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Report to Congress on Intercountry Adoption Information Since April 1, 2008 Section 7019(e) of the Department of State, Foreign Operations, and Related Pros Appropriations Act, 2024 (Div. F, P.L. 118-47) and Senate Report 118

The Department of State, as the U.S. Central Authority for the 1993 Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, prioritizes and promotes intercountry adoptions that are safe, legal, ethical, and transparent. Our legal and regulatory structures are designed to protect children and the U.S. citizens who adopt them. Strong and effective oversight of intercountry adoption services helps bolster foreign adoption authorities' confidence in the U.S. accreditation system and protects intercountry adoption as a viable option for children when it is in their best interests.

The Intercountry Adoption Act of 2000 (IAA) establishes the requirements and standards for agencies and persons to be accredited or approved to provide intercountry adoption services in the United States. Non-profit agencies are accredited, while individuals and for-profit agencies, which are both referred to as "persons," are approved. The IAA requires the Department to designate and oversee one or more qualified accrediting entities (AE) to accredit and approve agencies and persons for this purpose.

Since 2008, there have been four designated AEs:

• Colorado Department of Human Services (CDHS) – operational from June 2008 to March 2013,

- Council on Accreditation (COA) operational from June 2008 to December 2018,
- Intercountry Adoption Accreditation and Maintenance Entity (IAAME)
 operational from April 2018 to present, and
- Center for Excellence in Adoption Services (CEAS) operational from December 2022 to present.

This report contains the number of accredited and approved adoption service providers and the range of costs of accreditation, including all relevant fees, disaggregated by fiscal year, since April 1, 2008, and addresses total funding by "adoption service provider" (ASP). The Department uses this term to refer to agencies and persons that have attained and maintained accreditation or approval.

Numbers of Accredited and Approved ASPs

ASPs are included in the data for any fiscal year in which they were accredited or approved, including temporarily,¹ and even if only for a portion of the fiscal year. AEs generally grant accreditation or approval for four years and may, for purposes of staggering renewals, provide an extension of up to one year as long as the total period of accreditation or approval does not exceed five years.

Fiscal Year	Number of	Accredited	Approved	Temporarily
	ASPs			Accredited
2008	218	184	7	27
2009	231	196	8	27
2010	239	210	7	22
2011	214	209	5	0
2012	216	210	6	0
2013	218	212	6	0

¹ Section 203(c) of the IAA allowed for temporary accreditation for a year following the entry into force of the Convention

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2014	206	201	5	0
2015	199	194	5	0
2016	194	189	5	0
2017	183	178	5	0
2018	165	160	5	0
2019	150	147	3	0
2020	134	131	3	0
2021	111	109	2	0
2022	97	96	1	0
2023	84	83	1	0

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As the global number of intercountry adoptions has declined and continues to do so, many ASPs have elected not to maintain or renew accreditation or approval and to cease providing services. Some continue their work as exempt or supervised providers, as the accreditation and approval regulations allow. This includes a significant number of ASPs that only provided home studies and had become accredited or approved voluntarily but were not required to maintain accreditation or approval to continue their work. Since prospective adoptive parents can work with an ASP outside their state of residence, the reduction in accredited or approved home study providers does not impede U.S. families' ability to adopt through the intercountry process.

Cost of Accreditation and Approval

The IAA authorizes AEs to establish, subject to Department approval, a schedule of fees that do not exceed the cost of accreditation. Per 22 CFR Part 96, those costs of accreditation include, but are not limited to, costs for completing the accreditation or approval process, complaint review and investigation, routine oversight and enforcement, and other data collection and reporting activities. When establishing fees, AEs are required to consider the relative size, geographic location, and number of adoption

cases managed by ASPs. ASPs are responsible for paying fees to the relevant AE that has jurisdiction over it.

Prior to approving a new fee schedule, the Department assesses the AE's budget and projected revenue and confirms compliance with statutory and regulatory requirements, including reviewing that fees do not exceed the full costs of accreditation. The Department is not authorized to establish the fee schedule, place a cap on fees, mandate a particular fee structure, or require that the fee schedule be identical across multiple AEs.

Since the authority for determining fees lies with the AEs, direct comparisons across AEs are difficult. For example, COA calculated its fee amounts based on an applicant's documented revenues from its intercountry adoption programs, while IAAME did so according to the average number of adoptions for which the agency served as the primary provider during the previous two years. CDHS, a public entity, was able to use state funding to support some operating costs but was only authorized to accredit, approve, monitor, and oversee ASPs located in the state of Colorado. COA's business model involved the use of volunteer peer reviewers to perform some elements of the AE role; however, since 2017, the Department has required all AE functions be performed by paid AE staff. From 2008 – 2017, AEs charged a flat "monitoring and oversight" fee each year to cover activities outside of the cost of applications for accreditation or approval. Beginning in 2018, AEs have charged a per case monitoring and oversight fee in recognition that the amount of work to monitor and oversee ASPs is proportional to the number of cases an ASP facilitates.

The fee data below separates one-time costs, paid at the beginning of the application process, from the variable costs that are paid on an annual, per case, or ad hoc basis.

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Fiscal	Range of Fees for Cost of	Minimum and	AEs
Year	Accreditation/Approval	maximum of	
	application/renewal	variable fees ²	
2008	\$2,675 - \$12,675 ^{3 4}	\$5 - \$5,625	COA and CDHS
2009	\$2,675 - \$12,675	\$5 - \$5,625	COA and CDHS
2010	\$2,675 - \$12,750 ⁵	\$5 - \$5,625	COA and CDHS
2011	\$2,675 - \$14,750 ⁶	\$5 - \$5,625	COA and CDHS
2012	\$2,675 - \$14,750	\$5 - \$5,625	COA and CDHS
2013	\$2,675 - \$14,750	\$5 - \$5,625	COA and CDHS
2014	\$8,400 - \$14,750	\$5 - \$5,625	COA
2015	\$8,400 - \$14,750	\$5 - \$5,625	COA
2016	\$8,400 - \$14,750 ⁷	\$5 - \$5,625	COA
2017	\$8,400 - \$14,750	\$5 - \$5,625	COA
2018	\$8,400 - \$20,800 ⁸	\$5 - \$5,625	COA and IAAME
2019	\$8,400 - \$20,800	\$5 - \$5,625	COA and IAAME
2020	\$8,800 - \$20,800	\$5 - \$2,265	IAAME
2021	\$8,800 - \$20,800	\$5 - \$2,265	IAAME
2022	\$8,800 - \$20,800	\$5 - \$2,325	IAAME
2023	\$8,800 - \$26,000 ⁹	\$5 - \$2,355	IAAME and CEAS

Total Funding Received from Adoption Service Providers

² Maximum fees are based on a 5-day site visit with three evaluators. Site visit costs for 2018-2023 use standard federal per diem rates as reported by GSA. <u>Per diem files | GSA</u>

³ <u>https://travel.state.gov/content/dam/NEWTravelAssets/pdfs/FY2008-2009%20COA%20Fee%20Schedule.pdf</u>

⁴ <u>https://travel.state.gov/content/dam/NEWTravelAssets/pdfs/FY2008-2010%20CDHS%20Fee%20Schedule.pdf</u>

⁵ <u>https://travel.state.gov/content/dam/NEWTravelAssets/pdfs/FY2010%20COA%20Fee%20Schedule.pdf</u>

⁶ <u>https://travel.state.gov/content/dam/NEWTravelAssets/pdfs/FY2011-</u> 2015%20COA%20Fee%20Schedule%20Part%201.pdf

⁷ https://travel.state.gov/content/dam/NEWTravelAssets/pdfs/FY2016-2017%20COA%20Fee%20Schedule.pdf

⁸ <u>https://travel.state.gov/content/dam/NEWTravelAssets/pdfs/FY2018-2021%20IAAME%20Fee%20Schedule.pdf</u>

⁹ <u>https://travel.state.gov/content/travel/en/Intercountry-Adoption/adoption-professionals/accrediting-entity-fees.html</u>

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ASP fees are received by the AEs, not the Department. The Department does not have information regarding the total funding received by AEs from ASPs since 2008.