

Brown, Melissa A

RELEASED IN PART

From: Fuller, Gerry W
Sent: Friday, January 11, 2008 11:30 AM
To: Bean, Diane R; Blackshaw, Brett
Cc: Brown, Melissa A; Gatz, Karen L
Subject: RE: Boxer's office on Vietnam NOIDS

B6

Sean mention that Sen. Boxer may wish to call A/S Harty. I've just learned that A/S Harty will not be in town until Monday.

Gerry Fuller
 202 663-2928

From: Bean, Diane R
Sent: Friday, January 11, 2008 10:02 AM
To: Blackshaw, Brett
Cc: Fuller, Gerry W; Brown, Melissa A; Gatz, Karen L
Subject: FW: Boxer's office on Vietnam NOIDS

Brett - fyi

Garry - Brett contacted me to find out who Sen Boxer wants to call - CA or Hanoi. Pls cc him, Melissa Brown and Karen Gatz on anything further. As you know, D is going to VN this month.

Diane R. Bean

Legislative Management Officer
Bureau of Legislative Affairs
U.S. Dept. of State

Tel: 202-647-8632
Fax: 202-647-9667
Email: beandr@state.gov

From: Fuller, Gerry W
Sent: Thursday, January 10, 2008 6:05 PM
To: Furuta-Toy, Julie A; Bernier-Toth, Michelle; Bond, Michele T; Ruterbories, Julie A; Bean, Diane R; Palmieri, Suzanne S
Cc: Alexander, Eric M (Hanoi); 'Valverde, Michael'
Subject: Boxer's office on Vietnam NOIDS

I talked again with Sean Moore of Sen. Boxer's office, who continues to push that it is only just to let these families go since they have been put through the ringer and we have no evidence that any mother is complaining that her baby was stolen. He was also worried about "the meeting Eric Alexander was calling" and wanted to know what Eric was going to say.

I explained where we are in the process. (Two of eleven NOID petitions have now been approved; the Consular Officer has to determine if any material facts were not considered or not available to USCIS at the time of the approval; if so, the petitions are returned for "possible revocation.") I added that as far as I was aware, the other 9 had not been adjudicated. I noted the consular officer's responsibility to review the facts.

UNCLASSIFIED

Paul said he understood, but said that he has heard repeatedly that it is not 11, but either 20 or 24 cases. [COMMENT: at a meeting today with Tom DiFilipo I was told that he has a list of twenty or twenty-two names of people whose petitions had been refused in the period August - November. Tom said he could not release to me the names, however. We talked a bit, and the discrepancy may be in how one counts "refusals." The adoption community may be counting petitions which USCIS HCMC initially identified as "refusals," but some of these may never have actually been issued a NOID, rather, were approved when the petitioner provided additional information. This is only a guess. But at least we now know where the higher numbers are coming from.]

Paul remained amicable, while pressing hard for the cases to be issued based on concerns for the amount of suffering already endured and likely to be endured if the process goes forward with another NOID review. He is convinced these families have been caught in the middle of a change of policy.

He mentioned that he had had a good discussion with Eric by phone [REDACTED]

[REDACTED] We agreed that everyone is emotionally drained by this process and statements can be quoted out of context and look pretty calloused. We agreed that it was necessary for everyone to speak with extreme caution.

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He said, if the meeting goes well tomorrow with NOID families, that would be good. But if the Senator continues to receive complaints about treatment, she likely will want to talk to Amb. Harty. He said that Sen. Feinstein was also aware of the cases and interested in having them resolved.

He said he had tried to talk to Julie Ruterbories, who has always been very helpful, but learned that Maura was on travel. He wanted to know if I could confirm if she will be in tomorrow. I said I didn't know, but would try to find out. (Anyone want me to tell him something?)

Gerry W. Fuller
Bilateral Adoptions Unit Chief
Office of Children's Issues
Department of State
Telephone: 202 663-2928