

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Re: Adoption Meeting Participants (partial, DOB, SSN) (1 page)	00/00/0000	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Diana Fortuna
OA/Box Number: 12021

FOLDER TITLE:

Adoption

2018-0525-S

ry2237

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

8/5/98

DIANA FORTUNA, DOMESTIC POLICY COUNCIL

BOX 1

WELFARE FILES

ADOPTION
ADOPTION TAX CREDIT
AG RESEARCH BILL SIGNING (FOOD STAMPS FOR LEGAL IMMIGRANTS)
ARIZONA PRIVITIZATION
ASSET LIMITS
CEA REPORT
CHARITABLE CHOICE
CHILD SUPPORT -DEADBEAT PARENTS BILL (FELONY TO CROSS STATE LINES)
CHILD SUPPORT-HOLD HARMLESS
CHILD SUPPORT INCENTIVES
CHILDREN'S SSI REGULATION 1
CHILDREN'S SSI REGULATION 2
CHILDREN'S SII REGULATION 3
CHILD SUPPORT ENFORCEMENT FINANCING
COLLEGE
COMM. COLLEGES/WELFARE
CONTINGENCY FUND
COST ALLOCATION
DC WAIVER
DEEMING-SSI
DRUG ADDICTS & ALCOHOLICS CUTOFF- SSI
DRUG TESTING
EBT
EMERGENCY ASSISTANCE
FAMILY FORMATION IN HPB
FLORIDA PRIVATIZATION
FLSA
FLSA 2
FLSA/LABOR 4
FOOD STAMP PROPOSALS (RECONCILIATION & MURRAY AMENDMENT)
FOOD STAMP RESTORATION
FOOD STAMP WAIVERS

ENCLOSURES FILED OVERSIZE ATTACHMENTS

9 boxes filed 8/10/98 on

12021

NANA 9402

415.948.3696
Packard
Foundation
Future of C
Ad - Spr 93

Adoption Meeting Participants
September 29, 1995
Washington, DC

Allen, Marylee: 202/628-8787 Fax: 202/662-3550
Children's Defense Fund. Adoption and child protection specialist.

Cole, Elizabeth: 215/598-0414
Private Consultant, Philadelphia, PA. (Considered "wise woman" of special needs adoption.

Cox, Susan Soon-Keum: 503/687-2202 Fax: 503/683-6175
Director of Development Holt International Children's Services, Eugene, OR. Adult adoptee from Korea

Cross, Terry: 503/222-4044 Fax: 503/222-4007
Director, National Indian Child Welfare, Portland, OR

Fails, Connie: 501/663-6883 Fax: 501/660-7159
Little Rock, AR. Adoptive parent.

Freivalds, Susan: 612/535-4829 Fax: 612/535-7808
Executive Director, Adoptive Families of America, Minneapolis, MN., U.S. Delegate to the Hague Convention for the Protection of Children. Adoptive parent.

Howze, Karen: 202/291-2290 Fax: 202/291-3130
Attorney, Washington D.C., Journalist, former editor of USA TODAY, African American, nationally recognized presenter on issues of race and ethnicity and adoption. Single adoptive parent.

Kroll, Joe: 612/644-3036 Fax: 612/644-9848
Executive Director, North American Council on Adoptable Children, Minneapolis, MN. A leading expert regarding issues of domestic waiting children. Adoptive parent.

Miskowski, Jim: 201/445-4600 Fax: 201/612-0715
Attorney, Ridgewood, NJ, specializing in complex contested adoption litigation. Member, Board of Trustees American Academy of Adoption Attorneys. Adoptive parent.

Rosewater, Ann: 202/401-5180 Fax: 202/205-3848
Deputy Assistant Secretary for Policy and External Affairs, Health and Human Services, Washington, D.C.

Withdrawal/Redaction Marker

Clinton Library

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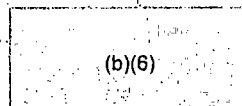
(Page 2--Adoption Meeting Participants)

Salter, Shane: 202/884-4864 Fax: 202/884-2966
Washington, D.C. Adult adoptee who lived in foster care
system through high school.

Sullivan, Ann: 202/638-2952 Fax: 202/638-4004
Adoption Manager at the Child Welfare League, Washington,
D.C.

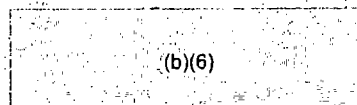
Williams, Carol: 202/205-8618 Fax: 202/260-9345
Associate Commissioner for the Children's Bureau, Health and
Human Services, Washington, D.C.

Judge Richard Fitzgerald
600 W. Jefferson St
Louisville, KY 40202



BD

[000]



502-595-4993
502-895-4983

DC - 3435 R. St. NW
21338-3259

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

12-Feb-1996 08:19pm

TO: Carol H. Rasco

FROM: Diana M. Fortuna
Domestic Policy Council

CC: Jeremy D. Benami
Elizabeth E. Drye

SUBJECT: Adoption

In preparation for our meeting on my issues tomorrow, I wanted to give you an outline of the adoption issue. (We have been planning to do a brainstorming session on this with you, Carol, pending your availability; I think this would be a good idea.)

I have met a few times with Carol Williams of HHS/ACF and Deb Both of the First Lady's Office to discuss this. Here is the beginning of a draft strategy. I'd be interested in your advice/input.

The problem has different facets, so it must be attacked in different ways.

1. To address the shortage of families to act as foster care/adoptive parents, we could put together a group of prominent organizations, including the ABA, AMA, church groups, media, etc. to challenge them to identify what actions they could take to recruit families. HHS has talked about calling this a "Network of Champions." Mrs. Clinton would presumably play a role in such an effort.

2. Improving the state-based system of foster care is difficult. Many state systems are in crisis. However, seeking more mandates or restrictions on states would also be problematic.

For example, one idea that is now popular is "concurrent planning", which means trying to place a child with a foster family that has the potential to be an adoptive family, while you are still working with the birth parents to determine if the child can be returned to them. While this is clearly a good idea, mandating the states to do it wouldn't go over well.

An alternative is to engage in a more collaborative process with the states. Carol Williams is now putting together a strategic plan that would move the system more toward measuring outcomes, setting goals, and sharing best practices.

She now has a small group of 30 interested parties, including a few states, involved in this, and expects to be done in May or June. Then she would expect to talk to all the states.

3. The courts play a significant role in the delays in the current system, but they are hard to approach in a policy sense. However, ACF has a "court improvement project" now underway that looks promising. It gives small grants to each state's court system to engage in a self-examination about how well they currently handle adoptions, and they could improve their track records. Deb Both and I are going to learn more about this.

Anyway, this is the beginning of a strategy, drawn largely from where HHS is already heading -- which I think makes sense. (Carol Williams seems pretty solid to me.)



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
Office of the Assistant Secretary, Suite 600
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

September 26, 1995

MEMORANDUM TO THE FIRST LADY

SUBJECT: Adoption

For thousands of children in the United States, adoption is the key to a permanent, loving family and the security necessary for healthy development. It is also a vehicle to enrich the lives of significant numbers of adults by enabling them to become parents.

By choosing adoption as the focus of one of your earliest syndicated news columns you have already heightened public interest and begun to tap the opportunity which your leadership in this area can provide. You are uniquely positioned to elevate the visibility and legitimacy of adoption, to lead the Nation toward a resolution of some of the barriers impeding adoptions, and, simultaneously, to navigate a pathway that can bring together groups that identify adoption as a goal for highly divergent reasons.

This memo lays out several key themes and tensions in the world of adoption, profiles children and families in the system, identifies pressing barriers, and reviews the policy and political context in which adoption currently operates. Also presented are preliminary ideas for your leadership role which should be guided by an unswerving focus on the welfare of children. This is a critical time to present to the American public a realistic assessment of the adoption system; a realistic understanding that adoption is good for some children and parents and not for others; and some concrete strategies for how they can make a difference. At your initiative and under your leadership, a highly visible "Campaign for Safe and Caring Families for All Children" can focus on three principal areas: improving recruitment, removing barriers to adoption and preparing for parenting. Such a campaign can seek to balance the goals of families who want to adopt and the needs of children for whom permanent families are so important.

Themes and Tensions

Adoption is a highly emotional subject for potential adoptive parents, birth parents, waiting and adopted children, communities (especially communities of color) and professionals who

The First Lady -- Page 2

work in this field. Finding loving homes for children -- and finding children for adoption-seeking families -- involves threading through complex legal, ethical, cultural, economic, and psychological terrain.

Public aspirations for adoption are often inconsistent with reality. In thinking about adoption, people envision adults who endure years of waiting for a child to become available. They struggle to reconcile this waiting with the fact that there are so many children in foster care; so many abused and neglected; so many living in poverty; so many waiting for adoption; and so many pregnancies ending in abortion. And, they conclude that adoption could not only meet the needs of childless parents, but that it could solve the problems of poverty, foster care and abortion as well. In reality, this conclusion is not entirely consistent with what we know about poverty and parenting, with the reality of the child welfare system and with the characteristics of parents and children awaiting adoption.

Our knowledge about family life provides excellent evidence that poverty in and of itself does not lead to poor parenting, such that adoption cannot rightfully be considered a panacea for child poverty.

Further, best practice in the field tells us of the importance of promoting and preserving birth families where possible. It is also the reality that about 60% of the children in foster care will return home to their birth parents or a relative -- reflecting the principal goal of the system: [to provide a temporary safe haven while parents get their lives back on track] So while there is little doubt that the foster care system is severely strained in many areas of the country, solutions lie in enhanced prevention, family support and increased resources, as well as in moving more foster children into adoptive homes.

How do we know?

Finally, an important, yet often neglected fact about adoption is that many of the potential parents are searching for a healthy (usually white) infant. Yet most of the children in the U.S awaiting and/or available for adoption do not fall within this category: only a small percentage of the children available for adoption from foster care are infants (4%) while 80 percent are between the ages of 5 and 12; two thirds of the children have emotional, physical or developmental needs, and about half of the children are minority.

These are some of many tensions in the arena of adoption. The challenge is to identify the full range of tensions in the system, work through where it is possible to resolve these tensions, and construct a series of steps that will make it more likely that those wanting to become adoptive families will be prepared for and will be supported in adopting the children desperately needing adoptive placements. Action in this area must be mindful of the realities of the foster care system, true to the principle of meeting the best interests of each child, and must provide as many opportunities as possible for prospective parents.

What Do We Know About Children and Families in the Adoption System?

27,441
C adopted
39% - foster care
31% - private agency
19% - stepparent or relative
13% - private agency
13% - private agency
13% - private agency

In 1992, an estimated 127,441 children were adopted in the United States¹. Of these children, 37% (47,012) were adopted outside the auspices of a public or private agency; 31% (39,362) were adopted by a stepparent or relative. Nineteen percent (24,336) were adoptions of children from the foster care system; and private agency adoptions accounted for 13% (16,731)². It has also been estimated that 6,536 adoptions in 1992 were foreign born children adopted by U.S. families³. The number of foreign adoptions fluctuates as a result of immediate needs or restrictions in particular countries but remains only a small fraction of adoptions in the U.S.

Private agency and independent adoptions are most likely to involve infants and relatively affluent parents. Adoptions from the public child welfare system generally involve older children with special needs, many of minority heritage; and adopting parents in the public system are more likely to have fewer resources and come from diverse backgrounds.

There is increasing recognition that adoption is a lifelong process full of the complexities of loss, attachment and bonding in each phase of the life-cycle. It is not surprising then that not all adoptions are successful. As in other areas of adoption, national data are very limited, but studies suggest that disrupted adoptions are least likely to occur in families that adopt infants. Among adoptions of children with special needs, disrupted adoptions are more likely. It is important to note that a disrupted adoption does not necessarily mean that the child cannot be adopted, but that the match between the child and the family, or the supports necessary for the family post-adoption, were inadequate for any number of reasons. A number of federally-funded programs have had considerable success in helping States to remove barriers to adoption placements.

Children Who Wait

Most children in the foster care system return home, usually within one year. The children who wait -- those who could be adopted but are not yet -- are primarily those children whose

¹Consistent data across the states are not available, however in every instance we have used the best available data source. These data are from the National Conference on State Courts Adoptions Technical Assistance Project, 1994.

²Children placed under private adoptions are voluntarily relinquished by their parents, receive no federal resources and are domestic and international. Private adoptions generally cater to those parents seeking infants.

³ Data are from US Immigration and Naturalization Service, 1994 and are not necessarily related to figures cited under footnote 1.

parents have been unable or unwilling to resolve the issues that precipitated placement. Of the 608,000 children who were served by the foster care system during 1990,⁴ slightly more than 10% (69,000) had a goal of adoption, meaning they could not return home without jeopardizing their health, safety and development. Among them, only 20,000 were legally free and immediately available for adoption.

Most foster children awaiting adoption are considered "children with special needs." Children defined as "special needs" are older (not infants), of minority heritage⁵, part of a sibling group or have physical, intellectual or emotional disabilities. The most recent data, though preliminary, suggest that the proportion of legally free children who have special needs is increasing.

Older school age children make up a large percentage of children who are legally free and awaiting adoption, with a median age of 7 years old. Thirty-six percent were between 1 and 5 years of age; 43% were between 6 and 12 years of age; and 17% were over 12 years of age. Only 4% were infants (1 year and under). Preliminary data from APWA suggest that among children who are legally free for adoption, the proportion under age five declined from 35% to 31% between 1990 and 1993.

Two-thirds of the children in the special needs category have conditions involving medical problems, developmental delays and/or behavioral/psychological problems.

Waiting children come from a range of racial and cultural backgrounds. Fifty percent of the waiting children are of minority heritage (43% are African-American, 7% Hispanic); 44% are white. The proportion of legally free children of minority background has increased since 1990.

Future Trends

The number of children entering the child welfare system is increasing. Older children and children with special needs will still represent the majority of children waiting adoption. While there is expected to be an increase in the number of young children entering into care, it is most likely that a significant proportion of these children will be medically fragile infants who have been exposed to drugs or who have a positive HIV status. The Orphan Foundation has indicated that by the year 2000, 75,000 to 125,000 children and youth will be orphaned

⁴Data are from the American Public Welfare Association. Foster care entrances: 245,000; exits: 202,000; number served: 608,000.

⁵Children of ethnic heritage are over-represented among the children in care who are seeking permanency and require special attention; therefore they are included among children with special needs.

to AIDS. While many of these children will remain with their extended families, others will need permanent families.

Who Adopts Children and Who Relinquishes Children for Adoption?

People who adopt healthy white infants in the private sector are more likely to be couples who are financially able to pay private agency fees and costs associated with travel and/or delivery. Because of the competition for these children, some families seek international and privately arranged placements to meet their needs.

Children adopted through the public child welfare system are more likely to be adopted by couples and single parents who are older, of minority status and more modest means than those adopting infants. More than 47% of these children are adopted by their foster parents. Many of these adoptive parents have raised birth children and have had experience with a range of developmental challenges. Many special needs adoptions are also supported by publicly funded adoption subsidies.

The number of women who voluntarily relinquish their children for adoption is low. In the past, relinquishment was primarily a decision made by more highly educated and economically secure women; most children relinquished are born outside marriage. But the trend is increasingly for unmarried mothers, regardless of income or race, to raise their children.

To increase the pool of children available for adoption, some have focused on making termination of parental rights easier by approaches such as reducing statutory time frames and limiting the rights of parents. Some reforms of the system are obviously called for, such as those aimed at expediting court processes. But proposals to limit parents' rights pose a number of ethical questions: Are birth parents -- some of whom are teenage girls -- being provided adequate information and counseling to provide informed consent? Are parents being pressured to give up their children so that other families can have children to adopt? Is anyone profiting from these transactions? It also suggests the need to strengthen parents' access to family support and prenatal counseling so that prospective parents can more fully explore their options.

Barriers to Adoption

The multiple barriers to adoption demonstrate the need for systemic improvements. As discussed earlier, barriers to adoption in the private market involve the lack of healthy white infants (the most sought after by potential adoptive parents). In addition, several highly publicized adoption cases involving contested adoptions or adoptions that never were finalized has instilled, in some, a fear of negotiating the emotional, let alone the arduous and costly legal course required to complete an adoption.

Some of the most significant barriers in the public child welfare system (which also can affect the private market) -- poor quality of service to birth parents; the impact of scarce resources on system efficiency; inadequate post-legal adoption services and legal support; and transracial adoption and deficiencies in the recruitment of adoptive parents -- are highlighted below.

Services to Parents of Children in Placement

Unfortunately, many parents are unable to resolve the issues which necessitated the placement of their children in foster care. However, termination of parental rights is often delayed, because parents receive poor quality services during the foster care placement period. When a child is removed from the home due to abuse or neglect, it is the State child welfare agency's responsibility to try to reunite the family while maintaining the safety of the child and other family members as a paramount concern. If adequate services are not available to the parent (e.g., substance abuse counseling and treatment) the agency's ability to work with that parent and ultimately its determination regarding reunification or adoption can be compromised, further delaying the identification of children for whom adoption is appropriate. Tensions between public agencies and the courts, including inadequate preparation of cases for court and the failure of courts to complete promptly the process of legal termination of parental rights, further adds to the delay. These difficulties are due in part to a lack of sufficient staff resources to handle the increasing volume of children in care as well as the increasingly complex needs of the children. To address this barrier, HHS has supported demonstration models on the termination of parental rights and documented them in a recent volume entitled, "Children Can't Wait: Reducing Delays for Children in Foster Care." Continued efforts to improve services and decision-making in this system are essential.

Scarce Resources and Crisis Focus

Adoption cases often lose out in the competition for scarce resources within the public child welfare system. Administrators and the courts tend to give higher priority to the rising number of urgent child protection cases over adoption. Children in placement are seen as at least being safe, even if they are not in permanent homes. Other difficulties include inadequate staff training in family preservation, case planning, decision making and court processes.

Carol W, Deb B

Out of pocket costs
physicals
1/25/96

→ Networks of Champions - AMA, NMA, ABA, etc, church
- newsp, media

Target comms

- 3 day conf - 30 people, some

→ Str Plan - outline of perf-based plan

- adopt spec's -

Goal: Move systems toward outcomes

- goals, how to measure, flex to states

Late spring - done (M-J?)

Then talk to states

(States don't use all IV-E they could for A)

Fixing those systems - key

→ Court improvement - Fam Pres Act - \$75,000 each, + up; 4 yr prog

→ Concurrent Plg - while wkg w/ birth par, place w/ pot. adopt fam.

Ch Well research + trg - only flex r+d

→ Refundable Tax Benefit - Dave Thomas - bipartisan
- we took no pos - old res - not just SN

McCain - redefine tribal status - troubling

- Post-adoption, partic abused/neglected - crises happen

She will think re legislation?

IV-E to include p-a?

To correct A (p/a per
To impr s-based
fc so's
(ex of conc plg)
To impr cts -
tax?

- 1 nat'l conf, then reg

- Freddie Mac \$

- Sharm Rothman

- spt from ABA

- statut. set aside

Post-Adoption Services

Another barrier is the inadequacy or absence of post-legal⁶ adoption services needed to support the adoptive placement. Agencies have been successful in placing children who have serious medical problems and on-going social service needs. But the absence of support services in many states to assist families after an adoption can cause great hardship for the children and parents, and sometimes results in the dissolution of adoptions.

Recognizing the importance of post-legal adoption services for adoptive families, Congress appropriated additional funding for demonstration projects in 1989. In the past five years, 90 federally supported efforts have developed and in some instances nationally disseminated post-legal adoption service models. More work needs to be done to help states institutionalize post-legal adoption services.

Transracial Adoption and Deficiencies in the Recruitment of Adoptive Parents

There is evidence that adoptive placements have been delayed or denied as agencies have made a priority of seeking families with backgrounds similar to the children needing permanent homes. This approach emerged from a strongly-held view -- backed by experience and evidence -- that adoption in and of itself is a very difficult process and that stress may be reduced significantly by narrowing the differences between the child and the family.

The enactment of the Multiethnic Placement Act in 1994 (see below for more detail) was spurred by this situation. During the law's development and since its enactment, MEPA has become a flashpoint for differing opinions about the role of race in adoption policy and practice. The Department's guidance for implementation of MEPA requires, according to the law, that only under very limited circumstances, and only in the context of individualized decisionmaking, can states consider race as one of a number of factors (and never the single determining factor) in foster and adoption placement decisions. On the other hand, some have felt that race should never be an allowable consideration, and have proposed the replacement of the current law with a more prohibitive one. In some respects, the debate over this aspect of MEPA has obscured the fact that the principal barrier to adoptions in this country may not just be race-based decisionmaking by agencies, but the lack of families interested in adopting the great majority of special needs children needing permanent homes.

A lack of consistent outreach and recruitment activities, poor recruitment techniques, and inadequate placement resources for minority children are continuing problems in the child

⁶Post-legal refers to the period after an adoption has been legalized by the action of a court.

welfare system. It is estimated that half of the 69,000 children in foster care who have a case plan goal of adoption are minority children. Yet, communities of color have remained largely unaware of the scope and severity of the need because of sporadic recruitment. As a result, many parents who may be good candidates are not asked or helped to consider their ability to parent a special needs child.

Communities of color have a longstanding, intense skepticism about adoption practices. Most adoption services prior to the 1960s were developed by private, sectarian institutions designed primarily to serve their own constituencies. Given the fairly recent inclusion of communities of color in adoption services, the focus on transracial adoption communicates a perception that these communities cannot take care of their own children. At the same time, however, many recognized the need to weigh the extra adjustments of coping with an interracial adoption against the developmental and other losses which result from a child's lengthy waiting time in foster care. It is essential to marry heightened attention to and efforts to make transracial adoptions more possible with assuring continued access to adoption services by families of color.

29 a 1
new placement
in foster care
for reunification
with family
In 1989, prior to MEPA, Congress expanded the Adoption Opportunities program to support new strategies for recruiting minority families. Over 2,400 placements for minority children from 1991 through 1993 have been generated as a result. Among the most successful -- and replicated -- models are: Homes for Black Children; One Church, One Child in Black and Hispanic communities; One Corporation, One Kid; and Friends of Black Children. The experience of agencies specializing in the placement of minority children shows clearly that families of color adopt in significant numbers when recruitment is adequate and barriers are removed.

Adoption in the Current Policy and Political Context

Federal Role

While states establish law and policy that govern adoption practice, in 1980, as a significant spur to reform the child welfare system, Congress enacted the Adoption Assistance and Child Welfare Act (P.L. 96-272). In addition to providing incentives for timely and appropriate decision making and permanency for foster children, the law established federal subsidies to promote the adoption of hard-to-adopt children in foster care who are unable to return to their birth family. As a result, under Title IV-E of the Social Security Act, the Federal government provides a one time payment for the non-recurring cost of adoption of a special needs child from the foster care system, and guarantees a monthly subsidy to these adoptive families to assist with the additional costs of caring for a child with special needs. Title IV-E also provides States funding to assist with the administrative costs of child placement, i.e. for the recruitment and development of adoptive families.

Legislation to provide additional help through the tax system for some adoptive parents is currently pending in Congress. An "adoption tax credit" would provide a one-time, \$5,000, non-refundable credit to help cover up-front adoption expenses such as legal fees and home studies. The adoption tax credit is a provision in the Senate-passed welfare reform bill and was also passed by the House in HR1215, the Family Reinforcement Act.

Federal funds are also available through the discretionary Adoption Opportunities program (\$13 million in FY '95; both the House and Senate propose slight cuts for this program in FY '96) which supports nationally significant and innovative practices to facilitate special needs adoption. In addition to the recruitment initiatives noted above, the federally supported National Adoption Exchange links prospective adoptive families and waiting children, and the Interstate Compact for Adoption and Medical Assistance enables placements across the country. The Court Improvement Program, established by law in FY 1994, is designed to improve judicial decision making in child welfare including a focus on termination of parental rights.

Multi-Ethnic Placement Act

In October 1994, President Clinton signed into law the most recent initiative to address barriers to adoption: the Multi-Ethnic Placement Act (P.L. 103-382, Part E). MEPA is designed to increase the number of children who are adopted by preventing discrimination in the placement of children on the basis of race, color or national origin and facilitating the diligent recruitment of foster and adoptive parents. The key provisions of MEPA:

- 1) prohibit states or public and private foster care and adoption agencies that receive federal funds from delaying or denying the placement of any child solely on the basis of race, color or national origin of the child or prospective foster or adoptive parent (Sec 553(a)(1));
- 2) permit an agency to consider both a child's cultural, racial and ethnic background and the capacity of the foster or adoptive parents to meet the needs of a child of a specific background, as one of a number of factors used in determining whether a placement is in the child's best interests. This factor must, however, be applied on an individualized basis, not by general rules (Sec 553(a)(2)); and
- 3) require agencies to provide for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the state for whom foster and adoptive homes are needed (Sec 554).

HHS has worked closely with states to assist them in achieving timely compliance with MEPA compliance. As a result, all but three (which need statutory changes enacted by their state legislatures) will be in compliance by the October 21, 1994 deadline established in the law. The next and perhaps more critical phase is to ensure that practice (recruitment of families, training for caseworkers, etc.) follows policy and results in increased adoptions.

Welfare Reform and Child Protection

The Senate's welfare reform legislation maintains the guarantee of federal assistance for abused and neglected children who need foster care, and for children needing adoption. The House-passed welfare reform measure includes a Child Protection Block Grant which repeals and rolls into lump-sum grants to the states a range of key programs affecting abused and neglected, foster and adopted children.

The House proposal would reduce funding available to the states by 10% and place special needs children at increased risk of longer waits for adoption by eliminating the incentives for special needs adoptions as well as the guarantee of assistance to states and adoptive parents. The proposal eliminates specific federal funds for the recruitment and training of new adoptive families as well as resources which have been targeted to meet the ongoing special needs of adoptive parents and the post-adoption services that help special needs adoptions succeed. Adoption subsidies would no longer be an entitlement to the child. While States would be required to honor existing subsidy agreements with adoptive parents, future support to adopted children with special needs could end, slowing new adoptions and leaving more children in foster care limbo. Finally, by funneling all the resources directly to the states, the block grant would end national innovation in adoption. Children would no longer benefit from federally funded innovative state and local programs or national resources such as the National Adoption Exchange and the National Adoption Clearinghouse which provides information about adoption to the public.

Commission on Child and Family Welfare

In October 1992, Congress created a Commission on Child and Family Welfare. Following the completion of Presidential and Congressional appointments, in January 1994 the Commission convened and selected child custody and visitation as the focus of its efforts. While the Commission's forthcoming recommendations (expected November, 1995) will not focus specifically on adoption, they are likely to bear on the handling of termination of parental rights and adoptions by family courts, and how communities support and interact with families seeking to adopt. when?

Opportunities for Improving Adoption Outcomes: A Leadership Campaign

There are a number of challenges and opportunities for you related to adoption. What follows is a preliminary set of ideas that would best be fleshed out through a series of meetings with experts and representatives of different constituencies. Meetings of this sort can serve the dual functions of better developing the strategies and demonstrating your interest and intention to lead on this issue.

These meetings could culminate in your launching a sustained, multifaceted campaign under the banner: "Safe and Caring Families for All Children." A primary element of this campaign -- guided by the principle that every child's well-being is paramount -- would be to present to the public a realistic portrait of who the children are who need families, how the adoption system works, and how to generate more loving permanent homes for children.

Through the use of media, White House events, site visits with adoptive families, foster children, placement agencies, teen pregnancy prevention and parenting programs, among others, you can promote, celebrate and legitimize adoption, reduce its stigma, value all families, shine a light on waiting children, and support the dedicated work of professionals who work with birth parents, adoptive parents and adoptees. National and local voluntary and service organizations, religious and professional associations, corporate and small businesses as well as the nonprofit sector offer potential arenas for high leverage change-focused activities. Communities of every income, race, and geography could be connected into such a campaign.

To extend your reach and build bridges across the diverse and sometimes divergent constituencies interested in adoption, you could establish and chair a "Network of Champions for Adoptable Children." This network would include a broad-based leadership cadre from across the country, and represent diverse sectors and communities, to promote permanency for waiting children.

Activities of the Campaign and the Network can be focused on three primary areas: recruitment, removing barriers to adoption, and preparing for parenting.

(1) **RECRUITMENT** -- Initiatives to increase public knowledge of and interest in adopting special needs children who wait in the public child welfare system. Examples include campaigns to develop new families; partnerships with the legal and professional communities to support adoption; and participation in and expansion of regular efforts by TV and other media efforts to profile waiting children.

(2) **ADDRESSING BARRIERS IN THE ADOPTION SYSTEM** -- Initiatives to focus greater attention and training on the people who have responsibility for decisionmaking with birth parents about ways to resolve their difficulties or take the very significant step of terminating parental rights. These are often the least experienced workers in the public child welfare system.

(3) **PREPARING FOR PARENTING** -- Initiatives to expand opportunities for pregnant women and prospective parents to evaluate their readiness for parenting and decision making through counseling and family support services. This focus especially has the potential to reach pregnant teenagers and young parents.

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TP

Any campaign of this sort will need to be informed by and sensitive to one of the major challenges of the decade: creating in this society a greater understanding of the role of race in community life. Adoption is one arena in which the racial chasm is quite wide and in which race is a little-discussed yet major force. Part of the challenge in achieving placement for these children is understanding the dynamics of race, depolarizing it and shaping it in new ways that can build bridges. The two tiered adoption market is shaped by race and neither the private and informal market nor the public child welfare market is exempt from needing to overcome its stereotypes in order to achieve an openness to promoting adoptions which are in the best interests of children and families.

These proposals are designed to be thought-provoking and stimulate further dialogue and development. I and my HHS and Administration for Children and Families' colleagues would be pleased to assist you in this important effort.

A handwritten signature in cursive script, appearing to read "Ann Rosewater".

Ann Rosewater

Deputy Assistant Secretary for Children and Families
Department of Health and Human Services

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

16-Feb-1996 10:16am

TO: Diana M. Fortuna

FROM: Bruce N. Reed
 Domestic Policy Council

SUBJECT: RE: Adoption

Thanks -- that sounds like a good start. We should also look at options that parents might understand. Tax credits might be too ambitious, but we should at least consider stuff like that.

THE WHITE HOUSE

WASHINGTON

Commission -
Kathy Sylvestre

Fam Pres / Spt

Common grd - small p²

Date 10/17

Call Judge Fitzgerald

court reform

MEMO FROM DEBORAH BOTH

TBA / weekly mtg PP

TO: Diane FORTUNA

HRCC - strategy

P - policy

work tag

(Pres Council)

The attached is for your:

FC: DB only 20,000
avail for A.

Information

Unlikely to be IV-E

Advice

Carol W no -
gd on adoption

Action

* Talk to her first

COMMENTS:

I look forward to talking
with you.

Change from neglect/missing child
Adoption for 21c
Bipartisan caucus on Adopt.

Problem

Mepa - Haggling w/ Min.

- non-discrim.

~~dis~~ - reconstr. - rep. states

- to develop agg. rec. plan

from comms. many come from

- balance non-disc

Attrition of F Parents → supply

Incr Demand

Dec re return vs A reqs service

- Service prereq for invol. termin.

- don't ask for vol. relinq.

Few reqs - IVE rules w/ revision - not hi priority

Do policy interps - reams

→ PDE? vs. bureaucracy.

Myths: - Junk babies

- sn & d's → but need outreach

Use adoption ref to also push f.c. probs.

If we do time wty, # kids

Launch next mo nat'l strategic plan

To Govs - 6-9 mps goals

(Adoption Tax Credit; Adoption Assistance stable 10,000)

Wants PDE attention

Border babies → group homes 6-8 babies

FC dec easy if services provided

Model adoption legislation - may be wrong app.
she can look at it

Concurrent plg - try to put kids w/ fc par who'll adopt

Million Man March - NABSW - incr recruitment
Protect IVE + Adopt Assist.

Older kids how to enc placem't

* Series of compelling conversations JK-100 like