

FIRST WRONGDOINGS UNCOVERED:

**SEARAC & NAVASA Found to
Have Misappropriated VNCOC
Name in effort to secure
Government Funds**

"DEVASTATING BLOW":

**DORNAN DEMANDS TAX RETURNS
& OTHER RECORDS FROM KHOA & CO.,**

Requests additional documents from ORR

** Protesters in San Jose Proclaim Allegiance to U.S.
and call for Deportation of Le Xuan Khoa.*

By LE KIM DINH

With the uncovering of the first wrongdoings in the case of Le Xuan Khoa, Congressman Robert K. Dornan has ordered the president of the Washington-based Southeast Asia Resource Action Center (SEARAC) to turn over his agency's tax returns and other documents concerning SEARAC, NAVASA and its other affiliated agencies, including certain personal records, as part of a broadening investigation against Khoa and his associates.

** This is the third in a series on the "Le Xuan Khoa case." The first story appeared in Community News/January 1996.*

Simultaneously, the Office of Refugee Resettlement (ORR), which was said to have largely complied with Dornan's earlier request for documents relating to the case, also received a second request from Dornan to turn over additional documents and missing records for further review. ORR is believed to be an important funding source for SEARAC, and a government agency with which Mr. Khoa has developed close working relationships over the years.

"We have uncovered quite a few surprises," a source familiar with the case said. "They are even worse than we thought."

Indeed, there are hard evidences pointing to multiple wrongdoings that are yet to be officially confirmed.

One of the first wrongdoings that were brought to light had as its victims two totally unsuspecting parties: the Vietnamese Community of Orange County, Inc. (VNCOC), a non-profit, multi-programmed, health and human services agency, and the Department of Health & Human Services' Office of Refugee Resettlement (ORR).

The VNCOC discovered that its name had been blatantly misappropriated by SEARAC and NAVASA, and the ORR had been innocently led to believe that the VNCOC was on the board of NAVASA ("National Alliance of Vietnamese American Service Agencies").

Through a chance inquiry from the office of Congressman

Dornan in connection with the ongoing investigation, SEARAC and its subordinated agency, NAVASA, were found to have misappropriated the names of Mai Cong and the agency which she represents, the VNCOC, for the purpose of securing ORR funding for a proposal submitted by Mr. Khoa, president of SEARAC.

The proposal was titled "The NAVASA Initiative -- A Project to support the Capacity Building of the National Alliance of Vietnamese American Service Agencies."

Mr. Khoa used the letter of support issued by NAVASA -- on which were printed the names of Mrs. Mai Cong and of the Vietnamese Community of Orange County, Inc., as member of the Board -- as an attachment to his proposal submitted for ORR funding. Khoa is believed to be fully aware that the VNCOC, represented by Mai Cong, was not actually on the board of NAVASA.

"Simply put, Mr. Khoa was presenting the government with information he knew to be false in order to secure funding to consolidate NAVASA," observed Kim O. Cook, executive director of the Mutual Assistance Associations Consortium, Inc. (MAAC).

The VNCOC, with its widely diversified funding sources, is generally looked upon as a model agency.

In the letter of support found among the records obtained from ORR, it was claimed that the proposal had been "developed in conjunction with NAVASA's 15-member board of directors" which apparently included Mrs. Mai Cong, VNCOC's President & C.E.O., whose name and the name of the agency appeared on the letterhead of the letter of support. The letter of support, dated February 24, 1995, was addressed to Lavinia Limon, director of ORR.

For good measure, it was further specified that the proposal had the "complete endorsement" of the board members -- who, as stated in the letter, were also its co-authors.

"I found my name and the name of the VNCOC on the list although we have never been consulted," said Mrs. Mai Cong. "We are absolutely unaware of this blatant act of misappropriation of names until quite recently."

"We are not involved with NAVASA in any way," she pointed out. "Not now or ever."

NAVASA ("National Alliance of Vietnamese American Service Agencies") was formed in early 1995 under the sponsorship of SEARAC which acts as its fiduciary, mentor, and lead agency and which, in a roundabout way, is itself also a member agency of NAVASA which, in turn, is an affiliated agency of SEARAC.

"That was utterly unethical and unprofessional," said Mai Cong, president and C.E.O. of the agency. "And we don't yet know what else is there. We don't yet know the whole truth, what they have been doing behind our back - and probably behind the back of others as well."

A few years ago, Mai Cong was contracted as a consultant and trainer in a series of ORR-financed "capacity-building" seminars for national MAAs in which the VNCOC was in partnership with SEARAC and three other agencies.

The partnership ended with the conclusion of the seminars in October of 1994.

Mai Cong was also a strong advocate for the establishment of a national network of MAAs but she declined any involvement with the group called NAVASA "for a variety of reasons, including ethical ones," she said.

Ms. Mai Cong stated that her decision not to join NAVASA was supported by the Board of the VNCOC, as duly recorded in the minutes of a Board meeting held as early as April 13, 1994 on the subject.

"I did have some reservations, but I really didn't know they would go that far," she pondered. "This is quite serious." (See Box for further details).

The investigations targeting ORR, SEARAC, NAVASA, and other affiliated agencies were triggered early this year by Mr. Khoa's alleged attempt to "use American taxpayers' money to turn the Vietnamese American community into an asset of and a base to lobby for the Vietnamese government," according to his many critics.

In a strongly-worded letter to Khoa on March 5, Dornan detailed an exhaustive list of documents and information to be delivered to his office by April 15, including:

- All tax returns from IRAC (Indochina Resource Action Center, the group's former name) and SEARAC between 1987 and 1995;
- All incorporation records and documents for IRAC and SEARAC;
- A list of all members of these organizations and their boards and staffs during 1987-95;
- A list of the 125 agencies that SEARAC claims to have as its members;
- All records and documents pertaining to your (Khoa's) organizations that work in Vietnam, including staff members, contractors and Vietnamese government officials and offices involved;
- Records and documents of all IRAC and SEARAC funds disbursed in Vietnam;
- What is the relationship between IRAC, SEARAC, NAVASA, ICC, HND and CNC? All records and

documents regarding funds and disbursements between IRAC/SEARAC and the above organizations etc.

The last inquiry pointedly put into question Khoa's claim to the title of "doctor" by asking Khoa to give the year and the name of the institution where he received his doctorate degree (*Note: In his official biography and his other writings, Khoa has always claimed for himself the title of "doctor" -- Dr. Le Xuan Khoa -- but he has lately denied the claim, and professed a preference for the title of "professor."*)

"It must be a really devastating blow to Khoa's ego, but he amply deserves it," commented Kim O. Cook, Executive Director of the Virginia-based Mutual Assistance Associations Consortium, Inc. (MAAC), and a strong critic of Mr. Khoa.

In his lengthy letter to Congressman Dornan on February 5, about two weeks after learning of the investigation against him, Khoa eagerly praised Mr. Dornan's human rights records and claimed the Congressman's membership on his advisory board -- a claim that Dornan flatly and indignantly repudiated.

"Please be advised that I am not aware that I am an honorary member of any of your organizations," wrote the Congressman. "If in the past I have been recognized as such, from this time onward please delete my name from all your publications, correspondences and public statements."

Khoa was also severely chastised in Mr. Dornan's letter for his frequent references to Vietnamese Americans as "Overseas Vietnamese," i.e. Vietnamese citizens temporarily residing abroad.

MISAPPROPRIATION & MISREPRESENTATION

In separate letters to Mr. Le Xuan Khoa, president of the Southeast Asia Resource Action Center (SEARAC), and to Mr. Nguyen Ngoc Linh, chair of the National Alliance of Vietnamese American Service Agencies (NAVASA), Ms. Mai Cong has strongly protested against SEARAC & NAVASA's misappropriation of her name and the name of the agency she represents, the Vietnamese Community of Orange County, Inc. (VNCOC), in a letter of support signed by Mr. Linh and submitted by Mr. Khoa along with a proposal for funding from the Office of Refugee Resettlement.

"Without our knowledge and consent, you have misrepresented us as a member on the Board of NAVASA," Mai Cong wrote.

NAVASA, a grouping of Mutual Assistance Associations (MAAs), is an affiliated agency of SEARAC. It was established more than a year ago under the sponsorship of SEARAC which acts as its fiduciary, mentor, and lead agency. The VNCOC has never been a member of NAVASA.

The fact that the Orange County-based organization, with a national reputation as a model community services agency, was misrepresented as a member on the Board of NAVASA was brought to light thanks to a chance inquiry from the office of Congressman Robert Dornan, seeking to verify certain details concerning the VNCOC as part of the ongoing investigation of possible wrongdoings and irregularities involving SEARAC, NAVASA, its affiliated agencies, and Khoa himself.

The piece of evidence is a letter of support dated February 24, 1995, addressed to Lavinia Limon, director of ORR, and signed by Mr. Nguyen Ngoc Linh, chair of NAVASA, and a close associate of Mr. Khoa (*See "Exhibit - 1" on page 12*). It was also stated in the letter (*marked "Appendix-A"*) that Mr. Khoa's proposal had been developed "in conjunction with" all members on NAVASA's Board of Directors, which, according to the official letterhead, includes Ms. Mai Cong, president & C.E.O. of the VNCOC.

"Mr. Khoa apparently used that letter of support to append to his proposal seeking money from the government, knowing full well that we are not a member," said Ms. Mai Cong.

"I wish to register our strong protest against this most unethical and unprofessional act, (and) I hereby request that you cease and desist from any similar acts in the future involving my name and the name of the agency I represent," wrote Ms. Mai Cong.

Declaring that the VNCOC and herself will not be held responsible for any damages that might have been done to a third party as a result of this misappropriation of name by SEARAC & NAVASA, Ms. Mai Cong said the VNCOC would reserve the right to take legal action if necessary.

The letters were forwarded by the Law Office of Anh Duy Nguyen and Dinh Tran in Orange County. Copies were also sent to interested parties.