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WASHINGTON, D.C. 20540

March 14, 1973

TO : Honorable [REDACTED]
Attention: [REDACTED]

FROM : Education and Public Welfare Division

SUBJECT: Vietnamese Adoption Laws

Vietnamese adoption law has not changed since 1971, although there has been some modification in practice. The petitioner (or his representative) must now be in Vietnam for a period of 3 months, instead of the former 6 month waiting period. The conditions for adoption remain the same:

1. Adoption must be justified by legitimate reasons and beneficial to the adopted child. (Some legitimate reasons listed are: "Petitioner is childless or has few children; petitioner is very rich and wishes to adopt a child from a poor family to insure a good future for the child".)
2. The adopter must be over 30 years of age and 20 years older than the adopted child; and the adoptive parents must have married 10 years and be childless.
3. The adopter must be able to insure a good material and spiritual life for the child and make sure of his/or her education.
4. The petitioner (if he is foreign) must produce a certificate furnished by a competent agency, such as a Foreign Embassy or Consulate affirming that he is allowed to adopt a foreign child as authorized by applicable laws in his respective country.

Adoption laws in Korea have also remained the same as in 1971. A petitioner must be at least 20 years old to adopt, must be older than the person who is being adopted, must have consent of natural parents or guardian agency and both partners must agree to petition. In Korea, unlike Vietnam, there is no duration of marriage requirement.

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Immigration laws in the United States have not changed since 1971 concerning the entrance of Korean and Vietnamese children. After obtaining permission (in writing from the Vietnamese or Korean government) for release of the child, he or she must be documented as an immigrant (and immigrant VISA must be issued). Immigration laws permit adoption of orphan children up to and including age thirteen. If the child comes into the United States for adoption, the petitioning parents must comply with all preadoptive requirements of the State in which the child will reside.

Please find enclosed a copy of CRS multilith -- Adoption in the United States which includes a very informative article (p. 56) concerning adoption and child care in Vietnam. Also enclosed is an article on Inter-country Adoptions.

Please call if we can be of further service.

Jean E. Yavis