

**AGENDA FOR MEETING BETWEEN
FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION
AND IMMIGRATION AND NATURALIZATION SERVICE
IN WASHINGTON, D.C.**

**Wednesday, March 27, 1996
3:00 P.M.**

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. (Attachment #1)

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. (Attachment #2)

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. In addition, we would like careful review and consideration of the Household registration. (Attachment #7)

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. (Attachment #6)
7. What is the status of the processing and timeline for resettlement of the special commandos? What are the guidelines for processing? How many have been approved and how many have been rejected?
8. 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. (Attachment #3)
9. 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. (Attachment #4)
10. Review the cases of presented at previous meeting of August 30, 1995. (Attachment #5)
11. Change of status for PIP cases.

**MINUTES OF THE MEETING BETWEEN
FAMILIES OF THE VIETNAMESE POLITICAL PRISONERS ASSOCIATION
AND IMMIGRATION AND NATURALIZATION SERVICE
IN WASHINGTON, D.C.**

Wednesday, March 27, 1996

On March 27th at 3:00 P.M., Families of the Vietnamese Political Prisoners (FVPPA), represented by Mrs. Khuc Minh Tho and Ms. Ngoc-Dung Trinh, met with Ms. Kathleen Thompson and Ms. Janelle Jones of the Office of International Affairs of the Immigration and Naturalization Service (INS) in Washington, D.C.

The participants discussed the following issues and reached the following understandings:

1. **Humanitarian exception policy for the unmarried over-21 sons and daughters of the former political prisoners.** FVPPA pointed out that this policy has not been implemented by ODP in the field for over twenty-one year old derivative refugee applicants and requested that ODP return to the previous practice (which has been so since the beginning of the HO subprogram) that over-21 unmarried sons and daughters be included in the case. INS replied that ODP has applied the exceptions policy to examine case by case so that the last member of a family or a handicapped dependent is given a review for inclusion in the case. As for the request to return to the original policy, INS suggested that the FVPPA raise this issue with the State Department.
2. **Changes to Immigration Law (HR 2202).** INS reported that the proposed changes to legal family preference categories were dropped from the bill.
3. **Remaining FPP caseload.** FVPPA asked about the status of the processing of the remaining caseload for the former political prisoners (FPP's). INS replied that all cases qualified will be processed and refugee admissions numbers will be made available.
4. **Derivation of deceased FPP status.** INS stated that the policy remains the same and that evidence is needed to show that the FPP died after release due to the conditions of his incarceration.
5. **Documentation problems.** INS stated that the FPP's must submit new documents for missing release certificates and show evidence of other documents.

- * 6. **Status of Processing for the Special Commandos.** INS reported that ODP has opened files for 199 cases identified as "lost commandos." As of the beginning of March, 88 cases, comprising 320 individuals, had traveled to the United States. Forty-nine cases, comprising 155 individuals, were approved and pending departure. Twenty-five cases were either awaiting interview scheduling, awaiting authorization for interview, or failed to appear for previously scheduled interviews. Twenty cases were found not to qualify for interview or not to be eligible for refugee status in the United States. Of the remaining ten cases, 6 are reported to be in the United States, 2 in third countries and 2 deceased. Seven files are newly created by ODP and are awaiting documentary evidence of their claims.
7. **"No-Show" rate.** FVPPA pointed out that there are hundreds of qualified FPP's who cannot obtain exit permits and therefore are unable to appear for interviews. Previously, the Department of State stated that all qualified FPP's would be interviewed by June 1996. INS suggested that FVPPA raise this concern with the State Department and ODP. INS may go along with special cases if the Department of State agrees to open these cases for interview. INS also suggested that FVPPA talk to the State Department about ODP raising the issue of exit permit with the Vietnamese government. FVPPA can also help by informing ODP when a particular FPP family obtains exit permits. In these cases the Department may reconsider interviews.
8. **Evidence obtained from the National Personnel Records Center pertaining to rejected former USG employee cases.** USG employees must have 15 years of government employment to be qualified for special immigrant visas. Those former employees who worked five or more years may obtain interviews but are not guaranteed refugee status admission.
9. **Change of Status for PIP cases.** INS pointed out that resettled parents with green cards can file I-130 petitions for their PIP unmarried children who are in the U.S. As for the married sons and daughters, the resettled parents must wait until they become U.S. citizens before they can file petitions. The Lautenberg amendment applies only to those cases denied refugee status, and if ODP confirms that these cases were denied refugee status and came to the U.S. under as parolees, then INS will consider adjusting their status to be residents. INS agreed to send to FVPPA an information sheet on PIP processing and readjustment status in the U.S. so that FVPPA understand how these cases are treated and processed.

**AGENDA FOR MEETING BETWEEN
FAMILIES OF VIETNAMESE POLITICAL PRISONERS ASSOCIATION
AND IMMIGRATION AND NATURALIZATION SERVICE
IN WASHINGTON, D.C.**

**Wednesday, March 27, 1996
3:00 P.M.**

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. (Attachment #1)

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. (Attachment #2)

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. In addition, we would like careful review and consideration of the Household registration. (Attachment #7)