

THE DONALDSON ADOPTION INSTITUTE

The Donaldson Adoption Institute's Comments on the U.S. Department of State's Proposed Rule to amend requirements for accreditation of agencies and approval of persons to provide adoption services in intercountry adoption cases. November 22, 2016

To Whom It May Concern:

The Donaldson Adoption Institute (DAI) writes in support of the U.S. Department of State's Proposed Rule to amend requirements for accreditation of agencies and approval of persons to provide adoption services in intercountry adoption cases. Since 1996, DAI has been on a mission to improve the lives of children and families through research, education and advocacy. We investigate the issues of greatest concern to first/birth parents, adopted people, adoptive/foster families, the people who love them and the professionals that serve them. We educate and train professionals, enlighten parents and engage members of the community to make a positive impact on laws, policies, practices and perceptions.

By strengthening the requirements of agencies and adoption service providers who wish to facilitate adoptions in specific countries and detailing requirements to reflect elements particular to specific countries, children and families will be better protected and served. Including provisions that ensure fees are appropriate and disclosed in better detail at the outset may serve to inhibit the market forces in adoption which have created a system that privileges some over others, commodifies children, and ultimately distorts the essence of what family building should be about. Further, the enhanced training and education requirements for prospective adoptive parents that broaden the scope and amount of training hours is a way to ensure families are better prepared and informed about the unique strengths and challenges of family building through adoption. Although Unregulated Child Custody Transfers (aka "rehoming") is not a common occurrence, even one child rehomed is one child too many. Meaningful pre-adoption education combined with accessible and appropriate post-adoption supports and oversight is one way to limit these tragic occurrences.

In 2013, DAI issued a report that focused on ways to ensure best practices in intercountry adoption by understanding the new realities of this experience. The full report can be accessed at

http://www.adoptioninstitute.org/old/publications/2013_10_AChangingWorld.pdf. A

variety of key recommendations are included in this study – some of which we highlight here as it relates to the Proposed Rule:

- To the greatest extent possible, countries of origin should provide more-complete and accurate diagnoses/records regarding medical and mental health issues. Children in out-of-home care should receive comprehensive, developmentally-based assessments that can inform caregiving and limit risks for developmental delays.
- Receiving countries should offer more training and resources to help countries of origin improve their child welfare and adoption systems, thereby helping more children while showing that their primary interest is not just increasing the number of intercountry adoptions.
- In addition to the specific adoptions in which they have engaged, receiving nations should provide meaningful support to countries of origin – particularly in the areas of education and training – to enhance implementation of the Hague Convention. Children’s human rights will be optimized when there is global support for maintaining them in their biological families.
- Receiving countries should create and provide a continuum of services and supports for pre-adoptive and adoptive families; the Institute’s study found that families too often do not know where to turn for help, and that the assistance they need sometimes is not available. Pre-adoption minimum training hours for intercountry adoption should reflect the number of hours required for training to adopt from the foster care system, with some states requiring a minimum of 27 hours of pre-adoption training. This number of hours allows training seminars to better incorporate a myriad of information related to the adoption experience as well as information pertaining specifically to intercountry adoption and culturally to countries of origin. In addition to the scope of topics recommended in the Proposed Rule, information pertaining to openness in adoption, maintaining connections with country and culture of origin as well as biological families, and raising special needs children must all be included in pre-adoption training and education.
- Ensuring families are aware of and able to access appropriate post-adoption supports is equally as important as ensuring families have the appropriate training and education at the outset. This includes educating parents to understand the benefits of post-adoption services and remove the shame attached to help seeking. A continuum of services should be developed including therapeutic interventions, mutual aid support and respite care.

To review DAI’s publications in other areas of the adoption experience, please visit <http://www.adoptioninstitute.org/impact/issue-areas/>.

When requirements for Intercountry Adoption are more consistent, better streamlined and stronger, we have a better opportunity to ensure strong families in adoption and make certain children's best interests are being met. DAI supports the Department of State in their efforts to ensure intercountry adoption standards are robust and effective and that oversight is in place to ensure compliance and safety.

Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

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