



**Report to Congress on
Departmental Efforts on Pending PRC Adoptions
Section 7019(e) of the Department of State, Foreign Operations, and
Related Programs Appropriations Act, 2024 (Div. F, P.L. 118-47) and Senate
Report 118-71**

The People's Republic of China (PRC) limited international travel in March 2020 and suspended intercountry adoptions in October 2020. Since then, the Department has actively engaged, both bilaterally and multilaterally, to urge the PRC to resume intercountry adoptions in process since the onset of the COVID-19 pandemic. These efforts ranged from high-level meetings with the PRC officials to discuss all adoptions to working-level discussions about the processing of specific cases.

The China Center for Children's Welfare and Adoption (CCCWA) resumed processing intercountry adoption cases with prior travel authorizations in April 2023. Although the processing pace had been slow, 40 cases with prior travel authorizations are completed. The Department is only aware of families with prior travel authorizations when they schedule a visa appointment at the U.S. Consulate in Guangzhou.

However, approximately 180 cases with Hague Convention Article 5 approval remain. At this stage the prospective adoptive parents were matched with a child, accepted the match, and a U.S. consular officer reviewed the case and notified the PRC government that the child appears to be "eligible to enter and permanently reside" in the United States following the completion of the adoption. Such cases still need a travel authorization letter from the PRC confirming that the family can travel to China to finalize the adoption in the child's local province. After the family

finalizes the adoption in the province and receives an adoption decree from the PRC, the family may schedule a visa appointment at the U.S. Consulate to complete the adoption and receive an Article 23 Convention Certificate. More than 100 cases in earlier case processing stages remain.

Our office is in regular contact with adoptive families and has conducted regular phone calls with the families and Adoption Service Providers (ASP). Most of the remaining adoptive parents repeatedly have told us that they do not intend to withdraw their applications until they are told by the PRC government that they can no longer adopt.

Most children who are subject to these cases in process have special healthcare needs and require extra developmental care. These children deserve the opportunity to join loving, permanent families who will take care of their complex needs. The waiting families, who have gone through background checks and have been found suitable to adopt, have committed to ensuring these children receive the counseling and medical care they need to thrive.

Below is a list of some of the engagements between the Department and the Government of the PRC. The list of engagements is not inclusive of higher-level and other working-level meetings:

FY 2021

- In January 2021, the Special Advisor for Children's Issues, Michelle Bernier-Toth, met with the PRC Central Authority on Intercountry Adoptions, the Ministry of Civil Affairs' (MCA) Director General Guo, where she pressed for clarity on the suspension on adoptions from the PRC. Director General Guo said the decision to lift the suspension on intercountry adoption processing depended on progress by the international community to control and reduce the severity of the COVID pandemic. The MCA did not respond to subsequent requests for meetings.

FY 2022

- In August 2022, in a meeting with Xu Xueyuan, the Deputy Chief of Mission at the PRC Embassy in Washington, D.C., Deputy Assistant Secretary (DAS) for Overseas Citizens Services Angela Kerwin urged the PRC to complete cases in progress. The PRC government maintained its COVID-related suspension on intercountry adoption processing throughout the fiscal year.

FY 2023

During FY 2023, the Office of Children's Issues (CI) encouraged the CCCWA to process some cases initiated prior to March 2020. As the office responsible for the day-to-day work of the U.S. Central Authority under the Hague Adoption Convention (Convention), CI promotes the principles under the Convention, communicates with partner countries, and provides prospective adoptive parents with information on intercountry adoptions.

In FY 2023, U.S. Consulate Guangzhou issued 16 adoption visas to cases that had received authorization to travel prior to the COVID closure and had again been authorized by the CCCWA to continue their cases. These were the first intercountry adoptions between the PRC and the United States in two years. The Department engaged with the Government of the PRC on adoption in multiple ways: 1) The U.S. Ambassador to China sent a letter to the PRC MCA requesting a meeting to discuss intercountry adoptions, 2) the Special Advisor for Children's Issues met with PRC Embassy officials to stress the humanitarian importance of intercountry adoption and to call for an end to the COVID-19-related suspension of adoption, and 3) CI discussed joint efforts with European counterparts on engaging with the PRC about the importance of resuming pending adoption cases.

- In February 2023 DAS Kerwin met with the PRC Embassy's Consul General Zhu Di to request a resumption of pending adoption cases and

clarity on the program. The PRC government maintained its COVID-related suspension on intercountry adoption processing.

- In March 2023, Special Advisor Bernier-Toth brought up pending adoption cases in a meeting with Consular Attaché Liu Zhan.
- In May 2023, the U.S. Embassy in Beijing and Consulate General Guangzhou consulted with representatives from Italy, Spain, and the Netherlands. CI consulted with European counterparts during April's Intercountry Adoption Network (ICAN) meeting in the Hague. In both consultations, partners discussed how to engage with the PRC.
- In July 2023, DAS Kerwin met with the PRC Embassy's Deputy Chief of Mission and addressed intercountry adoptions and the need to establish clear and transparent communications between the Central Authorities of our two countries.

During FY 2023, the Department repeatedly requested a meeting with the PRC Central Authority. Following CI's original request via a letter from Special Advisor Bernier-Toth, U.S. Consulate General Guangzhou requested a meeting with MCA Director General Guo. The letter was sent in March and the U.S. Ambassador to China, Nicholas Burns, followed up on the request in April. The Department continued to request a meeting throughout FY 2023, but the Ministry of Civil Affairs stated that they were in the middle of assessing pending adoption cases and would confirm a meeting after their assessment was complete.

FY 2024

- In FY 2024, Consulate Guangzhou issued 24 adoption certificates to the remaining cases that had received the authorization to travel before the COVID closure of adoptions.
- In January 2024, DAS Kerwin met with the PRC Embassy's DCM to press for the continuation of pending adoption cases. The PRC Embassy stated they would pass the Department's message and request to the MCA.

- The Office of Children's Issues also collaborated with the National Council for Adoption (NCFA) in delivering an NCFA letter requesting a resumption on pending adoptions to the PRC Central Authority.
- In April 2024, DAS Kerwin traveled to Beijing and met with the PRC MCA Director General Guo Yuqiang to urge the continuation of pending adoption cases. Director General Guo responded that they were conducting a comprehensive evaluation of the adoption situation in the PRC. Director General Guo declined to provide a time frame for communicating the MCA's plans to resume processing of pending adoption cases. DAS Kerwin also met with the Ministry of Foreign Affairs (Wu Demin) while in Beijing to press for expedited processing of adoption cases.

The Department is committed to maintaining intercountry adoption as a viable option for children when it is in their best interests and continues to press the People's Republic of China for the continuation of all pending adoption cases.