

Brown, Melissa ARELEASED IN PART
NR, B2, B7(A)

From: Valverde, Michael [michael.valverde@dhs.gov]
Sent: Wednesday, April 02, 2008 2:13 AM
To: Furuta-Toy, Julie A; Valverde, Michael; Alexander, Eric M (Hanoi); Bond, Michele T; Bernier-Toth, Michelle; Fuller, Gerry W; Saint-Victor, Marc; Monahan, Katherine E; Brown, Melissa A
Cc: Aloisi, Jonathan M (Hanoi); Boduszynski, Monica A (Hanoi); Russell, Mary Ann X (Ho Chi Minh City); Mattingley, Donald G (Hanoi); Preston, Courtney M (Hanoi); Schwenk, Jeffrey C (Ho Chi Minh City); Michalak, Michael W (Hanoi); Lam, Monica M (Hanoi); DeLuca, Alexandra (Hanoi); Fairfax, Kenneth J (Ho Chi Minh City)
Subject: Re: Adoption OI

Fair enough. Thanks.

----- Original Message -----

From: Furuta-Toy, Julie A <FurutaToyJA@state.gov>
To: Valverde, Michael <michael.valverde@dhs.gov>; Alexander, Eric M (Hanoi) <AlexanderEM@state.gov>; Bond, Michele T <BondMT@state.gov>; Bernier-Toth, Michelle <Bernier-TothM2@state.gov>; Fuller, Gerry W <FullerGW@state.gov>; Saint-Victor, Marc <Saint-VictorM@state.gov>; Monahan, Katherine E <MonahanKE@state.gov>; Brown, Melissa A <BrownMA4@state.gov>
Cc: Aloisi, Jonathan M (Hanoi) <AloisiJM@state.gov>; Boduszynski, Monica A (Hanoi) <BoduszynskiMA@state.gov>; Russell, Mary Ann X (Ho Chi Minh City) <RussellMAX@state.gov>; Mattingley, Donald G (Hanoi) <MattingleyDG@state.gov>; Preston, Courtney M (Hanoi) <PrestonCM@state.gov>; Schwenk, Jeffrey C (Ho Chi Minh City) <SchwenkJC@state.gov>; Michalak, Michael W (Hanoi) <MichalakMW@state.gov>; Lam, Monica M (Hanoi) <LamMO@state.gov>; DeLuca, Alexandra (Hanoi) <DeLucaA@state.gov>; Fairfax, Kenneth J (Ho Chi Minh City) <FairfaxKJ@state.gov>
Sent: Tue Apr 01 20:02:54 2008
Subject: RE: Adoption OI

Mike,

unfortunately, we can't yet give you approval to share this. I will ask FPP (Kevin) to follow up with his report as soon as possible, however.

Julie

From: Valverde, Michael [mailto:michael.valverde@dhs.gov]
Sent: Tuesday, April 01, 2008 10:47 AM
To: Alexander, Eric M (Hanoi); Bond, Michele T; Bernier-Toth, Michelle; Fuller, Gerry W; Furuta-Toy, Julie A; Saint-Victor, Marc; Monahan, Katherine E; Brown, Melissa A
Cc: Aloisi, Jonathan M (Hanoi); Boduszynski, Monica A (Hanoi); Russell, Mary Ann X (Ho Chi Minh City); Mattingley, Donald G (Hanoi); Preston, Courtney M (Hanoi); Schwenk, Jeffrey C (Ho Chi Minh City); Michalak, Michael W (Hanoi); Lam, Monica M (Hanoi); DeLuca, Alexandra (Hanoi); Fairfax, Kenneth J (Ho Chi Minh City)
Subject: Re: Adoption OI

We're getting a lot of pressure to disclose what actually stopped our verifications- for example in Quang Nam.

Can I share excerpts from this email?

Specifically:

"Quang Nam - The last investigation in this province was on March 21, 2008. The investigating team originally went to the Tam Ky Center for Orphan Children, where the director physically blocked the team from entering, prohibited the team from speaking to Orphanage Employees and told the team that they could only return with permission from Provincial DOJ. The team then went to a second orphanage, there the director was polite and agreed to discuss the adoption issue in general, but stated that provincial DOJ had

UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: FRANK TUMMINIA
 DATE/CASE ID: 06 FEB 2009 200801293

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told him not to discuss specific cases with the Embassy. The team then meet with Provincial DOJ who told us that we were not allowed to operate in the province and that we could not look at specific cases, although again they were willing to discuss the "general issue of adoptions" with us. Post plans to schedule an official visit to the province to see if we can resume investigations."

Thanks for giving me access to this.

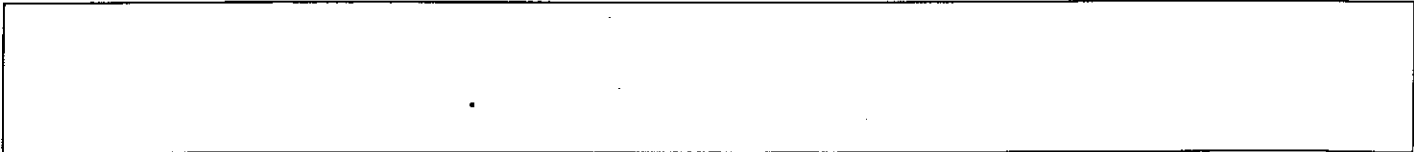
----- Original Message -----

From: Alexander, Eric M (Hanoi) <AlexanderEM@state.gov>
To: Bond, Michele T <BondMT@state.gov>; Bernier-Toth, Michelle <Bernier-TothM2@state.gov>; Fuller, Gerry W <FullerGW@state.gov>; Furuta-Toy, Julie A <FurutaToyJA@state.gov>; Saint-Victor, Marc <Saint-VictorM@state.gov>; Monahan, Katherine E <MonahanKE@state.gov>; Brown, Melissa A <BrownMA4@state.gov>; Valverde, Michael <michael.valverde@dhs.gov>
Cc: Aloisi, Jonathan M (Hanoi) <AloisiJM@state.gov>; Boduszynski, Monica A (Hanoi) <BoduszynskiMA@state.gov>; Russell, Mary Ann X (Ho Chi Minh City) <RussellMAX@state.gov>; Mattingley, Donald G (Hanoi) <MattingleyDG@state.gov>; Preston, Courtney M (Hanoi) <PrestonCM@state.gov>; Schwenk, Jeffrey C (Ho Chi Minh City) <SchwenkJC@state.gov>; Michalak, Michael W (Hanoi) <MichalakMW@state.gov>; Lam, Monica M (Hanoi) <LamMO@state.gov>; DeLuca, Alexandra (Hanoi) <DeLucaA@state.gov>; Fairfax, Kenneth J (Ho Chi Minh City) <FairfaxKJ@state.gov>
Sent: Mon Mar 31 08:37:13 2008
Subject: Adoption OI

SENSITIVE BUT UNCLASSIFIED

OFFICIAL INFORMAL #006-08CA

March 31, 2008

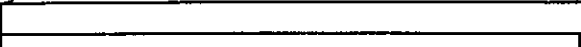


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(SBU) Status of I-600 cases - With the completion of the new I-600 tracking database we are able to supply better statistics on I-600 processing. The good news is that since the start of Orphans First the average processing time for I-600 cases is 45 days. For currently pending cases, the average pending time is 40 days. At the same time the number of I-600 cases in the first three months of 2008 is up 55% compared to 2007. This is concerning as it implies that the various warnings have not had any impact in reducing the number of PAPs looking to adopt in Vietnam.

<<03312008 i600 stats.xls>>


(SBU) Cases over 60 Days - There are currently 20 cases that have been pending for over 60 days, with the longest of these pending for 85 days. Of these 7 cases are now being reviewed by USCIS HCMC and will likely be issued RFEs or NOIDs. 8 cases are from

 In 2 cases we are waiting for evidence to be submitted in order to complete the investigation. In the final 3 cases, the investigations were completed on Friday and the I-604 report should be submitted to USCIS in the next few days.

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 In the other two case, the letters can state the nature of the evidence request and state that we can not conclude I-604 processing until this information is received.

We would appreciate the guidance of the State/USCIS working group as to which office (Cons Hanoi or USCIS HCMC) should issue these letters.

(SBU) Outreach to PAPs - We were impressed by the thoughtful comments on adoption in Vietnam posted on the Voices for Vietnam Adoption Integrity (VVAI) website today. (<http://www.adoptionintegrity.com/> <<http://www.adoptionintegrity.com/>>) As this piece points out, while we hold regular meetings/conference calls with ASPs, getting our message directly to PAPs remains a challenge.

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The internet is leading to the organization of a number of PAP groups. We believe that it would be useful to hold a conference call with the representatives of some of these organizations (including VVAI, Ethica, and Parents for Ethical Adoption Reform) and representatives of State and USCIS both in Vietnam and Washington. Such a discussion could help resolve a lot of misperceptions and rumors that are currently spreading rapidly on the internet.

(SBU) Blocked Provinces - We understand that there have been some questions recently about which provinces are blocked, how they became blocked and what our next steps are. For clarification there are currently six blocked provinces (Binh Thuan, Thua Thien Hue, Quang Nam, Phu Tho, Thai Nguyen and Thanh Hoa). At a national level we have written to DIA seeking their assistance on completing the investigations in these provinces, and have also sought the support of MFA. What follows is a province by province breakdown:

Binh Thuan - (no blocked letter sent) - This is a province in the southern half of Vietnam, and I-604 investigations are conducted by ConGen HCMC. As a result of the disagreement over the consular district, HCMC has to notify the External Relations Office (ERO) in HCMC before conducting investigations. During the last investigation in Binh Thuan, we discovered that the local police had visited all of the witnesses/child finders, told them what to say and told them to report their meetings with the Consulate to the local Department of Public Security. This was not an isolated incident as similar problem occurred in several other provinces, mainly in I-130 investigations. After several discussions with ERO, the problem seems to have been resolved, but we have to verify on a province by province basis. Accordingly, while we still consider Binh Thuan blocked, we plan to send in a new team once we receive a case from this province. If that investigation goes smoothly, we will remove the province from the blocked list.

Thua Thien Hue - (one blocked letter sent) - The last investigation in Thua Thien Hue was in the fall of 2007 and resulted in the issuance of a NOID. Shortly after the investigation, we received a Diplomatic Note from the Provincial People Committee objecting to the investigation and forbidding us from conducting further investigations in the province. Accordingly we consider the province to be blocked. However, given the time that has passed since the DipNote, we believe that it is reasonable to attempt an investigation in this province. We are currently scheduling a trip for the one pending case (filed March 18). If that investigation is completed without interference, we will remove the province from the blocked list.

Phu Tho - (6 blocked letters sent) - During the last investigation in this province, the team went to a medical center to speak with a child finder. They were told that she was at a training session at the People's Committee building. Hoping to talk to her during a break, the team proceeded to the Peoples Committee. Upon arrival, they were physically blocked from entering by local police officers who told them they were illegally in the province. When the team asked which law was being violated, the police called the Vice-Chairman of the People's committee who order them to leave the province immediately. The team complied with this request. ConsChief has requested to meet with local officials in early April to discuss the issue and see if we can resume investigations in this province.

Quang Nam - (8 blocked letters sent) - The last investigation in this province was on March 21, 2008. We will be sending a front channel cable reporting on the trip in more detail. The investigating team originally went to the Tam Ky Center for Orphan Children, where the director physically blocked the team from entering, prohibited the team from speaking to Orphanage Employees and told the team that they could only return with permission from Provincial DOJ. The team then went to a second orphanage, there the director was polite and agreed to discuss the adoption issue in general, but stated that provincial DOJ had told him not to discuss specific cases with the Embassy. The team then meet with Provincial DOJ who told us that we were not allowed to operate in the province and that we could not look at specific cases, although again they were willing to discuss the "general issue of adoptions" with us. Post plans to schedule an official visit to the province to see if we can resume investigations.

Thai Nguyen - (11 blocked letters sent) - The last investigation team in this province went to Hospital A, the site of most abandonments in the province. When they attempted to speak with hospital staff, they were told that only the director could discuss adoption cases. Accordingly they requested a meeting with the director. When they arrived at the appointed time, they found the chief of police in the directors office. The police chief explained to the team that they were not allowed in Thai Nguyen province and asked them to leave. The team complied with this request. ConsChief has requested to meet with local officials in mid-April to discuss the issue and see if we can resume investigations in this province.

Thanh Hoa (11 blocked letters sent) - While the last investigation team in this province was speaking with the orphanage director, two police officials arrived and told the team that they were illegally in Thanh Hoa province. They then temporarily detained the team while they wrote an "incident report," which they forced the team to sign. When the team requested a copy of the report, one of the police officers left the room on the pretext of making a phone call. One of the team members saw this officer heading for his motorcycle, taking the report with him. When the team challenged him, and again asked for a copy of the report, he whipped out his liter and burned the report. After this, the team traveled to a different district and began to interview a child finder, shortly after the interview began the police arrived and ordered the team to leave the province. The team complied with this request. Post plans to schedule an official visit to the province to see if we can resume investigations.