners. ODP has not been applying this policy and the cases who were denied humanitarian consideration now face the end of June deadlines. In light of ODP's failure to implement the policy of humanitarian exception, we request that ODP return to the previous practice (which has been so since the beginning of the HO program) that over-21 unmarried sons and daughters be included in the case. As we are sure you are aware, the former political prisoners whose sons and daughters were excluded have been miserable in their resettlement here.

2. Impact of pending legislative changes (HR 2202 sponsored by Representative Lamar Smith of Texas) to family preference categories that would eliminate unmarried sons and daughters from being petitioned by their parents. This will have a big impact on the FPP's. We understand that the Bill, HR-2202 sponsored by Representative Lamar Smith of Texas will be presented to the Congress in April, 1996.

3. Status of the processing of the remaining caseload of former political prisoners under the HO subprogram of ODP. What is the availability of refugee admission numbers for FY97 to process the remaining caseload.

4. Review of the cases involving FPP family members of those prisoners who died after release.

5. Documentation problems continue: the reissuance of release certificates when the original has been lost.

6. Status of the processing of the special commando cases. We are happy that INS is processing these cases and we would like to know the latest data on the number of cases processed, number approved and the anticipated completion date for the caseload. Our association is concerned about the eligibility for the widows of the commandos. FVPPA and the Vietnamese community are eager to help in the resettlement of these cases in this area.

7. We have learned that the National Personnel Records Center (NPRC) has recovered over 500 cubic feet of personnel records pertaining to the employment of Vietnamese during the Vietnam war era (see attached information about Mr. Boylan and the National Archives at Suitland, Maryland). We feel that the availability of these records justify the reconsideration and reinterview of former USG employees, trainees, contractors, and others closely associated through their work, whose cases were rejected for lack of documentation.

8. What can we do about the disturbing "no-show" rate (80%), which is due to circumstances outside the control of the applicants? This should be brought to the attention of the Vietnamese government at the next SRV-USG Working Group talks and, if necessary, the deadline for processing should be extended.



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February 13, 1996

The Honorable John McCain
United States Senate
S.R. 241
Washington, D.C. 20510

Dear Senator McCain:

I am writing on behalf of the Families of Vietnamese Political Prisoners Association (FVPPA), which as you know, represents the interests of the former political prisoners who were imprisoned in Vietnam for their close association with the policies of the governments of the United States and South Vietnam during the Vietnam War era. Through the efforts of the Orderly Departure Program (ODP) and the humanitarian resettlement policies of the United States government, over 150,000 former political prisoners and their family members have resettled in the United States since 1989.

As great as these efforts have been, the task of resettlement continues. There are thousands of former political prisoners still waiting to be interviewed by ODP in Vietnam. We have been assured by the Bureau of Population, Refugees and Migration (PRM) at the U.S. Department of State that refugee admission numbers will be available in the future to accommodate the remaining caseload.

The FVPPA is concerned about proposed changes to immigration law under discussion in Congress. A bill in the House of Representatives, H.R. 2202, is sponsored by Rep. Lamar Smith of Texas. It has cleared the Judiciary Committee and will go to a vote early this year. This bill deals with both illegal and legal immigration.

The limited number of refugee admission numbers has placed increasing restrictions on the family members (sons/daughters over 21 years of age, and in some instances the wife) who have been able to resettle with the former political prisoners as refugees. As a consequence, the former political prisoners must often leave behind sons and daughters whom they have lived

The Honorable John McCain
United States Senate
Page Two
February 13, 1996

with for years as a family unit since release from prison. Once they arrive in the United States, the former prisoners must wait several years for the filing and processing of their remaining family members through current U.S. immigration laws. wait several years for the filing and processing of their remaining family members through current U.S. immigration laws.

Some of the proposed changes to current immigration laws will further restrict the eligibility of family members to be reunited with the former political prisoners in the United States. We ask that this unintended result of some of the changes be carefully considered before any of these proposed changes are enacted into law. Thousands of elderly former political prisoners now in the United States have depended on their adult children to rejoin them and to help them live out their days in security and peace in the United States after the horrors of "re-education". Some of the proposed changes in the law will mean that these elderly victims of torture and discrimination in Vietnam will never again know the security of living with their families, and will have to resort to whatever public assistance might be available to them in the current climate of limited benefits.

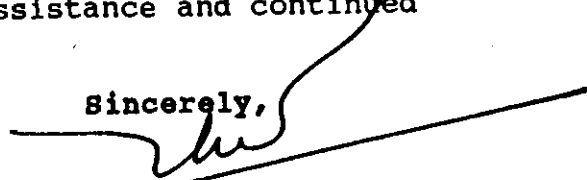
We ask that any changes in immigration law that would preclude family reunification of the political prisoners and their family members include exception clauses that would allow the family members to immigrate as they do under current law.

Based on your previous experience as a POW, I am certain that you can attest to the importance given to family values that the Vietnamese political prisoners possess. In addition, you are probably also cognitive of the respect, care and concern shown the elderly population of Vietnamese by their children. After many long years of suffering, the political prisoners need the support of their families during their twilight years.

The Honorable John McCain
United States Senate
Page Three
February 13, 1996

As always, we are appreciative of your commitment to our humanitarian concerns. We would like to thank you in advance for your assistance and continued support.

Sincerely,



Mrs. Khuc Minh Tho
President

DEC 1 1995

URGENT MEMORANDUM

From: Khuc Minh Tho
To: Interested Parties
Re: Family Reunification

Your help is urgently needed to prevent Congress from changing a law that would create disastrous problems for former political prisoners and their families.

A bill in the House of Representatives, H.R. 2202, is sponsored by Rep. Lamar Smith of Texas. It has cleared the Judiciary Committee and will go to a vote early next year. This bill deals with both illegal and legal immigration.

The legal part would have the effect of cutting family reunification visas by 30% and eliminating three of the three categories -- brothers and sisters, adult children, and parents of U.S. citizens and legal permanent residents.

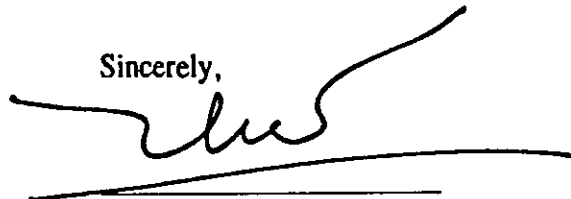
If this part of the bill becomes law, it will end forever the hopes of the families of many former political prisoners for reuniting with their families in the United States!!!

We believe the best strategy for dealing with this emergency is to get Congress to "split" the bill, so that the illegal and legal issues are separated and considered separately. But in order to do this, action by House Speaker Newt Gingrich and House Majority Leader Richard Armev are needed.

We are therefore asking you to contact both these leaders, asking them to split the bill. We are also asking you to contact your own Representative and ask her or him to ask Mr. Gingrich and Mr. Armev to split the bill. A suggested letter is enclosed for your information and possible use.

Crucial votes will be taking place in the Congress in the next few weeks. We can make a difference, but we need to act right away. Please, please, please make your views known to the Congress!!

Sincerely,



Khuc Minh Tho, President
Families of Vietnamese Political Prisoners

What You Can Do

Sample letter

Dear _____:

I urge you to help American families stay together, and show US leadership in the world by helping refugees. The House Committee on the Judiciary has just voted on a bill, HR 2202, that would do just the opposite. Please contact Speaker Newt Gingrich and Majority Leader Dick Armey, as well as Members of the House Committee on Rules, asking them to split this immigration bill, so that the provisions on illegal immigration are considered separate from the unnecessary reductions proposed for refugees and legal family immigrants.

The bill now misplaces the concern over illegal immigration and targets inappropriate reductions against legal immigrants, refugees and family members of American citizens. It would radically cut refugee admissions by imposing an arbitrary cap of 50,000. Family visas would be reduced by more than 30%, eliminating three out of the four categories. Adult children of American citizens and legal permanent residents, brothers and citizens of American citizens, as well as parents of American citizens would be affected by these cuts and restrictions.

These reductions in refugee resettlement and family reunification are not needed and complicate the debate over the enforcement provisions of the bill. Legal immigration serves American interests by keeping families who play by the rules together, strengthening our communities through family reunification. The orderly admission of refugees proclaims American principles of freedom and democracy, and helps protect those who have been persecuted for their political opinion or religious beliefs.

I ask you to help split this bill before the House considers and votes on immigration reform in the coming year.

Whom to Contact

*The Honorable Newt Gingrich
Speaker of the House
US House of Representatives
Washington, DC 20515*

*The Honorable Richard Armey
Majority Leader
US House of Representatives
Washington, DC 20515*

Your Representative:

*The Honorable _____
US House of Representatives
Washington DC 20515*



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

FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION

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February 13, 1996

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:

I am writing to update you on the status of several issues of great concern to our organization, the Families of Vietnamese Political Prisoners Association (FVPPA). I have enclosed copies of letters that I have just sent to Ms. Anita Botti at the State Department and Ms. Kathleen Thompson. The letter to Ms. Thompson also includes an agenda of items that I hope to discuss with her in a meeting in the near future.

You may recall that about this time last year we sought your assistance with the issue of the blanket exclusion of the unmarried sons and daughters of the former political prisoners. You were most helpful in facilitating for our association a meeting with Ms. Phyllis Coven at the Office of International Affairs, who agreed that there should be a policy of humanitarian exception for these cases. Although Ms. Coven instructed the Orderly Departure Program in Bangkok to implement this policy, we are not convinced that these cases are being reviewed for humanitarian exception.

The issues surrounding this group of cases are particularly acute at this time due to ODP's deadline at the end of March for all consideration of the over-21's and the possibility that proposed legislative changes to the family preference categories of immigration law would make it impossible for the aging parents to petition their unmarried sons and daughters after their resettlement here. We again need your assistance in focusing attention on these issues.

Mr. Eric P. Schwartz
Director, Human Rights
Refugees and Humanitarian Affairs
National Security Council
Executive Office of the President
The White House
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February 13, 1996

As the enclosed letters indicate, our association is very pleased with the processing of the special commandos, who are now eligible for refugee resettlement in the United States.

Finally, we are concerned about the processing of the remaining caseload of the former political prisoners and their families. Our association would like to reassure the Vietnamese community that there will be sufficient refugee admissions numbers available in FY'96 and FY'97 to accommodate the rest of the caseload in this very successful program.

As always, on behalf of the association, we are grateful for your unfailing help with issues affecting the resettlement of the former political prisoners.

With warm regards,



Khuc Minh Tho
President