Annual Report on Intercountry Adoption

The U.S. Department of State (The Department) serves as the U.S. Central Authority (USCA) under the *1993 Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption* (Convention). The fiscal year (FY) 2019 Annual Report on Intercountry Adoption, as required by Section 104 of the Intercountry Adoption Act of 2000, provides statistical data on intercountry adoptions to and from the United States from October 1, 2018 through September 30, 2019.

FY 2019 Overview

The Department is deeply committed to promoting intercountry adoption as a viable option for children in need of permanency when it is in the best interest of the child and when placement within the country of origin has been appropriately considered but ruled out as a viable option. As such, we collaborate with all stakeholders involved in intercountry adoption to ensure efficiency and transparency in the intercountry adoption process, and to respect the rights and best interests of, and prevent the exploitation of, children, birth families, and adoptive parents involved in intercountry adoption.

As we carry out this mission, we also encourage collaboration across the intercountry adoption community. In September 2019, we hosted an Adoption Symposium, "Strengthening Practice for the Future of Intercountry Adoption," which convened more than 120 interested stakeholders, including representatives from adoption service providers (ASPs), advocacy organizations, U.S. government agencies, and the U.S. accrediting entity, Intercountry Adoption Accreditation and Maintenance Entity, Inc. (IAAME), as well as adoptive parents, birth parents, adult adoptees, and Congressional staffers.

As Assistant Secretary of State for Consular Affairs Carl C. Risch noted at the Symposium, "Adoption is about family," and "intercountry adoption builds families in a real and positive way." He highlighted the importance of considering all perspectives in intercountry adoption "to inform our policy focus in the years to come." Then-Deputy Secretary of State, John Sullivan, and the Department's Spokesperson, Morgan Ortagus, underscored the Department's commitment to "ensure adoption remains an option for children in need of a home and to strengthen ethical adoption practices to benefit families." The Department's new Senior Advisor for Children's Issues, Michelle Bernier-Toth, appointed in December 2019, shares the commitment expressed at the Symposium and is actively engaging foreign government officials to advocate for the protection, welfare, and best interests of children in need of permanent, loving families, and to assist prospective U.S. adoptive parents in realizing their dreams of creating or expanding their families.

By working with all segments of the adoption community, the Department is addressing the changing landscape of intercountry adoption, which has become progressively more complex and is now more reliant on host government commitment to consider intercountry adoption a crucial element of a more integrated child welfare system. To strengthen our efforts, we have restructured the Department's intercountry adoption team into two divisions. The Bilateral Engagement Division promotes the benefits of intercountry adoption worldwide and collaborates with foreign adoption authorities to improve the intercountry adoption process and ensure its viability on a country-by-country basis. The Accreditation and Oversight Division focuses on the fulfillment of the Department's oversight responsibilities, cooperation with adoption service providers, and outreach efforts. Through this new structure, we look forward to urging policy leaders and governments to remove barriers to intercountry adoption and to communicate with the adoption community, the public, and Congress more effectively across the broad range of issues that fall within our mandate.

The Department pays close attention to intercountry adoption statistics; however, we also recognize that children are not numbers. Every adoption that applies the principles and standards outlined in U.S. law and

regulation to help a child find a permanent family across national borders demonstrates the efficacy of the system we have developed with our international partners. Worldwide, U.S. families continue to provide homes for half of all children adopted through intercountry adoption, according to the Hague Conference on Private International Law (HCCH) <u>2019 Global Statistics Report</u>. In FY 2019, consular officers issued 2,970 immigrant visas to children adopted abroad, or to be adopted in the United States by U.S. citizens. While the overall number of intercountry adoptions to the United States declined from the previous year, 75% of that decline can be attributed to the decrease of intercountry adoption from two countries, China (a decrease of 656) and Ethiopia (a decrease of 166). In both cases, the reductions result from continued social, economic, or legal changes the Department previously observed and reported in those countries. At the same time, some countries noticeably increased the number of intercountry adoptions to the United States, including Ukraine (+50), Liberia (+21), Hungary (+17), and Colombia (+15). In FY 2019, the Department worked closely with Benin, Guyana, and Honduras as they acceded to the Convention, and we facilitated the first U.S. Convention adoptions from Rwanda since the lifting of the suspension in that country. Bilateral and multilateral meetings, commitment on the part of our foreign partners, and collaboration with the U.S. adoption community contributed to these increases.

Lastly, in FY 2019 families outside of the United States adopted 56 children from the United States to seven countries: Canada (24), the Netherlands (17), Mexico (6), Ireland (5), Belgium (1), Switzerland (1), and the United Kingdom (2).

Department of State Engagement to Support Intercountry Adoption

To raise awareness about intercountry adoption, the Department provides consultations with new ambassadors and training for consular officials departing for overseas assignments. To improve consular adoption service standards globally, the Department trained more than 50 U.S. consular professionals at a centrally convened workshop and deployed hands-on training to multiple U.S. diplomatic missions, including U.S. missions in Honduras, Guyana, Colombia, Ukraine, and Nigeria. The Department also responded to nearly 4,000 inquiries to our adoption mailbox, <u>adoption@state.gov</u>, and posted more than 50 adoption notices concerning updates or clarifications relating to intercountry adoption processes. We continuously update country information on our website, <u>adoption.state.gov</u>, as information becomes available.

The Department values productive interactions with foreign governments, U.S. government agencies, U.S. state and local authorities, the U.S. accrediting entity, ASPs, and the larger adoption community to address previously identified and reported barriers to intercountry adoption, with the ultimate aim of preserving and enhancing the viability of intercountry adoption in the United States. The Department encourages countries of origin to develop transparent, ethical child welfare systems that include intercountry adoption as a viable option.

The Department has increased its efforts to meet and dialogue with foreign adoption authorities and has built on the momentum created by the Symposium with stakeholders' calls, smaller group meetings, training sessions, and a newly-created newsletter for ASPs highlighting hot topics and key Department activities supporting intercountry adoption. When ASPs and congressional staff raised concerns about several families encountering procedural challenges in adopting in a handful of countries, the Department worked with public authorities, embassy personnel, ASPs, and foreign adoption service providers in those countries to address those concerns.

As part of broader outreach efforts, the Department's Office of Children's Issues stressed the importance of intercountry adoption to representatives of foreign governments, child welfare institutions, foreign adoption authorities, legal offices, and non-governmental organizations visiting the United States on U.S.-government sponsored programs from more than 20 countries, including countries where intercountry adoption is currently restricted or blocked. The Department also hosted events overseas with members of the adoption community to discuss key issues in the adoption process. For example, U.S. Embassy Bogota hosted an Adoption Open

House with more than 40 participants representing 15 U.S.-accredited ASPs, the Colombian Authorized Adoption Institutions, the Colombian Central Adoption authority, and the Office of Children's Issues.

The Department's efforts to deliver **missing post-adoption reports** for children already adopted resulted in the submission of numerous overdue reports to the central authorities of several countries, a positive trend. Missing post-adoption reports can limit the Department's ability to work with some foreign adoption authorities. Foreign authorities often cite the missing reports as a source of concern for the welfare and whereabouts of children adopted to the United States and commonly point to missing reports as a serious threat to the viability of intercountry adoption in their countries. The Department has also raised awareness through collaboration with adoption authorities and U.S. state authorities about the **unregulated custody transfer of adopted children** by their adoptive parents to third parties, whether relatives, friends, or even strangers. This practice poses serious safety concerns for adopted children as well as legal ramifications for adoptive parents.

Our restructured Accreditation and Oversight Division works with the Department's designated accrediting entity, IAAME, to promote greater consistency in ASP compliance with accreditation regulations and to protect the best interests of children in need of permanent homes. The accreditation regulations address such matters as:

- Prohibitions on payments to birth parents as an incentive to relinquish their parental rights
- The importance of a sound financial structure for the agency's work (including effective internal financial controls)
- Transparency in fees and components of the adoption process when working with clients
- Supervision of foreign service providers who assist the agency's work in the country of origin
- Ensuring professional qualifications of agency personnel
- Training for adopting families
- Other practices ensuring ethical conduct and transparency in the adoption process

In FY 2019, the Department engaged regularly with IAAME and conducted three on site visits to assess its performance and fee structure. The regulations governing the accreditation process require an accrediting entity to be transparent about its fees and to establish fees based on the cost of fulfilling its accreditation and monitoring and oversight responsibilities. The Department and IAAME are committed to minimizing the impact of fee changes on ASPs and to ensuring that fees are fair and equitable for all ASPs. IAAME's tiered accreditation and approval fee structure, based on the average number of adoptions each ASP handled annually over the previous two years, reflects the degree of work involved in accrediting and approving small as compared to large ASPs. Many ASPs have experienced a fee decrease under this tiered system. IAAME's monitoring and oversight fee structure, under which ASPs are charged such fees per case, similarly reflects the varying amount of work involved based on the size of the ASP and number of cases. This structure enables IAAME to carry out its routine oversight and enforcement responsibilities, as well as those related to complaint review, in a manner that recognizes that the monitoring and oversight of larger ASPs pass the per case monitoring and oversight fee directly to prospective adoptive families, raising costs to families by less than two percent of the average cost of an intercountry adoption.

We look forward to hearing from the adoption community and continuing to work together on our common goal of strengthening intercountry adoption to benefit children and their families.



FY 2019 Annual Report on Intercountry Adoption March 2020

Pursuant to Section 104 of the Intercountry Adoption Act of 2000 (IAA) (Public Law 106-279), the U.S. Department of State submits the FY2019 Annual Report on Intercountry Adoption.

IAA §104(b) Report Elements:

- **§104(b) (1):** Tables I and 2 report the number of intercountry adoptions in FY2019 involving immigration to the United States, regardless of whether or not the adoption occurred under the Hague Adoption Convention.
- **§104(b) (2):** Table 3 reports the number of intercountry adoptions in FY2019 involving emigration from the United States, regardless of whether or not the adoption occurred under the Hague Adoption Convention.
- §104(b) (3): In FY 2019, adoption service providers (ASPs) reported eight disrupted placements in Convention adoptions, i.e., cases in which there was an interruption of a placement for adoption during the post-placement (but pre-adoption) period. Table 6 summarizes this information.

In addition, information received from the Department of Health and Human Services pursuant to §422(b)(12) of the Social Security Act indicated 104 cases of children from other countries entering state custody as a result of the disruption or dissolution of an adoption. This information was provided in the annual update from states on progress made toward accomplishing goals and objectives in the Child and Family Services Plan. This information was submitted by states to the Department of Health and Human Services through an Annual Progress and Services Report (APSR). The most recent APSRs were submitted on June 30, 2019 and contained information for FY 2018. All of the information provided by states in the APSR was included in this count regardless of the date provided from the states on specific actions taken in a case or when it was reported to the state.

- §104(b) (4): Table 4 reports the average time required for completion of a Hague Convention adoption in FY 2019.
- **§104(b) (5):** The current list of agencies accredited and persons approved is available on the Department's intercountry adoption website at <u>http://adoption.state.gov/hague_convention/agency_accreditation/agency_search.php.</u>
- §104(b) (6): The Secretary did not temporarily or permanently debar an agency or person in FY2019.
- §104(b) (7): In FY2019, ASPs reported charging between \$0 and \$64,357 for all adoption services, with half charging less than \$31,395 and half charging more. Table 5 reports the country of origin median fees for country-specific services, including foreign country program expenses, contributions, care of child expenses, and travel/accommodations reported by ASPs for a select group of Convention countries.
- §104(b) (8): Fees for accreditation of agencies and approval of persons ranged from \$2,000 to \$7,650 in FY2019. The Intercountry Adoption Accreditation and Maintenance Entity (IAAME)'s accreditation fee is based on a tiered fee schedule according to the average number of adoptions for which the agency served as the primary provider

during the previous two years. Accrediting Entity fees are found at the following link: <u>Intercountry Adoption</u> <u>Accreditation and Maintenance Entity fees</u>.

Table 1: Incoming Adoptions by Country of Origin			
Country or Territory of Origin	Adoptions Finalized Abroad	Adoptions to be Finalized in the U.S.	Total Adoptions
*Afghanistan	0	2	2
Albania	3	0	3
*Algeria	0	2	2
Armenia	4	0	4
*Bangladesh	0	11	11
Belize	0	9	9
Brazil	15	0	15
Bulgaria	134	0	134
Burkina Faso	6	0	6
Burundi	26	0	26
*Cameroon	4	0	4
Canada	0	1	1
China	819	0	819
Colombia	244	0	244
*Congo, Republic of	5	0	5
*Congo, Democratic Republic of	6	4	10
Costa Rica	10	0	10
*Cote D'Ivoire	1	0	1
*Dominica	2	0	2
Dominican Republic	8	0	8
Ecuador	7	0	7
*Egypt	0	1	1
El Salvador	5	0	5

Country or Territory of Origin	Adoptions Finalized Abroad	Adoptions to be Finalized in the U.S.	Total Adoptions
Ethiopia	10	0	10
*Gambia, The	1	0	1
Georgia	5	0	5
Ghana	11	0	11
Great Britain (UK)	2	2	4
*Grenada	6	0	6
Guinea	4	0	4
Guyana	16	0	16
Haiti	130	0	130
Honduras	14	0	14
Hong Kong S.A.R.	0	3	3
Hungary	30	0	30
India	241	0	241
*Indonesia	1	0	1
*Iran	0	6	6
*Jamaica	28	16	44
*Japan	6	0	6
*Jordan	0	1	1
*Korea, South	166	0	166
Kyrgyzstan	7	0	7
Latvia	38	0	38
*Lebanon	0	2	2
Lesotho	3	0	3
*Liberia	51	0	51
Lithuania	3	0	3
Macedonia, North	1	0	1

Country or	Adoptions	Adoptions	
Territory of Origin	Finalized Abroad	to be Finalized in the U.S.	Total Adoptions
*Malawi	4	0	4
*Malaysia	1	0	1
Mexico	27	0	27
Moldova	1	0	1
*Morocco	0	30	30
*Nepal	1	0	1
*Nicaragua	2	0	2
*Nigeria	116	0	116
*Pakistan	0	22	22
Peru	9	0	9
Philippines, The	2	92	94
Poland	6	0	6
*Republic of the Marshall Islands (RMI)	3	0	3
Romania	5	0	5
Rwanda	2	0	2
Senegal	1	0	1
Serbia	7	0	7
*Sierra Leone	34	0	34
South Africa	17	0	17
Sri Lanka	2	0	2
*St. Vincent and the Grenadines	2	0	2
*Taiwan	43	0	43
*Tanzania	1	0	1
Thailand	1	37	38
Тодо	1	0	1

Country or Territory of Origin	Adoptions Finalized Abroad	Adoptions to be Finalized in the U.S.	Total Adoptions
*Tonga	2	0	2
*Trinidad and Tobago	4	1	5
*Uganda	28	2	30
*Ukraine	249	49	298
Vietnam	32	0	32
*Yemen	0	1	1
Total	2676	294	2970

Table 2: Incoming Adoptions by State			
State	Adoptions Finalized Abroad	Adoptions to be Finalized in the U.S.	Total Adoptions
Alabama	62	1	63
Alaska	7	1	8
American Overseas	3	0	3
Arizona	21	4	25
Arkansas	3	0	3
California	178	30	208
Colorado	75	5	80
Connecticut	13	2	15
Delaware	3	1	4
District of Columbia	10	0	10
Florida	125	21	146
Georgia	88	11	99
Guam	1	0	1

State	Adoptions Finalized Abroad	Adoptions to be Finalized in the U.S.	Total Adoptions
Hawaii	8	1	9
Idaho	27	4	31
Illinois	114	20	134
Indiana	79	10	89
lowa	43	8	51
Kansas	28	1	29
Kentucky	47	4	51
Louisiana	25	1	26
Maine	7	0	7
Maryland	80	4	84
Massachusetts	39	4	43
Michigan	85	8	93
Minnesota	82	4	86
Mississippi	19	3	22
Missouri	75	8	83
Montana	1	4	5
Nebraska	13	2	15
Nevada	5	4	9
New Hampshire	9	0	9
New Jersey	45	5	50
New Mexico	18	0	18
New York	124	15	139
North Carolina	102	14	116
North Dakota	7	1	8
Ohio	94	9	103
Oklahoma	37	3	40
Oregon	28	3	31

State	Adoptions Finalized Abroad	Adoptions to be Finalized in the U.S.	Total Adoptions
Pennsylvania	106	7	113
Puerto Rico	0	0	0
Rhode Island	4	0	4
South Carolina	37	3	40
South Dakota	6	0	6
Tennessee	98	5	103
Texas	239	19	258
Utah	38	3	41
Vermont	3	0	3
Virginia	121	14	135
Washington	104	18	122
West Virginia	6	1	7
Wisconsin	68	7	75
Wyoming	16	1	17
Total	2676	294	2970

Table 3: Outgoing (Emigrating) Adoptions			
Receiving Country	U.S. State from which the Child Emigrated	Number of Outgoing Adoption Cases	
Belgium	New York	1	
	California	2	
	Florida	10	
	Georgia	2	
	Indiana	2	
Canada	Louisiana	2	
	Nevada	1	
	New York	1	
	South Carolina	3	
	Texas	1	
Great Britain	Louisiana	1	
(UK)	Nevada	1	
Ireland	Florida	1	
	New Jersey	4	
Na ncia a	California	1	
Mexico	Florida	5	
	Florida	4	
	Michigan	1	
Netherlands	New Jersey	10	
	Pennsylvania	1	
	Texas	1	
Switzerland	New York	1	
Total		56	

Table 4: Convention Adoptions and Average Number of Days to Completion by Convention Country				
Convention Country	Number of Convention Cases	Average Days to Completion		
Albania	3	789		
Armenia	4	420		
Belize	9	560		
Brazil	15	442		
Bulgaria	134	418		
Burkina Faso	6	808		
Burundi	26	825		
Canada	1	352		
China	819	216		
Colombia	244	312		
Costa Rica	10	614		
Dominican Republic	8	834		
Ecuador	7	407		
El Salvador	5	700		
Georgia	5	721		
Germany	1	116		
Great Britain (UK)	4	382		
Guinea	4	848		
Haiti	130	1001		

	Number of	Average
Convention Country	Convention	Days to
	Cases	Completion
Honduras	1	375
Hong Kong S.A.R.	3	608
Hungary	30	361
India	241	457
Kyrgyzstan	7	490
Latvia	38	379
Lesotho	3	307
Lithuania	3	244
Macedonia, North	1	493
Mexico	27	779
Moldova	1	467
Peru	9	899
Philippines, The	94	600
Poland	6	543
Romania	5	481
Rwanda	2	448
Serbia	7	358
South Africa	17	372
Sri Lanka	2	758
Thailand	38	549
Тодо	1	588
Vietnam	32	297

Table 5: Median ASP Convention Adoption Fees			
Convention Country of Origin	Median Fees	Convention Country of Origin	Median Fees
Albania	\$23,100.00	Kazakhstan	\$18,750.00
Armenia	\$29,100.00	Kenya	\$6,250.00
Azerbaijan	\$19,140.00	Kyrgyzstan	\$19,155.00
Belize	\$8,200.00	Latvia	\$14,600.00
Brazil	\$14,525.00	Lesotho	\$12,000.00
Bulgaria	\$14,025.00	Lithuania	\$21,000.00
Burkina Faso	\$18,810.00	Macedonia	\$22,805.00
Burundi	\$16,650.00	Madagascar	\$12,000.00
Canada	\$34,122.50	Mexico	\$15,000.00
China	\$15,725.00	Moldova	\$15,000.00
Colombia	\$14,410.00	Mongolia	\$23,450.00
Costa Rica	\$16,680.00	Netherlands	\$25,812.50
Croatia	\$8,500.00	Panama	\$14,527.50
Czech Republic	\$11,600.00	Peru	\$14,755.00
Dominican Republic	\$8,700.00	Philippines	\$8,575.00
Ecuador	\$8,500.00	Poland	\$20,153.50
El Salvador	\$15,919.50	Romania	\$17,212.50
Georgia	\$18,800.00	Rwanda	\$9,670.00
Germany	\$31,625.00	Serbia	\$5,530.00
Ghana	\$11,915.00	South Africa	\$15,600.00
Guatemala	\$26,622.50	Sri Lanka	\$12,750.00
Guinea	\$8,950.00	Switzerland	\$31,625.00
Haiti	\$20,274.00	Thailand	\$13,145.00
Hong Kong S.A.R.	\$6,675.00	Тодо	\$3,500.00
Hungary	\$18,900.00	Great Britain (UK)	\$11,000.00
India	\$15,750.00	U.S.A.	\$11,155.00
Ireland	\$15,937.50	Vietnam	\$13,372.50

Country from which the Child Emigrated	The Age of the Child at Placement	The Date of Placement for Adoption	The reasons for the disruption	The Resolution of the Disruption	The Agency that Handled the Placement	Plans for the Child
China	13	6/17/2019	Behavioral	Child remained in country	CCAI	Placed with another family
The Philippines	9	7/24/2018	Behavioral	Child came to U.S.	Hand in Hand, Inc.	Placed with another family
The Philippines	8	7/24/2018	Behavioral	Child came to U.S.	Hand in Hand, Inc.	Placed with another family
China	4	9/16/2019	Medical	Child remained in country	Nightlight Christian Adoptions	Returned to orphanage
The Philippines	11	8/7/2018	PAP unprepared	Child came to U.S.	Vista Del Mar	Placed with another family
The Philippines	11	7/24/2018	Behavioral	Child came to U.S.	Hand in Hand, Inc.	Placed with another family
Dominican Republic	2	10/15/2018	FCA removed child	Child remained in country	Hands Across the Water	Returned to orphanage
China	4	11/5/2018	PAP changed mind	Child remained in country	Small World, Inc.	Returned to orphanage