

Brown, Melissa A

RELEASED IN PART

B6, B5

From: Alexander, Eric M (Hanoi)
Sent: Monday, February 04, 2008 5:51 AM
To: Fuller, Gerry W; Bernier-Toth, Michelle; Saint-Victor, Marc; Brown, Melissa A; Dickey, Gordon J; Francisco, Cynthia S; Gorsky, Jeffrey H; Rupp, Abigail M
Cc: Harty, Maura A; Edson, Tony A; Hill, Patty L; Conway, Ellen M; Bond, Michele T; Jacobs, Janice L; Malin, Mary Catherine; Aloisi, Jonathan M (Hanoi); Schwenk, Jeffrey C (Ho Chi Minh City)
Subject: Vietnam Adoptions - Next Steps

All,

Last week saw several key steps in Vietnamese adoptions, including the approval by USCIS of the [redacted] case and our notifying the GVN that we will not renew the MOA. With things slowing down in Vietnam for the next two weeks due to Tet, this is a good time to think about the road ahead. We face several challenges: the NOID cases, Orphans First Cases, Managing the Pipeline, Drafting a new MOA, and Helping Vietnam Join Hague. I wanted to share with you post's thoughts on these issues. Hopefully they will be helpful in you discussions.

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NOID Cases - At this point, all of the NOID cases will go thru a standard process. Post will submit a revocation request, after getting Department clearance. Should USCIS reaffirm the petition, we will notify the Department, and once the instruction is given we will issue the visa. [redacted]

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[redacted]

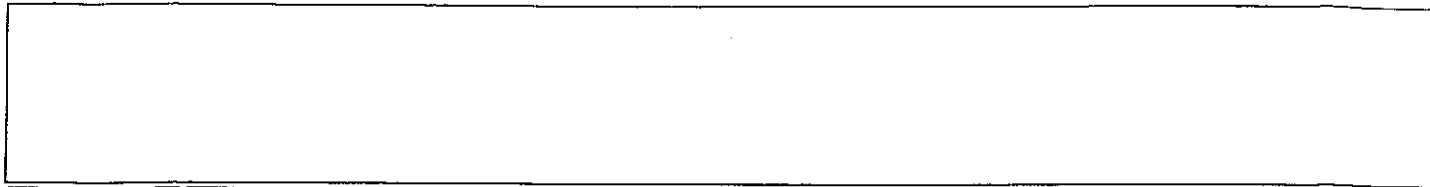
Orphan First Cases - Post is hearing conflicting singles on adjudication standards for new cases. [redacted]

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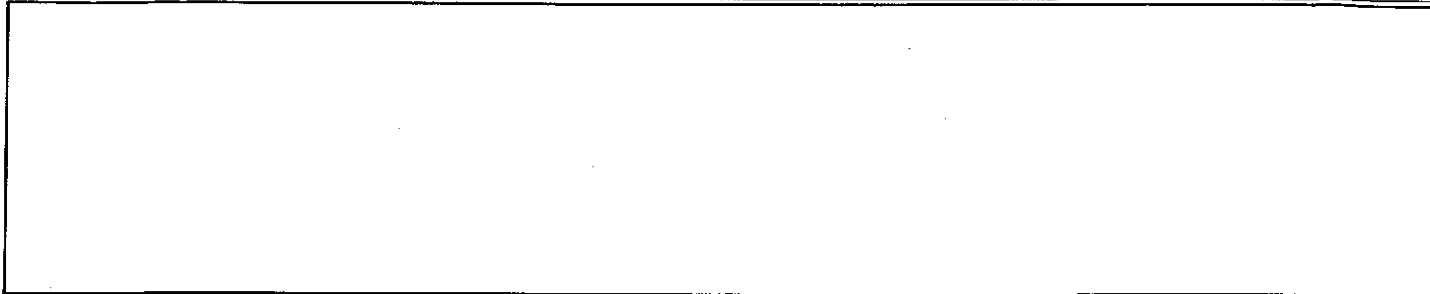
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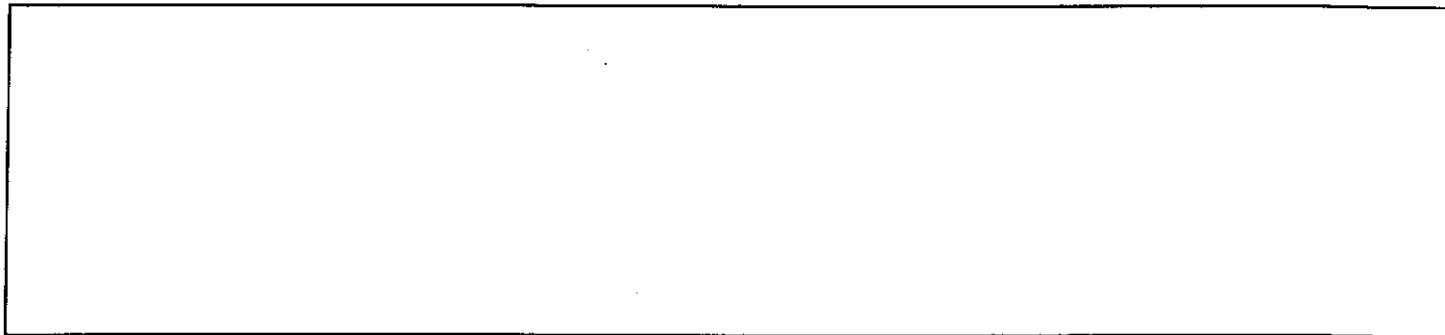
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Managing the Pipeline - We have been dismayed to hear that some ASPs are announcing that Dr. Long has guaranteed that any case that is Dossier to Vietnam on September 1 will be processed to completion. The GVN, including Dr. Long, have told us that this is the first time that an MOU has not been renewed and that they need to study the legal implications. We remain concerned that the pipeline is already too long and is growing. Is there anything we can do to stop people from joining the line at this point? We will of course continue to press the GVN to make a transparent statement about their legal view of the issue as soon as possible.

The New MOA - Time on this will be very short. Ideally we should submit a draft text to the GVN shortly after Tet. Based on my meetings with DIA, I think that the key stumbling blocks will be the schedule of fees and consular investigations. One way to potentially solve these thorny issues is to limit adoptions 1) to special needs and children over 3 and 2) to provinces that have given a schedule of fees and donations to the Embassy for posting on our website and have permitted consular investigations. This could work because the better provinces have not blocked us, and we know that some provinces have given the Europeans a schedule of fees. Solving this at the national level, however, is probably impossible.



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I hope this is helpful,

Eric