

**Brown, Melissa A**

RELEASED IN PART

**From:** Nagy, Eleanor  
**Sent:** Wednesday, October 31, 2007 4:26 PM  
**To:** Brown, Melissa A  
**Cc:** Blackshaw, Brett  
**Subject:** FW: Email to CA Adoptions team

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Ok. I made a few edits as well.

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**From:** Brown, Melissa A  
**Sent:** Wednesday, October 31, 2007 2:40 PM  
**To:** Nagy, Eleanor  
**Cc:** Blackshaw, Brett  
**Subject:** Email to CA Adoptions team

Eleanor,

Please take a look at the draft email for the CA adoption folks. From our conversations, they don't seem to have background on the two incidents other than a copy of the HCMC cable on the first incident, so I gave them an overview. (I understand most of their interaction is with Hanoi, which might explain why they don't seem too connected with what's going on in HCMC.)

They are passing some notes to their FO by COB today, hence the need to get them something today.

Melissa

Gerry and Marc,

As requested, here is a brief overview of the situation regarding Government of Vietnam obstruction of two consular fraud investigations. As discussed in our phone conversation, our posts in Vietnam have the latest information on the situation, and we are coordinating closely with them on points to be raised during A/S Harty's trip to Vietnam. I would appreciate it if you would cc me on your request for input from Post and let us clear on the briefing papers that go forward.

Please let me know if you have any questions.

Regards,  
 Melissa

### **Background**

The Consulate in Ho Chi Minh City recently experienced two incidents in which Consular FPU staff were prevented from conducting fraud investigations. In both instances, the Consulate followed usual procedure, providing the required five-days notice of the trip via diplomatic note, including the exact location of where the team was headed, the reason for the trip, the name of the officer, the license tag number, etc. The notes also stated that depending on what information was uncovered, there could be a need for additional stops in the area. (HCMC notifies the GVN per a 1997 exchange of notes regarding the consular district.)

The first incident on October 4 involved an investigation on marriage fraud. (Ref Ho Chi Minh City 1065)

The second incident on October 29 involved an investigation on adoptions. The Consular Officer was not able to visit the hospital to complete the investigation as the local MFA External Relations Officer (ERO) said the trip was not authorized. The Ho Chi Minh City ERO subsequently said that because the officer had not provided the exact names and contact information for all people he might contact, the trip would not be permitted. The Consulate reiterated the impossibility of foreseeing all individuals related to the investigation and sent the attached dip note in protest.

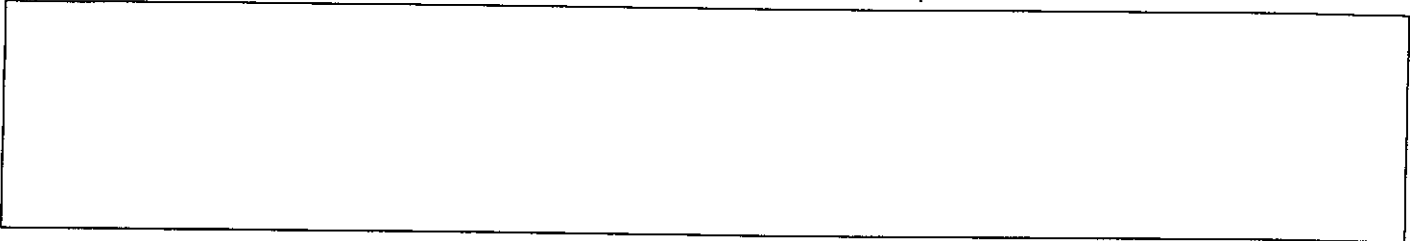


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Response to ER...

**EAP Engagement and Next Steps**

EAP DAS Scot Marciel summoned the Vietnamese Chargé on October 19 to protest the obstruction of the first investigation. Marciel reminded the Chargé the visits are necessary for consular staff to ensure the integrity of visa issuances and must continue. He told the Chargé continued harassment of our officers would force the USG to consider reciprocal measures.

Following the second incident, EAP/MLS discussed with DAS Marciel a menu of possible reciprocal measures provided by DS/OFM that would restrict Vietnamese officials' movement in the United States.



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**A/S Harty's trip provides an opportunity to underscore with high-level GVN officials the necessity for consular fraud investigations, both to safeguard prospective adoptees and to combat corruption in Vietnam. We would welcome CA's thoughts following A/S Harty's trip.**