

United States Senate

WASHINGTON, DC 20510-3602

January 10, 2002

The Honorable James Ziglar
Commissioner
Immigration and Naturalization Service
425 Eye Street, NW 8th Floor
Washington, D.C. 20536

Dear Commissioner Ziglar:

We very much want to thank you for granting humanitarian parole in December 2001 to the thirteen children from Cambodia. We understand that they will be granted citizenship after their American parents have satisfied the two year custody requirements of the Immigration and Nationality Act (INA). This was an excellent resolution to a very distressing situation for the United States citizen adoptive parents.

It is now our understanding that there are approximately 131 children in Cambodia in a similar situation except the parents have not yet traveled to Cambodia. Of the 131 children, 72 have been granted adoption decrees by the Kingdom of Cambodia, and the remaining 59 children have been referred to prospective adoptive parents. All of the United States citizen parents have consented to adopting these children whom they have already made a part of their families. They are prepared to travel and are awaiting approval.

We are requesting that the Immigration and Naturalization Service (INS) and the Department of State (DOS) coordinate their resources and process the paper work needed by these American parents to bring their children home. We are also requesting that INS and DOS waive the U.S. imposed moratorium on adoptions from Cambodia for these 131 families until there is some concrete and valid evidence that these children have been adopted in violation of the Immigration and Nationality Act.

All of the parents of the children granted parole in December stated they would return any child to his/her parents in Cambodia if there were any concrete evidence the child was not an orphan under the INA definition. These 131 parents have also stated that they would not adopt any child that did not meet the INA definition of orphan.

We are further concerned about the INS and DOS's inconsistent application of the laws, regulations and policies. As you know in Cambodia, the parents who were stranded in Cambodia witnessed many other U.S. citizen parents being granted visas for their children. Even

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while visas were being issued for some children, the U.S. Embassy in Cambodia was refusing to receive or process documents for other children. Without review of these documents, how can any decision be made relative to the validity of the adoptions or referrals?

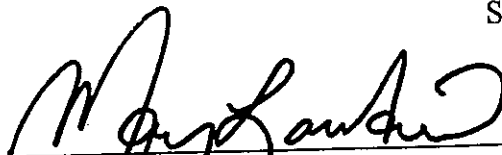
Furthermore, after a similar situation occurred in Romania, the U.S. government took a much different position. In June of 2001, Romania issued a one-year moratorium on inter-country adoption in order to implement new legislation to eliminate corruption from Romania's adoption system. In this case, DOS 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 DOS' 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. It is inconsistent for DOS to be asking Romania to issue visas at the same time declaring, in conjunction with INS, a moratorium on all adoptions in Cambodia, specifically those adoptions in the final stages.

We are now requesting that DOS and INS 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 DOS 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 one hundred and thirty plus families' documents quickly and fairly, despite the current moratorium.

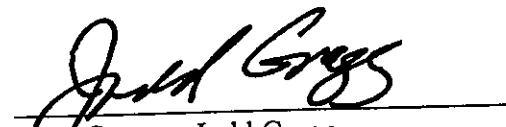
Thank you for your prompt attention to this matter.

Sincerely,


U. S. Senator Mary L. Landrieu


U.S. Senator Don Nickles


U.S. Senator Mike DeWine


U.S. Senator Judd Gregg