

## **Summary of June 23, 2007 Meeting with Adoption Service Providers**

Steve Brault, Consular Section Chief, chaired the June 13 quarterly meeting of American adoption service providers (ASPs). This was Mr. Brault's final ASP meeting prior to his departure from Vietnam. Consular Officers Greg Adamson and Monica Boduszynski, Adoptions Assistants Phan Thuy Lan and Nguyen Cam Binh, and US Citizenship and Immigration (USCIS) Agent Mary Ann Russell were also present. 42 representatives from 28 different ASPs attended. A total of 42 adoption agencies were invited.

Mr. Brault opened by informing the ASPs of the growing number of adoptions processed and highlighted the high level of importance Embassy Hanoi places on adoptions. He noted that a new Consular Officer, Mr. Donald Mattingley, and a new Consular Section Chief, Mr. Eric Alexander, would be joining Embassy Hanoi in the coming months.

Power of attorney is now accepted. This change will allow non-petitioning potential adoptive parents with power of attorney from their petitioning spouses to sign the I-600 petition for adoption. Previously, power of attorney was only allowed at the visa interview stage. In order for a non-petitioning spouse to sign the I-600 petition, both potential adoptive parents must be U.S. citizens. The power of attorney must be recent and signed by a U.S. notary public. The U.S. portion of the adoption process does not require that the document be authenticated.

Mr. Brault explained differences in the adoptions process when the potential adoptive parents reside outside the U.S.:

- An ASP licensed to operate in Vietnam must do the recommendation for the adoption.
- The I-600 must be submitted for approval in Vietnam. Once the I-600 is approved, the adoptive parents can choose their course of action, for instance applying for a visa to go to a third country. However, if they should decide that they will not be applying for a U.S. visa for the child, parents should inform USCIS or Embassy Hanoi so that all relevant paperwork can be sent to the National Visa Center in New Hampshire. Doing so will allow other U.S. embassies and consulates to access the documents.
- Adoptive parents may go through the more complicated N600K route, working with DHS offices in the United States. The adoptive parents would inform those offices with which U.S. embassy of consulate they are coordinating. The adoptive parents would then apply for a B2 tourist visa for the child; such a visa would be annotated to read, "travel with the purpose of obtaining U.S. citizenship."

The "Adam Walsh" law (Adam Walsh Child Protection and Safety Act) went into effect on March 1, 2007. This law froze all petitions filed overseas for a time, but petitions are now accepted on a limited basis. Ms. Russell asked that ASPs inform the potential adoptive parents to include all possible names ever used by either of the adopting parents on the I-600.

Embassy Hanoi plans to continue orphanage familiarization visits, the primary purpose of which is to facilitate future cooperation and to inform orphanages of Embassy Hanoi's concern regarding inadequately or poorly documented orphan cases.

ASPs should avoid informing parents of a standard two to three week processing time since the lack of a centralized, standardized adoptions process in Vietnam makes estimating processing time extremely difficult. Mr. Brault requested the cooperation of ASPs in helping to ensure better, more complete documentation.

Obtaining a fee schedule for the Vietnamese adoptions process, as required by the 2005 bilateral agreement, continues to be a priority of Embassy Hanoi. U.S. accession to the Hague Convention would not resolve this problem since Vietnam is not a member.

The Embassy will do its best to inform ASPs of major changes. He mentioned that an increase in media attention to problems surrounding adoptions is often responsible for bringing these changes about.

Mr. Brault stated that the Embassy would contact the medical clinic which examines orphans in an effort to remedy the problem of limited appointments. He warned that while approval of another panel physician was unlikely, the Embassy would work with the clinic to increase the number of daily appointments. Mr. Brault also mentioned that the Embassy would consider working with the clinic in order to allow medical examinations prior to the issuance of a passport. He underlined that in this case, the clinic would hold the final results of the medical exam until the passport was issued as an anti-trafficking measure.

The Embassy cannot publish a list of questions online because every interview is different. Cases with more extensive medical conditions like HIV/AIDS or those that require major surgeries require officers to focus more on the issue of health care, thus prompting more specific questions regarding health insurance.

Some ASPs expressed concern regarding the disparities in the number of adoptions processed by different agencies.

All changes to home studies should be sent to the office where the I-600 interview will be conducted, whether that be at the USCIS office in Ho Chi Minh City or at the Embassy in Hanoi. Furthermore, changes should be outlined, and the date of the change should be listed. Any changes should have the social worker's signature. This information can be provided by scan, email, or fax.

Parents are often asked when they submitted their dossier to the Vietnamese DIA. This question is posed in an effort to better understand the processing time required by the Vietnamese government.