

Table of Contents:
U.S. government documents received via Freedom of Information Act requests about troubling adoption practices in Vietnam, 2007-2008

The Schuster Institute for Investigative Journalism
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www.brandeis.edu/investigate

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Date of document: September 6, 2010

Page 1 of 11

Date	Subject line	Identifying excerpt (if any)
U.S. State Dept.		
7/31/2007	Consular Activity Update - July 2007 (Memorandum)	"...we conducted a familiarization visit to Nam Dinh province due to concerns over a recent spike in adoptions from a specific orphanage... we conducted 2 investigations in Hanoi. One case revealed that false information was provided on a child relinquishment document at a local hospital."
9/19/2007	O-I #124-07	"...DIA has repeatedly urged the USG not to implement this policy but ...these are our procedures and we have much leverage to compel compliance."
10/22/2007	Vietnam September Adoption Issues Cable	"In all but three of the cases investigated, post saw a common pattern of children abandoned under highly improbable circumstances. In several cases, when interviewed by consular officers, the persons who supposedly found the abandoned children ("child-finders") completely disowned the statements in their original affidavits."
10/25/2007	Vietnam Adoption Fraud: Troubling Trends in _____	
10/25/2007	O-I #142-07	"The adoptions cases we are getting are increasingly problematic, with strong indications of a return to 'baby buying' and worse."
10/29/2007	RE: (SBU) Cable - DAS Marciel protest conoff harassment (State 149168)	"FPU [fraud prevention unit] is investigating a case that all concerned are almost certain is fraudulent [sic] but can't really be denied without proof." ... "I say 'ominous' because that certainly could be read as a direct threat."
10/29/2007	No: 533/07 (Diplomatic Note)	"...the [Vietnamese official] has taken steps to prevent the Consulate's officer from fulfilling his mission by collecting information at the Can Tho Children's Hospital."
10/29/2007	Vietnam Adoption - DIA Objects to Recent NOIDS and Abandons Plans For Fee Schedule	"The revelation of ASPs making up front payments for "future deliveries" is clearly of concern. It stands as further evidence that the problems we are seeing in Vietnam are serious and systemic."
10/29/2007	Diplomatic Note No: 533/07	U.S. Consulate General, Ho Chi Minh City, to the Government of Vietnam, Ministry of Foreign Affairs, Office of External Relations
10/30/2007	RE: (SBU) GVN obstruction of consular business -- calibrating a response	
10/31/2007	RE: Vietnam Strategy 071029	
10/31/2007	FW: Email to CA Adoptions team	"Scot Marciel ... told the [Vietnamese] Chargé continued harassment of our officers would force the USG to consider reciprocal measures."
11/1/2007	RE: Vietnam adoption input	

Table of Contents:
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Page 2 of 11

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11/1/2007	Amb Meeting with Minister of Justice	"The Ambassador... expressed our concerns on fees, and baby selling. The Minister seemed genuinely surprised and upset to hear that children were being released for adoption without the consent of the birth mother."
11/6/2007	Q&As for Deputy Assistant Scot Marciel Congressional Testimony	
11/6/2007	Vietnam Adoption Fraud: No Going Back: Birth Mothers Unaware Children Up For International Adoption	"...troubling new information: financial inducements offered to birth mothers, birth mothers unaware their children are to be adopted by foreign parents, and the use of financial and psychological tactics to prevent birth mothers from renegeing on their promises to relinquish."
11/8/2007	Vietnam Adoptions - DIA's Initial Response to Ambassador's Letter	"...Dr. Long's comments reinforce our serious concerns about the DIA's willingness and ability to act...to safeguard the rights of children and birth parents in Vietnam. Long made it clear that DIA would act only at the request of the Embassy and that even then DIA would be at the mercy of provincial officials."
11/13/2007	Vietnam Temporarily Suspends Adoptions From Phu Tho Province	However, the DIA has indicated ... that the suspension is a sign of their displeasure with the Embassy's public statement and field investigations.... they are quick to point out that they will continue to allow citizens of other countries to adopt in Phu Tho. This is because these countries are less 'troublesome.'
11/16/2007	RE: Adoption Inquiry URGENT CONGRESSIONAL	Sen. Casey aide contacts Department of State re: constituent adoption.
11/21/2007	Addressing the Challenges of Intercountry Adoption with Vietnam	"...the radical increase in clearly 'doctored' case information, confirmation that the [government of Vietnam] focus is on 'moving babies,' not vetting cases to minimize irregularities, the [government of Vietnam's] unwillingness or inability to regulate fees and increase transparency, and even threats to our ability to investigate suspected fraud."
11/21/2007	Vietnam October Adoption Issues Cable	
11/26/2007	Vietnam Strategy public 071120a.doc	
12/6/2007	Vietnam/Adoptions -- when has State raised concerns w/Hanoi?	
12/6/2007	O-I #169-07	"Abuses include baby buying and farming." Bulleted summary of how often the Department of State has discussed their concerns about irregular adoptions with the Vietnamese government.
12/6/2007	A/S Harty Addresses the Challenges of Intercountry Adoption with Vietnam	A/S Harty "voiced her 'frustration, concern, and disappointment' over the lack of progress, but stressed that, although walking back from the MOA would be a shame, letting even one child be sold would be far worse."

Table of Contents:
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Page 3 of 11

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12/11/2007	Talking Points on Adoptions for Your Meeting with Vietnamese Officials (Memorandum)	"Adoption Service Provider recruiters appeared to be coordinating with local medical center staff to identify potential birth mothers who were unmarried, illiterate, and/or extremely poor to promise financial incentives and payment of medical fees for a healthy child."
12/18/2007	Vietnam Adoptions - Concealing Mental Illness Through Fraudulent Documents	"Several ASPs and DIA have told [us] that the high levels of international demand for healthy infants from Vietnam significantly exceeds the number of orphaned infants, putting pressure on orphanages to find additional infants."
12/21/2007	Adoption Article	
12/27/2007	RE: Vietnam/Adoptions -- way ahead	The Embassy "reminded all that they had not been stingy on approving adoption visas. In 2007, Emb Hanoi issued 800 immigrant visas for adoption cases, and only 20 'NOIDs.'"
12/27/2007	RE: Vietnam Taskers	
1/2/2008	O-I #001-07	
1/3/2008	Vietnam Adoptions - Backdating Investigations	"...the miraculous arrival of over 30 infant girls at Hanoi Center 1 within five months of the opening of that center for international adoption is not an atypical trend in Vietnam. We have frequently seen that areas and orphanages not engaged in adoption only have older children and those with special needs. This is a clear illustration of the supply being created to meet demand."
1/6/2008	Renewed US concerns about Vietnamese adoptions leave American parents in limbo (Associated Press Newswire)	
1/8/2008	Moving Forward - A Strategy To Address The Morass of Fraud in Vietnamese Adoption	"While our long term goal remains the establishment by the [government of Vietnam] of an adoption system that meets acceptable international norms, I have become convinced that the current system prevents reform and profits those who exploit children and adoptive parents."
1/8/2008	Vietnam Adoptions: A Trail of Corruption	"... investigations have documented widespread adoption fraud and organized networks engaged in child buying and laundering throughout Vietnam. [The Embassy] has been able to piece together a picture of how adoption service providers (ASPs), orphanages, and Vietnamese officials are colluding to create a supply of orphans to meet international demand for 'as young as possible' infants.... The trail begins with ASPs passing out large sums of money to orphanage directors and ends with infant children, often of unknown origin, in the arms of unsuspecting prospective adoptive parents."
1/11/2008	RE: Boxer's office on Vietnam NOIDS	"... 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."

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Page 4 of 11

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1/18/2008	Vietnam/Adoptions	
1/18/2008	O-I #012-08	
1/23/2008	FW: Draft warning concerning Vietnam Adoptions 1-18-08	
1/23/2008	FW: Draft Vietnam warning 1-23-08	
1/23/2008	Vietnam Adoptions - A Growing Pipeline Crisis	"...we need to act quickly to notify the [government of Vietnam] of our intention to: (1) not renew the existing MOA (Memorandum of Agreement), (2) open negotiations on a new MOA; and, (3) obtain a clear decision from the [government of Vietnam] regarding the handling of pipeline cases after September 1 in the absence of an MOA."
1/23/2008	Warning Concerning Adoptions in Vietnam (Draft)	
1/24/2008	CLEARANCE: Vietnam Warning	
1/24/2008	RE: Hanoi Cable - PLEASE CLEAR BY 3:00 TODAY	
1/24/2008	RE: Hanoi adoption dip note Cable- PLEASE CLEAR BY 3:00 TODAY	
1/24/2008	RE: Hanoi Cable - PLEASE CLEAR BY 3:00 TODAY	
1/25/2008	FW: Urgent Clearance	
1/25/2008	RE: FOR APPROVAL: Vietnam O-I #11-08	"The Desk participated in CA's [Consular Affairs'] conference call with Hill staffers and U.S. adoption organizations, a move by CA to reach out to interested parties prior to the issuance of the State Department warning to prospective adoptive parents that adoptions begun now will not be completed before the September 1 expiry of the MOA. The call drew more than 30 participants and prompted a frank exchange of views..."
1/25/2008	RE: Congressional Briefing on Vietnam Adoptions	"During our conference call today, Sean Moore (Boxer) proposed and other staffers agreed that State and DHS (Department of Homeland Security) should do a briefing for Congressional offices on Vietnam adoptions, and specifically the NOID cases."
1/27/2008	RE: Proposed Conference Call with NOID Families	"We will all continue working with [the Embassy] to provide information, make ourselves available to answer questions and minimize as much as possible the families' sense of things being bleak and beyond their control."

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Page 5 of 11

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1/28/2008	RE: Congressional Briefing on Vietnam Adoptions	
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1/29/2008	RE: Congressional Briefing on Vietnam Adoptions	
1/29/2008	RE: Congressional Briefing on Vietnam Adoptions	
1/29/2008	RE: Congressional Briefing on Vietnam Adoptions	Email includes a list of the Congressional offices that will be invited to the briefing.
1/30/2008	RE: Congressional Briefing on Vietnam Adoptions	Talking points for the briefing, and discussion of the status of 11 NOID families. "...we only NOID a case when the evidence reaches a high threshold. We suspect fraud in many more cases, but we can not always document it to the standards required by US law because of deliberate attempts by parts of the [government of Vietnam] and others to conceal information." [sic]
1/30/2008	RE: Congressional Briefing on Vietnam Adoptions	
1/30/2008	Conference Call: Pre-Brief for Congressional Briefing Friday	
1/30/2008	FW: invitation from Boxer's office to Friday hill mtg on Vietnamese adoptions	
1/31/2008	Vietnam Adoptions: New Evidence Highlights Unreliability of Adoption Documents in Vietnam	"...the Embassy later obtained sworn affidavits from the officials and witnesses that these claimed investigations did not actually take place."
1/31/2008	Vietnam Adoptions: Pressuring Birth Mothers to overcome NOIDs	"These cases offer compelling proof that government run clinics and orphanages are actively engaged in baby buying and are lying to birth mothers to secure children for international adoption. ... The challenge ... is to find away to stop future abuses without endangering birth parents." [sic]
1/31/2008	RE: Draft Qs and As for Friday's Congressional Briefing	
2/1/2008	Meetings with MOJ and DIA	The Vice-Minister "said that [adoption agencies] were making illegal cash payments to orphanages, and that the Ministry could not control these payments. ... The Vice Minister was genuinely shocked by the information about the [redacted] women. Dr Long quickly jumped in and said that they had asked the [adoption agency] to pay to bring the women to Hanoi, and that the women should not have had to pay anything."

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Page 6 of 11

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2/4/2008	Vietnam Adoptions - Next Steps	"We have been dismayed to hear that some [adoption agencies] are announcing that Dr. Long has guaranteed that any case that is Dossier to Vietnam on September 1 will be processed to completion.... 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?"
2/5/2008	FW: Priority issues for Vietnam Adoption	"While orphans first is working (the Embassy has issued over 100 travel letters since the program started), the issue of what to do when we find problems is still unresolved... with over 20 [prospective parents] waiting for news, many of them now over the 60 day mark, I think our priority needs to be getting decisions to these parents as soon as possible.... we need to find a means to refuse bad cases ourselves."
2/5/2008	RE: question re: 10 worst cases	
2/6/2008	FW: question re: 10 worst cases	
2/6/2008	RE: question re: 10 worst cases	
2/6/2008	FW: The 10 worst adoption cases from Vietnam	
2/7/2008	(SBU) Vietnam O-I #18-08	
2/11/2008	Vietnam Adoptions	
2/11/2008	Vietnamese adoptions mess - in the NYTimes today, in case you haven't seen	
2/13/2008	RE: Embassy Hanoi's paper on ten worst adoption cases	
2/13/2008	RE: Vietnam adoption background	
2/14/2008	RE: Conference Call on Vietnam	
2/15/2008	RE: JCICS	
2/15/2008	Child Adoptions in Vietnam (Public comments)	"There should never, ever, ever be a case where an American citizen adopts a child who is not eligible to be adopted. There is no tolerance in my country for the buying or selling of children. Children are not commodities. Children are human beings... Our investigations have uncovered numerous cases in which birth parents have been pressured or even tricked into giving up their children.... Despite these problems, we are also acutely aware that there are orphans in Vietnam who need parents. That is why the United States is strongly committed to continuing intercountry adoptions from Vietnam if possible."
2/19/2008	FW: Harty letter to Vietnamese National Assembly	

Table of Contents:
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Page 7 of 11

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2/19/2008	RE: (SBU) Vietnam O-I #25-08	"... A/S Harty said she wanted to use the opportunity of her retirement to pen two letters to express to the [government of Vietnam] her disappointment that progress to combat adoption fraud had not been made since her November visit.... The first letter addresses Nguyen Van Thuan, Chairman of the Law Committee for the National Assembly, and stresses the urgent need for the National Assembly to draft and pass legislation that would bring Vietnam into compliance with the Hague Convention. The second letter to Vice Minister of Justice Lien is designed to take a harsher tone; A/S Harty wants to play 'bad cop'...."
2/19/2008	Next Steps on Vietnamese Adoptions (Memorandum)	Four-page action memo with to-do line items for various Department of State departments and other U.S. agencies.
2/20/2008	RE: (SBU) Vietnam O-I #25-08	
2/20/2008	FW: (SBU) Vietnam O-I #25-08	
2/26/2008	Baby Buying: Selling Infants to China Sparks Outrage: Some Tactics Similar to Those Uncovered in American Adoptions	"... impoverished Vietnamese women are pressured or tricked to give up their infant children so that the children can be sold to adoptive parents."
2/28/2008	Responding to Letters of Complaint about Vietnamese Adoptions (Action Memo)	"To rebut the denial, the families hired local investigators, retained counsel, and incurred separations and additional travel/living expenses. Resolving their cases required several months. Thus, even though their petitions and visas were ultimately approved, the families feel aggrieved."
3/5/2008	RE: JCICS visit to Vietnam	"They were a little shaken by my mention of the murder of four Vietnamese by kidnapers seeing fresh babies for the [adoption] trade.... [JCICS] members clearly believe we are being too active in trying to track down evidence."
3/5/2008	Adoptions para in A/S Hill Testimony	"We want to work with Vietnam to fix the system, so that Americans can adopt without fear of fraud."
3/7/2008	RE: JCICS visit to Vietnam	"Otherwise we'll almost certainly end up giving more [visas] to children whose parents either want them back or never understood that they'd be leaving Vietnam permanently."
3/10/2008	Next Steps on Vietnamese Adoptions (Information Memo)	
3/12/2008	Statement of Assistant Secretary Christopher Hill... US-Vietnam Bilateral Relations (Written Statement)	
3/17/2008	RE: Adoption OI #001-08CA	

Table of Contents:
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Page 8 of 11

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3/19/2008	RE: Adoption OI #002-08CA	"While we are working with USCIS HCMC to eliminate the backlog of I-604 [adoption visa] investigation requests, it is worth noting that the majority of [prospective adoptive parents] are receiving decisions within 60 days."
3/20/2008	Vietnam Adoptions: A Child For A Pig	"...further evidence to support the conclusion that fraud and corruption have become pervasive in the Vietnamese adoptions process and reinforces the need to better regulate and monitor U.S. adoption agencies."
3/21/2008	Adoptions: Warehousing of "Abandoned" Children Leads to Overcrowding and Even Deaths; Exposes Abuse in the System	"...were it not for cash payments and false promises made to birth families, many of these children would be raised by the birth families or close relatives in a home environment."
3/24/2008	Ref: Register for Inter-Country Adoptions (Unclear)	"We would propose that DIA should inform the Embassies to collaborate with provincial authorities in conducting investigation. They should not do it independently; otherwise, they will neither get cooperation from the interviewees nor keep their own security."
3/25/2008	Adoption OI #003-08CA	"We are nearing our goal of providing all PAPs a decision on their I-600 application within 60 days.... [The Embassy] is preparing to send a follow on investigation team to interview the birth mother and try and determine both her intent and how the child actually came to be in the orphanage."
3/26/2008	RE: Adoption OI #004-08CA	"Your planned visits to 'closed' provinces is a terrific idea. I hope (ever the optimist) this may give you the opportunity to discover a few provincial officials who are honest and could become useful, serious contacts who would follow through on investigating questionable cases we report to them."
3/28/2008	Adoption OI #005-08CA	"... there has been a long history of problems in this province [Binh Thuan]. As background, the local Vietnamese officials are traveling to the U.S. on the invitation of the Adoption Center of Washington.... ACW is paying all costs for this group.... Fraud concerns in Binh Thuan are high..."
4/1/2008	O-I #055-08CA	
4/1/2008	Adoption OI #007-08CA	
4/1/2008	Warning Concerning Adoptions in Vietnam (Report)	
4/2/2008	RE: Adoption OI #006-08CA	Detailed listing of provinces in which investigations have been blocked. For instance: "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..."
4/3/2008	Adoption OI #009-08CA	Difficulties investigating in Can Tho and Ninh Binh.
4/7/2008	Adoption OI #010-08CA	

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Page 9 of 11

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4/9/2008	Adoption OI #011-08CA	
4/11/2008	Adoption Fraud Summary - Vietnam	"The combination of a decentralized administrative system, a legal framework that lacks procedures for oversight and accountability, and an unregulated donation system have combined to produce an adoption system rife with fraud and child selling.... [C]ash and in-kind donations have been diverted by orphanage officials and used to finance personal property, private cars, jewelry and, in one case, a commercial real estate development."
4/11/2008	Adoption OI #012-08CA	
4/16/2008	Adoption OI #013-08CA	Discussion of blocked investigations in Quang Nam, Tu Du Hospital, and Thai Nguyen, including a detailed outline of efforts in Thai Nguyen to date.
4/17/2008	RE: AP Adoptions	
4/17/2008	RE: AP Adoptions	
4/18/2008	Adoption OI #014-08CA	"An April 9 investigation of a relinquishment case in Kien Giang province revealed that the biological parents had sent their child to a hospital for medical treatment a few days after her birth only to discover three days later that their child had disappeared.... A follow up interview with the birth parents confirmed that they had returned to the orphanage and had been able to bring their child home."
4/23/2008	Adoption OI #015-08CA	"... the birth parents in these cases were generally paid an average of 5.5 million Vietnamese Dong.... The traffickers then resold the children in China for an average price of 20 million Vietnamese Dong. He added that the birth families were usually told that a Vietnamese family would raise their children until they were old enough to help support the birth parents."
4/23/2008	RE: For Attribution? AP Adoption Story	
4/25/2008	Adoption OI #016-08CA	
4/28/2008	April 28 Press Guidelines for the EAP Region (Press Guidance)	
4/29/2008	RE: Adoption OI #017-08CA	Includes article from Vietnamese press about kidnapping cases in Ha Giang, in which victims were sent to China for work, sex, or adoption.
5/1/2008	Update on Adoptions in Vietnam (Information Memo)	
5/6/2008	Adoption OI #018-08CA	Discussions of blocked investigations in Phu Thoug, Quang Nam, Thai Nguyen, Thanh Hoa, Thua Thien Hue, and Tu Du Hospital, as well as discussions with Dr. Long.
5/7/2008	6 Vietnamese Arrested for Allegedly Trying to Sell 2 Newborn Babies in China (Associated Press Newswire)	

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Page 10 of 11

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5/9/2008	RE: Hanoi: Telephone Adoption OI	
5/12/2008	Adoption OI #019-08CA	Update on progress on investigations in Quang Nam and Thai Nguyen, statistics on processing, and other details.
5/15/2008	Adoption OI #020-08CA	Status update in Quang Nam, Thai Nguyen, and other details.
5/20/2008	Adoption OI #021-08CA	"Over the past few weeks, [the Embassy] has noticed a major shift in the approach of provincial officials regarding blocked investigations.... Now that they have seen that [we are] serious about the need to verify the orphan status of the child, they are looking for a face saving way to resume the investigations and reduce the pressure they are feeling from [prospective adoptive parents, adoption agencies, the Embassy], and the central government."
5/30/2008	Adoption OI #022-08CA	"Since the MOA was signed in 2005 there have been 35 cases where a NOID or RFE was issued. These cases can be divided into three periods. 7 NOIDs were issued before September 2007, of which four withdrew and two denials were upheld by the Administrative Appeals Office, and one case was approved based on the evidence supplied in the rebuttal. An additional 13 NOIDs were issued prior to the introduction on Orphans First. Of these 12 were later issued visas. In the remaining case, USCIS agreed to reopen the case to allow the petitioner to submit additional evidence beyond that contained in the rebuttal.... Since Orphans First was implemented 15 NOIDs and RFEs have been issued. Of these one resulted in a denial, 5 withdrew, and 9 are pending."
6/4/2008	Adoption OI #023-08CA	Discusses concerns about how "special needs" cases will be processed after September 1 expiration of the MOA, expressing fears that the Vietnamese government will classify any child born after Agent Orange as "special needs," thus allowing adoptions to continue unchecked.
6/5/2008	EAP/MLS Morning Report - June 5, 2008	
Undated	Embassy Hanoi discussions with the Government of Vietnam on Adoptions (2007 chronology)	
Undated	Talking Points on Adoptions for Your Meeting with Vietnamese Officials (Memorandum)	
Undated	Vietnam - Adoptions (Background Memo)	
Undated	Vietnam - Adoptions (2) (Background Memo)	
Undated	Q&As for Deputy Assistant Secretary Scot Marciel	
Undated	Case Statistics	Numbers of I-600 visa applications filed, under investigation, closed, and beyond the 60 day limit, by month.

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Page 11 of 11

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Undated	10 Disturbing Adoption Cases From Vietnam (Congressional backgrounder--draft)	
Undated	10 Disturbing Adoption Cases From Vietnam (Congressional backgrounder--draft)	
Undated	Monthly Update on Adoption in Vietnam (Memorandum)	
Undated	Untitled (Public warning--draft)	
Undated	Background (Memorandum)	
Undated	Editorial: Adoption Ban (Editorial)	
Undated	Untitled (Public warning, 2--draft)	

USCIS

1/27/2008	Proposed Conference Call with NOID Families 01-27-2008	
3/1/2008	Second Notice of Intent to Deny 03-2008 (Letter)	
5/6/2008	PAP Tu Du Hospital Admins and VN Officials Prevent Inquiry 05-06-2008 (Letter)	