

GAO

Report to the Honorable
Arlen Specter, U.S. Senate

April 1993

INTERCOUNTRY ADOPTION

Procedures Are
Reasonable, but
Sometimes
Inefficiently
Administered





United States
General Accounting Office
Washington, D.C. 20548

National Security and
International Affairs Division

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April 26, 1993

The Honorable Arlen Specter
United States Senate

Dear Senator Specter:

This report responds to your request that we review the requirements and procedures that U.S. citizens must follow to adopt a foreign child. It contains recommendations to the Commissioner of the Immigration and Naturalization Service and the Secretary of State aimed at improving the efficiency of the Immigration and Naturalization Service and the Department of State intercountry adoption procedures and the quality of services to adopting parents.

Unless you announce its contents earlier, we plan to make no further distribution of this report until 14 days after its issue date. At that time, we will send copies to the Secretary of State; the Commissioner, Immigration and Naturalization Service; the Director, Office of Management and Budget; appropriate congressional committees; and other interested parties. We will also furnish copies to others upon request.

This report was prepared under the direction of Harold J. Johnson, Director, International Affairs Issues, who may be reached on (202) 512-5790 if you or your staff have any questions. Other major contributors are listed in appendix IV.

Sincerely yours,

A handwritten signature in cursive script that reads "Frank C. Conahan".

Frank C. Conahan
Assistant Comptroller General

Executive Summary

Purpose

Americans adopt more children from other countries than do citizens from all other nations combined. Each year, U.S. citizens adopt between 7,000 and 10,000 foreign children for a variety of reasons—often because the prospective parents believe they are ineligible for domestic adoptions and consider intercountry adoptions to be easier, faster, and less expensive than domestic adoptions. However, once involved in this adoption process, some parents find the process to be complex, stressful, and difficult to complete. Many private adoption agencies share this view.

Concerned that the intercountry adoption system may be unnecessarily bureaucratic, complex, and impersonal, Senator Arlen Specter requested that GAO review the requirements and procedures of the system. Specifically, GAO assessed whether (1) the procedures of the U.S. agencies involved in such adoptions were reasonable and met applicable legislative requirements, (2) the agencies administered the procedures efficiently, and (3) American families and adoption agencies were satisfied with the quality of services they received from the agencies during the adoption process. GAO also provides information on efforts underway by the intergovernmental Hague Conference on Private International Law to prepare a convention that seeks to define common principles for countries involved in intercountry adoptions.

Background

The Immigration and Nationality Act establishes eligibility and fitness requirements for prospective adoptive parents of children from foreign countries and criteria for the children's entry into the United States. The Immigration and Naturalization Service (INS) and the Department of State are the primary federal agencies charged with implementing the act's intercountry adoption requirements. INS is the principal federal focal point for receiving and processing intercountry adoption applications, determining the parents' eligibility and fitness to adopt, and adjudicating the children's orphan status (a major factor considered in a child's entry authorization). State provides information to prospective adoptive parents about intercountry adoptions and the requirements of the country from which they choose to adopt a child. State's overseas consular offices verify the children's orphan status and issue visas for entry into the United States.

Intercountry adoption requirements vary, sometimes dramatically, from country to country. Although prospective parents may obtain information about intercountry adoptions from U.S. agencies, they must independently

(or with the help of private adoption agencies or agents) locate, adopt, or otherwise arrange for the emigration of the children they wish to adopt.

Results in Brief

Intercountry adoption is a complex and difficult process for adoptive parents because of the variety of state, federal, and foreign government requirements parents must meet. On the basis of its review, GAO believes federal requirements and implementing procedures are reasonable and necessary. INS and State procedures generally satisfy U.S. immigration requirements for ensuring the prospective parents' eligibility and fitness to adopt a foreign orphan and for verifying the child's orphan status and eligibility to enter the United States.

A GAO survey of parents and private adoption agencies who completed intercountry adoptions in 1991 disclosed that 70 percent of the parents were generally satisfied with the overall adoption process. About 40 percent of the parents, including some who were generally satisfied, encountered substantial difficulties with one or more elements of the process; however, these difficulties involved principally the quality of services provided rather than the processes and procedures themselves. Inaccessibility of agency personnel by telephone was the most frequently mentioned problem. Parents indicated that agency personnel were often nonresponsive to inquiries and lacked courtesy and sensitivity and knowledge about intercountry adoption laws and regulations. Although federal agencies have substantial information available about intercountry adoptions, many parents did not have adequate information about the process as they were going through it.

GAO found that the U.S. agencies did not administer some of their procedures efficiently—specifically, in processing the parents' fingerprints for background checks and in transmitting case data to overseas visa issuing offices. These inefficiencies sometimes resulted in adoption processing delays.

U.S. accession to the draft Hague convention would not alter the basic approach that parents use to adopt a foreign orphan, but it would result in additional federal agency reporting and management responsibilities. It would also establish more safeguards for the children involved and result in some procedural changes.

Principal Findings

Adoption Procedures Were Reasonable but Not Always Efficiently Implemented

INS and State established and implement procedures consistent with the Immigration and Nationality Act to determine the eligibility and fitness of prospective parents to adopt foreign children and the eligibility of the children for orphan status and U.S. entry. INS determines whether the prospective parents are U.S. citizens and, in determining the parents' fitness to provide proper care to an adopted child, requires parents to submit (1) fingerprints for a background check by the Federal Bureau of Investigation and (2) a home study conducted by an authorized or state-licensed agency that evaluates the parents' financial, physical, mental, and moral capabilities to rear and educate children. GAO found that, in conformance with INS procedures, INS personnel reviewed the home studies and followed up on them when they contained insufficient or questionable information. INS officers and State consular officers investigated the orphan status of adoptive children and, in accordance with INS and State Department procedures, consular officers referred cases that were not clearly approvable to INS for investigation before issuing a child a visa to the United States.

GAO found that the procedures established pursuant to the Immigration and Nationality Act were reasonable, but they were not always being efficiently administered by INS and State. These inefficiencies sometimes resulted in adoption processing delays. According to Federal Bureau of Investigation officials, INS has a poor record among federal agencies for submitting legible fingerprints; about one-third are illegible and have to be resubmitted. GAO also found that orphan petition approval notices, usually sent by telegram from INS offices in the United States to appropriate overseas consular offices, were sometimes lost or delayed in transmission.

Parents Reported Poor Quality Service by Federal Agencies

To obtain perspectives on the quality of services provided, GAO surveyed the parents who completed intercountry adoption processing in 1991. GAO also obtained information from U.S. adoption agencies involved in the process. GAO's survey of adoptive parents showed that about 70 percent were satisfied with the overall intercountry adoption process, but about 40 percent, including some who were generally satisfied, encountered substantial difficulty with one or more elements of the process. Parents surveyed said they experienced difficulty contacting INS personnel by telephone because of automated recordings; once they contacted an

individual at INS, they were sometimes unable to obtain comprehensive and accurate information on intercountry adoption or the status of their case.

Other areas where parents had difficulty were: office accessibility (35 percent), courtesy of officials (21 percent), sensitivity of officials (23 percent), knowledge of intercountry adoption laws (15 percent), ability to provide information about their cases (25 percent), and timeliness of responses to inquiries (33 percent). Problems identified by adoption agencies tended to parallel those identified by the adoptive parents that GAO surveyed, both with respect to the process and the quality of services provided by INS and State.

Proposed Hague Convention Would Simplify Foreign Adoptions

Broad international agreements on intercountry adoption standards and procedures do not now exist, but an agreement along the lines of a convention now being drafted by a special commission of the Hague Conference on Private International Law would establish uniform principles and procedures that would permit a smoother transfer process to take place once the connection with the child to be adopted has been made and assist in monitoring adoption placements to ensure they are properly and successfully completed.

If the United States were to ratify the convention, U.S. intercountry adoption policies would not be significantly altered. However, significant changes in current implementation procedures would be required. For example, a central authority would be designated to carry out the convention's requirements, additional federal agency reporting and management responsibilities would be performed, and a determination would need to be made on whether the United States would agree to the requirement that it determine before an adoption could take place that an adoptable child under the terms of the convention would be permitted entry and residency.

Recommendations

GAO recommends that the INS Commissioner and the Secretary of State take steps to develop and implement additional procedures and programs aimed at eliminating avoidable delays in the processing of orphan petitions, improving staff courtesy and responsiveness to client inquiries, and better informing prospective parents of the complex legal and administrative requirements of intercountry adoptions. Specific

recommendations on these issues are provided in this report at the end of chapters 2 and 3.

Agency Comments and GAO Evaluation

GAO provided a draft of this report to INS and the Department of State for their review. INS did not submit formal written comments on the draft report but GAO discussed it with officials from INS Offices of Information Resources Management, International Affairs, and Strategic Planning; and the Adjudications and Records Management Divisions. The INS officials advised GAO that they generally agreed with the report's findings and recommendations. They said that within its resource limitations, the agency would continue to place high priority on reducing or eliminating processing delays, improving staff courtesy and responsiveness, and providing better information on intercountry adoption requirements to prospective parents. In addition, GAO clarified or corrected certain statements in the report as suggested by INS officials.

The Department of State provided written comments (see app. III). Overall, it was pleased that GAO concluded that INS and State Department intercountry adoption procedures are necessary, reasonable, and sufficiently flexible; and that a clear majority of survey respondents were satisfied with the Department's handling of adoption cases. It noted that quality of service and processing procedures could always be improved, that it had taken a series of specific steps in the past year to improve the and that the need for courtesy and responsiveness would continue to be stressed to field offices abroad.

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Abbreviations

FBI	Federal Bureau of Investigation
GAO	General Accounting Office
INS	Immigration and Naturalization Service

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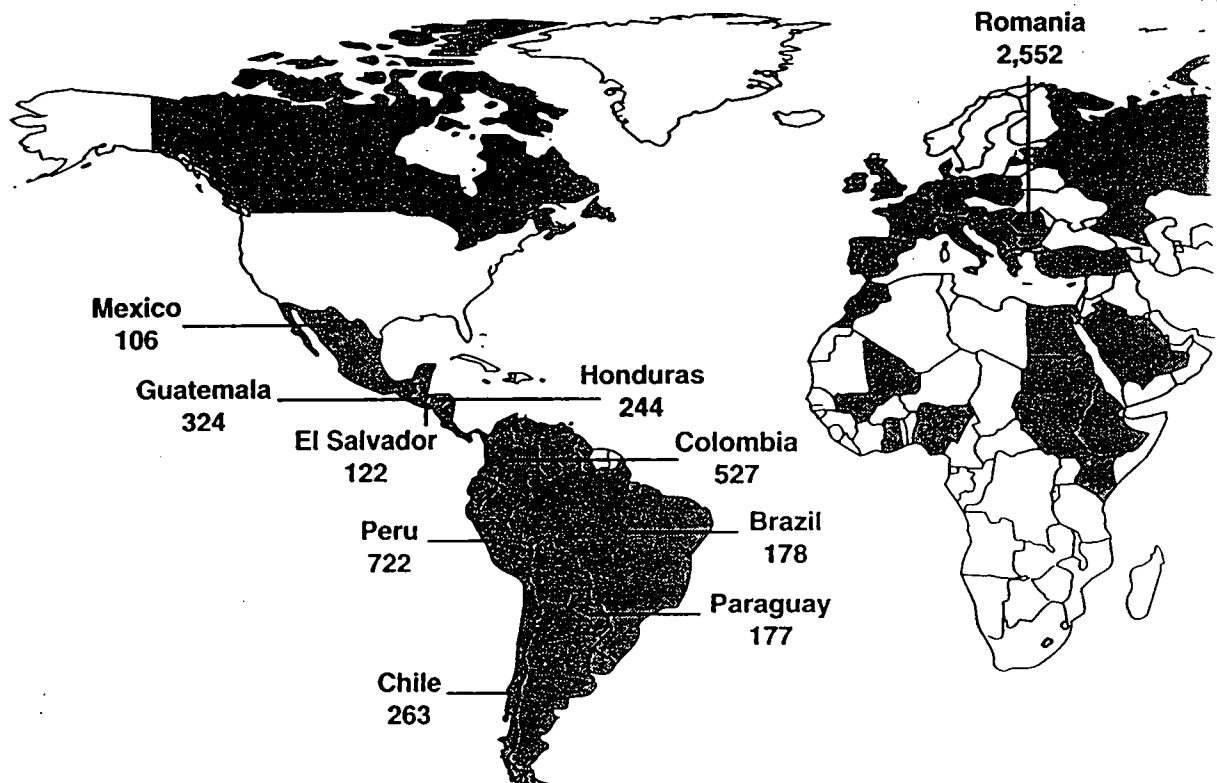
The United States is the world's largest receiving country for intercountry adoptions and is believed to account for more than half of such adoptions. However, children adopted from foreign countries make up a comparatively small proportion of the total number of adoptions by U.S. citizens—about 10 percent of the approximately 70,000 children adopted by U.S. citizens in 1990. From fiscal years 1982 through 1991, about 84,000 children were brought to the United States for adoption. In fiscal year 1991, about 9,000 such children were admitted.

American citizens choose intercountry adoption rather than domestic adoption for a variety of reasons. Many prospective adoptive parents believe they are ineligible for domestic adoption because of age, marital status, or because they already have children. Also, intercountry adoption, especially the adoption of infants, is generally considered easier, faster, and less expensive than domestic adoption. Nevertheless, intercountry adoptions involve complex legal and administrative procedures. Child care policies, adoption laws, and immigration regulations vary significantly between countries, and American parents who adopt a foreign child must observe the procedural requirements of the child's birth country as well as applicable U.S. federal and state laws.

U.S. families have adopted children from many countries, but adoptions have been heavily concentrated in a few countries over the last decade, with Korea consistently being the largest provider (except for a surge in Romania during 1991) of available children. In 1991, just under 50 percent of intercountry adoptions were from Korea (1,817) or Romania (2,552). These two countries, along with 12 others (Brazil, Colombia, Chile, El Salvador, Guatemala, Honduras, India, Mexico, Peru, the Philippines, Paraguay, and Thailand) accounted for 89 percent of intercountry adoptions in 1991 (see fig. 1.1).

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Figure 1.1: Country of Last Residence: Orphans Immigrating Into the United States During Fiscal Year 1991



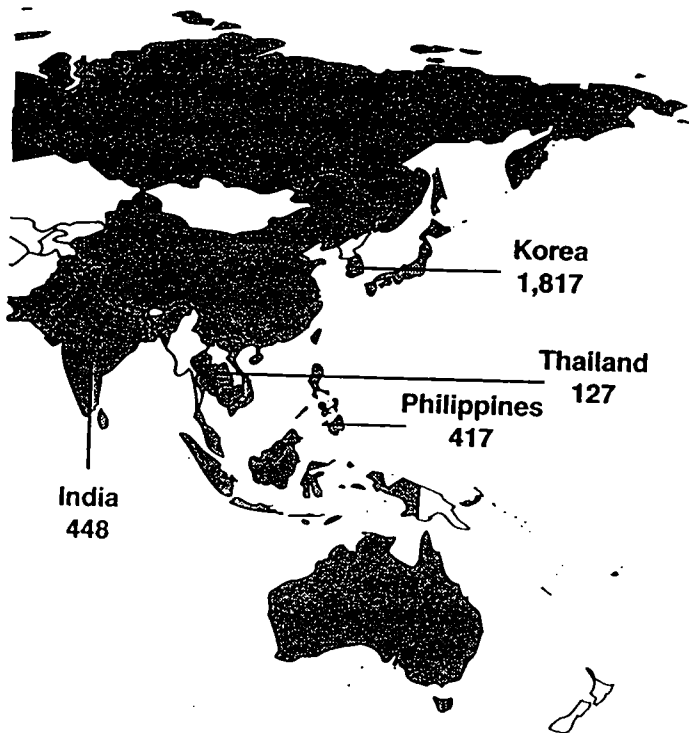
Geographical Region	No. of Immigrants	Geographical Region	No. of Immigrants	Geographical Region	No. of Immigrants
Africa		Asia		Asia	
Ethiopia	18	Thailand	127	Indonesia	1
Morocco	7	Japan	83	Israel	1
Nigeria	4	China/PRC	62	Jordan	1
Cape Verde	3	Cambodia	59	Saudi Arabia	1
Rwanda	2	Taiwan	55	Total	3,194
Egypt	1	Hong Kong	40		
Ghana	1	Lebanon	17	Europe	
Kenya	1	Vietnam	17	Romania	2,552
Lesotho	1	Bangladesh	9	Poland	95
Mali	1	Pakistan	9	Hungary	25
Sierra Leone	1	Nepal	6	Albania	19
Uganda	1	Turkey	6	United Kingdom	12
Total	41	Sri Lanka	5	CIS/USSR	12
Asia		Iran	4	Yugoslavia	12
Korea	1,817	Macau	3	Portugal	10
India	448	Singapore	3	Bulgaria	8
Philippines	417	Malaysia	2	Greece	5
		Afghanistan	1		

Legend:

Immigrant orphans from the 85 countries shaded in grey entered the U.S. in fiscal year 1991. Fourteen countries identified above accounted for 8,024 of the 9,008 orphans (89%). All orphans from the former Soviet Union have been recorded as from Russia.

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Cont.



Geographical Region	No. of Immigrants
Europe	
Lithuania	5
Latvia	4
Estonia	1
Ireland	1
Total	2,761

North America	
Guatemala	324
Honduras	244
El Salvador	122
Mexico	106
Costa Rica	55
Haiti	52
Dominican Republic	50
Jamaica	39
Canada	12
Trinidad and Tobago	12

Geographical Region	No. of Immigrants
North America	
Nicaragua	11
Panama	10
Belize	4
Bahamas, The	2
Dominica	1
Grenada	1
St. Kitts and Nevis	1
St. Vincent and Grenadines	1
Total	1,047

Oceania	
Kiribati	10
Fiji	2
Western Samoa	2
Australia	1
Papua New Guinea	1
Total	16

Geographical Region	No. of Immigrants
South America	
Peru	722
Colombia	527
Chile	263
Brazil	178
Paraguay	177
Bolivia	51
Argentina	11
Ecuador	11
Venezuela	5
Guyana	3
Uruguay	1
Total	1,949
World Total	9,008

Source: Immigration and Naturalization Service.

Intercountry Adoption Requirements Vary by Country

Foreign governments' adoption procedures vary widely with respect to relinquishing a child for adoption and emigration and permitting citizens to adopt a child from another country. Whereas some countries openly discourage intercountry adoption, the United States and other Western industrialized countries generally allow their citizens to proceed with adoptions in the child's country of birth. Foreign governments, as well as the United States, impose a myriad of requirements on prospective parents. These requirements include adoption and emigration requirements on children available for adoption and fitness criteria for prospective parents.

Immigration and Nationality Act Defines U.S. Parameters for Intercountry Adoption

The Immigration and Nationality Act and implementing immigration regulations define U.S. parameters for intercountry adoption. They also govern the process by which a child may gain U.S. citizenship upon application after immigrating to the United States. If the child came to the United States to be adopted, proof of a valid adoption decree recognizing the state of residence must be submitted with the application. Under the act, the prospective parent of an orphan must be a U.S. citizen and, if married, apply for permission to adopt a foreign orphan jointly with his or her spouse or, if unmarried, be at least 25 years old at the time of the adoption. The act also requires that the prospective parent(s) be determined fit to properly care for an adopted child. If the orphan is not adopted abroad, the prospective parents must indicate their ability and agreement to adopt the child in their U.S. state of residence.

The act provides three methods through which a child may enter the United States for adoption. The most common method is through the filing of an orphan petition by the prospective parent(s). Orphan petition processing involves a set of qualifying procedures for the parents and a determination of the child's orphan and U.S. entry status. A child (under age 16 at the time the petition is filed) can immediately enter the United States if the child meets the definition of an "orphan," as stipulated in the act. The act defines an orphan as a child that has been orphaned by the death or disappearance of, or abandonment or desertion by, or separation or loss from both parents. If one parent remains, that parent must be incapable of providing the proper care for the child and must, in writing, irrevocably release the child for adoption and emigration.

An orphan petition involves a series of steps for the prospective parent(s). The parents must file forms and documents with various government agencies, submit fingerprints and a favorably recommended home study.

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identify and arrange for the adoption or legal custodianship of the child, submit proof of the child's orphan status, and secure any necessary preadoption clearances and an immigrant visa for the child. The prospective parents may carry out these requirements themselves or seek the assistance of private agencies, attorneys, or adoption facilitators.

If the child does not meet the qualifying orphan definition, he or she may gain U.S. entry by having resided with and been in the legal custody of the adopting parent(s) for at least 2 years prior to the filing of an immigrant visa petition. Adopting parents in these circumstances do not have to meet the same eligibility and fitness requirements imposed on parents adopting orphans.

The third way that a foreign child may enter the United States for adoption is through a provision in the act that permits the Attorney General to parole a foreign child into the United States as a nonqualifying alien on a temporary basis in emergency situations or for reasons deemed to be in the public interest.

Roles of Federal Agencies and State Courts in Governing Adoption Requirements

The Immigration and Naturalization Service (INS) and the Department of State are the primary federal agencies involved with foreign adoptions. The Department of Health and Human Services provides advisory services and administers State grant programs for children and families, but it has no direct role in the foreign adoption process. INS immigration officers and Department of State consular officers provide parents and adoption agencies with general information on foreign adoption procedures and U.S. admission requirements; INS officers process orphan petitions in the United States and overseas; State consular officers process orphan petitions and visas overseas.

NS Functions

In the United States, INS is required to determine whether the prospective parent(s) are eligible to adopt a foreign child and, if the child is an orphan, are fit to provide the child with proper care. The determination of fitness is based on (1) a Federal Bureau of Investigation (FBI) fingerprint check; (2) a valid home study; and (3) other documentation, such as proof of citizenship, age, marriage license, and divorce decrees. If the child is coming to the United States to be adopted, INS officers must also confirm that any state preadoption requirements have been met. INS further processes adopted foreign-born children for naturalization as U.S. citizens

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upon the application and submission of proof of a legally valid state adoption decree.

INS investigates orphan petitions at either its U.S. or overseas field office to determine whether an adopted (or to be adopted) foreign child meets U.S. immigration law requirements and qualifies him or her for entry into the United States. Requests for humanitarian parole may be filed and have been granted in certain cases where petitions appeared to be deniable.

Department of State
Functions

The Department of State and its consular offices are responsible for ensuring that the adoptive child's status is accurately represented in the orphan petition and issuing the child's visa for travel to the United States. The Department of State's Office of Overseas Citizens' Services in Washington, D.C., and embassies and consulates overseas provide, for prospective parents who travel abroad and request them, country-specific (1) adoption laws and regulations, (2) travel advisories, and (3) referral services.

In the case of an orphan petition, State's overseas consular offices must verify that the data contained in the petition is accurate, determine whether the child has any undisclosed medical condition, and ensure that all necessary documentation is in order prior to issuing an immigration visa. In countries where INS does not have an overseas field office, State consular officers may also be responsible for investigating the orphan petition's validity. However, consular officers can approve only "clearly approvable" orphan petitions. Those with questionable circumstances and those that appear deniable are referred to the appropriate overseas INS office for adjudication.

The States' Requirements

While formal adoption of a child in a foreign court may be accepted as lawful in the United States, it is the individual state courts that give recognition to a foreign adoption after the child has immigrated to the United States and become a permanent resident. State preadoption requirements vary but appear to be in agreement that a child is not adoptable unless the rights of the birth parents are fully and properly terminated.

Objectives, Scope,
and Methodology

At the request of Senator Arlen Specter, we reviewed the requirements procedures that U.S. citizens must follow in the intercountry adoption

process. Specifically, we assessed whether (1) the procedures of the U.S. agencies involved in intercountry adoptions were reasonable and met applicable legislative requirements, (2) the agencies administered the procedures efficiently, and (3) American families and adoption agencies were satisfied with the quality of services they received from U.S. government agencies during the adoption process. We also provide information on efforts underway by the intergovernmental Hague Conference on Private International Law to prepare a convention that seeks to standardize principles and procedures of countries involved in intercountry adoptions.

To identify and evaluate U.S. intercountry adoption requirements and procedures, we reviewed pertinent legislation and agency regulations, procedures, and records, and interviewed INS, FBI, and Department of State officials at their respective headquarters in Washington, D.C. We also visited four countries where intercountry adoptions were taking place: Korea, the Philippines, Romania, and Thailand. We chose these locations because they were representative of differing foreign adoption requirements U.S. citizens must observe overseas. At these locations, we reviewed INS documents and cables and interviewed officials from INS, the Department of State, adoption agencies, and foreign governments.

To assess the reasonableness of the agencies' procedures, we examined whether they complied with U.S. legislative requirements and contained any unneeded or unduly cumbersome provisions that could burden families involved in intercountry adoptions. In determining whether the agencies were implementing their procedures efficiently, we could not identify set performance standards, such as the length of time it should take to review and approve parents' orphan petitions. We therefore considered the tasks involved, determined whether applicable tasks were being completed concurrently where possible, noted the length of time it took to complete phases as well as the entire process, and observed the agencies' overall work loads and staffing levels.

During this review, we visited two INS district offices in separate regions to examine their procedures for ensuring that the home studies submitted by licensed or authorized state agencies on prospective adopting families were comprehensive and valid. We did not, however, examine the states' licensing requirements or the monitoring procedures of agencies conducting the home studies.

To obtain additional perspectives on the intercountry adoption process and evaluate the quality of services prospective parents received from U.S. agencies, we conducted a telephone survey of families who had completed intercountry adoptions in 1991. We were able to contact 204 families out of a sample size of 242 families, for an 84-percent response rate. The families interviewed adopted 1 or more of the 8,921 children that entered the United States between October 1990 and September 1991 under IR-3 (orphan adopted abroad) or IR-4 (orphan to be adopted in the United States) immigration status.¹ We surveyed the parents about the quality of service they received from U.S. government agency personnel and the difficulty they encountered, if any, in (1) obtaining information about intercountry adoption policies and procedures; (2) filing the paperwork required by U.S. government agencies in order to adopt a foreign child; (3) working with U.S. government agencies, both in the United States and overseas; and (4) working with foreign individuals and organizations involved in the adoption process. Appendix I provides 95-percent confidence intervals for the population estimates (mid-point values) provided in this report.

We also conducted a mail survey of 197 adoption agencies. These agencies were identified through national adoption organizations as providing intercountry adoption services to Americans during 1991. We asked them about the quality of services they and prospective parents received from federal agencies and their perspectives on intercountry adoption procedures. Our adoption agency results are based on responses from 155 agencies—a 79-percent response rate. Appendix II describes the agency survey results in more detail.

Due to the lack of centralized records and the difficulties in identifying a population from which a reliable sample could be drawn, we did not attempt to directly contact parents who did not complete the adoption process. However, on the basis of responses provided by the adoption agencies we surveyed, we believe the number exiting the process prematurely is small relative to the number of foreign children the agencies place with U.S. families. Responding agencies placed a total of 6,284 foreign children (an average of 42 children per agency) in 1991 and reported that 549 families quit the process (an average of 4 families per agency) during the year. Nonetheless, our adoption agency survey results include the agencies' views on the efficiency and quality of services

¹This figure excludes 87 children whose immigrant status was adjusted to orphan after entry to the United States or who had previously completed adoption processing but were not reflected in earlier year INS statistics.

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families received from U.S. government agencies whether the families completed the adoption process or not.

We provided a draft of this report to INS and the Department of State for their review. INS did not submit formal written comments on the draft report, but we discussed it with officials from the INS Offices of Information Resources Management, International Affairs, and Strategic Planning and from the Adjudications and Records Management Divisions. The Department of State provided official written comments (see app. III). We have incorporated the INS and State Department comments in the report as appropriate. We conducted our review from June 1991 to November 1992 in accordance with generally accepted government auditing standards.

U.S. Intercountry Adoption Procedures Are Reasonable, but Some Were Administered Inefficiently

Intercountry adoption is a complex process, involving state, federal, and foreign country requirements and procedures as well as substantial commitment and effort by prospective parents. Our review focused primarily on federal agency requirements and procedures and the demands they place on adopting parents. On the basis of our review, we believe federal agency regulations and procedures are reasonable and necessary. They generally satisfy U.S. legislative requirements for ensuring the prospective parents' eligibility and fitness to adopt a foreign orphan and the status of the child being adopted. Several agency procedures were often inefficiently administered, however. These inefficiencies resulted in delays in the adoption process for some parents and children.

Requirements for Adopting Orphans Are Based on U.S. Immigration Law

Americans seeking to adopt a foreign orphan are relatively free to do so without federal government supervision and control and are subject only to immigration law. Prospective adoptive parents may proceed with a foreign adoption on their own in the foreign country or they may use an adoption agency or facilitator of their choice to make the arrangements.

Immigration law permits foreign children to be admitted to the United States as immediate relatives of U.S. citizens without regard to any visa preference or numerical limitation if they qualify as orphans. The law further defines who is eligible to be adopted as an orphan and whether the petitioners for the child's admission are qualified to be adoptive parents. The law requires that the child have no remaining tie to his or her birth parents, that married parents both consent to the adoption, that proper care will be furnished to the child, and that any applicable preadoption requirements of the child's proposed state of residence will be met.

Intercountry Adoption Procedures Are Reasonable

We found INS and Department of State procedures for intercountry adoption to be consistent with the requirements of U.S. immigration law and sufficiently flexible for efficient and timely processing. The procedures generally worked well for most of the American families and adoption agencies we surveyed, although our review of federal agency procedures and the surveys showed inefficient implementation of some elements of the process.

Procedures Conform With Immigration Law

As the U.S. government focal point for processing orphan petitions, INS requires that applicants submit required forms and documents for determining that they meet the qualification and fitness requirements of

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immigration law. Pursuant to the requirements of immigration law, the prospective adoptive parent(s) must submit documentary evidence of their qualification to adopt a foreign child, including proof of U.S. citizenship, marital status, and age (25, if not married). In addition, INS meets the law's requirement for determining the parents' fitness to provide proper care for a child on the bases of an FBI fingerprint check and a favorably recommended home study conducted by an authorized agency. Upon finding a child to adopt, applicants are required by INS (under immigration law) to submit proof of the child's age, orphan status, and, if the child is to be adopted in the United States, they must comply with any applicable preadoption requirements in the orphan's intended state of residence.

Upon the receipt of the required forms and documentation, INS makes—or delegates to State Department consular offices abroad in countries where INS has no offices—the eligibility determinations required by immigration law. The orphan investigation can range from a document review to a full field investigation, depending on the specifics of the case and the resources available. As required by law, INS recognizes a foreign adoption only if the petitioner and spouse (if married) personally saw and observed the child prior to or during the adoption proceedings. Depending on whether or not the parent(s) saw the child during the adoption abroad, consular officers overseas will issue immigrant visas for approved orphan petitions in one of two categories, either as having been “adopted abroad” (IR-3) or “to be adopted in the United States” (IR-4).

Procedures Are Generally
Flexible and Efficient

We found that U.S. orphan petition and immigrant visa procedures were generally flexible and efficient, resulting in adoptions that protect the children's welfare and can proceed smoothly for the prospective adoptive parents. To meet the immigration law provision that prospective parents be fit to properly care for a child, INS regulations require that the parents be favorably recommended in a valid home study conducted by an authorized or state-licensed agency in the state of the child's proposed residence, and clear an FBI-conducted fingerprint check used to determine if the parents have an arrest record. To be valid, INS regulations require that a home study contain a factual evaluation of the financial, physical, mental, and moral capabilities of the prospective parent(s) to rear and educate the child properly.

We found that the home study and fingerprint requirements are consistent with procedures used for domestic adoptions and generally regarded as necessary. We also discussed the home study approval process and

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reviewed selected approved home studies with responsible officials at district offices as part of our review of orphan petition procedures and response to concern expressed by some federal and adoption agency officials about inconsistent quality of home studies and whether the home studies showed that families were adequately prepared to adopt a child from another country. On the basis of our review, we believe that INS' review of home studies offers authorities reasonable assurance that an orphan will be furnished proper care if admitted to the United States.

We found that the INS examiners we contacted review home studies to determine whether they (1) were prepared or endorsed by a qualified official, (2) provided sufficient descriptive information, and (3) include discussion of the basis used for the assessment. The examiners told us they place particular stress on the need for full disclosure of any criminal history or involvement with any illegal substance, alcohol, and child abuse. They also said they do not place undue reliance on the required favorable recommendation by authorized state or licensed agency officials but use the FBI fingerprint checks and documents submitted by the petitioner to spot and require explanations of omissions and inconsistencies in the home study.

According to INS officials, the current INS regulations define what constitutes a valid home study; however, they acknowledged that the home study provisions of the regulations lack adequate specificity. For example, the existing regulations contain no criteria as to how current home study must be and do not require that indications of a history of physical or substance abuse be specifically and fully explained. INS officials told us that efforts were underway to revise the regulations to give added assurance that the home studies are current and provide complete disclosure.

To expedite the processing of orphan petitions, INS permits adoptive parents to file an advance processing application to reduce the time necessary to process the orphan petition after the orphan is known. For further flexibility, the advance processing application may be submitted up to 1 year ahead of the home study's completion. However, to ensure that the information provided during advance processing is accurate, INS requires prospective parents to file the orphan petition naming the child within 1 year of completing the advance processing to avoid having to update or repeat elements of the advance processing.

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Also, to expedite orphan petition processing, INS regulations provide that the determination of whether the child meets the orphan definition may be made either by an INS immigration officer or a State Department consular officer overseas, depending on where the petition naming the child is submitted. This provision helps to speed the process for those parents who decide to travel abroad in their effort to identify the child to be adopted. However, if a consular officer cannot clearly determine that the orphan petition is approvable, the petition must be referred to the nearest INS office for adjudication.

INS' stated policy is to give orphan cases priority processing. In keeping with this policy, INS offices in the United States notify overseas offices by telegram of favorable determinations if the prospective parents plan to travel abroad to file the orphan petition. INS examiners told us that notifications of approval of advance processing and of the final orphan petition (if the child is known) are routinely sent by cable to the appropriate overseas office to facilitate prompt petition adjudication or carry out any further investigation pursuant to petition approval and visa issuance. If the orphan petition has been previously approved by INS, consular officers verify that the facts provided about the child in the approved petition are correct and determine that the child does not have an undisclosed medical condition as final cautionary steps to protect the adoptive parents before they issue the child a visa.

INS advises prospective adoptive parents that the procedure for determining whether a foreign child meets the orphan definition under U.S. immigration law is intended to guard against splitting intact, functioning foreign families. The law does not define "abandonment," but the INS instructions state that a finding of abandonment cannot be made if the natural parents exercise any parental control over the child and its placement, adoption, or support; or if the parents otherwise indicate any intent to reclaim the child in the future. Strong evidence is usually required to show that the child was unconditionally abandoned to an orphanage or legally documented as abandoned by a competent legal authority in the child's country of origin. We did not review the decisions made by the examining officials, but the requirements posed no significant difficulty for the adoptive parents and adoption agencies we surveyed.

The procedure for determining whether a foreign child meets the orphan definition under U.S. immigration law is an area of some confusion in which petitioners bear the responsibility for submitting the necessary documentation or proof. The determination of orphan status often

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requires discretionary judgment on the part of the immigration or consular officer deciding the case since abandonment is not well-defined. The officer must decide the case on the basis of the available facts, an interpretation of parental intent to abandon the child, and prior administrative decisions.

The process does not require an advance determination of orphan status before the child is matched with, or even adopted abroad by, an American family. Thus, prospective adoptive families frequently may be able to complete the authorization of custody or arrange for an adoption in the child's country before the orphan petition is adjudicated. The orphan determination is the final step of the petition process, and a finding of abandonment may be difficult to prove unless the child has been consigned to an institution. Therefore, situations have occurred in which family adopted or agreed to adopt a child in another country, secured permission to take the child out of the country, but was unable to obtain an immigrant visa to bring the child into the United States.

Overall adoption processing time was highly variable, but it did not appear to be unduly lengthy in most instances. INS case files we reviewed showed that the elapsed time between the initial filing of an orphan petition and the issuance of the child's visa ranged from about 1 week to about 2-1/2 years. Processing time was less than 1 year for about 90 percent of the families. We believe this time frame is reasonable when compared with multiyear waits that are often required for domestic adoptions through public or private agencies. Cases that involved extended processing times could usually be traced to difficulties encountered in identifying or matching a child with a particular set of parents or in securing the child's release for adoption and emigration from the foreign government. INS approved about 85 percent of the completed petitions without requesting additional information. Of the remaining 15 percent who were required to submit additional information, most involved the resubmission of fingerprint cards. Parents we interviewed said the cards were lost or lacked sufficient clarity for FBI processing.

Adoptive Parents Are
Generally Satisfied With
the Process

Our survey of adoptive parents indicated that most parents believed that the intercountry adoption process was working well but that implementation could be improved. About 70 percent of adoptive families were very or generally satisfied with the overall intercountry adoption system and process, including U.S. and foreign adoption requirements (see app. D). About 40 percent of the families, including some who were

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generally satisfied, encountered substantial difficulties with one or more elements of the process; however, these difficulties involved principally the quality of services provided, rather than the required processes and procedures themselves. Frequently mentioned problems included parents' difficulties in interactions with U.S. and foreign government agencies, inaccurate or unavailable information about intercountry adoption regulations and procedures, and matters related to immigrant visa processing.

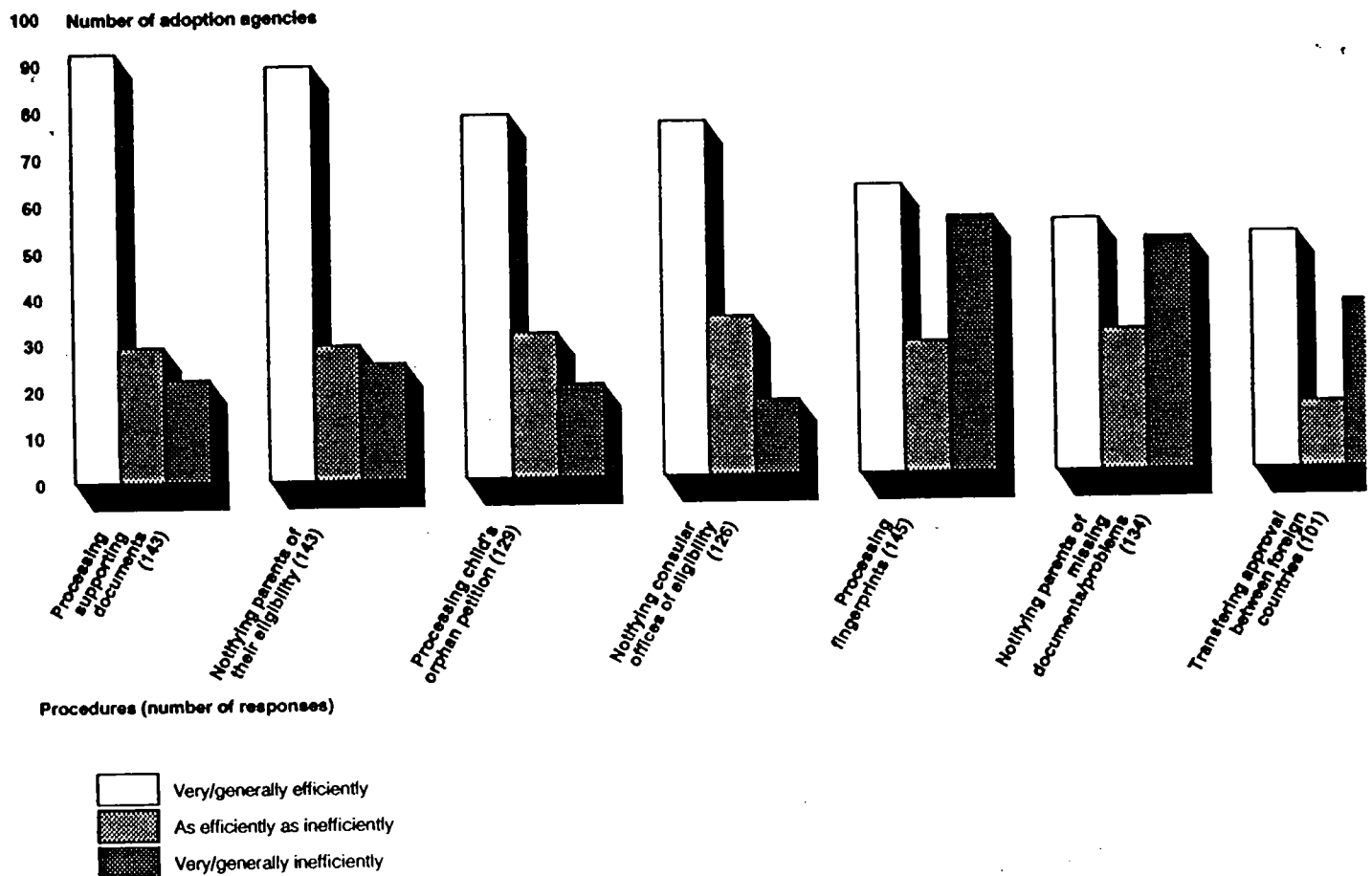
The survey data suggested that families who were more prepared for the adoption process or who received greater levels of assistance encountered less difficulty in carrying out their adoptions. Foreign travel in connection with the adoption process also played a significant role in family experiences and their evaluation of the process. Families who traveled abroad for their adoptions tended to assess themselves as being less prepared for the experience, and they were more likely than other families to find that their adoption experience was difficult to carry out.

Adoption Agencies Noted
Certain Procedural
Weaknesses

Adoption agencies assist many prospective parents to meet U.S. requirements for adopting a foreign child. Most agencies we surveyed said that INS administrative responsibilities were very or generally efficiently carried out (see fig. 2.1). However, agencies cited INS processing and approval of fingerprints, notification to parents of problems with documents, and transfer of approval of parents' eligibility from one country to another as particular weaknesses.

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Figure 2.1: Agency Perspective on How Efficiently INS Handled Intercountry Adoption Procedures



Note: See appendix II for the exact text of the question and nonresponse rates.

Some Federal Agency Procedures Are Not Adequately Administered

While federal agency procedures for intercountry adoption were generally reasonable and necessary, we found that some of them were not adequately administered. Mishandled or lost fingerprint cards and problems transmitting approval notices to overseas offices were most often responsible for avoidable processing delays.

Fingerprint Card Processing

Parents and adoption agencies were generally satisfied with the parent qualification process, except for the delays in processing fingerprint cards.

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Most of the parents who encountered problems told us that INS had to request new fingerprint cards because the original prints were either lost in processing or not clear enough for FBI processing.

While we did not review the INS' field offices procedures for submitting fingerprints to the FBI, we believe field offices can reduce processing delays by inspecting the cards more carefully before submitting them. An FBI official responsible for fingerprint processing told us that INS had a poor overall record among federal agencies for submitting legible fingerprint cards (about one in three was illegible), requiring resubmission and causing attendant processing delays. The FBI fingerprint check is a sophisticated process but one that can also respond to requests for expedited handling in less than 1 week. Such requests are discouraged and, we believe, not generally necessary except in emergency circumstances since cards can be processed routinely concurrent with and within the time frame (about 60 days) required for a reliable home study.

Overseas Communications

Parents and consular officials told us that orphan petition approval notices customarily sent by telegram from INS to the overseas visa issuing offices were sometimes lost or delayed in transmission, resulting in processing delays. In several instances, parents informed us they traveled to their children's home countries on the basis of approval notices they received from INS but were delayed in country because the approval notices had not been received by consular officers. Other parents had difficulty scheduling orphan visa appointments with consular officers pending receipt of the approval notices. We were unable to determine the reason(s) for the losses or delays, partly because the cables do not show the date the petitions were approved so they could be compared with the date of transmission and partly because of the difficulty in tracing cables through the Justice Department's communications network.

Delays and inconveniences to parents traveling abroad to complete adoptions also occurred when consular officers did not rely on the information in the cables but wanted to see the original orphan petitions and supporting documents in the individual orphan case files before processing the visas or scheduling parent interviews. We found instances in which delays occurred without the parents or their agents being notified of the reason(s) for the delays. The case files are currently being routed from INS field offices through an immigrant visa processing center located in the Washington, D.C., area to establish permanent record files before they are sent to consular offices overseas.

Parents and adoption agencies also complained about the length of time—ranging up to 2 years—that it took to complete overseas investigations after INS had made the orphan determinations. Delays of 6 months to a year occurred in some instances because the investigation reports were lost during transmission. INS and State officials told us that processing cases that required travel to remote areas to investigate orphan petitions took more time to complete because they have limited staff because they tried to delay scheduling trips until they had a sufficient caseload.

Coordination of Federal Information and Assistance Services Was Inadequate

Our survey of adoptive parents showed that many who had difficulties with the intercountry adoption process, particularly those who travel abroad in connection with their adoption, were not well-informed about the requirements involved. While federal agencies provided useful information and assistance to parents during the course of the process, we found that the available informational services were not adequately coordinated or routinely provided to parents at the outset or in advance of their travel. However, while adequacy of preparation played an important part in the parents' experience, we found that some parents knowing the risks in pursuit of adopting a foreign child and failed to heed available information about the process.

INS offices are often the adoptive parents' first point of contact with a federal agency in connection with foreign adoptions since they receive the application for orphan petition processing. INS provides prospective parents and adoption agencies with various publications and forms that describe orphan petition requirements and procedures, but this information is generally limited to the INS role in the adoption process. INS also provides direct line telephone service or, in the larger population areas, an automated telephone information system that gives callers detailed recorded messages about adoption procedures, access to agency operators, and the opportunity to leave a message or request publications or forms. Individual problem cases may also be discussed with information officers at INS district offices or referred to a central office specialist.

We found that the principal INS publication describing orphan petition procedures (M-249Y) is informative and authoritative about the basic petitioning and naturalization process. However, it does not provide an overview of the issues and problems faced by prospective parents seeking to adopt a foreign orphan. These include, for example, consideration

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may be involved in selecting an adoption agency or facilitator, information on adoption requirements in various countries, possible difficulties of dealing with foreign governments and agents, and overseas visa processing procedures. Parents we surveyed also told us that they would like to have checklists of the required forms, fees, and documentation, along with estimated timetables for completing the steps involved in the advance, petition, and visa processing.

The Department of State has prepared information pamphlets that give general details on international adoption requirements as well as on country-specific adoption procedures and practices and the visa application and issuance process. State also provides travel advisories and suggested contact lists for specific countries; makes inquiries regarding the status of specific cases before foreign courts on behalf of adoptive parents; and assists in clarifying documentary requirements. The assistance is provided in response to telephone inquiry or by personal visit or mail contact with the Department's Washington, D.C., headquarters or overseas offices. However, because adoptive parents have little reason to contact the Department concerning a foreign adoption until they are ready to travel overseas or to arrange to adopt a specific child, they often receive the information too late to be of optimal value.

The Department of Health and Human Services operates a research facility, called the National Adoption Information Clearinghouse, under a contract arrangement in the Washington, D.C., metropolitan area, that has information on the intercountry adoption process available on request. The information is broad based and generally useful, but it contains some mistakes that could cause a processing delay or confusion. For example, prospective parents are advised that an approved home study is needed when submitting an orphan application for advance processing when, in fact, the home study may be submitted later. Also, according to the clearinghouse information, the orphan petition should be filed when the child is legally adopted in the foreign court. To the contrary, it should be filed as early as possible.

Conclusions

Federal agency requirements and procedures for qualifying prospective adoptive parents and processing foreign orphan petitions appear to be responsive to immigration law, are generally reasonable and necessary, provide adequate safeguards, and are flexible enough to ensure timely completion of foreign adoptions. However, in some instances, the procedures were not sufficiently explicit or carried out efficiently; as a

result, completion of adoptions was delayed. Avoidable processing delays were also experienced as a result of lost or mishandled fingerprint cards and orphan petition approval notices sent to overseas offices.

Adequate information was not always made available to the parents, though they bear the principal burden of submitting accurate and complete data on the adoption to the federal agencies. Processing delays and inconveniences to parents also occurred because consular officers wanted to review original case files rather than rely on INS officers' orphan petition approvals. Overseas investigations are a necessary part of orphan determinations. However, when they are not conducted promptly, they unduly delay visa issuance for a child who is otherwise ready to travel to the United States and petitioners or their agents are not promptly notified of the cause of the delays.

Prospective parents who were knowledgeable and prepared for the intercountry adoption process tended to have fewer difficulties with it than those who were less knowledgeable. While information and assistance services on intercountry adoption are available from a number of federal and private sources, we found that the federal assistance efforts were not adequately coordinated so that parents would know about them and could rely on them early in the process when the information was most helpful. Among the federal agencies, INS is in the best position to make this information available to prospective parents because it receives their initial application for foreign adoption and conducts the preliminary orphan petition processing.

Recommendations

We recommend that the INS Commissioner

- establish procedures for ensuring that the adoptive parents' fingerprint cards forwarded by INS field offices to the FBI for records check are suitable for FBI processing;
- establish administrative controls to ensure that orphan petition approval notifications are promptly and accurately transmitted to the appropriate overseas consular offices, and that petitioners are advised of processing delays; and
- coordinate federal agency development and early distribution to prospective parents of a comprehensive information package on intercountry adoption requirements, procedures, and issues that parents may face in seeking to adopt a foreign child, including laws or regulations.

and referral data for parents arranging for an adoption in a specific country.

We also recommend that the Secretary of State direct the Assistant Secretary of State for Consular Affairs to instruct consular offices to rely on information in approval notification cables from the INS to begin processing visa applications and scheduling parent interviews, and not require that the original orphan petition and supporting documentation be produced for visual inspection, unless the cable presents information that would call into question the validity of the approval. In those exceptional cases in which consular officers withhold issuance of immigrant visas to adoptive foreign children after receipt of orphan petition approval by INS, the consular officer should immediately notify the petitioners or agents of the withholding action and reason(s) for the officers' concerns.

Agency Comments and Our Evaluation

INS officials acknowledged that some problems in fingerprint card processing and the routing of overseas communications had led to delays in completing intercountry adoptions but indicated that they were addressing these problems. They told us that seven instructions and an FBI video presentation on fingerprinting were sent to field units during 1991 and 1992 and that appropriate personnel were reminded of the importance of the review function. They attributed the current problems of routing cable traffic overseas to their having to use Defense Department communications lines and said they would explore the possibility of improving the cable notifications via a direct interface with the Department of State. INS officials said they also recognized the need to update and improve the usefulness of INS advisory services to prospective adoptive parents and make prospective parents better aware of the availability of other informational resources. They said that they have discussed the matter with Department of State and adoption community officials.

Department of State officials said that consular officers have the discretion to process immigrant visas based on INS cable approvals but that information in cables is often incomplete, requiring a wait for the original petition. Nonetheless, they said that they would remind consular officers that they should not hold up visa processing if there was no reason to question the validity of the approval and if the information in the cable was complete.

Many Adoptive Parents and Adoption Agencies Reported Receiving Poor Quality Service

Our surveys of adoptive parents and adoption agencies indicated that while the intercountry adoption system was working well for many families, many had difficult and frustrating experiences during the process. Poor quality service by the federal agencies administering the system, particularly INS, was often cited as the principal source of difficulty. About 40 percent (3,500 families) of the parents surveyed encountered substantial difficulty at one point or another during the adoption process. Many of the adoption agencies said that the quality of service the families received from U.S. agency personnel was inadequate. The agencies further reported that they also often received poor quality service from INS regional and local personnel.

Many Adoptive Parents Concerned With Quality of Federal Services

Family contacts with U.S. government agencies in the United States occurred primarily with the INS' district offices or suboffices. About 70 percent of the families telephoned or visited INS about their adoption. A substantially smaller number, about 20 percent, contacted the State Department and approximately 70 percent of the families traveled abroad in connection with their adoptions. Overall, about 40 percent of the families in our study experienced major difficulties completing one or more of the following steps in the adoption process:

- obtaining accurate information about U.S. rules and regulations governing intercountry adoptions,
- working with U.S. government agencies or foreign individuals and organizations on their adoptions,
- meeting parent or child eligibility requirements, and
- securing a visa for their child.

Working with U.S. government agencies was a source of major difficulty for about 20 percent of the families in the study population. Other areas of difficulty were: getting accurate information about U.S. rules and regulations (12 percent), working with foreign contacts (14 percent), and securing an immigrant visa for their child (11 percent). Relatively few families (4 percent) had problems meeting parent eligibility requirements or demonstrating a child's orphan status (3 percent). The parents we interviewed described a range of problems such as difficulty reaching personnel by telephone because of recordings, difficulty getting comprehensive and accurate information on adoption or the status of the case, and lost documentation or delays in processing adoption documents.

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To assess the quality of service families received from U.S. government personnel, our survey examined several service features, assessing them separately for INS and the State Department. These were

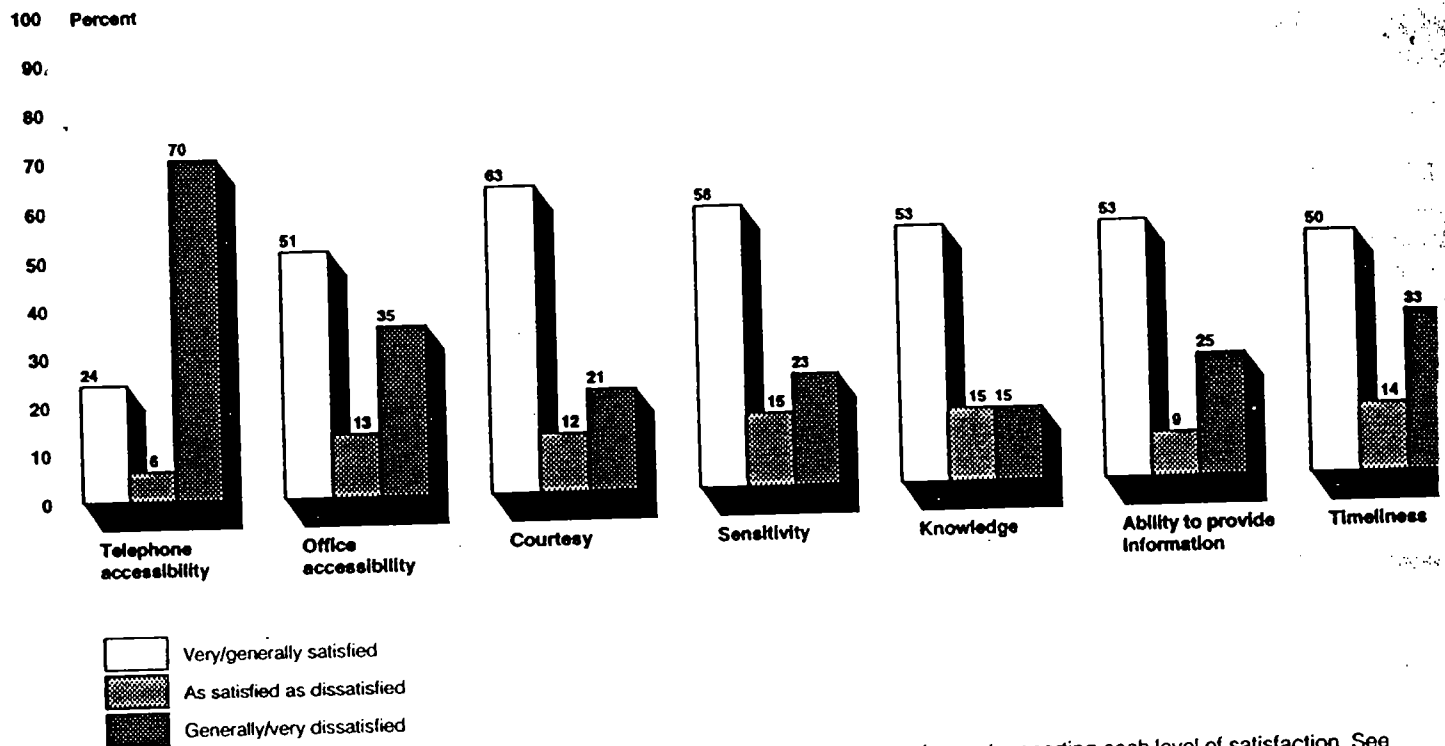
- accessibility of personnel by telephone and at their offices,
- courtesy and sensitivity of personnel to intercountry adoptions,
- knowledge of intercountry adoption laws and regulations and ability to provide accurate information about the status of an adoption, and
- timeliness of responses to intercountry adoption inquiries.

INS Services to Families

While a large proportion of families were satisfied with many features of the services provided by INS in the United States, many were not. An area of particular weakness was the nonavailability of agency personnel by telephone. An estimated 70 percent of the families who called INS, representing about 4,400 of the families in our study population, were dissatisfied with the accessibility of INS personnel by telephone, and an estimated 15 to 35 percent of the families who contacted INS offices in the United States were dissatisfied with each of the other service features we studied (see fig. 3.1).

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Figure 3.1: Family Satisfaction With the INS' Services In the United States



Note: Values represent the percentages of parents reporting each level of satisfaction. See appendix I text for confidence interval estimates.

Many of the families we interviewed gave illustrations of the types of problems they encountered. The automated telephone recordings cause difficulties for most of them. For example, families said that

- recorded messages did not provide useful information,
- messages they left were not responded to,
- reaching INS personnel by telephone was time-consuming, and
- it was difficult to get beyond recorded messages to make contact with someone knowledgeable about their case.

INS provides prospective adoptive parents informational assistance via a telephone information system called "Ask Immigration." The system

provides callers with detailed recorded messages about adoption procedures, allows them to access agency operators, and gives them the opportunity to leave messages or request publications or forms. INS officials informed us that the system was installed because of a lack of agency staff to give individual attention to public inquiries, and they said that it has proven to be cost-effective.

According to INS officials, telephone inquiries about adoption are not given any special priority or attention for personal assistance, but must compete with other types of immigration inquiries. They said that adoption inquiries represent less than 1 percent of incoming calls. Some parents we surveyed told us that they had to wait up to a half hour before they could get access to INS operators.

Department of State Service to Families

About one-fifth of the families in our study population phoned or visited the Department of State in the United States regarding their adoptions. However, because relatively few of the families we interviewed contacted the Department of State, we were unable to make meaningful population estimates about specific aspects of services parents received from the Department.

Most of those traveling abroad in conjunction with their adoptions, an estimated 6,100 of the approximately 9,000 families in our study population, had contact with U.S. consular offices and/or INS personnel abroad.¹ On the basis of our sample results, we estimated that about 77 percent of the families who phoned or visited these offices were satisfied with the overall quality of the service they received from the consular offices. Conversely, about 23 percent had qualified opinions or were dissatisfied with the services they received.

More specifically, an estimated 13 percent of the families were dissatisfied overall with services they received, with higher percentages being dissatisfied with some aspects of the services. Table 3.1 reflects the dissatisfaction, by aspect of service, of those families contacting U.S. consular offices abroad in connection with their adoptions.

¹Because questionnaire pretesting showed that parents could not distinguish between consular and INS personnel, we asked them to assess the service they received from consular office personnel as a group.

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Table 3.1: Estimates of Families Dissatisfied With Aspects of U.S. Government Services Abroad

	Percentage dissatisfied
Accessibility of consular personnel by telephone	
Sensitivity of consular personnel	
Accessibility of personnel at the consulate	
Ability of consular personnel to provide accurate information about adoption case	
Courtesy of consular personnel	
Knowledge of consular personnel about intercountry adoption laws and regulations	
Timeliness of responses by consular personnel to inquiries	
Overall dissatisfaction with U.S. government services abroad	

Adoption Agencies' Views on the Quality of Federal Services

We queried U.S. adoption agencies involved in intercountry adoption during 1991 to obtain greater insights into the quality of federal services they and their clients received in the United States and overseas. We examined the agencies' assessments of service of the INS regions and selected local offices throughout the United States and INS and/or consular offices in 11 countries overseas. We examined several service categories, including employees' accessibility by telephone and at their offices, courtesy, sensitivity, knowledge of intercountry adoption laws and regulations, and ability to provide accurate information about the status of cases.

To assess the adoption agencies' perceptions of the services provided to families involved in intercountry adoptions at home and abroad, we queried the agencies about INS and State employees'

- knowledge of applicable laws and procedures;
- consistent administration of policies and procedures;
- tact and sensitivity; and
- delivery of helpful service, advice, and support.

While the adoption agencies' assessments varied by region and location in the United States and by country, the overall results revealed a high level of marginal or inadequate services by federal employees.

Adoption Agencies' Assessment of Services Provided by INS Offices in the United States

Agency assessments of quality of service in the INS' Northern, Southern, and Western regions was marginally adequate overall. About half of the service ratings for these regions were adequate or higher, and the remainder was divided between marginal and inadequate. The quality of service in the Eastern Region was higher; about two-thirds of the ratings were adequate or higher.

From the adoption agencies' perspective, accessibility of personnel by telephone and at their office was particularly troublesome in all regions. Overall, about 42 percent of the agencies rated the quality of service as marginally adequate or unsatisfactory. We also found that about one-third of them rated INS staff courtesy in the Western and Eastern regions as marginally adequate to unsatisfactory. In the Eastern Region, about one-third of the ratings assessed staff sensitivity to intercountry adoption as marginally adequate or lower.

Adoption agencies assessed the INS' local offices as average or lower for one or more service factors in 9 of the 10 offices rated. Nearly half of the agency ratings assessed one or more of the services as marginally satisfactory or unsatisfactory. For example, three-fourths of the agencies assessing the Washington office rated accessibility of staff by telephone as generally or very unsatisfactory; about one-third of the agencies said they were generally or very dissatisfied with the courteousness of the San Francisco staff; and about 40 percent of reporting agencies rated the Newark office staff's ability to provide accurate information about the status of cases as unsatisfactory. Only one office (Chicago) received consistently high service ratings, not only overall but for each of the service features we surveyed.

Table 3.2 reflects the adoption agencies' assessments of quality of services by INS personnel in the United States. Specific locations are listed if nine or more agencies rated that location. Aggregation to regions includes all locations within these regions which agencies rated.

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Table 3.2: Adoption Agencies' Satisfaction With the Quality of Service Provided by INS Personnel in the United States in 1991

INS location	Accessibility of personnel by telephone	Accessibility of personnel at their office	Courtesy of personnel	Sensitivity of personnel to intercountry adoption	Knowledge personnel had about intercountry adoption laws and regulations	Ability of personnel provide accurate information about status of a case
All INS locations	AS(M)	AS(M)	GS(M)	AS(C)	GS(C)	AS(C)
Northern Region	AS(M)	AS(M)	AS(C)	AS(C)	GS(C)	AS(C)
Chicago	VS(VC)	VS(VC)	VS(VC)	VS(VC)	VS(VC)	VS(VC)
Milwaukee	GD(C)	GD(C)	GD(C)	GD(C)	AS(VC)	AS(C)
Southern Region	GD(M)	AS(M)	AS(M)	AS(M)	AS(C)	AS(M)
Western Region	AS(M)	AS(M)	GS(M)	AS(M)	AS(C)	AS(M)
San Francisco	AS(M)	AS(M)	AS(M)	AS(M)	AS(M)	AS(M)
Eastern Region	AS(M)	AS(C)	GS(C)	GS(C)	GS(C)	AS(C)
Baltimore	GS(C)	GS(M)	GS(C)	GS(M)	AS(C)	GS(M)
Boston	GS(M)	AS(C)	GS(M)	AS(M)	GS(C)	GS(C)
Buffalo	AS(M)	GD(VM)	GS(C)	GS(C)	GS(C)	GS(C)
Newark	AS(C)	AS(C)	AS(C)	AS(C)	GS(C)	AS(C)
New York	AS(M)	GD(M)	GS(C)	GS(C)	AS(C)	AS(C)
Philadelphia	AS(C)	AS(C)	GS(C)	GS(C)	GS(C)	GS(C)
Washington, D.C.	GD(M)	AS(M)	GS(C)	AS(M)	AS(M)	AS(M)

Legend

VS = Very satisfied
GS = Generally satisfied
AS = As satisfied as dissatisfied
GD = Generally dissatisfied
VD = Very dissatisfied

(VC) = Very consistent
(C) = Consistent
(M) = Mixed
(VM) = Very mixed

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Adoption Agencies'
Assessment of Services
Provided by Overseas
Offices

About three-fourths of the adoptive children entering the United States during fiscal year 1991 emigrated from seven countries. Because of the important role these countries have played in intercountry adoptions, we asked the adoption agencies whose staff or foreign representatives called or visited these countries to assess the quality of service provided by INS and U.S. consular office staff during 1991. A total of 80 agencies we surveyed contacted U.S. personnel in these countries on behalf of about 2,300 U.S. families pursuing intercountry adoptions.

Table 3.3: Adoption Agency Contact
With INS and U.S. Consular Office Staff
During 1991

Country	Number of agencies contacting country	Estimated number of families agencies made contacts for
Colombia	17	162
Guatemala	24	150
India	21	203
Korea	19	817
Peru	38	233
Philippines	22	225
Romania	37	467
Total		2,257

While the agencies' assessments of countries varied, overall they reflected significant concern over the quality of services they received. The agencies reported a higher quality of service in Korea and Colombia than in the other countries. Table 3.4 reflects the adoption agencies' level of satisfaction with the quality of services received in these seven countries.

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Table 3.4: Adoption Agencies' Satisfaction With the Quality of Service Provided by INS and U.S. Consular Office Staff in Seven Countries in 1991

Country	Accessibility of personnel by telephone	Accessibility of personnel at their office	Courtesy of personnel	Sensitivity of personnel to intercountry adoption	Knowledge personnel had about intercountry adoption laws and regulations	Ability of personnel provide accurate information about status of a case
Colombia	GS(C)	GS(C)	GS(M)	GS(M)	GS(M)	GS(C)
Guatemala	GS(C)	GS(C)	AS(C)	AS(C)	GS(C)	AS(C)
India	GS(C)	AS(C)	GS(C)	AS(M)	AS(M)	GS(M)
Korea	GS(VC)	GS(C)	GS(C)	GS(C)	GS(C)	GS(C)
Peru	AS(C)	AS(C)	AS(M)	AS(C)	AS(C)	AS(C)
Philippines	GD(C)	GD(C)	AS(C)	AS(C)	AS(C)	AS(M)
Romania	AS(C)	AS(C)	AS(C)	AS(C)	AS(C)	AS(C)

Legend

VS = Very satisfied
GS = Generally satisfied
AS = As satisfied as dissatisfied
GD = Generally dissatisfied
VD = Very dissatisfied

(VC) = Very consistent
(C) = Consistent
(M) = Mixed

Except for Korea, some adoption agencies expressed dissatisfaction with service aspects in each of the other six countries in terms of accessibility of personnel by telephone and at the office, staff courtesy, sensitivity, knowledge of procedures, and ability to provide accurate case information about the status of an adoption. Overall, the service in the Philippines was considered the poorest, with the services in Peru and Romania rated only marginally better. Over half the agencies contacting U.S. personnel in the Philippines rated accessibility of personnel by telephone and at the office as unsatisfactory. Moreover, over half the agencies were dissatisfied with the ability of U.S. staff to provide accurate information about the status of a case. Nearly half the agencies in all three countries were dissatisfied with staff courtesy and sensitivity.

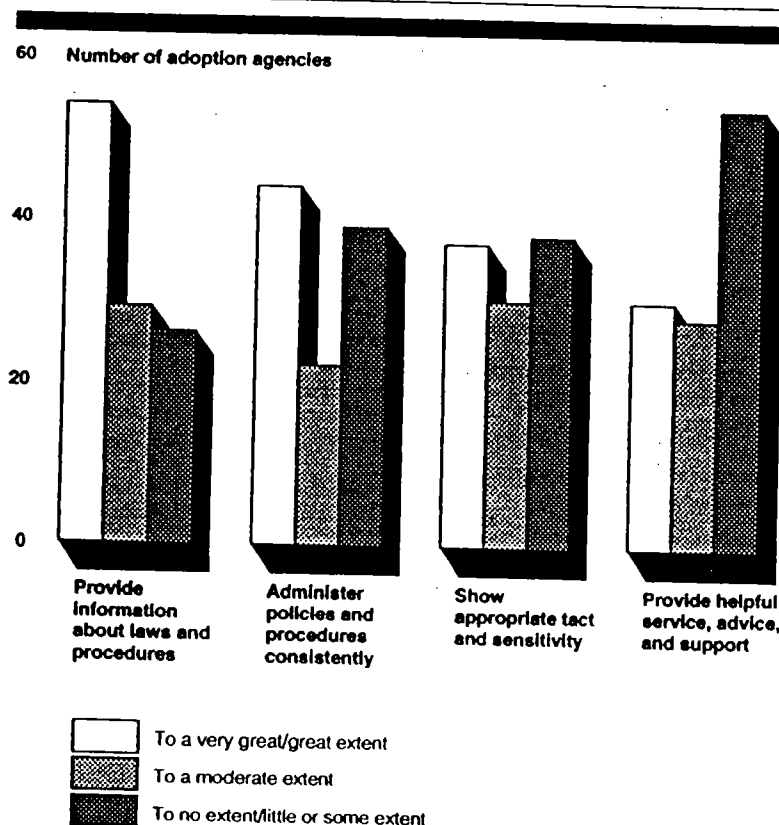
Chapter 3
Many Adoptive Parents and Adoption
Agencies Reported Receiving Poor Quality
Service

Some agencies commented on the quality of services received in four other countries (Chile, El Salvador, Honduras, and Paraguay), and their assessments varied also. Their responses indicated overall satisfaction with services received in Chile and Honduras but included several mixed or negative evaluations for the quality of services received in El Salvador and Paraguay.

Adoption Agencies'
Assessments of the Quality
of Services Adoptive
Families Received at U.S.
Consular Offices Overseas

In addition to gathering adoptive parents' perceptions of the quality of services they received abroad, we asked adoption agencies for their perspectives on the U.S. services provided to families abroad during 1991. Many agencies assessed the quality of services as being moderate or poor, particularly with respect to U.S. staff providing helpful service, advice, and support to prospective parents. Figure 3.2 reflects agency assessments for the service features we examined.

Figure 3.2: Agency Perspectives on
Quality of Service Families Received
From INS and U.S. Consular Staff
Abroad



Note: See appendix II for the exact text of the question and for nonresponse rates.

Conclusions

The intercountry adoption process is a complex and often frustrating ordeal for adoptive parents. For most, the process is a once-in-a-lifetime experience, and they must rely heavily on INS and the Department of State and its overseas consular offices for guidance and assistance as they pursue their adoptions. We found that in many cases INS personnel in the United States and INS and consular personnel overseas provided marginal or unsatisfactory services to adoptive parents and adoption agencies. Inaccessibility of federal personnel by telephone or at their offices was the most frequent problem. Many parents told us that the INS automated telephone information system was a major problem. While cost-effective the system did not provide satisfactory service in the minds of many of those telephoning INS with adoption inquiries. Responsiveness to inquiries, knowledge of adoption laws and regulations, and courtesy and sensitivity by INS and State personnel were also cited as problems in many cases. As a result, greater emphasis on quality service by INS and the State Department would appear to significantly improve the chances for a positive intercountry adoption experience for thousands of American parents.

Recommendations

In light of the results of our surveys of adoptive parents and adoption agencies, we recommend that the INS Commissioner

- improve the automated telephone information system's responsiveness to callers with questions about intercountry adoptions;
- develop and implement programs for improving the quality of services INS personnel provide adoptive parents, including increased emphasis on courtesy, responsiveness to inquiries, and knowledge of intercountry adoption laws and procedures; and
- institute a monitoring process to ensure that courteous, responsive, and knowledgeable service is consistently provided to adoptive parents or those who may inquire about foreign adoptions.

We also recommend that the Secretary of State direct the Assistant Secretary of State for Consular Affairs to develop and implement programs to improve overseas consular office staffs' responsiveness and courtesy in serving the needs of American adoptive parents abroad and monitor these programs to ensure that satisfactory service is provided to them.

Agency Comments and Our Evaluation

INS officials told us that they plan to review immigration officer training programs and issue instructions to the field with a view toward ensuring improved courtesy, responsiveness, and subject-matter knowledge in processing orphan adoptions. They said that monitoring of employee performance is an ongoing responsibility of supervisors and that they would remind field managers of the importance of ensuring proper service in orphan cases.

State Department officials commented that while our survey showed that a clear majority of respondents were satisfied with State's handling of adoption cases,² they agreed that service could always be improved and said that the Department had taken a series of steps in the past year to enhance their ability to provide quick, courteous, and responsive service to U.S. citizens. In addition, they said that officers have been assigned to follow adoption matters and that improvement of service to citizens abroad is a regular focus of management seminars held with consular officers (see app. III).

We support the steps that INS and State Department officials have planned or already taken to improve quality of service for those involved in seeking intercountry adoptions and urge that they continue to look for ways to ease this already complex and often frustrating process for many Americans.

²Reference here is made to the families we surveyed.

Varying Country Requirements Pose Dilemmas for Intercountry Adoptions

Americans seeking to adopt a foreign child face an intercountry adoption process that varies with the requirements imposed by foreign governments and their institutions. Broad international agreements on standards and procedures for intercountry adoption do not now exist. The absence of such agreements, especially in sending countries that do not have effective foreign adoption programs, have contributed to confusion, delays, irregularities, and possible abuse. However, efforts are under way by the intergovernmental Hague Conference on Private International Law to prepare a convention that will seek to define substantive common principles and establish a framework for cooperation between sending and receiving countries. The convention, if signed by the United States and entered into force, would require changes in prevailing U.S. intercountry adoption procedures, including possible legislative revisions and changes in federal agency operating procedures.

Requirements for Intercountry Adoption Vary by Country

In addition to meeting U.S. federal and state laws, prospective American parents must contend with varying foreign government requirements as they relate to their fitness to care for a child and to obtaining the child's release for adoption and emigration. Varying degrees of official approval, involvement by third parties, and documentation may be required whether the child is relinquished to a government or private institution or directly from the birth mother to the adoptive parents and whether the relinquishment takes place in a formal judicial or private setting. Increasingly, because of the illegal activities they have experienced with child placements abroad, some foreign countries are seeking to curtail privately arranged adoptions by requiring contacts to be channeled through sanctioned agencies or government institutions. There are various inconsistencies in foreign governments' adoption policies.

Qualifications for Adoption

The decision of who is qualified to adopt a foreign child is a matter of interest to both the sending and receiving governments. As a result, although prospective adoptive American parents are required to show that they are suitable for adopting a foreign-born orphan, the sending country's government or courts may require additional information for assessing parents' fitness. The requirements vary by country but may include such factors as age, income, race, religion, length of residency in country, and number and backgrounds of other children. Some countries also require post-placement information on a child and notification of final adoption when a child is released for guardianship and enters the United States to be adopted.

Adoption

Most countries require that a child who is placed for adoption must be legally recognized as an orphan or, in a case in which only one natural parent is living, legally and unconditionally released for adoption and emigration. Some countries require that the child be adopted in the courts of their country as a prerequisite for the child to leave, with either or both adoptive parents' being required to appear personally or through arrangement by proxy—depending on the country's requirements. Thus, whereas a country of origin may recognize a foreign adoption of an orphan as being valid if it is arranged by proxy or with only one prospective parent being present, U.S. immigration law requires that (if the petitioner is married) both of the prospective parents must have seen and observed the orphan abroad prior to or during the adoption proceedings in order for the foreign adoption decree to be recognized as valid in the United States. Other countries (such as Korea) effectively grant the adopting parent(s) legal guardianship of the child and simply require a special exit visa from the child's country, with the adoption to be completed in the receiving country. Not all countries have a national authority to control or regulate a child being available for adoption by foreign citizens.

Emigration

It is possible that a child determined to be available for foreign adoption, and possibly already adopted or given legal custody by American parents in his or her own country, may not be eligible to enter the United States because the examining U.S. officer does not consider the child to be an orphan. This is because the U.S. orphan definition is not always consistent with the determination of a child's availability for foreign adoption and emigration by the sending country. For example, whereas the sending country might consider a child abandoned if the child has been placed in an orphanage, but the parents still contribute to the child's support, U.S. officials would not.

Timeliness is critical. While the United States is the largest receiving country for intercountry adoptions, sending country and cooperating adoption agency officials told us they may be more apt in certain instances to place an adoptable child with a family in countries that have less stringent approval processes. Children available for foreign adoption but not assured of immediate U.S. entry may instead be made available to and adopted by families in Canada and Western European countries, which accept the findings of the child's birth country and require no further test for entry.

Agency-Assisted Versus Independent Adoptions

While U.S. citizens are free to act on their own behalf or use an attorney agent to arrange a foreign adoption, an increasing number of countries requiring that such adoptions be carried out through selected accredited agencies. We found that agency-assisted adoptions have worked well in Korea and other countries that have established foreign adoption programs. Agencies based in the receiving country usually have a contractual arrangement with institutions or licensed agencies overseas with access to available children, and they offer parents a complete range of services—including a home study of the prospective parents, preparation of legal documents, selection and presentation of the child, and post-placement services. Prospective parents who work independently with the birth mothers or private agents in the country of origin usually want to avoid the purportedly higher cost, longer wait, and loss of personal control that are often associated with agency-assisted adoptions. However, whereas cooperating agencies can be held accountable to their contractual commitments by the foreign government, independent arrangements cannot be as easily monitored. As a result, problems can occur—as they did recently in Romania.

Problems Associated With Romanian Adoptions

Wide media attention given to the plight of children left abandoned or orphaned in Romanian institutions during the Ceausescu regime led to a significant rise in the number of American adoptions from Romania following the regime's overthrow in late 1989. Up to that time, the number of Romanian children adopted by American families was insignificant. Following a modest rise during fiscal year 1990, adoptions ballooned to 2,552 during fiscal year 1991 until July when, because of alleged baby-selling activities, Romanian authorities suspended all foreign adoptions pending the establishment of a Romanian Adoption Committee to oversee all adoptions and carry out comprehensive new procedures.

The surge in the number of Americans adopting Romanian children and the problems accompanying them were caused by a combination of factors. Prominent among these was public confusion resulting from a lack of a smooth-functioning adoption program based on established procedures that allowed private adoption arrangements to flourish. Contributing to the confusion were prospective parents who were ill-informed about or unwilling to follow U.S. laws and regulations and a U.S. staffing shortage to properly investigate and document orphan petitions and visa applications. Parents who sought to adopt a child were often matched with, and sometimes even adopted or gained legal custody of, the child before obtaining a formal decision about the child's orphan status.

status under U.S. law. Most of the children processed early came from orphanages and government institutions, and thus were more easily determined to be clearly approvable as an orphan. However, some INS and consular officials expressed doubt as to whether appropriate criteria were applied in adjudicating the orphan petitions because there was a staff shortage to conduct the orphan investigations and 97 to 98 percent of the petitions were approved despite reports of widespread irregularities and fraud. State officials told us that extensive follow-up investigations by State and INS did not disclose fraud and that all of the children involved received either immigrant visas or humanitarian parole.

Nearly one-third of the Romanian children admitted to the United States during fiscal year 1991 were admitted on the basis of the issuance of an IR-4 visa—in other words, without having been seen and observed by the parent(s) at the adoption proceedings abroad. We were told by agency officials that it was possible in these circumstances that a child may have been released from a birth parent through a local court without the central government's knowledge or supervision and that the adoption was arranged without agency assistance.

A number of Americans who adopted or agreed to adopt a child that was later determined to be a nonorphan were granted relief through the Attorney General's discretionary humanitarian parole authority. Used only occasionally and sparingly in the past to admit foreign children who did not qualify for U.S. entry as orphans, the authority was used temporarily in 1991 on a broad basis to admit nonqualifying orphan children from Romania who either already had been adopted by or had bonded with American parents traveling to Romania to adopt a child. Parole status was granted to a total of about 250 of these nonorphan children. The parole process is not normally available for adoptions and has been granted only in a few such cases, chiefly for U.S. military families overseas who were transferred to a new duty station on short notice.

The Romanian government has amended its adoption laws and established an adoption committee to oversee foreign adoptions. It requires that future foreign adoptions be processed through this committee and established a list of requirements for adoptions to take place. As of July 1992, it had authorized five U.S. agencies to facilitate adoptions but had not yet permitted them to resume adoption processing.

No Broad Agreement Exists on International Adoption

Adoption and foster placement of children domestically and abroad generally regulated by the local and state laws of each nation, and growing extent by international law. While international adoption of children has been addressed from time to time in resolutions adopted by the United Nations General Assembly, the only existing international agreement that deals specifically with the adoption of foreign children is the 1968 Convention on the Adoption of Children, which operates only between Austria, Switzerland, and the United Kingdom.

Adoption Convention Being Developed by the Hague Conference

In recent years there has been some support for an adoption treaty convention that would establish generally binding procedures for international adoptions. In 1988, responding to encouragement by the United Nations, the intergovernmental Hague Conference on Private International Law formed a special commission to prepare a convention that would identify issues, study possible approaches, and establish norms and procedures for adoption of children coming from abroad. Delegates to the conference felt that there was a clear practical need for a multilateral instrument that would define substantive principles and establish a basic legal framework of cooperation between authorities in the countries of the children's origin and receiving countries. The commission has prepared a draft text of the convention for consideration by Member States, scheduled for final approval by the Conference in May 1993.

United States Participation in Drafting the Convention

For the convention to be ratified and become effective in the United States, the State Department has indicated it will first seek the endorsement of the various organizations involved in intercountry adoptions before the convention is transmitted by the President to the Senate for its advice and consent and the need for enactment of implementing legislation is determined. A U.S. delegation to the Hague Conference special commission has been assisting in the commission's work and attempting to secure provisions in the convention that would be viewed as being as fully acceptable as possible to the United States. The delegation is chaired by the State Department's Legal Adviser for Private International Law and includes experts on family law and intercountry adoption. To provide guidance to the delegation, a Study Group on Intercountry Adoption was established consisting of law professor and adoption attorneys, national adoption agency representatives, and state government officials. The group met in June 1990, January 1991, and January 1993 prior to meetings of the Hague Conference commission.

Impact of Draft Hague Convention on U.S. Processing of Foreign Adoptions

The draft convention sets out the basic procedural framework, or minimum requirements, to be followed in all adoption cases between cooperating member countries. It also provides the flexibility for any country to unilaterally impose additional restrictions or conditions to those established in the convention. For example, while the draft convention gives prospective adoptive parents the latitude to seek adoptions without private agency assistance and travel to the country of origin to identify the child to be adopted (subject to prior approval by a competent authority), some countries of origin may decide to deal with only certain accredited agencies that agree to meet their criteria. Receiving countries may continue to set eligibility requirements for entry that they consider necessary for permanent residence.

Basic Provisions of the Draft Convention

The draft convention establishes some basic and broadly supported provisions that will substantially confirm many existing policies and practices but also seek to make certain improvements in the manner that intercountry adoption procedures currently take place. The provisions essentially relate to specific duties and obligations of sending and receiving countries that are aimed at protecting a child from getting caught in a legal limbo that can occur because of varying adoption and immigration requirements between countries.

A major provision of the draft convention is that member countries designate a central authority. This authority is to be responsible for cooperating with other government authorities in keeping each other informed about their laws and monitoring adoption procedures, and either performing certain specified procedural functions on its own or delegating them to public authorities or accredited bodies. Such a national authority does not now exist in the United States and would have to be established. Directly or by delegating the functions, it would be required to (among other things)

- receive and review the applications of those persons wishing to adopt a child in a foreign country (INS currently performs this procedure);
- prepare and transmit for each intercountry adoption a report to a central authority in the state of origin that contains the applicants' identity, background, eligibility, suitability to undertake an adoption, and the characteristics of children they would be qualified to care for (this function is not now being performed systematically but is essentially covered by the home study process);

- provide official assurance of agreement with the placement and, before adoption is allowed to proceed, take all the necessary steps to ensure smooth transfer of the child from the sending to the receiving state (this function is not being done now);
- monitor and report to the cooperating central authority on the progress made to complete adoptions and probationary placements and, in the event of unsuccessful placements, provide for an alternative adoption arrangement in cooperation with the sending state (this function is done now only by adoption agencies under contractual arrangement with the sending government); and
- take measures to prevent improper financial or other gain from an act related to an intercountry adoption (U.S. law does not specifically impose penalties for persons trafficking in children).

If the draft convention were to take effect, prospective adoptive parents would not be permitted to have any contact with the child to be adopted or its parents until certain conditions were met. Specifically, they are the competent authority in the country of origin would have to determine that (1) the child was adoptable, (2) intercountry adoption was in the child's best interest, and (3) proper counseling and consents were given. Further, the competent authority in the receiving country would have to determine that the prospective adoptive parents were eligible and suitable to adopt a foreign child. Although the parents could contact the birth parent(s) and the child after these conditions were met, they would not be able to proceed with the adoption until the receiving country determined that the child was authorized to enter and become a permanent resident there.

The procedure to be followed under the draft convention ensures that authorities in the country of origin would be informed at the beginning of the process the prospective adoptive parents' intent to seek a child from that country, enabling the authorities to set conditions for establishing initial contact and to improve their control and monitoring. The procedure also requires that public authorities or accredited bodies in both the sending and receiving countries would ensure that the intercountry adoption be in the best interests of the child and that they would establish a system for accountability and monitoring.

Issues to Be Addressed by the United States

Issues remain to be addressed about how the draft Hague convention, were it to be approved by the United States and allowed to enter into force, would affect U.S. immigration law and federal agency

responsibilities. Among the principal issues that would need to be addressed by federal implementing legislation or regulation include (1) the establishment of a national central authority to discharge certain required functions, (2) the delegation of other functions to licensed public authorities or accredited bodies involved in intercountry adoptions, and (3) the requirement for a determination that a child who is qualified for intercountry adoption by the sending country is or will be allowed to enter and reside in the United States before the adoption can take place.

Most of the functions required by the draft convention are already being performed to a varying extent through INS, the Department of State, the individual 50 states, and private adoption agencies and attorneys. Nevertheless, the draft convention would expand the federal government's role by making it directly responsible for reporting to central authorities in other countries and holding it more accountable for the successful placement and completion of the adoption. No decision had been made at the time of our review regarding which federal agency (or combination of agencies) would be responsible for the central authority's functions or how some of the functions might be delegated, should the United States become a member of the convention.

The draft convention allows signatory countries great flexibility in how the central authority may decide to discharge or delegate the convention's required functions. However, by imposing this responsibility on the central authority, the federal government may have to make decisions about the division of responsibility between itself and the individual 50 states—such as possibly establishing a minimum uniform standard for accreditation of private adoption agencies and others involved in intercountry adoptions and providing measures to prevent the participants from receiving improper financial and other gain.

It is likely that the convention would create a new classification of adoptable children determined by early mutual consent of sending and receiving countries to be eligible for intercountry placement and ensured of a smooth transfer process. This could increase or decrease the number of children available for intercountry adoption. Also, if it chose to do so, the United States could unilaterally continue to apply its test for determining orphan status irrespective of the country of origin's determination. However, unlike current practice that can result in the adoption of an orphan child overseas and subsequent delay of U.S. entry for eligibility reasons, a determination of the child's eligibility for immediate entry to and residency in the United States would have to

precede an adoption or award of legal custody to the prospective adoptive parents.

Conclusions

Ratification and entry into force of an international agreement along the lines of the draft Hague convention would establish uniform principles and procedures for efficient foreign adoption processing while providing improved safeguards for the child and less anxiety for the adoptive parents. In particular, U.S. delegates believe the draft convention would (1) permit a smoother transfer process to take place once the connection with the child to be adopted has been made and (2) assist in monitoring adoption placements to ensure they are properly and successfully completed.

U.S. accession to the draft convention would not alter the basic application that parents use to adopt a foreign orphan, but it would result in additional federal agency reporting and management responsibilities and some adjustments to the existing adoption processing procedures. Issues to be addressed as to how these responsibilities would be carried out by a designated central authority and under which circumstances this authority's required functions would be delegated to other competent bodies. It is also uncertain whether the United States would agree to a requirement that it determine, before an adoption could take place, whether a child is adoptable under the terms of the convention and whether entry and residency.

Responses to Our Survey of Parents Completing INS Orphan Immigration Processing During Fiscal Year 1991

This appendix shows the results of our survey of parents completing Immigration and Naturalization Service (INS) orphan immigration processing during fiscal year 1991. The objectives of the survey were to learn about families' experiences with and views of intercountry adoption procedures and the quality of services they received from U.S. government agencies during the adoption process. We selected fiscal year 1991 in order to reduce memory errors and provide a current picture of U.S. government service. Our study examines the intercountry adoption process from the point of submission of the orphan petition to when the child enters the United States. The study does not cover the process of obtaining citizenship for the child.

Study Methodology

The study population consists of the 8,921 orphans entering the United States in fiscal year 1991 under IR-3 (adopted abroad) or IR-4 (to be adopted in the United States) immigration status. Some families adopted more than one child. However, we project the survey results to a population defined as families of the 8,921 orphans entering the United States. We selected a simple random sample of 250 orphans from this population using documentation provided by the Immigration and Naturalization Service to conduct telephone interviews with the families these children joined. We deleted eight cases from the sample because the families did not meet our study criteria, that is, they participated in pretesting abroad at the time of our interviews. Therefore, the adjusted sample size is 242. We were able to contact and interview by telephone 203 of the families—an 84-percent response rate. We conducted the telephone interviews between mid-March and mid-April 1992.

Our sample, like most statistical samples, is subject to some uncertainty. In this appendix, we report the 95-percent confidence intervals to quantify the statistical uncertainty associated with our results. If our methodology was replicated, chances are 19 out of 20 that the results would be within these confidence intervals. Nonsampling errors, such as the wording of questions and the differences between interviewers, may also cause errors in surveys. In order to minimize the effects of these errors, we obtained three expert reviews of the questionnaire from professionals in intercountry adoption, pretested the questionnaire, and applied social science principles of survey design.

We did not survey parents who began but did not complete the foreign adoption process. We could not directly contact parents who did not complete the process due to the lack of centralized records and the

**Appendix I
Responses to Our Survey of Parents
Completing INS Orphan Immigration
Processing During Fiscal Year 1991**

inherent difficulties in identifying a population from which a reliable sample could be drawn. In order to obtain some information about the experiences of this group, as well as about parents who remain in the process, we asked adoption agencies to report their professional opinion about the efficiency and quality of service U.S. government personnel provided to all families in 1991 (see app. II).

In some cases, questions were preceded by a filter question that screened out parents from responding. For example, in the section on parents who traveled abroad in order to conduct adoption business, we project to a population of about 6,100 families who traveled for adoption business. In other cases, not all parents eligible to answer a given question did so. The nonresponse rates ranged from 0 to 2 percent for the survey questions in this appendix. On some questions, parents could choose more than one response category, and the sum of responses may exceed the population total.

For questions where parents reported dollar amounts or lengths of time, we present the average (the mean and median), standard deviation, and range of responses. For some questions, we have provided brief summaries of the responses.

For many questions in the survey, respondents chose from five response categories so that their answers would closely reflect their views. However, we collapsed categories on some questions for clearer reporting in this appendix. These categories are denoted with a "/" between two collapsed choices.

The exact text for many of the questions is included in this appendix. We have edited the text for other questions in order to eliminate interviewer cues and prompts for response categories. Several sections of the survey contain a series of similar questions, such as those concerning U.S. government services provided by different agencies. For these sections, the entire question is provided once along with shortened wording for subsequent questions.

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Summary of Survey Results

Profile of Intercountry Adoption Families

(a) Approximately what was the total amount of your out-of-pocket expenses for your adoption, including such thing travel, agency and application fees, and other expenses?

Median	\$
Mean	\$
Standard deviation	
Range	\$2,000-\$

Note: Figures are based on 197 survey responses.

(b) How much did you expect to pay when you began the process?

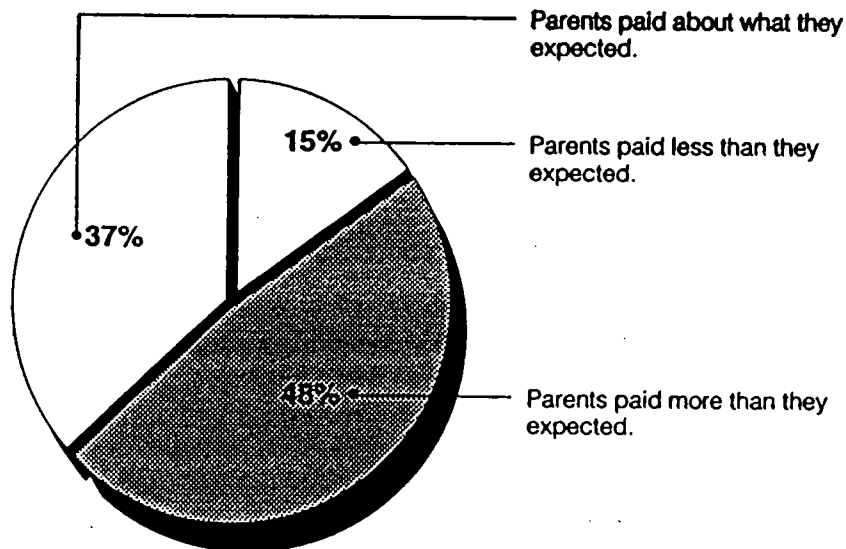
Median	\$
Mean	\$
Standard deviation	
Range	\$100-\$

Note: Figures are based on 184 survey responses.

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(c) Comparison between actual and expected adoption costs.

Figure I.1: Comparison of Actual and Expected Adoption Costs



Note: We derived the percentages from 194 survey responses by comparing the amounts parents actually paid and what they expected to pay to adopt a child.

(d) Is this your first intercountry adoption?

The percentage of families who answered "yes" ranged from 70 to 82.¹

¹Ranges represent the lower and upper ends of the 95-percent confidence interval estimates to the population. Unless otherwise specified, values represent the estimated percentage of families in the population of 8,921 with the characteristic being reported.

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(e) Which of the following sources provided you with useful information about intercountry adoption procedures and requirements?

	Percentage of families
Provider of professional adoption services	48-
Friends and relatives	28-
A parent group	17-
The Immigration and Naturalization Service	7-
Other adoptive parents	1-

(f) Consider any information you collected about intercountry adoption. Think about information concerning the requirements, costs, and length of time to adopt, as well as information about intercultural and health issues when adopting abroad. To what extent, if at all, did this information prepare you for your adoption experience?

	Percentage of families
To little or no/some extent	13
To a moderate extent	20
To a great/very great extent	49

(g) Who provided you with adoption services in the United States?

	Percentage of families
An adoption agency	70
A social worker	10
A parents' group	5
Other types of adoption facilitators	5
A lawyer	2
Did not receive adoption services in the United States	2

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(h) How much assistance, if any, did you receive from your adoption facilitator/s in completing each of the following steps in your adoption: little or none, some, a moderate amount, a great amount, or a very great amount of assistance?

	Percentage of families receiving great or very great amounts of assistance
Identifying a child for you to adopt	60-73
Collecting evidence to show that your child is an orphan	56-70
Locating a person to conduct your home study	55-69
Communicating with citizens of your child's home country about your adoption case	48-62
Securing a visa for your child	37-51
Communicating with INS about your case	25-38

(i) Why did you choose intercountry rather than domestic adoption?

	Number of families in the survey
Families believed they were ineligible for domestic adoption.	104
Families believed intercountry adoption could be completed in less time than domestic adoption.	77
Families wanted to adopt a child with certain characteristics.	55
Families believed intercountry adoption would be easier than domestic adoption.	41
Families believed intercountry adoption would cost less than domestic adoption.	27
Families were concerned about birth parent rights in domestic adoption.	20
Families wanted to help disadvantaged children.	19
Families were advised to pursue intercountry options.	15
Families had previous intercountry adoption experience.	14
Families believed there were no children available to adopt domestically.	13

Note: Figures indicate the number of families in the survey that mentioned each reason; 203 respondents answered this question.

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(j) Which of the following categories most closely matches your gross annual family income from all sources during 1991?

	Percentage of familie
Less than \$25,000	2-
\$25,000 to \$50,000	26-4
\$50,000 to \$75,000	26-3
More than \$75,000	24-3

(k) Did your child have any health problem that you did not know about at the time you agreed to adopt?

The percentage of families who answered "yes" ranged from 11 to 21.

**Intercountry Adoption
Processing**

(a) After INS received all of the application materials to qualify you and your child, did INS approve your application, or did they ask you for more information?

	Percentage of familie
Approved application as submitted	79-8
Asked for more information	11-2

(b) What information did INS ask for before approving your application?

Parents reported that they provided the following kinds of additional information to INS: replacement fingerprint cards for originals that were lost or unusable; additional or updated home study information, including copies of the license for the social worker conducting the home study; birth and marriage certificates; additional fees; and confirmation of relinquishment of the child by a surviving parent.

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(c) Do any of the following statements apply to your adoption case?

	Percentage of families who said "yes"
I plan to adopt my child in the United States.	29-42
I have already adopted my child in the United States.	32-46
I have received a Resident Alien Card for my child.	74-85
I have filed an application for U.S. citizenship for my child.	12-22
My child is now a U.S. citizen.	10-20

**Satisfaction With U.S.
Government Services in
the United States**

(a) Did you or your partner contact the following about your adoption?

	Percentage of families who said "yes"
Contact a Member of Congress	28-42
Phone the Department of State in the states	12-22
Visit the Department of State in the states	4-12
Phone INS in the states	65-78
Visit INS in the states	56-70

**Appendix I
Responses to Our Survey of Parents
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(b) How satisfied or dissatisfied were you with the following aspects of service provided by INS in the United States for your adoption: were you very satisfied, generally satisfied, as satisfied as dissatisfied, generally dissatisfied, or very dissatisfied?

	Percentage of families
Accessibility of INS personnel by telephone	
Very/generally satisfied	12-22
As satisfied as dissatisfied	2-8
Generally/very dissatisfied	43-57
Accessibility of INS personnel at their office	
Very/generally satisfied	25-38
As satisfied as dissatisfied	5-13
Generally/very dissatisfied	16-28
Courtesy of INS personnel	
Very/generally satisfied	42-56
As satisfied as dissatisfied	6-14
Generally/very dissatisfied	12-22
Sensitivity of INS personnel to your intercountry adoption	
Very/generally satisfied	38-52
As satisfied as dissatisfied	7-16
Generally/very dissatisfied	13-24
Knowledge INS personnel had about intercountry adoption laws and regulations	
Very/generally satisfied	34-48
As satisfied as dissatisfied	7-16
Generally/very dissatisfied	8-17
Ability of INS personnel to provide accurate information about your case	
Very/generally satisfied	34-48
As satisfied as dissatisfied	4-12
Generally/very dissatisfied	15-26
Timeliness of responses by INS to your inquiries	
Very/generally satisfied	32-46
As satisfied as dissatisfied	7-16
Generally/very dissatisfied	19-32

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(c) Why were you dissatisfied with the accessibility of INS personnel by telephone?

Parents reported that they had problems with the INS automated telephone system.² For example, parents said that recorded messages did not provide useful information; the instructions were unclear; INS did not respond to messages families left on the system; and reaching INS personnel by telephone was time-consuming. Parents also said it was difficult to get beyond the recorded messages and make telephone contact with someone knowledgeable about their adoption case.

(d) Why were you dissatisfied with the accessibility of INS personnel at their office?

Parents reported that they had to wait a long time for service at INS offices and that INS office hours made it difficult to visit.³ Parents also said INS personnel were rude, that they were not knowledgeable about intercountry adoption, and that they were not helpful. Parents also reported difficulty locating or contacting the person responsible for intercountry adoption at INS offices.

(e) How satisfied or dissatisfied were you with the service provided by the State Department in the United States for your adoption?

Because relatively few of the families we interviewed contacted the Department of State, we are not able to make sensible population estimates about specific aspects of the service parents received from the Department, and we are limited to describing the survey results.

Between 25 and 36 of the 39 families in the survey who called or visited the Department of State in the United States are satisfied or neutral about the courtesy of Department personnel, their sensitivity to intercountry adoptions, the timeliness of their responses to family inquiries, and the accessibility of Department personnel by telephone.

²One hundred one respondents who were generally or very dissatisfied with INS telephone accessibility answered this question on the survey.

³Forty-four respondents who were generally or very dissatisfied with access to personnel at an INS office answered this question.

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Smaller numbers of families are satisfied or neutral about the knowledge Department personnel have of intercountry adoption laws and regulations, their ability to provide accurate information about adoption cases, and the accessibility of Department personnel at their offices. About one-quarter of the parents we interviewed who called or visited the State Department in the United States are generally or very dissatisfied with the accessibility of Department personnel.

(f) Consider all of the items just mentioned: accessibility of agency personnel, their courtesy, sensitivity, knowledge, and timeliness. Overall, how satisfied or dissatisfied were you with the quality of federal government services you received (from the State Department and INS) here in the United States during your adoption?

	Percentage of families
Very satisfied	6-15
Generally satisfied	22-35
As satisfied as dissatisfied	13-24
Generally dissatisfied	11-21
Very dissatisfied	4-11

[Figure I.4 depicts these levels of satisfaction.]

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**Difficulties Encountered in
the Intercountry Adoption
Process**

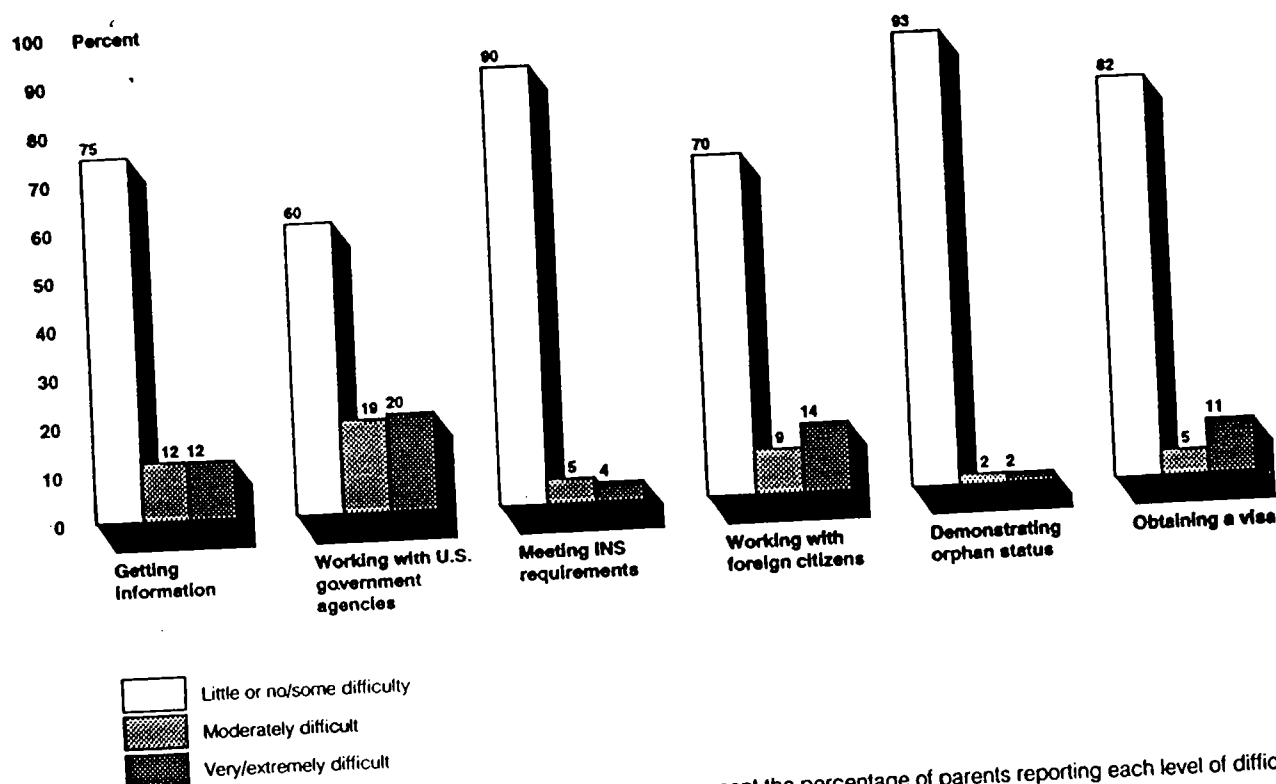
(a) How difficult, if at all, was it for you to complete each of the following steps during your adoption: was it of little or no difficulty, somewhat difficult, moderately, very, or extremely difficult?

	Percentage of families
Getting accurate information about U.S. rules and procedures for intercountry adoption?	
Little or no difficulty/somewhat difficult	69-82
Moderately difficult	8-18
Very/extremely difficult	8-17
Working with U.S. government agencies on your adoption?	
Little or no difficulty/somewhat difficult	53-67
Moderately difficult	14-25
Very/extremely difficult	15-26
Meeting INS requirements for adoptive parents, such as obtaining a favorable home study and clearing the background investigation?	
Little or no difficulty/somewhat difficult	86-95
Moderately difficult	3-9
Very/extremely difficult	2-8
Working with citizens of your child's home country who were involved in your adoption?	
Little or no difficulty/somewhat difficult	63-76
Moderately difficult	6-14
Very/extremely difficult	10-20
Demonstrating to INS that your child was an orphan?	
Little or no difficulty/somewhat difficult	88-96
Moderately difficult	1-5
Very/extremely difficult	1-6
Getting an entry visa for your child?	
Little or no difficulty/somewhat difficult	77-88
Moderately difficult	2-9
Very/extremely difficult	7-16

Figure I.2 illustrates the responses to these questions.

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Figure I.2: Degree of Difficulty Parents Experienced With Various Steps In the Adoption Process



Note: Values represent the percentage of parents reporting each level of difficulty. See appendix text for confidence interval estimates.

(b) Can you briefly describe why the adoption process was difficult?

Parents described a range of problems such as difficulty reaching INS personnel by telephone because of voice mail recordings, difficulty getting comprehensive and accurate information on adoption or on the status of their adoption case, and lost documentation or delays in processing adoption documents. Parents also encountered problems abroad, such as language barriers and requests for bribes from individuals in some countries.

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(c) Now consider all of the items just mentioned such as getting information, working with government agencies, and meeting requirements for adoption. Overall, how difficult, if at all, was your intercountry adoption experience?

	Percentage of families
Little or no difficulty	30-44
Somewhat difficult	22-35
Moderately difficult	14-25
Very difficult	8-17
Extremely difficult	2-8

**Experiences and Views of
Parents Who Traveled to
Adopt Their Child**

(a) Did you or your partner go to your child's home country to facilitate your adoption process?

	Percentage of families
Respondent traveled	13-24
Partner traveled	1- 5
Respondent and partner traveled	45-59
Neither traveled	22-34

(b) About how long did you spend abroad?

Median	4 weeks
Mean	4.7 weeks
Standard deviation	4.8
Range	1/2 to 45 weeks

Note: Figures are based on survey responses of all parents who traveled.

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(c) For which of the following reasons did you travel to your child's home country?

	Percentage of families who said "yes"
To bring your child into the United States?	92-99
To legally adopt your child in its home country?	74-88
Because the host country required you to appear?	69-83
To learn about your child's cultural heritage?	49-65
To see your child before agreeing to adopt?	29-46
To locate your child?	27-43

Note: Estimates are projected to the population of about 6,400 parents who traveled.

(d) Did you or your partner phone or visit the U.S. embassy or consulate about your adoption?

	Percentage of families who said "yes"
Phone the U.S. embassy or consulate	48-61
Visit the U.S. embassy or consulate	92-97

Note: Estimates are projected to the population of all parents who traveled.

(e) How satisfied or dissatisfied were you with the following aspects of service provided by U.S. embassy or consulate staff, including INS personnel, in your child's home country for your adoption?⁴

⁴In (e) and (f) we report results for families who traveled abroad in order to conduct business related to their adoption, about 6,100 of the families in the study. We have excluded families who did not travel and families who traveled only for other purposes (about 300 families), such as escorting a child to the United States, learning about their child's cultural heritage, or seeing a child before agreeing to adopt.

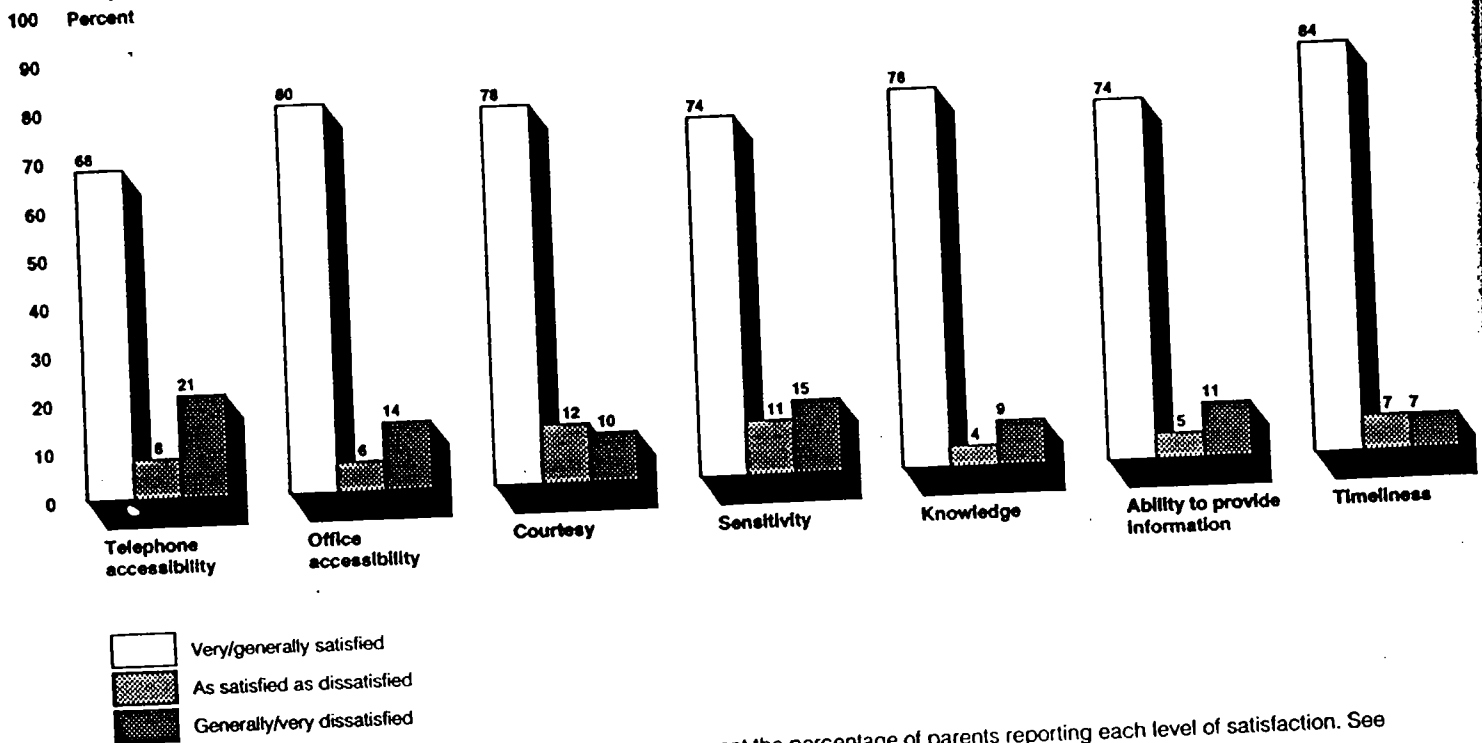
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	Percentage of families
Accessibility of consular personnel by telephone	
Very/generally satisfied	63-77
As satisfied as dissatisfied	4-12
Generally/very dissatisfied	19-25
Accessibility of U.S. government personnel at the consulate	
Very/generally satisfied	70-84
As satisfied as dissatisfied	3-11
Generally/very dissatisfied	9-20
Courtesy of consular personnel	
Very/generally satisfied	67-82
As satisfied as dissatisfied	7-18
Generally/very dissatisfied	6-16
Sensitivity of consular personnel to your intercountry adoption	
Very/generally satisfied	63-79
As satisfied as dissatisfied	6-17
Generally/very dissatisfied	9-21
Knowledge consular personnel had about intercountry adoption laws and regulations	
Very/generally satisfied	68-83
As satisfied as dissatisfied	2-9
Generally/very dissatisfied	5-15
Ability of consular personnel to provide accurate information about your case	
Very/generally satisfied	63-79
As satisfied as dissatisfied	2-10
Generally/very dissatisfied	6-17
Timeliness of responses by the consulate to your inquiries	
Very/generally satisfied	75-88
As satisfied as dissatisfied	3-12
Generally/very dissatisfied	4-13

Figure I.3 illustrates the responses to these questions.

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Figure I.3: Satisfaction With Aspects of Service Provided by the U.S. Government Abroad



Note: Values represent the percentage of parents reporting each level of satisfaction. See appendix text for confidence interval estimates.

(f) Consider all of the items just mentioned: accessibility of agency personnel, their courtesy, sensitivity, knowledge, and timeliness. Overall, how satisfied or dissatisfied were you with the quality of federal government services you received abroad during your adoption?

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	Percentage of families
Very satisfied	33-50
Generally satisfied	25-41
As satisfied as dissatisfied	6-16
Generally dissatisfied	3-12
Very dissatisfied	3-11

[Figure I.4 depicts these levels of satisfaction.]

**Overall Satisfaction With
the Intercountry Adoption
System and Process**

(a) We would like your overall assessment of your entire adoption experience. Consider both the U.S. and foreign requirements for adoption, as well as services you received here and abroad during your adoption. Overall, how satisfied or dissatisfied are you with the intercountry adoption system and process?

	Percentage of families
Very satisfied	22-35
Generally satisfied	35-49
As satisfied as dissatisfied	12-22
Generally dissatisfied	6-14
Very dissatisfied	2-8

[Figure I.4 depicts these levels of satisfaction.]

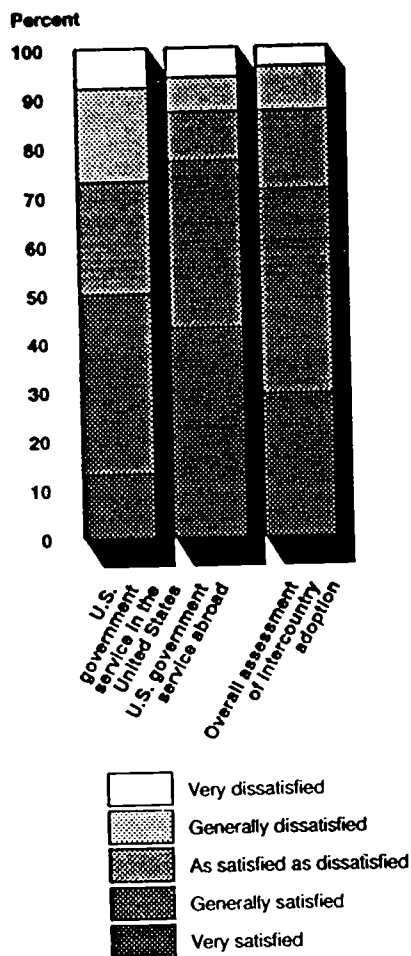
(b) Why are you dissatisfied with the intercountry adoption system?

Parents said they are dissatisfied because of problems they had with U.S. government agencies; because the process is complex, redundant, difficult, and time-consuming; and because they had problems working with their child's home country during the adoption.⁶

⁶Twenty-five respondents who are generally or very dissatisfied with the intercountry adoption system and process answered this question.

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Figure I.4: Comparison of Satisfaction Levels



Note: Values represent the percentage of parents reporting each level of satisfaction. See appendix text for confidence interval estimates.

Responses to Our Survey of Adoption Agencies Providing Intercountry Adoption Services During 1991

This appendix shows the results of our survey of adoption agencies providing intercountry adoption services during 1991. The objectives of the survey were to obtain agency perspectives on (1) the services agencies provide, (2) the quality of service these agencies received from U.S. government personnel they contacted in 1991 on behalf of prospective adoptive parents, and (3) the quality of service families received in their adoption-related dealings with the U.S. government personnel. We surveyed agencies in addition to adoptive families in order to obtain a more comprehensive picture of the efficiency and effectiveness of U.S. government services in the area of foreign adoptions.

Study Methodology

Adoptive families use various sources of assistance to adopt foreign-born children. We mailed our questionnaires in April 1992 to 197 adoption agencies identified by national public service organizations that provide information on foreign adoptions. We analyzed 155 questionnaires representing a response rate of 79 percent. The agencies we studied had substantial contact with the INS, the Department of State, and U.S. consular office staff during 1991.

To reduce the respondents' burden, we asked the agencies to evaluate specific aspects of the service they had received from (1) no more than three INS offices in the United States that they had telephoned or visited during 1991 and (2) U.S. government personnel in seven foreign countries. If the agencies had contacted more than three INS offices, they were to evaluate those they phoned and visited most frequently. We chose the specific seven foreign countries because they were the source countries of about 75 percent of the foreign adoptees immigrating into the United States in fiscal year 1991. Agencies provided written comments assessing their contacts with U.S. government personnel in countries other than the seven we designated. Because agencies do not operate in fiscal years, we asked them to recollect their experiences in calendar year 1991.

We combined agency responses for district INS offices and their associated units (such as suboffices). To provide a more complete picture of U.S. government performance, this appendix provides survey responses on specific INS locations (including suboffices) assessed by nine or more adoption agencies.

Summary ratings from multiple agency evaluations of quality of service for the same INS location or foreign country are the arithmetic averages of all agency ratings for the locations. The degree of consistency of the

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combined ratings for a single location was dependent upon the amount of dispersion of agency ratings. This appendix provides more specific information on the number of agencies endorsing various levels of quality of service (e.g., very or generally satisfied versus generally or very dissatisfied).

Some questions in the survey were preceded by a filter question to screen out agencies from responding to subsequent items. For example, because some agencies had contacted only one INS office during 1991, questions about contacts with other INS offices did not apply. Also, some agencies did not answer all questions applicable to them. Information on the item nonresponse rates is provided throughout this appendix. For some questions agencies could choose more than one response category, so the sum of responses may exceed the number of agency questionnaires we analyzed.

For many questions, respondents chose from five response categories so that their answers would closely reflect their views. However, in reporting responses we collapse categories to convey the overall results.

This appendix provides the exact text for the agency survey questions. Transitional phrases and special instructions to respondents (e.g., reminders of the time period to report on) are not included. A few survey items with high nonresponse rates were not used in our analysis and are not included in this appendix.

Summary of Survey Results

Profile of Adoption Agencies

(1) In what month and year did your agency start providing intercountry adoption services?

Median

Range

Yo

19

1950-19

Note: This question was answered by 147 agencies: 96 started providing intercountry adoption services before 1986; 43, between 1986 and 1990; and 8, after 1990. The remaining eight agencies should have answered but did not.

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(2) Which of the following intercountry adoption services did your agency provide to families in 1991?

	Number of agencies
Conducted home studies	146
Assisted clients with U.S. legal and/or documentary requirements for foreign adoption	145
Provided post-placement services	144
Provided information on intercultural or health issues	142
Contacted U.S. government officials, other individuals, or foreign institutions outside the United States on behalf of parents wanting to adopt	115
Located children for intercountry adoption	94
Provided other service	38

Note: This question was answered by 154 agencies.

(3) About how many families, if any, did your agency staff conduct home studies for in 1991?

	Agency estimates of number of families
Median	30
Range	1-600

Note: Home studies were conducted by 137 agencies. Eleven agencies said they did not conduct home studies in 1991, and seven should have answered but did not.

(4) What is the average number of hours per family your agency staff spent conducting face-to-face interviews for a home study?

	Average number of interview hours
Median	10
Range	3-30

Note: These figures come from 133 agencies' responses; 4 agencies who said they conducted home studies did not answer.

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(5) How many foreign children did your agency place with U.S. families in 1991?

	Number of placements in 1991
Median	21
Mean	42
Standard deviation	63
Range	0-540

Note: Foreign children were placed by 128 agencies. Twenty-three other agencies said they did not place foreign children with U.S. families in 1991; the remaining four agencies should have answered but did not.

(6) How many families to whom your agency provided intercountry adoption services during 1991 dropped out of the process during that year? (Exclude families who only attended orientation or initial consultation sessions.)

	Number of families
Median	2
Mean	4
Standard deviation	6
Range	0-5

Quality of Service Agencies Received From the INS in the United States

(1) During 1991, did your agency phone or visit any INS district offices or suboffices here in the states on behalf of families receiving intercountry adoption services?

	Number of agencies
Yes	1
No	

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(2) During 1991, how many INS offices here in the states did your agency phone or visit? Also, on behalf of how many families did you phone or visit these offices?

(a) Number of INS offices each agency phoned/visited.

Median	1
Range	1-22

(b) Agency estimates of the number of families they phoned/visited offices about.

Median	15
Range	1-300

Note: 133 agencies answered part a, and 1 agency did not; 128 responded to part b, and 6 agencies did not.

(3) Write below the name of the INS office here in the United States that your agency phoned or visited in 1991 on behalf of families you were providing intercountry adoption services for. Also, on behalf of how many families did your agency contact this office?

Agencies could list a maximum of three INS offices to evaluate. If more than three offices were contacted, they were asked to select those they phoned and visited most frequently.

Of the 134 agencies contacting INS locations, 132 evaluated the service they received at 53 district offices or other INS locations in the United States during 1991. Their contacts were made on behalf of at least 3,410 families seeking assistance for intercountry adoptions.

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(4) How satisfied or dissatisfied is your agency with each of the following aspects of service it received from this INS office? (The response scale options were very satisfied, generally satisfied, as satisfied as dissatisfied, generally dissatisfied, very dissatisfied, and cannot say.) If the quality of service at an INS location improved or declined during 1991, agencies answered for the service received after the change occurred. If the service remained about the same or if agencies could not judge whether change had occurred, they based their answers on all contacts made with a location during 1991.)

The following matrix shows agency assessments of specific features of the service agencies received from several INS locations. The assessments in the table summarize agency quality of service ratings for all INS locations, the agency's geographical regions, and specific district office locations. The latter category may include agency ratings of affiliated units such as suboffices. Data for specific INS locations are listed if nine or more agencies evaluated the location. We listed Milwaukee, a suboffice of Chicago, separately because nine agencies rated it.

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INS location	Accessibility of personnel by telephone	Accessibility of personnel at their office	Courtesy of personnel	Sensitivity of personnel to intercountry adoption	Knowledge personnel had about intercountry adoption laws and regulations	Ability of personnel to provide accurate information about the status of a case
All INS locations	AS ●	AS ●	GS ●	AS ○	GS ○	AS ○
Northern Region	AS ●	AS ●	AS ○	AS ○	GS ○	AS ○
Chicago	VS □	VS □	VS □	VS □	VS □	VS □
Milwaukee	GD ○	GD ○	GD ○	GD ○	AS □	AS ○
Southern Region	GD ●	AS ●	AS ●	AS ●	AS ○	AS ○
Western Region	AS ●	AS ●	GS ●	AS ●	AS ○	AS ●
San Francisco	AS ●	AS ●	AS ●	AS ●	AS ●	AS ●
Eastern Region	AS ●	AS ○	GS ○	GS ○	GS ○	AS ○
Baltimore	GS ○	GS ●	GS ○	GS ●	AS ○	GS ●
Boston	GS ●	AS ○	GS ●	AS ●	GS ○	GS ○
Buffalo	AS ●	GD ■	GS ○	GS ○	GS ○	GS ○
Newark	AS ○	AS ○	AS ○	AS ○	GS ○	AS ○
New York	AS ●	GD ●	GS ○	GS ○	AS ○	AS ○
Philadelphia	AS ○	AS ○	GS ○	GS ○	GS ○	GS ○
Washington, D.C.	GD ●	AS ●	GS ○	AS ●	AS ●	AS ●

VS = Very satisfied
GS = Generally satisfied
AS = As satisfied as dissatisfied
GD = Generally dissatisfied
VD = Very dissatisfied

□ Very consistent
○ Consistent
● Mixed
■ Very mixed

Letters designate the arithmetic average of all agency ratings for a location. Symbols designate the amount of dispersion of agency ratings around the average. The total number of agencies assessing specific features of any given INS location is given in the next matrix. Within a location, the number responding to each feature varies because respondents chose the "cannot say" option or did not rate each of the features of service we asked about. Two agencies said they contacted certain INS locations but did not provide any ratings on the quality of service they had received.

We recorded the number of agency ratings at each satisfaction level by region and selected INS locations. We condensed the five levels of satisfaction that agencies could choose from to three: very and generally satisfied were combined and became "S"; as satisfied as dissatisfied stayed the same, "AS"; and generally and very dissatisfied were combined and became "D".

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INS location	Accessibility of personnel by telephone			Accessibility of personnel at their office			Courtesy of personnel			Sensitivity of personnel to intercountry adoption			Knowledge personnel had about intercountry adoption laws and regulations			Ability of personnel to provide accurate information about the status of a case		
	S	AS	D	S	AS	D	S	AS	D	S	AS	D	S	AS	D	S	AS	D
All INS locations	99	24	89	38	12	37	129	33	48	114	38	54	114	49	36	107	49	44
Northern Region	24	6	25	12	6	12	28	11	17	25	14	14	30	14	8	26	15	11
Chicago	9	0	0	2	0	0	9	0	0	8	0	0	7	0	0	8	0	0
Milwaukee	2	1	6	1	1	4	1	4	4	1	4	4	5	3	1	2	3	0
Southern Region	8	1	15	4	0	4	12	4	9	10	5	10	10	7	5	12	5	1
Western Region	21	5	11	9	2	5	24	3	10	20	6	11	20	7	9	18	9	11
San Francisco	13	3	7	4	0	3	16	0	7	13	3	7	12	3	7	12	4	1
Eastern Region	46	12	38	13	4	16	65	15	12	59	13	19	54	21	14	51	20	11
Baltimore	7	2	2	1	1	0	8	2	1	7	0	3	4	4	2	6	2	1
Boston	10	2	3	2	0	1	10	2	3	8	1	5	8	3	2	11	1	1
Buffalo	6	1	7	1	0	2	8	3	1	8	3	1	8	3	1	7	4	1
Newark	2	5	5	2	2	3	6	3	3	7	1	4	9	2	1	4	3	1
New York	7	0	6	2	0	4	11	0	2	11	0	2	6	4	2	5	6	1
Philadelphia	9	2	5	3	1	2	13	2	1	11	4	1	12	3	1	10	4	1
Washington, D.C.	3	0	9	1	0	3	7	3	0	5	4	2	4	2	5	5	0	1

(5) Overall, how would you rate the quality of service your agency received from this INS office? The response scale options were adequate, generally adequate, marginally adequate, generally inadequate, and very inadequate. Overall judgments were based on the same period of time used to assess a location's specific features of service.

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INS location	Overall assessment of quality of service	Estimated number of families agencies made contacts for
All INS locations	Generally adequate ○	3,410
Northern Region	Marginally adequate ○	1,225
Chicago	Very adequate □	123
Milwaukee	Marginally adequate ○	74
Southern Region	Marginally adequate ○	379
Western Region	Marginally adequate ○	559
San Francisco	Marginally adequate ●	305
Eastern Region	Generally adequate ○	1,247
Baltimore	Generally adequate ○	86
Boston	Generally adequate ●	435
Buffalo	Marginally adequate ○	125
Newark	Marginally adequate ○	239
New York	Generally adequate ○	102
Philadelphia	Generally adequate □	143
Washington, D.C.	Marginally adequate ●	91

- Very consistent
○ Consistent
● Mixed
■ Very mixed

Note: The agencies were to record their judgements about the quality of service they received, after considering each of the specific features of service they had previously rated and the number of families they had contacted these locations about. The number of families is an underestimate. A few agencies did not estimate the number of families they made contacts for. The quality-of-service rating is the arithmetic average of all agency ratings for a location. Symbols designate the amount of dispersion of agency ratings around the average.

The following matrix elaborates on the previous one by listing the number of agencies that endorsed each quality-of-service rating for the INS' regions and selected locations.

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INS location	Very/generally adequate	Marginally adequate	Generally/very inadequate
All INS locations	125	49	41
Northern Region	30	15	10
Chicago	9	0	0
Milwaukee	2	4	3
Southern Region	13	6	8
Western Region	20	8	9
San Francisco	13	3	7
Eastern Region	62	20	14
Baltimore	7	3	1
Boston	10	3	2
Buffalo	8	2	4
Newark	8	2	2
New York	9	3	1
Philadelphia	13	3	0
Washington, D.C.	4	4	4

**The Quality of Service
Agencies Received From
U.S. Consular and INS
Staff in Seven Countries**

(1) In which of the following countries did your agency (or foreign representatives of your agency) phone or visit INS or U.S. consular office staff during 1991? Also, on behalf of how many families did your agency make contacts in each of the seven countries?

Country	Number of agencies contacting country	Estimated number of families agencies made contacts for
Colombia	17	162
Guatemala	24	150
India	21	203
Korea	19	817
Peru	38	233
Philippines	22	225
Romania	37	467
Total		2,257

Note: A total of 80 agencies provided one or more quality-of-service ratings. Some agencies did not estimate the number of families they had made contacts for.

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The following matrix shows assessments from the agencies of specific features of the service they received during 1991 from U.S. government personnel in the seven countries we asked agencies to rate. The question text was "How satisfied or dissatisfied is your agency with each of the following aspects of service you received when you phoned or visited INS or U.S. consular office staff in [country] during 1991?"

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Country	Accessibility of personnel by telephone	Accessiblilty of personnel at their office	Courtesy of personnel	Sensitivity of personnel to intercountry adoption	Knowledge personnel had about intercountry adoption laws and regulations	Ability of personnel to provide accurate information about the status of a case
Colombia	GS ○	GS ○	GS ●	GS ●	GS ●	GS ○
Guatemala	GS ○	GS ○	AS ○	AS ○	GS ○	AS ○
India	GS ○	AS ○	GS ○	AS ●	AS ●	GS ●
Korea	GS □	GS ○	GS ○	GS ○	GS ○	GS ○
Peru	AS ○	AS ○	AS ●	AS ○	AS ○	AS ○
Philippines	GD ○	GD ○	AS ○	AS ○	AS ○	AS ●
Romania	AS ○	AS ○	AS ○	AS ○	AS ○	AS ○

VS = Very satisfied
 GS = Generally satisfied
 AS = As satisfied as dissatisfied
 GD = Generally dissatisfied
 VD = Very dissatisfied

□ Very consistent
 ○ Consistent
 ● Mixed
 ■ Very mixed

Letters designate the arithmetic average of all agency ratings for a location. Symbols designate the amount of dispersion of agency ratings around the average. The total number of agencies assessing any given INS location can vary because respondents chose the "cannot say" option, or they did not respond.

The following matrix records the number of agency ratings given at each assessment level for the service received from the INS or U.S. consular office staff in the seven countries.

Appendix II
Responses to Our Survey of Adoption
Agencies Providing Intercountry Adoption
Services During 1991

Country	Accessibility of personnel by telephone			Accessibility of personnel at their office			Courtesy of personnel			Sensitivity of personnel to intercountry adoption			Knowledge personnel had about intercountry adoption laws and regulations			Ability of personnel to provide accurate information about the status of a case		
	S	AS	D	S	AS	D	S	AS	D	S	AS	D	S	AS	D	S	AS	D
Colombia	12	2	1	10	1	2	12	1	2	11	1	3	9	4	2	10	1	3
Guatemala	16	4	1	15	2	3	11	6	4	11	5	5	13	3	5	11	6	4
India	10	5	2	9	3	5	11	5	2	9	4	4	8	4	4	11	3	2
Korea	13	1	0	11	4	1	12	3	1	13	2	1	14	1	1	13	2	1
Peru	13	5	12	11	5	12	12	4	15	10	7	15	12	10	9	10	8	11
Philippines	5	3	11	2	5	8	6	4	8	5	5	8	6	6	4	6	2	10
Romania	18	7	9	18	8	10	13	8	14	12	6	17	14	7	12	15	4	13

We condensed the five levels of satisfaction that agencies could choose from to three: very and generally satisfied were combined and became "S"; as satisfied as dissatisfied stayed the same, "AS"; and generally and very dissatisfied were combined and became "D."

The Quality of Service
Agencies Received From
J.S. Consular and INS
Staff in Other Countries

(1) What other countries did your agency (or foreign representatives of your agency) phone or visit, and on behalf of about how many families?

Seventy-one agencies reported on a total of 32 countries other than the 7 we have mentioned so far. We report information on Chile, El Salvador, Honduras, and Paraguay because many adoption agencies provided comments about the service they received from INS or U.S. consular office staff in these countries.

Country	Number of agencies	Estimated number of families agencies made contacts for
Chile	17	176
El Salvador	12	60
Honduras	18	102
Paraguay	17	93

**Appendix II
Responses to Our Survey of Adoption
Agencies Providing Intercountry Adoption
Services During 1991**

(2) Please describe below the quality of service your agency received in these countries. (Consider accessibility of personnel, their courtesy, sensitivity, and knowledge.)

The quality of service was higher in Chile and Honduras than in the other countries. In Chile, each of the 17 adoption agencies described the service they received as satisfactory, either in terms of overall service quality, or in terms of specific features of service (such as courtesy and sensitivity of staff). All but two of the 18 agencies contacting personnel in Honduras had only positive comments about the intercountry adoption service in that country. Twelve of the 17 agencies contacting personnel in Paraguay said the quality of service was satisfactory; the other five agencies had negative or mixed evaluations of the service. The service was more uneven in El Salvador, with some agencies noting that staff were helpful, courteous, and knowledgeable about intercountry adoption requirements and others noting problems with timeliness, courteousness, or other areas.

**Agencies' Assessment of
the Service That U.S.
Government Personnel
Provided Families Involved
in Adoption Procedures**

In the following questions, agencies were asked to provide their professional opinion about how U.S. government personnel dealt with families involved in various intercountry adoption procedures.

I. Efficiency of Procedures

(1) During 1991, in your view, how efficiently or inefficiently did U.S. government agencies carry out the following intercountry adoption procedures? (Consider length of processing and administrative and procedural competency.)

**Appendix II
Responses to Our Survey of Adoption
Agencies Providing Intercountry Adoption
Services During 1991**

option procedure	Percentage of agencies			
	Very/generally efficiently	As efficiently as inefficiently	Generally/very inefficiently	Cannot say
eligibility of parents:				
processing/approval of fingerprints	40	18	36	6
processing/approval of other supporting documents for parents' eligibility	60	19	14	7
notification to parents of approval of eligibility	58	19	16	7
notification to consular office of approval of parent eligibility	50	22	11	18
transfer of INS approval of parents' eligibility from one foreign country to another	35	10	24	32
eligibility of Children:				
consular office processing/approval of child's Orphan status	51	20	13	15
other:				
notification to parents that documents are missing or that there is a problem with documents	36	20	33	12

Note: Percentages may not total 100 due to rounding. The item nonresponse rates ranged from 1 to 5 percent.

II. Quality of Service to Families Abroad

(2) In your agency's view, to what extent, if at all, did INS and U.S. consular office staff abroad achieve the following levels of service to families pursuing intercountry adoptions in 1991?

Appendix II
Responses to Our Survey of Adoption
Agencies Providing Intercountry Adoption
Services During 1991

Service	Percentage of agencies			
	Very great/great extent	Moderate extent	Some/little/no extent	Cannot say
Conducted the determination of a child's orphan status/ immigration eligibility with appropriate tact and sensitivity	26	21	26	28
Provided the prospective adoptive parent(s) with helpful service, advice and support	21	19	37	23
Showed adequate knowledge of intercountry adoption laws and procedures	37	20	18	25
Interpreted and administered U.S. intercountry adoption policies and procedures consistently	31	16	28	26

Note: Percentages may not total 100 due to rounding. The item nonresponse rates ranged from 6 to 8 percent.

Comments From the Department of State

Note: GAO comments supplementing those in the report text appear at the end of this appendix.



United States Department of State

Washington, D.C. 20520

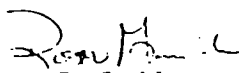
JAN 14 1993

Dear Mr. Conahan:

Thank you for the opportunity to comment on your draft report, "INTERCOUNTRY ADOPTIONS: Procedures Are Reasonable But Sometimes Inefficiently Administered" (GAO Job Code 472264). Comments are enclosed.

If you have any questions on this issue, please call George C. Lannon, CA/VO/F, on 663-1160.

Sincerely,


Roger R. Gamble
Associate Comptroller
for Management Policy

Enclosure:
As stated.

Mr. Frank C. Conahan,
Assistant Comptroller General,
National Security and International Affairs,
U.S. General Accounting Office,
441 G Street, N.W.,
Washington, D. C. 20548

Appendix III
Comments From the Department of State

**GAO Draft Report: "INTERCOUNTRY ADOPTIONS
Procedures Are Reasonable But Sometimes Inefficiently
Administered," GAO Job Code 472264**

CA Comments

Overall CA is pleased with the GAO draft report. The report concluded that INS and State Department procedures are necessary, reasonable and sufficiently flexible. Although the report focused on the dissatisfaction some people expressed with the process, the survey clearly showed that the overwhelming majority (87% of the respondents) were satisfied with the Department of State's handling of their adoption cases.

There was one error in the draft report. On page 18, the report indicated Embassies and Consulates provide translation services. Consular offices do not do this. They may, however, be able to provide the names of competent translators.

As to the GAO's specific recommendations:

-- The GAO recommended that "the Secretary of State direct the Assistant Secretary of State for Consular Affairs to develop and implement programs for improving the overseas consular office staffs' responsiveness and courtesy in serving the needs of U.S. adoptive parents abroad, and develop and implement a system to ensure that satisfactory service is provided."

While most of those surveyed by the GAO indicated they were, for the most part, pleased with the service rendered by consular staffs, CA believes the level of service can always be improved. During the past year, there have been a series of messages to the field from the Assistant Secretary for Consular Affairs stressing the need for quick, courteous and responsive service to U.S. citizens. The Bureau holds regular overseas and domestic management seminars with consular officers representing each regional bureau. A regular focus of these seminars is the discussion of ways to improve service to Americans, including those seeking to adopt abroad. To ensure that satisfactory service is rendered, the Bureau of Consular Affairs' Visa Services Directorate and Overseas Citizens Services Directorate have assigned officers to follow adoption matters. Additionally, an Adoptions Committee, with representatives from all elements of the Bureau of Consular Affairs, other offices within the Department of State and INS, was formed about a year ago to monitor the issue. This committee meets regularly to discuss problem areas and recommend solutions.

See comment 1.

Appendix III
Comments From the Department of State

- 2 -

-- The GAO recommended that "the Secretary of State direct the Assistant Secretary for Consular Affairs to instruct consular offices to rely on information in approval notification cables from INS to begin processing visa applications and scheduling parent interviews, rather than require the original petition and supporting documents be produced for visual inspection, unless the cable presents information that on its face would call into question the validity of the approval."

It is already within the consular officer's discretion to do this. It should be noted, however, that cable approvals often arrive with incomplete information, such as the petitioner's local contact, which makes it difficult to start processing a case. Regardless, CA will send a message to consular officers reminding them they should accept cable approvals and not wait for the original petition, if there is no reason to question the validity of the approval and the information in the cable is complete.

Finally, a note on the report's section on Romanian adoptions. The sentence on page 68 that begins "However, some INS and Consular officials..." seems to us gratuitous since in spite of extensive investigations by both the Department of State and INS fraud was not found. In fact, all of the children involved received either immigrant visas or humanitarian parole. This sentence should be deleted from the report.

See comment 2.

Appendix III
Comments From the Department of State

The following are GAO's comments on the Department of State's letter dated January 14, 1993.

GAO Comments

1. The indication that Embassies and Consulates provide translation services has been deleted from the report.
2. We did not delete the sentence in question from the report because it is what responsible officials we interviewed told us; however, we noted the Department's response that fraud was not found in spite of extensive follow-up investigations by State and INS, and that all of the children involved received either immigrant visas or humanitarian parole.

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