

U.S. House of Representatives

Hearing on Department of State Budget 2014

Proposed Witnesses

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Purpose of Proposed Testimony

Ensure that the 2014 DOS Budget includes funding for efforts to reverse the declining trend in international adoptions, with specific measures of accountability.

Background

In December 2012, the U.S. Government released its first-ever Action Plan on Children in Adversity. The release stated that “the Plan is grounded in evidence that shows a promising future belongs to those nations that invest wisely in their children, while failure to do so undermines social and economic progress.” According to the Plan, “Child development is a cornerstone for all development, and it is central to U.S. development and diplomatic efforts.”

The goal of **the Plan** is to achieve a world where all children survive, grow up within protective family care, and are free from deprivation, exploitation and danger. It has three principle **objectives**: build strong beginnings, **put family care first**, and protect children from violence, exploitation, abuse, and neglect. **Within five years**, the **Plan calls for significant reductions in the number of children** not meeting age-appropriate growth and developmental milestones; children **living outside of family care**; and children who experience violence or exploitation.

International adoption is an important means of finding permanent families for children living in institutions with no hope for a permanent family in their country of origin.

The U.S. is a party to both 1980 Hague Convention on the Civil Aspects of International Child Abduction (HAbduct) and the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (HCIA). The intent of the HCIA is to establish safeguards in the process of international adoption, and combat baby-

selling and trafficking. At the same time, it recognizes the importance of moving a child to a permanent family expeditiously, and is intended to streamline the process.

Congress passed and the President signed the Intercountry Adoption Act of 2000 (IAA) which enabled the US to accede to the HCIA. The IAA also designated the Office of Children's Issues (OCI), located within the Bureau of Consular Affairs as the U.S. Central Authority for all matters related to international adoption and international parental child abductions under the HCIA and HAbduct. Over time OCI has become the defacto Central Authority for U.S. non-Hague adoptions as well.

Current Status of Intercountry Adoption

Adoptions from foreign countries are accomplished under two separate processes. The HCIA governs 80 countries who have signed the treaty. For countries that are not HCIA signatories, adoptions are processed under bi-lateral understandings or agreements.

Since 2004, international adoptions have declined from 22,000 to 8,000. This despite an increase in staff from 4 to as many as 110, of which only 22 are devoted to international adoption. In addition, in July 2010, then Secretary of State Hillary Rodham Clinton appointed Ambassador Susan S. Jacobs as Special Advisor to the Office of Children's Issues. Secretary Clinton created this new foreign policy position specifically to address international adoption and international parental child abduction.

Yet the results speak for themselves. Fewer children are finding permanent families through international adoption, despite families willing to care for them. DOS action has focused on process evaluation, and encouraging countries to accede to the Hague Convention, only to announce shutdowns for non-compliance after their accession. This "gotcha" approach does nothing to encourage in-country capacity building. Numerous representatives, starting with Ambassador Jacobs, profess themselves unconcerned with the decline in the numbers of adoptions. The very State Department officials pledged to promote adoption for orphans publically state that there is no "right" number of adoptions, despite the tens of millions of orphans worldwide and the overwhelming decline in adoptions by US families. The Office of Children's issues shows a blatant disregard for the urgency of the orphan problem, and the expectation that dramatic increases in staff must be accompanied by results.

In order for international adoption to remain a viable option for children in need of permanent parental care, we need a proactive Office of Children's Issues that is ethical, transparent and results oriented.