

# United States Senate

WASHINGTON, DC 20510-3602

January 10, 2002

The Honorable Colin L. Powell  
Secretary of State Department  
Department of State  
Harry S. Truman Building, 2201 C St., NW  
Washington, DC 20520

Dear Secretary Powell,

On December 21, 2001, the United States issued a moratorium on adoptions in Cambodia due to legitimate concerns regarding baby trafficking. We share these concerns and are fully supportive of the decision to halt adoptions until a stable and transparent adoption system is in place in Cambodia.

However, it has come to our attention that the Department of State's Consular office in Phnom Penh, Cambodia has been refusing, since late September, to process the adoption paperwork for 131 or so American families although the moratorium was not issued until three months later. Approximately seventy-two of those families have received final adoption decrees while approximately fifty-nine have had children referred to them.

The embassy has refused to schedule exit interviews for those families with final adoption decrees. This interview is required prior to the adopted child being granted a visa to immigrate to the United States. Further, the embassy has refused to accept documents or issue letters of approval for the forty-six families who have had children assigned/referred to them. Without these letters of approval, which state that the parents are eligible to adopt a child, Cambodia cannot finalize the adoption. We request your help in getting a waiver from the adoption moratorium for the purposes of completing the processing of these adoptions so that these American citizens can bring home their adopted children.

We very much appreciate your Department's recent efforts, along with the efforts of INS Commissioner James Zigler, in granting humanitarian parole to thirteen Cambodian children last December. We especially appreciate the help of LuAnn Linehan, Deputy Assistant Secretary for Legislative Affairs and Marc Wheat, Senior Congressional Advisor for Legislative Affairs of your staff.

BANK ONE TOWER  
SUITE 1820  
100 NORTH BROADWAY  
OKLAHOMA CITY, OK 73102  
(405) 231-4941

3310 MID-CONTINENT TOWER  
409 SOUTH BOSTON  
TULSA, OK 74103-4007  
(918) 581-7651

711 SW D AVENUE  
SUITE 202  
LAWTON, OK 73501  
(580) 357-9878

1916 LAKE ROAD  
PONCA CITY, OK 74604  
(580) 767-1270

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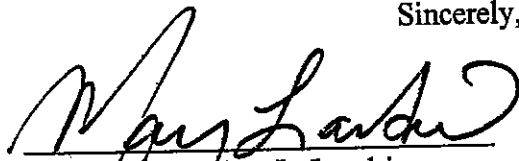
In a similar situation, in June of 2001, Romania issued a one-year moratorium on inter-country adoption in order to implement new legislation to eliminate corruption from Romania's adoption system. In this case, the Department of State vigorously pressed the Romanian government to allow those children whose matches with prospective parents had been approved by the government, and whose adoptions were in the final stages, to be exempt from the current moratorium. Thanks to your Department's efforts, the Romanian government announced its intention to review these so-called "pipeline" cases with a view to their early resolution, even while the moratorium remains in effect.

We are now requesting that the Department of State and the Immigration and Naturalization Service develop consistent policies so that our United States citizen parents are treated in a fair, compassionate and consistent manner. Many of these families have been waiting for great lengths of time to be able to adopt children and it is incumbent on the United States government to ensure that as American citizens, these parents are treated courteously and that their petitions are processed promptly.

At this time, we believe that the Department of State and INS need to waive the moratorium on adoptions from Cambodia for those families with final adoption decrees issued by the Cambodian government (regardless of whether they have received custody of the child or gone through a receiving ceremony) as well as those families who have had a child referred to them by the Cambodian Government. We ask that you process these hundred and thirty plus families' documents quickly and fairly, despite the current moratorium.

We would be most grateful for your assistance in resolving this matter.

Sincerely,

  
U. S. Senator Mary L. Landrieu

  
U.S. Senator Don Nickles

  
U.S. Senator Mike DeWine

  
U.S. Senator Judd Gregg