

**PUBLIC NOTICE**

**TRAN, NGUYEN & ASSOCIATES  
ATTORNEYS AT LAW**

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Telephone : (714) 638-2700  
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Dinh Dinh Tran, Esq.  
Anh Duy Nguyen, Esq.  
Carl Spring, Jr., Esq.  
Duane Hamilton, Esq.

April 1, 1996

**TO WHOM THIS MAY CONCERN:**

**RE: Mrs. MAI CONG & VIETNAMESE COMMUNITY of ORANGE COUNTY, INC.**

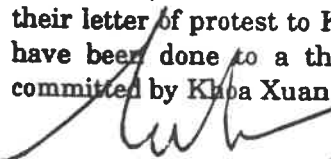
- 1) Appropriation of Plaintiffs' Name for Commercial Advantage
- 2) Publication of Facts Placing Plaintiffs in a False Light in the Public Eye

Please be advised that this office represents the above named persons, Mrs. Mai Cong and the VNCOC, in all matters arising out of the above captioned incident. Accordingly, any and all further communication to our clients should be directed through this office.

This office was contacted, and on March 28, 1996 has forwarded, to Khoa Xuan Le, president of the Southeast Asia Resource Action Center (SEARAC) and to Linh Ngoc Nguyen, chair of the National Alliance of Vietnamese American Service Agencies (NAVASA), an affiliated agency of SEARAC, letters from Mrs. Mai Cong and the Vietnamese Community of Orange County, Inc. (VNCOC), protesting against appropriation of Mrs. Mai Cong's and the VNCOC's names by Khoa Xuan Le and Linh Ngoc Nguyen for the purpose of monetary advantage. Copies of the same letters were also forwarded to interested parties, including the Office of Refugee Resettlement, as the government funding source, and the office of Congressman Robert K. Dornan, where an investigation is being conducted against SEARAC, NAVASA, other affiliated agencies, and Khoa Xuan Le himself.

As a good faith attempt to resolve this matter, this office has issued a request to Khoa Xuan Le and to Linh Ngoc Nguyen to cease and desist, and to take corrective measures, and has demanded a letter of apology within twenty (20) days from the date the letters were forwarded to them, before initiating any legal actions against them and their affiliated agencies.

Additionally, this office wishes to inform the public that Mrs. Mai Cong and the VNCOC have declared, in their letter of protest to Khoa Xuan Le, that they would not be held responsible for any damages that might have been done to a third party as a result of the misappropriation of names and misrepresentation committed by Khoa Xuan Le and Linh Ngoc Nguyen, without the knowledge and consent of the plaintiffs.

  
By: ANH DUY NGUYEN  
Attorney at Law

*Attachment: Letter from Mrs. Mai Cong & VNCOC to Khoa Xuan Le.*

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## **ATTACHMENT**

### **LETTER OF PROTEST FROM Mrs. MAI CONG & THE VNCOC (VNCOC letterhead)**

March 25, 1996

Le Xuan Khoa  
Southeast Asia Resource Action Center  
1628 16th Street, N.W., 3rd Floor  
Washington, D.C. 20009

Dear Mr. Khoa:

Thanks to a recent inquiry from the office of Congressman Robert K. Dornan, seeking to verify certain details concerning our agency, in connection with the ongoing investigations targeting the Southeast Asia Resource Action Center (SEARAC) and others, including yourself as president of said agency (SEARAC), I was coincidentally apprised of the fact that, through your affiliated agency, the "National Alliance of Vietnamese American Service Agencies" (NAVASA), for which you act as "a sponsor/ a fiduciary agent, a mentor, and a member," you have, without our knowledge and consent, misappropriated my name and the name of the agency which I represent, the Vietnamese Community of Orange County, Inc. (VNCOC), apparently for the purpose of securing a Discretionary Grant from ORR in 1995.

As you are well aware, I am not, and have never been a member on the board of the group called NAVASA, as has been misrepresented in its letterhead -- and specifically the letterhead of the letter of support issued by NAVASA on February 24, 1995, and subsequently used to append to a proposal submitted by SEARAC for government funding -- nor are we now associated in any other way with SEARAC, or with NAVASA, or with any of your affiliated agencies.

I want to register our strongest protest against this most unethical and unprofessional act.

It is hereby requested that, from this time onward, you delete my name and the name of the VNCOC, from all your letterheads, including the letterheads of your affiliated agencies, and from all your publications, correspondences and public statements. It is further requested that you cease and desist from any similar acts in the future involving my name and the name of the agency that I represent, the VNCOC.

Considering the investigations now being conducted against SEARAC, NAVASA, your other affiliated agencies, and yourself, and considering the attendant controversy, and the possibility of other wrongdoings that may be uncovered in the course of the investigations, and the damages that are being assessed with regard to the reputation and the integrity of our agency, as a result of your intentional misappropriation and misrepresentation of my name and the name of my agency, the VNCOC, as stated, we hereby declare that we will not be responsible for any consequent damages that might have been done to a third party, and we reserve the right to take legal action against you, your organizations, and any other associated agencies in the future if it is deemed necessary.

Sincerely,

Mai Cong  
President & C.E.O.

- cc. - Congressman Robert K. Dornan (*Attn. Mr. Al Santoli*).  
- Ms. Lavinia Limon, Director, Office of Refugee Resettlement.  
- Ms. Mary Jo Bane, Assistant Secretary, Dept. of Health & Human Services.  
- Mr. Nguyen Ngoc Linh, Chair, NAVASA.

# EXHIBIT - 1

COMMUNITY NEWS/MARCH, 1996 -- 12

## NAVASA

### National Alliance of Vietnamese American Service Agencies

February 24, 1995

#### DIRECTORS

Nguyen Minh Chau  
Vietnamese Association  
of Maryland

\*Lu Mong Chi  
Vietnamese Social Services  
of Minnesota

Hiep Chu  
Vietnamese American  
Civic Association

Mai Cong  
Vietnamese Community  
of Orange County

Ngo Duc Diem  
Vietnamese Voluntary Foundation

Nguyen Ha  
Vietnamese Association  
of Illinois

\*Le Xuan Khoa  
Southeast Asia Resource  
Action Center

\*Das My-Lien  
Re-education  
/IRCO

Ms. Lavinia Limon  
Director, Office of Refugee Resettlement  
Administration for Children and Families  
370 L'Enfant Promenade, S.W. - 6th Floor  
Washington, DC 20477

Dear Ms. Limon:

On Behalf of the Board of Directors of the National Vietnamese American Service Agencies (NAVASA), our complete endorsement to the proposal being submitted to the Southeast Asia Resource Action Center (SEARAC) Discretionary Grant to support ethnic community Capacity Building of the NAVASA Initiative - A Proposal of Directors and reflects in every way NAVASA's single ethnic national organization to benefit refugee organizations throughout the country. NAVASA is a national Vietnamese community organization; the next two years of organizational development are critical to the success of our member organizations. We will sponsor...

# NAVASA

## BOARD OF DIRECTORS

\*Nguyen Ngoc Linh  
Texas Center for  
Employment Services, TX

\*Lu Mong Chi  
Vietnamese Social Services  
of Minnesota, MN

\*Tuyen Ngo  
Refugee Community Center, UT

\*Dao My Lien  
Vietnamese Re-Education  
Detainees Program, FL

\*Nguyen Kim Long  
Vietnamese Friendship  
Association, WA

Dung Van Doi  
Vietnamese Civic  
Association, MA

Ngo Dao Diem  
Vietnamese Voluntary  
Foundation, CA

Nguyen Ha  
Vietnamese Association  
of Illinois, IL

Le Xuan Khoa  
Southeast Asia Resource  
Action Center, DC

Nguyen Ly  
Unified Vietnamese  
Community Council, CA

Y Hien Nis  
Montagnard Dogs Association, NC

Truong Khanh Tho  
Vietnamese American  
Association, OK

Nguyen Duy Tuong  
Vietnamese Chamber  
of Commerce, CA

Vn Dnc Vietnam  
Southeast Asian  
Community Center, CA

Nguyen Minh Chan  
Washington Representative

Nguyen H. Dinyea  
Project Coordinator

April 12, 1996

Ms. Mai Cong  
President, VN Community of Orange County  
1618 W. First Street  
Santa Ana CA 92703

Dear Ms. Cong,

We have received your letter dated March 25, 1996 concerning the use of your name on the NAVASA letterhead.

We are sorry about the misunderstanding regarding the inclusion of your name as a member of our Board of Directors. However, while we sincerely believed you had agreed to be a member of our Board, we never used your name to gain monetary advantage, and immediately removed your name from our Board list as soon as you informed us in August 1995 of your decision not to serve.

In fact, with the exception of one meeting in Chicago in March 1994, you and/or VNCOC representatives participated in all activities leading up to the formation of NAVASA. Following the Chicago meeting, I consulted with our members on naming you and other NAVASA founding members to our Board and asked them to vote by mail. As a result of my consultation, a majority of our members elected you to the Board.

On May 18, 1994, I wrote to inform you that you had been duly elected to the NAVASA Board. Since no communication was received declining the offer, we reasonably believed that you had concurred. The fact that you hosted three consecutive planning meetings at the offices of VNCOC in April, May, and June of 1994 appeared to confirm this. In addition, your active participation in preparations for the three subsequent NAVASA seminars again confirmed your intent to serve. Therefore, your name was included on the NAVASA temporary letterhead.

In August 1995, upon learning of your decision not to serve on our Board, we immediately informed our Board members of this fact and removed your name from our letterhead as of that date. As you can see from the enclosed copy of our 30 August memo to our Board, your name had been removed from the letterhead by that date. Since then, we have not shown your name anywhere as a member of our Board of Directors.

\* Executive Committee

1628 16th Street, N.W. , Washington, D.C. 20009  
Tel: (202)667-4690 - Fax: (202)667-6449 - E-mail: Navasa@aol.com

Once again, I am sorry about this misunderstanding. I hope that in the future you would check with me before publicizing such inaccurate allegations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linh', written over a horizontal line.

Nguyen Ngoc Linh  
NAVASA Chair

cc: Mr. Le Xuan Khoa, SEARAC  
Ms. Lavinia Limon, Director, ORR

encl: Copy of August 30, 1995 memo to the NAVASA Board

**ANH DUY NGUYEN & ASSOCIATES  
ATTORNEYS AT LAW**

Telephone: (714) 590-9800  
Facsimile : (714) 638-2749

10872 WESTMINSTER AVENUE  
SUITE 111  
GARDEN GROVE, CA. 92643

ANH DUY NGUYEN, Esq.  
CARLSPRING, Jr., Esq.  
DUANE HAMILTON, Esq.

April 29, 1996

LINH NGOC NGUYEN  
NAVASA  
1628 16th Street, N.W., 3rd Floor  
Washington, D.C. 20009

RE: Mrs. MAI CONG & VIETNAMESE COMMUNITY of ORANGE COUNTY, INC.  
1) Appropriation of Plaintiffs' Name for Commercial Advantage  
2) Publication of Facts Placing Plaintiffs in a False Light in The Public Eye

Dear Mr. Nguyen:

This is to acknowledge your letter of April 12, 1996 addressed to Mrs. Mai Cong, President of VNCOC. We appreciate your prompt response to our request of March 28, 1996.

Your letter raises two issues: (1) Your apology to my clients for your misunderstanding in asserting my clients' name as Board of Directors on your letterhead; (2) Your assertion that my client publicized inaccurate allegations.

First of all, in the totality of circumstances, this office has advised Mrs. Mai Cong and VNCOC to accept your apology and we are pleased to see that NAVASA had deleted Mrs. Mai Cong and VNCOC from its letterhead. Therefore, we will not initiate legal proceedings against you and/or NAVASA at this time.

Secondly, we are disappointed however, that you seem to be still confusing about the legal consequences of your action in this matter. Therefore, I would like to take this opportunity to analyze the undisputed facts before us.

As you pointed out in your letter that Mrs. Mai Cong and other VNCOC representatives participated in all activities leading up to the formation of NAVASA. We do not dispute those facts. However, as you know Mrs. Mai Cong and other VNCOC representatives were performing contractual obligations which was funded by Office of Refugee Resettlement (ORR) through SEARAC. Mrs. Mai Cong was hired as a consultant and trainer for all non-profit organizations and her involvement with NAVASA and SEARAC was terminated when the contract terms ended. Therefore her contractual performances shall not, in any means, be construed as an intention to join the Board of Directors of NAVASA or SEARAC.

You also stated that on May 18, 1994 you sent a "Notice of Election to NAVASA's Board of Directors" to Mrs. Mai Cong and VNCOC and there was no response. Do you have any

April 29, 1996

LINH NGOC NGUYEN - NAVASA

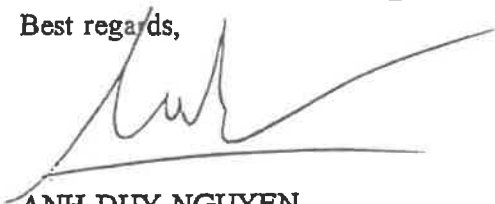
Page 2

proof of service of such important letter? Let me inform you now that my clients never received such notice and that's why there was no response made from my clients.

Nevertheless, please be mindful that silence is NOT an acceptance. Therefore, in order to avoid any "misunderstanding" in the future, I advise you to consult with an attorney before putting one's name on your letterhead without a written consent from that person.

In conclusion, your action was legally improper and there was no inaccurate allegations from my clients' part. But since you have apologized and delete my clients' name from your letterhead, we will close our file at this time.

Best regards,



ANH DUY NGUYEN  
Attorney at Law

cc: Congressman Robert K. Dornan (Attn.: Mr. Al Santoli).  
Ms. Lavinia Limon, Office of Refugee Resettlement.  
Ms. Mary Jo Bane, Dept. of Health & Human Services.  
Mr. Khoa Xuan Le, SEARAC.  
Board of Directors, VNCOC.

NATIONAL  
SECURITY COMMITTEE  
Chairman,  
Personnel Subcommittee  
Research and Development  
Subcommittee

PERMANENT  
SELECT COMMITTEE  
ON INTELLIGENCE  
Chairman,  
Subcommittee on Technical  
and Tactical Intelligence

United States  
House of Representatives



Robert K. Dornan

46th DISTRICT, CALIFORNIA

DISTRICT OFFICE:  
300 Plaza Alicante, Suite 360  
Garden Grove, CA 92640  
(714) 971-9292

WASHINGTON, DC OFFICE:  
1201 Longworth Building  
Washington, DC 20515  
(202) 225-2965

CONGRESSIONAL TASK FORCES:  
Narcotics Abuse and Control Caucus  
Property Rights Coalition  
Human Rights Caucus

April 2, 1996

Mrs. Lavinia Limon  
Director, Office of Refugee Resettlement  
Administration for Children and Families  
Department of Health and Human Services  
370 L'Enfant Promenade S.W.  
Washington, D.C. 20447

Dear Mrs. Limon:

This is to follow up on my letter to your office on March 6, 1996. Since that time, my staff has continued our investigation into the SEARAC organization, including the affiliated organizations such as Hmong National Development and the Indochinese Community Center and their leaders. I have uncovered troubling information regarding these organizations. In addition, the Vietnamese-American, Lao-American and Hmong-American communities have sent us information and petitions expressing widespread opposition to the SEARAC affiliates and their leaders. I am concerned that your office has not responded to my previous letter or confirmed whether the records and materials I have requested will be delivered to my office by April 15, 1996.

Enclosed is an article from the March 1996 "Community News" magazine published in my district in Orange County, California. The article entitled, "SEARAC and NAVASA Found to Have Misappropriated Vietnamese Community of Orange County Name in Effort to Secure Government Funds." In addition, we have learned that IRAC/SEARAC has misrepresented Le Xuan Khoa as a "Doctor." Recently, in the face of public inquiry, Mr. Khoa admitted that he is not a doctor. We have also found that members of the present ORR staff affiliated with the Community Development grant process had previous association with IRAC/SEARAC as paid staff or consultants.

The SEARAC/NAVASA relationship to the Communist government in Vietnam has continued to cause conflict within the community in America that it claims to represent. During March, in San Jose, California more than 500 Vietnamese-Americans publicly protested at a SEARAC/NAVASA conference, funded by ORR. In addition, the Hmong-American community



Dornan 2.

has delivered to my office more than 1,400 signed petitions protesting the funding of the Hmong National Development agency by the U.S. Government (see enclosed petitions). IRAC/SEARAC participated in the creation of HND and Mr. Yang Dao of the HND Board is also a member of the SEARAC Board. We have learned that the HND has thus far received more than \$343,000 from the U.S. Government. How has this money been spent?

I have been provided a video tape of the ICC director Vilay Chaleunrath celebrating the 50th anniversary of Communist Party of Laos at the Laos embassy in Washington, D.C. In addition, there have been serious questions raised of the relationship between the ICC and the U.S. Immigration and Naturalization Service. There is also a question whether Mr. Vilay Chaleunrath has actually attained an MBA degree, as he claims in his proposals submitted to ORR. We have also found a discrepancy in the names of the ICC Board of Directors submitted to the District of Columbia Incorporation Commission and those names presented in the proposal to ORR.

Even more disturbing, we have evidence of the above organizations serving the interests of foreign governments and conducting lobbying activities related to overseas interests at conferences funded by ORR and conducted by both SEARAC/NAVASA and HND. In fact, Le Xuan is planning a "National Convention of Southeast-Asian Americans," in Washington, D.C. this coming June that is being promoted as addressing both domestic issues and international issues, to include "reconstruction" in Vietnam, Laos and Cambodia. The conference is initiated by SEARAC and is being organized by ICC. Is ORR money being used for this event? Does ORR's charter permit your agency's funds to be used for international issues?

Enclosed is a copy of my March 6 letter to your office. In addition, I am enclosing my March 6 letter to Le Xuan Khoa. I expect Mr. Khoa to deliver the records I have requested from SEARAC/NAVASA. I consider these matters to be extremely serious.

Thank you for your assistance in these matters. Please deliver these materials to me by April 15, 1996. If you have any questions, please call my assistant Al Santoli at 225-2965.

Sincerely,



Robert K. Dornan  
Member of Congress

enclosures/

**NATIONAL  
SECURITY COMMITTEE**  
Chairman,  
Personnel Subcommittee  
Research and Development  
Subcommittee

**PERMANENT  
SELECT COMMITTEE  
ON INTELLIGENCE**  
Chairman,  
Subcommittee on Technical  
and Tactical Intelligence

**United States  
House of Representatives**



**Robert K. Dornan**

46th DISTRICT, CALIFORNIA

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**WASHINGTON, DC OFFICE:**  
1201 Longworth Building  
Washington, DC 20515  
(202) 225-2965

**CONGRESSIONAL TASK FORCES:**  
Narcotics Abuse and Control Caucus  
Property Rights Coalition  
Human Rights Caucus

April 30, 1996

The Honorable Jacqueline L. Williams-Bridger  
Inspector General  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520  
Fax: 202-647-7660

Dear Mrs. Williams-Bridger:

I am concerned that there may be a conflict of interest involving a private organization that is receiving funding from the Department of State to conduct projects overseas. Beginning in January 1996, I have received an overwhelming number of telephone calls and letters from respected Vietnamese-American leaders in my district and across the United States. Specifically, they have expressed their opposition to federal government funding of the private 501(c)3 organization Southeast Asia Resource Action Center -- formerly known as the Indochina Resource Action Center (IRAC). Their concerns include:

- 1) An interview of Mr. Le Xuan Khoa, director of SEARAC, was published in a communist Vietnamese government newspaper (see enclosed) where he indicated his intention to mobilize the Vietnamese-American community to support the Hanoi regime;
- 2) Tax returns of SEARAC which I have acquired show that the organization has received funding for political activity in Laos;
- 3) Allegations of Mr. Khoa's involvement with private business activities in Vietnam, which may pose a conflict of interest;
- 4) Mr. Khoa's involvement with private international organizations, such as Ben Vung in Canada, may pose a conflict of interest; and
- 5) Mr. Khoa's self-promotion as a "Ph.D." However, he recently admitted that he does not have such a degree. His misrepresentation of academic credentials may have resulted in his receiving State Department grants over competing applicants.

Dornan 2.

I hereby request that your Inspector General's office investigate these matters and provide me with the following information by May 30, 1996:

First, all records and documents related to any State Department-funded project involving SEARAC or Mr. Le Xuan Khoa. Second, all records related to the competitive bidding process regarding funding obtained by SEARAC or Mr. Khoa. Third, diplomas and other certification of Mr. Le Xuan Khoa's academic credentials. Fourth, all documentation regarding federal laws related to lobbying efforts by 501(c)3 agencies. And Fifth, all documentation regarding SEARAC and Mr. Le Xuan Khoa's relationship, lobbying or advocating for the interest of a foreign government.

Thank you for your assistance in this matter. If you have any questions, please contact me through my assistant, Mr. Al Santoli, at 225-2965.

Sincerely,

A handwritten signature in black ink that reads "Robert K. Dornan". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Robert K. Dornan  
Member of Congress

/enclosures