New Math

The Senate's recast filibuster rule forces the minority to seek new battlefields. Expect logjams in committees and delays for legislation. P. 94
A Treaty’s Orphans
Adoption advocates nudge U.S. on 2008 pact

There are good reasons that the number of foreign children adopted by U.S. parents has steadily declined in recent years, from 22,991 in fiscal 2004 to 8,668 in 2012. Countries are doing more to keep families together and to encourage their own citizens to adopt. But advocates for adoption say another reason is that the State Department is barring adoptions from too many countries, on the grounds that their adoption systems are not sufficiently protective of children.

Last month, nine groups that belong to the Children in Families Working Group wrote to Secretary of State John Kerry to ask him to explain better why State has blocked adoptions from 13 countries that have indicated their seriousness about improving their adoption systems by joining a U.N. treaty on adoption. The United States joined the treaty, which sets forth best practices for protecting children, in 2008. It has since used it as a guidepost for determining which countries to partner with in offering adoptions to U.S. parents.

The State Department “will go to these developing countries and use the treaty rules as a checklist, but then there’s no corresponding effort to help the country develop those things,” says Kathleen Strottman, executive director of the Congressional Coalition on Adoption Institute, a group that advises members of Congress interested in promoting adoption. The State Department’s visa processing section, the Bureau of Consular Affairs, oversees its adoption work; Strottman says it is ill-suited to help countries improve their oversight of abandoned children.

Adoption advocates want Kerry to establish an open process for determining whether countries are meeting the U.N. standards as well as one for re-evaluating adoption systems in countries that have made improvements.

In a statement, the State Department said it was working diligently on the issue: The department “has not wavered from its commitment and responsibility to work with our intercountry adoption partners to achieve the highest standards of ethical practice and transparency.” Of the 13 countries cited by Strottman, State says six don’t comply with the U.N. treaty: Cape Verde, Fiji, Guatemala, Montenegro, Vietnam and Cambodia. It says four others are in the process of meeting the U.N. standards but aren’t there yet: Kazakhstan, Rwanda, Senegal and Swaziland. It’s not clear what’s blocked from Greece, Ireland and Macedonia. A decade ago, U.S. parents adopted more than 4,000 children from those 13 countries.

The State Department argues that ultimately the onus is on the other nations to meet the standards. If they don’t, the department can bar adoptions by denying visas to the children so they can’t be brought to the United States.

Strottman acknowledges that the problems that concern State are serious. In 2008, for example, adoptions from Vietnam to the United States were halted after U.S. Embassy officials alleged that some children were taken without their parents’ consent. But Strottman says that shuttering the program resulted in many more Vietnamese children being raised in orphanages.

The advocates, which include the American Academy of Adoption Attorneys and the National Council for Adoption, are asking Congress to intervene. In September, Democratic Sen. Mary L. Landrieu of Louisiana introduced the Children in Families First Act at the groups’ behest. It would establish a new bureau at State to help countries improve their adoption programs, while transferring many of the paperwork duties to the Homeland Security Department. Republican Kay Granger of Texas has a companion bill in the House.

Both bills have bipartisan support, but both have run up against concerns that it would be better to overhaul existing practices than create new government offices. There’s also some grass-roots opposition to the measures from human rights activists who contend that more child abductions could result if adoptions are allowed from countries that don’t have sufficient controls on their orphanages.

— Shawn Zeller