

118TH CONGRESS
1ST SESSION

H. RES. 915

Urging the Government of Ukraine to review and modify its decision to suspend adoption by foreign nationals with a view to resuming such adoptions, particularly in cases where the mutual concerns of the Governments of Ukraine and of the United States can be substantially addressed.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2023

Mr. SMITH of New Jersey (for himself and Mr. NORCROSS) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Urging the Government of Ukraine to review and modify its decision to suspend adoption by foreign nationals with a view to resuming such adoptions, particularly in cases where the mutual concerns of the Governments of Ukraine and of the United States can be substantially addressed.

Whereas adoption, including the adoption of child nationals of one country by adult nationals from another country, can be a profoundly beneficial way to unite children in need of parents with families that are eager and able to open their hearts and homes to children, providing the benefit of a permanent family to children who are or-

phaned or whose biological parents are otherwise unable to care for them;

Whereas adoptions require government safeguards to insure that they promote the best interest of the child and in order to prevent the abduction, sale, exploitation, or trafficking of children;

Whereas the Government of Ukraine has not acceded to the Hague Convention on Intercountry Adoption, and the circumstances of Russia's unprovoked war against Ukraine render its accession currently difficult;

Whereas, since at least 1992, the Government of Ukraine has facilitated the adoption of Ukrainian children by United States citizens through its domestic law and process, and in the ensuing decades both Ukraine and the United States demonstrated that they shared the concern to protect and ensure the best interests of the child;

Whereas, as a direct result of the Russian Federation's unprovoked invasion of Ukraine in February 2022, the Government of Ukraine temporarily suspended any adoption proceedings and protocols for the placement or adoption of its children with foreign nationals, on March 13, 2022;

Whereas the Government of Ukraine had very significant reasons to suspend intercountry adoption in March 2022, including that it was faced with the urgent and temporary displacement of Ukrainian children, including those who had been previously placed in institutional settings and orphanages, and the impossibility or extraordinary difficulty of conducting official business to protect and ensure the best interests of the child while under the shock of invasion and occupation of Ukrainian territory;

Whereas the Government of Ukraine has substantially restored its ability to conduct official business, including resuming the process of adoptions by Ukrainian nationals since May 31, 2022; and

Whereas the Government of Ukraine has not lifted its suspension of the processing of adoptions by foreign nationals, including United States citizens, nor has it identified a time-frame or protocol for doing so: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) urges the Government of Ukraine to review
3 and modify its decision to suspend adoptions and
4 preadoptive placements of Ukrainian children by
5 United States citizens, and to actually and in good
6 faith resume such adoptions in cases where the mu-
7 tual concerns of the Government of the United
8 States and of Ukraine to protect and ensure the best
9 interests of the child can be substantially addressed;

10 (2) recommends as particularly urgent cases in
11 which prospective adoptive United States parents
12 have already complied with the requirements under
13 Ukrainian domestic law for the adoption of Ukrain-
14 ian children and that process has confirmed the le-
15 gitimacy of the adoptability of these children, and
16 cases in which the prospective adoptive United
17 States parents have completed the process set forth
18 under domestic Ukrainian law and have had their

1 dossiers vetted and approved by the Ukrainian Gov-
2 ernment before the suspension of the adoptions by
3 foreign nations on March 13, 2022;

4 (3) recommends that in those cases in which
5 Ukrainian children had already participated in
6 “hosting” programs facilitated by the Government of
7 Ukraine and placed with individual families within
8 the United States prior to the suspension of adop-
9 tions by foreign nationals, that regarding those chil-
10 dren which have already been determined by the
11 Ukrainian Government to be legally adoptable, the
12 United States parents be permitted to initiate the
13 process for adoption and be permitted to receive the
14 preadoptive placement of such children during the
15 Ukrainian domestic adoption process; and

16 (4) recommends that in those cases in which
17 Ukrainian children had already participated in
18 “hosting” programs facilitated by the Government of
19 Ukraine and placed with individual families within
20 the United States prior to the suspension of adop-
21 tions by foreign nationals, that regarding those chil-
22 dren whose status regarding legal adoptability re-
23 mains uncertain at this time, the United States par-
24 ents be permitted to make application to receive
25 such children in preadoptive placements until the

1 Ukrainian Government either establishes their
2 adoptability or locates or identifies their biological
3 parents.

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