



August 2021

# MILITARY FAMILIES

## Additional DOD Actions Could Better Support Military Foster and Adoptive Families

Accessible Version



A Century of Non-Partisan Fact-Based Work

# GAO@100 Highlights

Highlights of [GAO-21-438](#), a report to congressional committees

## Why GAO Did This Study

Active-duty servicemembers in the U.S. military may expand their family by fostering or adopting a child from the foster care system, or through a private adoption. A U.S. House of Representatives Committee report accompanying the National Defense Authorization Act for Fiscal Year 2020 included a provision for GAO to examine these families.

This report examines (1) the number and characteristics of military foster and adoptive servicemembers, (2) what foster- and adoption-related supports federal, and selected state and local agencies provide to military families and families' use of supports, and (3) challenges these families face. GAO reviewed relevant federal laws, regulations, and guidance and analyzed data on active-duty servicemembers. GAO conducted virtual visits with officials at a nongeneralizable group of four military installations, and with officials at state and local agencies involved in foster care and adoption in four states, selected for a high number of active-duty members and varying installation sizes and geographic locations. GAO held virtual discussion groups with 29 military foster and adoptive families. GAO also interviewed officials from DOD, HHS, and national organizations.

## What GAO Recommends

GAO is making three recommendations to DOD: to centralize information on available supports, revise guidance on enrolling a foster child in its benefits system, and promote awareness of guidance on enrolling foster and pre-adoptive children. DOD generally agreed with the recommendations.

View [GAO-21-438](#). For more information, contact Kathryn A. Larin at (202) 512-7215 or [larink@gao.gov](mailto:larink@gao.gov).

August 2021

## MILITARY FAMILIES

### Additional DOD Actions Could Better Support Military Foster and Adoptive Families

## What GAO Found

National data from the Department of Defense (DOD) between 2016 and 2020 suggest that very few military families—2,174—fostered or sought to adopt relative to the total active-duty servicemember population, which was 1.3 million in 2019. The distribution of servicemembers by service branch who fostered or sought to adopt was generally similar to the distribution of the overall servicemember population, with more Army servicemembers fostering or seeking to adopt. These servicemembers were also deployed at a similar rate as the overall active-duty servicemember population. Officers fostered or sought to adopt children at over three times the rate of enlisted servicemembers.

DOD, the Department of Health and Human Services (HHS), and selected state and local agencies provide some targeted supports to assist military families who foster or adopt, such as adoption-related leave (see figure). Other DOD supports, such as non-medical counseling and Children and Youth programs, are available to all military families, including foster and adoptive families. However, military and child welfare officials and families GAO interviewed reported limited awareness of available military supports, which are spread across multiple programs and offices. Absent efforts to centralize and promote available supports, DOD may be missing an opportunity to meet the needs of foster and adoptive families.

#### Targeted and Other Supports Available to Military Foster and Adoptive Families

Targeted Supports			Other Supports Available through Military Programs and Offices
DOD	HHS	State and Local	
Adoption-related reimbursement and leave	Military- and adoption-specific publications	Selected state and local assistance and information	Military and Family Support Centers, Military and Family Life Counseling Program, Children and Youth programs, New Parent Support Program, Exceptional Family Member Program
Adoption and foster care consultation			legal assistance offices, chaplain offices

Source: GAO review of Department of Defense (DOD) and Department of Health and Human Services (HHS) documents. | GAO-21-438

#### Text of Targeted and Other Supports Available to Military Foster and Adoptive Families

##### Targeted Supports

- **DOD**
  - Adoption-related reimbursement and leave
  - Adoption and foster care consultation
- **HHS**
  - Military- and adoption-specific publications
- **State and Local**
  - Selected state and local assistance and information

- **Other Supports Available through Military Programs and Offices**
  - Military and Family Support Centers, Military and Family Life Counseling Program, Children and Youth programs, New Parent Support Program, Exceptional Family Member Program legal assistance offices, chaplain offices

Source: GAO review of Department of Defense (DOD) and Department of Health and Human Services (HHS) documents. | GAO-21-438

Almost all military families GAO interviewed reported frequent moves, deployments, or enrollment in DOD's benefits system as challenges to fostering and adopting. Many families said moves or deployments resulted in delays or interruptions in the foster or adoption process, which child welfare officials GAO interviewed said they were sometimes able to mitigate, such as by expediting the adoption process or allowing a deployed parent to complete required training virtually. In addition, 12 of the 29 families GAO interviewed reported challenges enrolling their foster or pre-adoptive child in the DOD system that allows the child to obtain certain military benefits and services, which they said caused delays or prevented many families from accessing such services. DOD issued guidance on enrolling children in its system, but we found key parts of the guidance related to enrolling foster children to be inconsistent with DOD regulations. In addition, most DOD officials GAO spoke with at selected installations who are responsible for enrollments said they have little experience enrolling either foster or pre-adoptive children. Until DOD revises the guidance on enrolling foster children to ensure consistency with regulations and promotes awareness of eligibility and documentation requirements for enrolling both foster and pre-adoptive children in DOD's benefits system, foster and adoptive families may continue to face challenges obtaining services for which they are eligible.

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**Abbreviations**

AFCARS	Adoption and Foster Care Analysis and Reporting System
AFI	Air Force Instruction
DEERS	Defense Enrollment Eligibility Reporting System
DMDC	Defense Manpower Data Center
DOD	Department of Defense
HHS	Department of Health and Human Services
ICPC	Interstate Compact on the Placement of Children
PCS	permanent change of station

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August 19, 2021

### Congressional Committees

Approximately 1.3 million active-duty servicemembers are in the U.S. military and some choose to expand their family through fostering or adopting a child while stationed at a U.S. military installation.<sup>1</sup> Individuals, including servicemembers, may become foster parents or adopt a child from the foster care system, or through a private adoption agency or attorney. While the Department of Health and Human Services (HHS) administers programs that support foster care and adoptions of children from foster care, the Department of Defense (DOD) supports servicemembers and their families' needs through a variety of readiness and quality-of-life programs. Military families may face additional challenges when adopting or fostering due in part to their frequent relocations within and outside of the U.S. In March 2019, DOD issued a report that identified challenges servicemembers may face during the adoption or fostering process related to deployments and transfers and changes to schedules, assignments, and deployments, among others.<sup>2</sup>

The U.S. House of Representatives Committee on Armed Services report accompanying the National Defense Authorization Act for Fiscal Year 2020 included a provision for GAO to examine the number of military foster and adoptive families, challenges these families face, support services available to them, and actions federal agencies can take to better prepare and support these families.<sup>3</sup> This report examines (1) what is known about the number and characteristics of military foster and adoptive servicemembers; (2) what foster- and adoption-related supports federal and selected state and local agencies provide that are specific to

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<sup>1</sup>This number is based on Department of Defense data on active-duty servicemembers in the Army, Navy, Marine Corps, and Air Force as of October 2020.

<sup>2</sup>Department of Defense, Office of the Under Secretary of Defense, *Report on Foster and Adoptive Military Families*, (Mar. 11, 2019). Active-duty servicemembers are subject to frequent relocations as a result of permanent change of station (PCS) orders as well as deployment orders. PCS orders enable the service branches to move personnel to assignments at new locations, and support a wide range of national security requirements and institutional needs. Deployments allow the service branches to move forces from their original locations to specific areas to conduct operations.

<sup>3</sup>H. R. Rep. 116-120, pt. 1, at 128 (2019).

military families and families' use of these supports; and (3) challenges that military foster and adoptive families face.

We relied on several methodologies to inform our objectives. At the federal level, we reviewed relevant federal laws, regulations, guidance, and program documents, and interviewed officials from DOD's headquarters and program offices under the service branches (Army, Navy, Marine Corps, and Air Force) and HHS's Children's Bureau, an office of the Administration for Children and Families. To examine what is known about the number of military foster and adoptive families, we analyzed DOD data for the time period covering 2016 through 2020, including data on enrollments of eligible foster children and children in the process of being adopted (pre-adoptive) by servicemembers from the Defense Enrollment Eligibility Reporting System (DEERS).<sup>4</sup> To examine the characteristics of servicemembers with a foster or pre-adoptive child dependent and servicemembers' use of certain military supports available to foster and adoptive families, we also analyzed other DOD data covering the same time period, including data on servicemember deployments from the Contingency Tracking System; data on payments made to servicemembers for reimbursement of adoption-related expenses from the Adoption Reimbursement System; and data on adoption and foster care consultations from the Case Management System.<sup>5</sup>

To help inform all of our research objectives and gather additional information about foster- and adoption-related supports specific to military families, we conducted virtual visits to four selected states: California, Colorado, Florida, and Georgia. Within these states, we visited a nongeneralizable group of four selected military installations serving active-duty members within the four service branches, as well as selected state and local child welfare and private placement agencies located in

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<sup>4</sup>While DEERS data captures information on servicemembers with a foster or pre-adoptive child dependent, it does not collect information that can readily identify child dependents that have been adopted by servicemembers. Although we attempted to identify adopted child dependents through other methods recommended by DOD staff, we determined that we would not be able to confidently and reliably report on the results of these methods. For more information, see appendix I.

<sup>5</sup>According to DOD officials, all cases involving either adoption or foster care are annotated within the data system as "adoption consultation."



these states, between September 2020 and October 2020.<sup>6</sup> We selected military installations within states with a high number of active-duty servicemembers, and aimed for variation across the sites in installation size and geographic location. In the four selected states, we interviewed officials from relevant state and local agencies, and representatives from military programs and offices that provide supports and services to families at their installations.<sup>7</sup> Because we relied on a nongeneralizable sample of sites and states, the views of the entities we interviewed do not represent the views of all states, localities, and installations providing foster- and adoption-related supports that are specific to military families.

To gather information about use of available supports and challenges faced by military foster and adoptive families, we conducted virtual discussion groups with 29 military families from the four service branches who engaged in the fostering or adoption process in the U.S. while on active-duty status.<sup>8</sup> Our criteria for selecting discussion group participants included individuals who: (1) had experience with fostering a child, adopting from foster care, or privately adopting a U.S. citizen child within the last 5 years; and (2) were active-duty servicemembers or married or partnered with one during the fostering or domestic adoption process. To obtain additional information on available supports and challenges faced by military foster and adoptive families, we interviewed representatives

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<sup>6</sup>The four military installations we selected included Fort Benning in Georgia (Army), Naval Air Station Pensacola in Florida (Navy), Camp Pendleton in California (Marine Corps), and Peterson Air Force Base in Colorado (Air Force). We refer to private “placement” agencies as those private agencies that some state child welfare agencies contract with to carry out various types of activities related to fostering or adoption from the foster care system.

<sup>7</sup>For the purposes of this report, “selected state and local agencies” include state and local county child welfare agencies as well as private placement agencies that carry out activities related to fostering or adoption from the foster care system under a contract with the state.

<sup>8</sup>For the purposes of this review, we focused on active-duty servicemembers in the Army, Navy, Marine Corps, and Air Force. For this review, we also focused on adoptions of children who are U.S. citizens (domestic adoptions). Generally, this review does not include adoptions of children who are not U.S. citizens, known as intercountry or international adoptions, as the total number of intercountry adoptions has decreased by 87 percent between 2004 and 2019, according to U.S. Department of State data. U.S. Department of State, Bureau of Consulate Affairs, *Fiscal Year 2019 Annual Report on Intercountry Adoption* (March 2020). However, a small number of international adoptions were included in the DOD data we analyzed to identify the number and characteristics of military foster and adoptive servicemembers between 2016 and 2020.

from national-level organizations that have a perspective on families who foster or adopt.

In this report, we defined and used qualifiers, such as “a few,” “some,” “many,” “most,” and “almost all” to quantify responses from military foster and adoptive families and officials across federal, military, and selected state and local agencies.<sup>9</sup> We also assessed efforts by DOD to communicate necessary quality information to achieve its objectives against *Standards for Internal Control in the Federal Government* for information and communication and other relevant criteria.<sup>10</sup> For more information on our scope and methodology, see appendix I.

We conducted this performance audit from March 2020 through August 2021 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Background

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### HHS, State, and Local Agency Roles Related to Foster Care and Adoption

Various stakeholders may be involved in overseeing or administering foster care placements, the adoption of children from foster care (foster care adoptions), or private domestic adoptions (private adoptions). Federal, state, local, and private agencies have various roles with respect to the foster care and adoption systems (see fig. 1). Foster care placements and foster care adoptions involve children who were removed from their families’ care, generally due to neglect or abuse, and placed

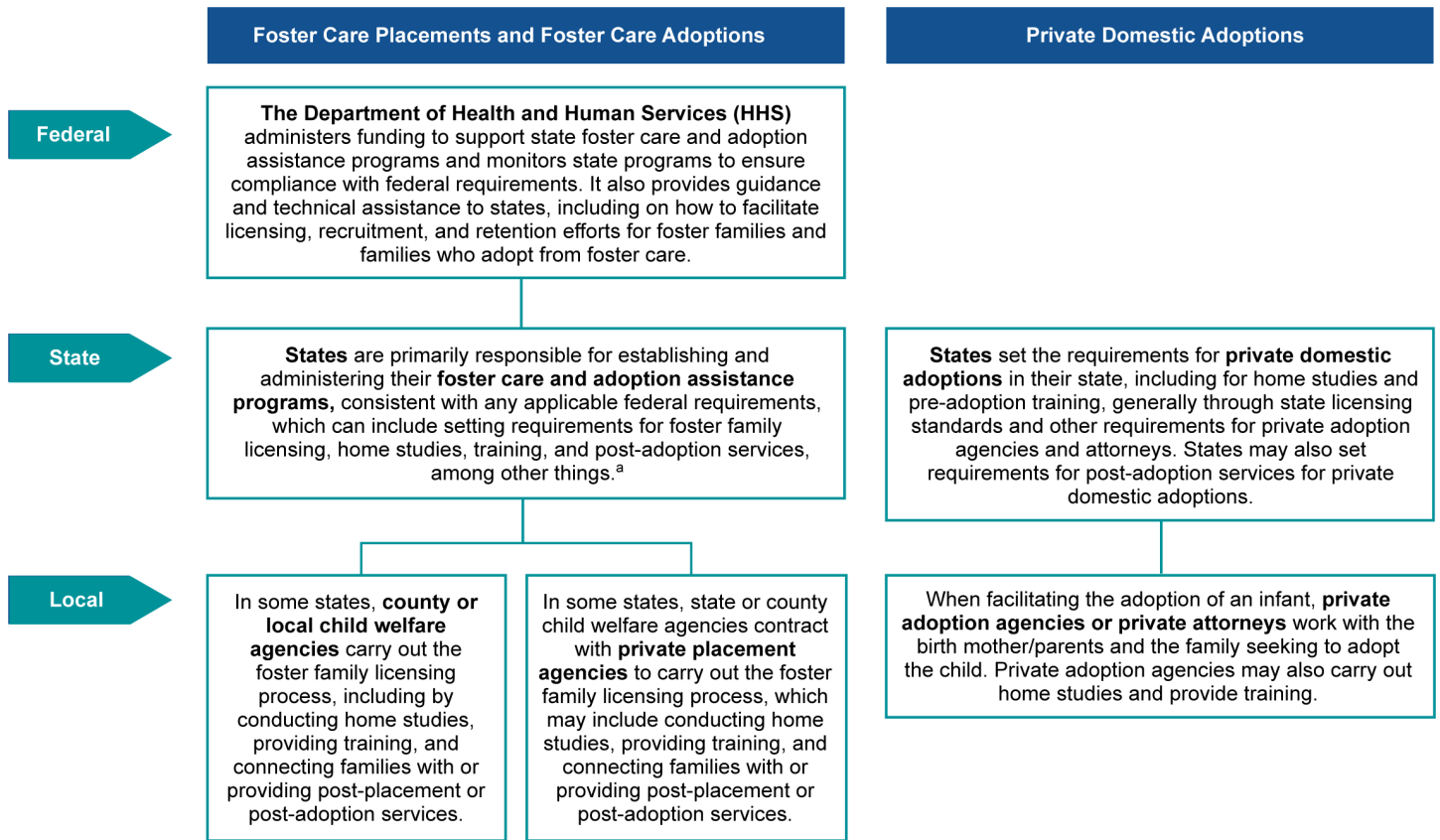
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<sup>9</sup>We defined qualifiers for interviews with military foster and adoptive families as follows: 2-3 families (a few), 4-9 families (some), 10-18 families (many), 19-24 families (most), and 25-28 families (almost all). In addition, we defined qualifiers for interviews with officials across federal, military, and selected state and local agencies as follows: 2-6 agencies (a few), 7-18 agencies (some), 19-26 agencies (many), 27-41 agencies (most), 42-52 agencies (almost all).

<sup>10</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

under the responsibility of a child welfare agency. When a child enters the foster care system, the child welfare agency determines an appropriate temporary placement, often with a foster family, with an aim to reunify the child with their family if it is safe to do so or find another safe, permanent home for the child as quickly as possible.<sup>11</sup> Private adoptions primarily involve infants or adoptions by a stepparent and generally are done without child welfare agency involvement because the children being adopted are not in foster care.

**Figure 1: Roles of the U.S. Department of Health and Human Services, State and Local Child Welfare Agencies, and Private Agencies**



Source: Prior GAO reports and GAO analysis of HHS program information and interviews with officials from HHS, selected state and county child welfare agencies, and selected private placement agencies under contract with state or county child welfare agencies. | GAO-21-438

<sup>11</sup>The court system also plays a key role in the foster care process.

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**Text of Figure 1: Roles of the U.S. Department of Health and Human Services, State and Local Child Welfare Agencies, and Private Agencies**

**Foster Care Placements and Foster Care Adoptions**

- **Federal**
  - The Department of Health and Human Services (HHS) administers funding to support state foster care and adoption assistance programs and monitors state programs to ensure compliance with federal requirements. It also provides guidance and technical assistance to states, including on how to facilitate licensing, recruitment, and retention efforts for foster families and families who adopt from foster care.
- **State**
  - States are primarily responsible for establishing and administering their foster care and adoption assistance programs, consistent with any applicable federal requirements, which can include setting requirements for foster family licensing, home studies, training, and post-adoption services, among other things. /a/
- **Local**
  - In some states, county or local child welfare agencies carry out the foster family licensing process, including by conducting home studies, providing training, and connecting families with or providing post-placement or post-adoption services.
  - In some states, state or county child welfare agencies contract with private placement agencies to carry out the foster family licensing process, which may include conducting home studies, providing training, and connecting families with or providing post-placement or post-adoption services.

**Private Domestic Adoptions**

- States set the requirements for private domestic adoptions in their state, including for home studies and pre-adoption training, generally through state licensing standards and other requirements for private adoption agencies and attorneys. States may also set requirements for post-adoption services for private domestic adoptions.
- When facilitating the adoption of an infant, private adoption agencies or private attorneys work with the birth mother/parents and the family seeking to adopt the child. Private adoption agencies may also carry out home studies and provide training.

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<sup>a</sup>All states receiving federal child welfare funding are responsible for compliance with applicable federal requirements. However, states differ in the way child welfare services are operated and delivered. According to HHS, 39 states and the District of Columbia have a centralized state-administered system, nine states have a county-administered system, and two states have a mix of state and county systems. In county-administered states, the state child welfare agency develops statewide policies and guidance and conducts oversight of county child welfare agencies. In turn, the county child welfare agencies administer their child welfare programs.

Source: Prior GAO reports and GAO analysis of HHS program information and interviews with officials from HHS, selected state and county child welfare agencies, and selected private placement agencies under contract with state or county child welfare agencies. | GAO-21-438

At the federal level, HHS provides federal funds to support state child welfare systems under Titles IV-B and IV-E of the Social Security Act. Title IV-E, which provides the largest amount of federal child welfare funding, helps states cover the costs associated with foster care and certain adoptions from foster care, including financial support for the care of eligible children who were removed from their homes as well as for families who adopt eligible children with special needs from the foster care system.<sup>12</sup> As part of its administration and oversight of these programs, HHS oversees and monitors states to ensure their child welfare programs—including foster care and programs that support families pursuing foster care adoptions—are in compliance with applicable federal laws and regulations. According to HHS officials, HHS does not have any oversight responsibilities related to private adoptions, which include those conducted through private adoption agencies, attorneys, and others.

States regulate the adoption process in their state, including private adoptions and foster care adoptions, and states are responsible for administering their foster care programs, consistent with applicable federal laws and regulations.<sup>13</sup> State laws generally govern the pre-

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<sup>12</sup>For example, under Title IV-E, states are reimbursed for a portion of the costs of providing foster care maintenance payments to support children meeting specific eligibility criteria. Foster care maintenance payments are monthly payments that child welfare agencies provide to foster families on behalf of eligible children to help families cover various expenses such as food, clothing, housing, daily supervision, and school supplies. 42 U.S.C. §§ 672, 675(4). The Title IV-E adoption assistance program provides federal funding to support financial assistance provided to parents who adopt eligible children with special needs from foster care. Under this program, a state may determine that a child has “special needs” based on a broad range of factors, including ethnic background, age, membership in a minority or sibling group, and medical condition, such that the child cannot be placed with adoptive parents without providing financial assistance. 42 U.S.C. § 673.

<sup>13</sup>Among other things, Titles IV-E and IV-B require states to establish and maintain standards for foster family homes, conduct criminal records checks of prospective foster and adoptive families, and develop standards for the content and frequency of caseworker visits. 42 U.S.C. §§ 671(a)(10) and (a)(20), 622(b)(17).

placement process to assess the suitability of prospective foster and adoptive parents, but the laws and policies for these processes vary from state to state. To become a foster family, state child welfare agencies generally require that families undergo a licensing process that includes a home study. To adopt from foster care or privately, every state requires families to participate in a home study, according to HHS.<sup>14</sup> A home study generally includes, but is not limited to, criminal background checks, interviews, and a home visit, which can take between 2 to 10 months, depending on agency waiting lists and training requirements.<sup>15</sup> In addition, most states or agencies require training for prospective foster and adoptive parents prior to or during the home study process.<sup>16</sup> These trainings are designed to help prospective parents better understand foster care and adoption issues, including attachment and bonding, the needs of children in foster care and the type of child whose needs they could meet, and applicable state or agency requirements.

States are also responsible for arranging needed services for children in foster care and may set requirements for providing services after an adoption has occurred.<sup>17</sup> Because children in foster care have often suffered abuse, neglect, or other maltreatment, many have experienced trauma. Many children in foster care may also have special needs, and research suggests that children in foster care are in significantly worse

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<sup>14</sup>See Department of Health and Human Services, Children's Bureau, *Home Study Requirements for Prospective Parents in Domestic Adoption* (Washington, D.C.: 2021) and Department of Health and Human Services, Children's Bureau, *The Adoption Home Study Process* (Washington, D.C.: 2020). The purpose of the home study process is to (1) evaluate the capability and suitability of the family, (2) educate and prepare the family, and (3) gather information about the family to help ensure that the child is placed with a family that can meet the child's needs.

<sup>15</sup>See Department of Health and Human Services, Children's Bureau, "What is an adoption home study? What type of information is included in it?" accessed March 7, 2021, <https://www.acf.hhs.gov/cb/faq/adoption9>.

<sup>16</sup>According to HHS, training requirements may vary by state. For example, HHS found in 2018 that almost all states require prospective foster parents to complete training to become licensed and about half of states require a specific number of hours of training that ranged between 6 and 36 hours. Most states also require foster families to complete ongoing, annual training requirements. Department of Health and Human Services, Children's Bureau, *Home Study Requirements for Prospective Foster Parents* (Washington, D.C.: 2018).

<sup>17</sup>GAO previously reported that for private adoptions, this is generally established through state licensing standards and other requirements for private adoption agencies, attorneys, and others. See GAO, *Child Welfare: Steps Have Been Taken to Address Unregulated Custody Transfers of Adopted Children*, [GAO-15-733](#) (Washington, D.C.: Sept. 16, 2015).

mental and physical health compared to children in the general population.<sup>18</sup> Children in foster care or who are adopted from foster care are therefore likely to need supportive services, such as trauma-informed mental health services.<sup>19</sup> Though infants adopted through a private adoption may have special needs, they are less likely to have experienced trauma because the adoptions generally occur soon after birth.

At the local level, depending on the state, county and private placement agencies may administer various aspects of the foster care placement and foster care adoption process. Private adoption agencies and attorneys typically facilitate private adoptions. These local level agencies and individuals work directly with families to facilitate the steps involved in the foster or adoption process.

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## DOD Supports for Servicemembers and Their Families

DOD provides a network of supports on installations or through virtual military service providers to servicemembers and their families, which include services that are available to military foster and adoptive families. These military supports are overseen or administered through DOD headquarters offices, service branch offices, and installation programs and offices.

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<sup>18</sup>According to a Child Trends report that analyzed 2018 foster care data from the HHS Adoption and Foster Care Analysis and Reporting System (AFCARS), children and youth with special healthcare needs, such as visual and hearing impairment and physical disabilities, comprise at least 24 percent of the foster care population and may require unique services and resources during their time in foster care. See Kristin Sepulveda, Rachel Rosenberg, Sunny Sun, and Alexandria Wilkins, "Children and Youth with Special Health Care Needs in Foster Care," *Child Trends* (December 2020). Additionally, research shows that compared to children who were not in foster care, children placed in foster care were about twice as likely to have a learning disability, three times as likely to have Attention Deficit Disorder or Attention-Deficit/Hyperactivity Disorder, about twice as likely to have asthma and speech problems, three times as likely to have hearing problems and vision problems, five times as likely to have anxiety, six times as likely to have behavioral problems, and seven times as likely to have depression, although the authors found that some of those differences were explained by the children's household living arrangements and socioeconomic conditions. See Kristin Turney and Christopher Wildamen, "Mental and Physical Health of Children in Foster Care," *Pediatrics*, Vol. 138, Issue 5 (Nov. 1, 2016).

<sup>19</sup>Most children in foster care are eligible for Medicaid health insurance coverage. Children who are adopted from foster care and covered by Title IV-E adoption assistance agreements are also eligible for Medicaid.

At the headquarters level, DOD's Office of the Deputy Assistant Secretary of Defense for Military Community and Family Policy (Military Community and Family Policy Office) provides policy and program oversight to ensure military community quality of life programs are designed and executed to serve the needs of active-duty servicemembers and their families.<sup>20</sup> Within the Military Community and Family Policy Office, certain offices have oversight over community quality of life programs and policy. The Office of Military Family Readiness Policy is responsible for programs and policies that promote military families' well-being, readiness, and quality of life, such as Children and Youth programs and Military and Family Support Centers. The Office of Military Community Support Programs is responsible for program and policy oversight of programs that provide virtual and in-person services to families, such as non-medical counseling and information and referral services through the Military OneSource call center.<sup>21</sup> The Military Community Outreach Office is responsible for managing information about programs and benefits on the Military OneSource website (see fig. 2).

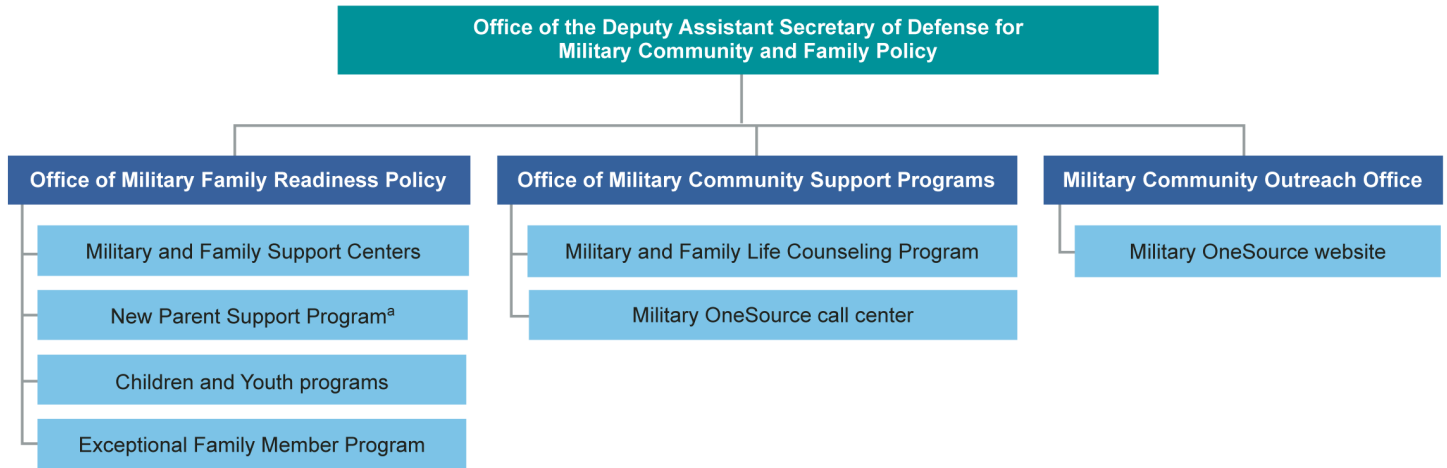
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<sup>20</sup>See Office of the Under Secretary for Personnel and Readiness, "How We Support," accessed June 23, 2020, <https://prhome.defense.gov/M-RA/Inside-M-RA/MCFP/How-We-Support/>.

<sup>21</sup>Military OneSource and the Military and Family and Life Counseling Program are administered at the headquarters level while most other military community quality of life programs that provide supports relevant to military foster and adoptive families are administered at the installation level. Nonmedical counseling is provided to address symptoms and circumstances that relate to military life and do not rise to the level of a mental health diagnosis, according to DOD policy.



**Figure 2: Department of Defense Military Community and Family Policy Offices That Provide Supports Relevant to Military Foster and Adoptive Families**



Source: GAO analysis of information on Department of Defense (DOD) Military Community and Family Policy offices and programs as it relates to military foster and adoptive families. | GAO-21-438

**Text of Figure 2: Department of Defense Military Community and Family Policy Offices That Provide Supports Relevant to Military Foster and Adoptive Families**

**Office of the Deputy Assistant Secretary of Defense for Military Community and Family Policy**

- **Office of Military Family Readiness Policy**
  - Military and Family Support Centers
  - New Parent Support Program<sup>a</sup>
  - Children and Youth programs
  - Exceptional Family Member Program
- **Office of Military Community Support Programs**
  - Military and family life counseling program
  - Military OneSource call center
- **Military Community Outreach Office**
  - Military OneSource website

Note: This figure focuses on programs that provide services relevant to supporting foster and adoptive families.

<sup>a</sup>The New Parent Support Program falls under the Family Advocacy Program.

Source: GAO analysis of information on Department of Defense (DOD) Military Community and Family Policy offices and programs as it relates to military foster and adoptive families. | GAO-21-438

In addition to DOD headquarters offices, service branches are generally responsible for policy and program oversight and supervision of most of the aforementioned military programs and services that are administered at the installation level, according to DOD officials.<sup>22</sup> The service branches are also responsible for policy and program oversight of legal assistance offices on installations, which provide no-cost legal benefits and legal assistance services to servicemembers and their families. Military chaplains assigned to installations also support servicemembers and their families by providing counseling services and offering spiritual guidance.<sup>23</sup>

Servicemembers must enroll their eligible dependents in DOD's military benefits system—the Defense Enrollment Eligibility Reporting System (DEERS)—for those dependents to gain access to certain military services and benefits. According to DOD regulations governing the procedures to enroll dependents in DEERS, a foster child, pre-adoptive child, and adopted child are all eligible to enroll as a servicemember's dependent in DEERS with certain required documentation.<sup>24</sup> Upon enrolling in DEERS, dependents age 10 and older are provided with an identification card that gives them access to programs and facilities on installations that support military families, such as morale, welfare, and recreation programs and the commissary, among other programs and

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<sup>22</sup>Since non-medical counseling and information and referral services provided through military and family life counselors and Military OneSource are administered at the headquarters level, the individual service branches do not have oversight or supervision responsibilities for those programs.

<sup>23</sup>DOD's Office of the Deputy Assistant Secretary of Defense for Military Personnel Policy has policy and program oversight responsibilities for military chaplains assigned to installations.

<sup>24</sup>32 C.F.R. § 161.23(b)(3)(ii) (pre-adoptive and adopted child) and (b)(3)(vi) (foster child).

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services.<sup>25</sup> In addition, pre-adoptive and adopted children who are enrolled in DEERS can access the additional benefit of the military healthcare program known as TRICARE, but foster children are generally not eligible to access TRICARE.<sup>26</sup>

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## DOD Data Suggest That Few Servicemembers Foster or Seek to Adopt and Their Characteristics Were Generally Similar to Other Active-Duty Servicemembers

Between 2016 and 2020, servicemembers that were fostering or in the process of adopting a child (pre-adoptive) represented a very small number of the total active-duty servicemember population. Specifically, our analysis of DOD's available DEERS data found that 2,174 members had either a foster or pre-adoptive child enrolled in DEERS within the 5-

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<sup>25</sup>32 C.F.R. § 161.10(b). Common Morale, Welfare, and Recreation programs include fitness, aquatics, libraries and information services, park and picnic areas, recreation centers, sports and athletics, community programs, marinas and boating, crafts and hobbies, bowling, golf, as well as movies and recreation equipment rental. See Office of the Under Secretary for Personnel and Readiness, "How We Support," accessed June 23, 2020, <https://prhome.defense.gov/M-RA/Inside-M-RA/MCFP/How-We-Support/>. There are certain circumstances in which a child under age 10 is issued an identification card, including when both parents are active-duty servicemembers or the child has a single parent. In April 2020, DOD temporarily raised the minimum age for initial identification card issuance from 10 to 14 in response to the COVID-19 pandemic, according to DOD guidance. According to DOD officials, this guidance is effective through January 31, 2022.

<sup>26</sup>TRICARE is the Department of Defense's (DOD) regionally structured health care system for active duty and retired service members and their families. Beneficiaries may obtain health care services through DOD's direct care system of military hospitals and clinics or from its purchased care system of civilian providers. A foster child is not eligible to access TRICARE services unless the child was placed as a result of a placement agreement, court order, or other appropriate document from a court or other source authorized by state or local law to provide adoption placement that includes the intent to adopt (i.e., the child is considered pre-adoptive). The majority of children in foster care are eligible for Medicaid, which gives them access to healthcare services from providers who accept Medicaid.

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year time period we studied.<sup>27</sup> By way of comparison, there were 1.3 million active-duty servicemembers in the military in 2019.<sup>28</sup>

Between 2016 and 2020, more servicemembers had a pre-adoptive child than fostered a child, based on available DEERS enrollment data. For example, across the 5 years studied, 1,961 servicemembers had one or more pre-adoptive children enrolled in DEERS compared to 229 servicemembers with one or more foster children enrolled in DEERS.<sup>29</sup> We also found that the majority of these groups of servicemembers had only one foster child (68 percent) or pre-adoptive child (73 percent) enrolled in DEERS during the 5-year period studied. In addition, a small population—16 servicemembers—had both a foster and pre-adoptive child during this time period.<sup>30</sup>

Available data also suggest that a smaller proportion of servicemembers choose to foster a child compared to adults outside of the military who may foster children. Specifically, we found that although the number of active-duty servicemembers represented about one-half of a percent (.52 percent) of the adult U.S. population, in 2019, the number of foster

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<sup>27</sup>These data capture foster and pre-adoptive dependents who are enrolled in DEERS. However, there could be servicemembers who foster or are in the process of adopting who did not enroll their dependents in DEERS and, therefore, would not be included in these data. While DEERS data captures information on servicemembers with a foster or pre-adoptive child dependent, it does not collect information that can readily identify child dependents that were adopted by servicemembers, according to DOD officials. Although we attempted to identify adopted child dependents through other methods recommended by DOD staff, we determined that we would not be able to confidently and reliably report on the results of these methods. For more information, see appendix I. In addition, because DEERS does not identify whether a pre-adoptive child is from the foster care system or through a private adoption, according to a DOD official, the population of servicemembers with a pre-adoptive child could include children that servicemembers fostered and are in the process of adopting, as well as children identified through a private adoption agency. The 2,174 servicemembers with a foster or pre-adoptive child from our analysis provides information on the number of servicemembers fostering a child at any point in the 5-year time period of 2016 through 2020.

<sup>28</sup>In 2019, there were a total of 1.3 million active-duty servicemembers in the Army, Navy, Marine Corps, and Air Force. Although data on the total number of active-duty servicemembers are available for 2020, we chose to use 2019 as a baseline for comparison, in part, due to the outbreak of COVID-19 in 2020, which may have presented unique circumstances that were not present in previous years.

<sup>29</sup>A servicemember with a pre-adoptive dependent may also have a foster child dependent in the home or vice versa.

<sup>30</sup>In some of these cases, servicemembers had more than one foster or pre-adoptive child.

children of servicemembers represented a smaller percentage (.04 percent) of the total number of children in foster care in that year.<sup>31</sup>

Officials we interviewed from 26 programs and offices at the selected military installations and eight state and local agencies reported having limited experience working with servicemembers and their families who were interested in pursuing foster care or adoption.<sup>32</sup> For example, across the four selected military installations we visited, the experiences of the officials from these military programs ranged from limited to no interaction with foster and adoptive families. Officials from one installation's New Parent Support Program said that they may work with five foster or adoptive families a year. Officials from two programs also said that their staff may be unaware that fostered or adopted children are using their programs unless told by the families, or the family requests foster- or adoption-related services. Similarly, officials from eight selected state and local agencies also told us that military families represent a small number of their clients. For example, officials from one state child welfare agency said that there were only a handful of military families in the last year looking to foster or adopt in their state. Officials from another state child welfare agency said that they approved 300 foster and adoptive families in 1 year, which included four military families. Though small relative to the overall number of foster and adoptive families they work with, county child welfare and private placement agencies in two states reported having experience working with military families frequently. Officials from the private placement agency explained that they interact frequently with military families due, in part, to how their agency is embedded in a military community and how awareness of their agency has spread by word of mouth.

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<sup>31</sup>To understand how the size of the population of servicemembers with a foster child compares to the broader population of adults in the U.S. who may foster children, we looked at DEERS data on foster child dependents of servicemembers relative to HHS data on the number of children in foster care in the Adoption and Foster Care Analysis and Reporting System (AFCARS) in 2019, as well as DOD data on the total number of active-duty servicemembers relative to Census data on the number of adults ages 18 and older in the U.S. There were 1.3 million active-duty servicemembers in 2019, which represented .52 percent of the 255 million adults ages 18 and older in the U.S. that year. However, there were 153 foster children who were dependents of servicemembers in 2019, which represented just .04 percent of the 423,997 children in the care of the foster system on September 30, 2019. Adults ages 18 and older may not serve as an exact comparator with servicemembers, the majority of whom are under the age of 30.

<sup>32</sup>For this review, we interviewed a total of 34 programs and offices across the four selected installations and 12 state and local child welfare and private placement agencies.

The characteristics of servicemembers with a foster or pre-adoptive child enrolled in DEERS, including service branch and deployment status, were generally similar when compared with the overall active-duty servicemember population, with some variation by rank. For example, we found that the distribution of servicemembers with a foster or pre-adoptive child by service branch across the 5-year time period studied was similar to the overall distribution of members in each service branch. Specifically, the largest population of servicemembers with either a foster or pre-adoptive child were from the Army, followed by the Air Force, Navy, and Marine Corps (see table 1).<sup>33</sup>

**Table 1: Number of Active-Duty Servicemembers with a Foster or Pre-Adoptive Child Enrolled in the Defense Enrollment Eligibility Reporting System (DEERS) between 2016-2020 and Compared to Overall Population, by Service Branch in 2019**

	Army	Air Force	Navy	Marine Corps
Number of servicemembers with foster or pre-adoptive children	907	679	415	173
<b>Total number of servicemembers</b>	<b>479,785</b>	<b>327,878</b>	<b>332,528</b>	<b>186,009</b>

Source: GAO analysis of data from Department of Defense's Defense Manpower Data Center. | GAO-21-438

Our analysis of deployment data from DOD's Contingency Tracking System found that 29 percent of servicemembers with a foster or pre-adoptive child experienced one or more deployments during the 5-year time period studied.<sup>34</sup> According to this analysis, servicemembers who had a foster or pre-adoptive child were deployed at approximately the same rate as the overall active-duty servicemember population.

<sup>33</sup>These distributions were generally similar to the overall distribution of members in each service branch in 2019, with the Army being the largest service branch, followed by the Navy, Air Force, and Marine Corps. Department of Defense, Office of the Deputy Assistant Secretary of Defense for Military Community and Family Policy, *2019 Demographics: Profile of the Military Community*. In addition, we found the distribution of members by service branch was also consistent with the overall distribution of members when looking separately at the population of servicemembers with a foster child and the population of servicemembers with a pre-adoptive child.

<sup>34</sup>For the purposes of this report, we focused on servicemembers who had a deployment between 2016 and 2020 where the deployment overlapped with the time they had foster or pre-adoptive children enrolled in DEERS. Of the 2,174 servicemembers with a foster or pre-adoptive child enrolled in DEERS between 2016 and 2020, 641 servicemembers had a deployment which overlapped with the time they had a foster or pre-adoptive child enrolled in DEERS. According to DOD officials, a change in policy affecting when deployment data should be submitted impacted the counts of deployments for two of the four service branches, Navy and Marine Corps, likely leading to undercounts of deployments for servicemembers in those two branches after 2018. Therefore, the percentage of servicemembers with a foster or pre-adoptive child who experienced one or more deployments during the 5-year period we studied is likely higher than we are reporting.

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Furthermore, servicemembers with a foster child and servicemembers with a pre-adoptive child had similar deployment rates. Of servicemembers who had a foster child, 22 percent deployed once and 16 percent deployed more than once during this 5-year period. Of servicemembers who had a pre-adoptive child, 25 percent deployed once and 15 percent deployed more than once within this same time period.

Servicemembers with a foster or pre-adoptive child had some variation in rank when compared to the overall military population. Specifically, we found that officers had a foster or pre-adoptive child at 3.6 times the rate of enlisted servicemembers, relative to their representation in the overall active-duty population in 2019. Eighty-two percent of active-duty servicemembers in 2019 were enlisted members and 18 percent were officers. However, across the 5-year time period we studied, 57 percent of servicemembers with a foster or pre-adoptive child were enlisted members compared to 43 percent of officers with these dependents.

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## Federal, State, and Local Agencies Offer Some Assistance Targeted to Military Foster and Adoptive Families, but Families May Lack Awareness of All Available Supports

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### Some Supports Are Targeted to Military Foster and Adoptive Families, and Others Serve All Military Members and Their Families

#### Supports Targeted to Military Foster and Adoptive Families

DOD, HHS, and selected state and local agencies target some supports we reviewed specifically to assist military families pursuing fostering or the adoption of a child, with most targeted supports focused on adoptive families. DOD provides servicemembers with adoption-related leave and financial reimbursement for certain adoption-related expenses, as well as consultations for adoptive and foster families. Additionally, HHS and selected state and local child welfare agencies provide foster and adoption-related information and resources or financial assistance to certain military adoptive families. See figure 3 for a graphic depicting federal and selected state and local agency assistance targeted to military foster and adoptive families.

**Figure 3: DOD, HHS, and Selected State and Local Child Welfare Agency Assistance Targeted to Military Foster and Adoptive Families**

<p><b>DOD</b></p>	<p style="text-align: center;"><b>Adoption-related benefits</b></p> <p><b>Adoption-related leave</b> Generally, servicemembers who adopt a child are eligible for up to 6 weeks of primary caregiver leave or up to 21 days of secondary caregiver leave, depending on the service branch.</p> <p><b>Reimbursement for adoption-related expenses</b> Servicemembers are eligible to receive reimbursement for qualifying expenses incurred in the adoption of a child under 18 years of age after the adoption is final. The maximum reimbursement amount is \$2,000 per adoptive child or \$5,000 per calendar year.</p>	<p style="text-align: center;"><b>Adoption and foster care consultation</b></p> <p>Military OneSource offers adoption and foster care consultation to servicemembers and their families globally, 24 hours, 365 days a year.</p>
<p><b>HHS</b></p>	<p style="text-align: center;"><b>Military and adoption-specific publications</b></p> <p>HHS's Children's Bureau published or provided funding for publications focused on supporting military families seeking adoption and those assisting these families.</p>	
<p><b>Examples of selected state and local efforts</b></p>	<p style="text-align: center;"><b>State and local assistance and information</b></p> <p>One state reported the availability of financial assistance for military families who adopt a child with special needs. Some local agencies reported efforts to inform servicemembers about fostering and adoption.</p>	

Source: GAO analysis of information provided by Department of Defense (DOD), Health and Human Services (HHS), and selected state and local officials in four states. | GAO-21-438

**Text of Figure 3: DOD, HHS, and Selected State and Local Child Welfare Agency Assistance Targeted to Military Foster and Adoptive Families**

	<b>Adoption-related benefits</b>	<b>Adoption and foster care consultation</b>
<b>DOD</b>	<p><b>Adoption-related leave</b> Generally, servicemembers who adopt a child are eligible for up to 6 weeks of primary caregiver leave or up to 21 days of secondary caregiver leave, depending on the service branch.</p> <p><b>Reimbursement for adoption-related expenses</b> Servicemembers are eligible to receive reimbursement for qualifying expenses incurred in the adoption of a child under 18 years of age after the adoption is final. The maximum reimbursement amount is \$2,000 per adoptive child or \$5,000 per calendar year.</p>	<p>Military OneSource offers adoption and foster care consultation to servicemembers and their families globally, 24 hours, 365 days a year.</p>



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**Military and adoption-specific publications**

**HHS** HHS's Children's Bureau published or provided funding for publications focused on supporting military families seeking adoption and those assisting these families.

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**State and local assistance and information**

**Examples of selected state and local efforts** One state reported the availability of financial assistance for military families who adopt a child with special needs. Some local agencies reported efforts to inform servicemembers about fostering and adoption.

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Source: GAO analysis of information provided by Department of Defense (DOD), Health and Human Services (HHS), and selected state and local officials in four states. | GAO-21-438

**DOD**

**Adoption-related leave.** As part of DOD's military parental leave program, active-duty servicemembers who have a qualifying adoption are eligible to receive up to 6 weeks of primary caregiver leave or up to 21 days (or 3 weeks) of secondary caregiver leave, which must be used in one increment within a 12-month period following an adoption.<sup>35</sup> Some service branches have different parental leave policies regarding secondary caregivers.<sup>36</sup> For example, the Army and Air Force authorize up to 21 days of leave for secondary caregivers, while the Navy and Marine Corps authorize up to 14 days of leave for these caregivers. According to DOD officials, differences in secondary caregiver leave policies reflect each service branch's desire to provide maximum benefits to their members while maintaining readiness. Eighteen of the 29 military families we interviewed reported that they were aware they could use adoption-related leave, 11 of whom also reported using this leave to assist with their adoption. For example, one military adoptive family told us they were approved to take the 21 days of leave after their adopted

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<sup>35</sup>See 10 U.S.C. § 701(i) & (j) and Department of Defense, Undersecretary of Defense, Personnel and Readiness, Memorandum, *Parental Leave for Military Personnel in Connection with the Birth of Adoption of a Child*, (Mar. 23, 2018).

<sup>36</sup>According to the DOD memorandum, for a qualifying adoption, the primary caregiver will most often be the non-military parent, with some exceptions, such as in cases with dual-military couples. In addition, the guidance provides that in the event that two servicemembers who are married to each other adopt a child in a qualifying adoption, one servicemember will be designated as the primary caregiver and the other will be designated as the secondary caregiver.

baby was discharged from the hospital, which helped the family adjust to having a newborn in the home.

According to some military adoptive families we interviewed, approval to use adoption-related leave may vary by a servicemember's chain of command and unit. DOD policy on the Military Parental Leave Program grants discretion to a unit command when approving leave under certain circumstances.<sup>37</sup> One military family told us that because it took 4 years to finalize an adoption, the husband's command denied his request to take adoption leave because the child was in their care during the 4-year period, and they were therefore not considered new parents.<sup>38</sup>

**Reimbursement of adoption-related expenses.** Servicemembers are eligible to receive reimbursement for certain qualifying expenses incurred in the adoption of a child under age 18 after the adoption is final.<sup>39</sup>

Qualifying expenses include, but are not limited to, an adoption by a single person, an infant adoption, an intercountry adoption, or an adoption of a child with special needs. Expenses reimbursed to a servicemember may be no more than \$2,000 for the adoption of an individual child, and no more than \$5,000 for adoptions of multiple children in any calendar

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<sup>37</sup>See DOD Personnel and Readiness Memorandum on *Parental Leave for Military Personnel in Connection with the Birth or Adoption of a Child* (Mar. 23, 2018). This DOD memorandum notes that a covered member who is operationally deployed will normally be required to defer the primary or secondary caregiver leave until the operational deployment period has been completed. However, in exceptional and compelling circumstances, a unit commander may approve caregiver leave for covered members who are operationally deployed if the unit commander determines that the unit's readiness will not be adversely impact by approving the leave.

<sup>38</sup>According to agency officials, DOD's policy since inception has been to allow caregiver leave to be taken prior to the completion of a qualifying adoption. Officials said they would expect caregiver leave to be taken when a child joins the family, similar to caregiver leave granted for a birth event. According to these officials, the Office of Military Compensation Policy clarified to the Army in October 2020 and to the other service branches for their awareness, that neither statute nor DOD policy stipulates that the adoption process must be completed before caregiver leave can be taken.

<sup>39</sup>10 U.S.C. § 1052. Qualifying expenses include those reasonable and necessary expenses that are directly related to a legal adoption of a child under 18 years of age if the adoption is arranged by a qualified adoption agency or other source authorized to place children for adoption under state or local law. Expenses do not include those incurred by an adopting parent for travel or for an adoption arranged in violation of federal, state, or local law. Expenses do include public and private agency fees, placement fees, including fees charged adoptive parents for counseling, legal fees, including court costs, medical expenses, including hospital expenses of the biological mother of the child to be adopted and of a newborn infant to be adopted.

year.<sup>40</sup> According to our analysis of national data from DOD's Defense Finance and Accounting Service on reimbursement payments, 2,562 servicemembers were reimbursed for adoption-related expenses between 2016 and 2020.<sup>41</sup> Over the 5-year time period studied, 61 percent of those servicemembers who were reimbursed were enlisted members. Additionally, 45 percent of servicemembers who were reimbursed were from the Army, followed by 29 percent from the Air Force, 17 percent from the Navy, and 10 percent from the Marine Corps.<sup>42</sup>

Almost all military foster and adoptive families we interviewed were aware of the military reimbursement benefit of adoption-related expenses, 13 of whom also reported using this benefit for some adoption costs.<sup>43</sup> A few families said that the reimbursement can be a small fraction of the overall adoption costs—tens of thousands of dollars in some cases—or that it can be difficult to pay all costs upfront since adoptions must be final before receiving a reimbursement payment.<sup>44</sup> Some other families said that the reimbursement payment was helpful, and one family reported that it covered all of their out-of-pocket costs.

**Adoption and foster care consultations.** Through a website and call center, DOD's Military OneSource offers adoption and foster care consultation services. Adoption consultations provide servicemembers and their families with information on the adoption process; available

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<sup>40</sup>In addition, under the Title IV-E Adoption Assistance program, HHS provides federal funding to states to provide financial assistance, including reimbursement of adoption expenses, to families who adopt a special needs child from foster care. Military families may be eligible for such assistance; however, the military adoption reimbursement benefits may not be paid for any expense paid to or for a member of the military under any other adoption benefits program administered by another federal agency or by a state or local government.

<sup>41</sup>These data may include payments made to the same servicemember in more than 1 year within our 5-year time period.

<sup>42</sup>Percentages were rounded up and, therefore, may not total exactly to 100 percent.

<sup>43</sup>Among those families who reported they were unaware of the military reimbursement benefit of adoption-related expenses, one family told us awareness of this benefit may have given them more options to consider when deciding on how to expand their family and the financial impact of those options.

<sup>44</sup>Private adoptions typically involve higher costs than foster care adoptions. Families who adopt privately typically incur costs for a home study, fees from a private adoption agency, lawyer, or the court, and travel and birth mother expenses, which can total thousands of dollars. In comparison, families who pursue an adoption from foster care generally do not incur these expenses.

military adoption financial assistance and benefits, such as military reimbursement for adoption-related expenses; and resources on adoption agencies and attorneys and state-specific adoption requirements.<sup>45</sup> According to DOD officials, consultants will also review military considerations, such as needing to move or deploy overseas, so servicemembers and their families can be aware of any potential impact on completing the adoption process. Foster parent consultation is also available and includes assessment of needs, information, resources and referral to state resources as appropriate, according to DOD officials. According to our analysis of DOD data, there were a total of 2,911 adoption and foster care consultations conducted between fiscal years 2016 and 2020 across the four service branches in our review.<sup>46</sup> In addition, the number of consultations conducted with military families across the four service branches generally increased over this time period.<sup>47</sup> DOD officials responsible for oversight of this program said that increases in consultations may be explained by increased call center utilization since 2018, which they attributed to efforts to build awareness of the resource. Over the 5-year period, the distribution of consultations by service branch was generally consistent with the overall distribution of the active-duty servicemember population in each branch in 2019. For example, the highest number of adoption consultations were for servicemembers in the Army (1,339), followed by the Air Force (679), Navy (590), and Marine Corps (303). Of the 29 military foster and adoptive families we interviewed, seven families reported being aware that adoption consultations or other resources provided through the Military OneSource website and call center could support them. In addition, five families reported using this support, and a few said that, generally, the information they received was the same as what they found through their own online research.

### **HHS, State, and Local Child Welfare Agencies**

**HHS information and resources.** In 2021, HHS's Children's Bureau published and posted on its Child Welfare Information Gateway website

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<sup>45</sup>Servicemembers globally can access consultations, among other supports offered through Military OneSource, 24 hours and 365 days a year.

<sup>46</sup>According to DOD officials, all cases involving either adoption or foster care consultations are annotated within the DOD's data system as "adoption consultation."

<sup>47</sup>DOD's Case Management System tracks data on consultation inquiries related to adoption or foster care. Analysis of data is as of September 2020.

information and guidance specific to military families pursuing adoption, updating information it previously published in 2016. For example, one fact sheet targeted to military families considering adoption included information about the adoption process, available military benefits and services, and the circumstances unique to military families with one or more servicemembers that may pose a challenge during the adoption process.<sup>48</sup>

The Children's Bureau also published guidance for adoption workers on how to work with military families pursuing adoption.<sup>49</sup> This guidance includes information on the benefits of military families as adoptive resources for children, potential challenges and solutions in working with military families, military resources that can assist adoptive families, and organizations that can help support military families. See figure 4 for examples of relevant HHS's Children's Bureau publications. In addition, as part of a collaboration which began in 2002 between HHS and the Adoption Exchange Association, HHS provided funding for AdoptUSKids to develop a report to provide information for practitioners assisting military families considering foster care or adoption.<sup>50</sup>

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<sup>48</sup>Department of Health and Human Services, Children's Bureau, Child Welfare Information Gateway, *Military Families Considering Adoption*, Factsheets for Families (June 2021). This publication is available online on the Child Welfare Information Gateway website: <https://www.childwelfare.gov/pubs/f-milita/>. The Child Welfare Information Gateway, a service of the Children's Bureau, also includes resources found in the Factsheet for Families on its web site: <https://www.childwelfare.gov/topics/adoption/adoptive/family-type/military-families/>.

<sup>49</sup>Department of Health and Human Services, Children's Bureau, Child Welfare Information Gateway, *Working with Military Families as They Pursue Adoption of Children and Youth*, Bulletins for Professionals (June 2021). This publication is available online on the Child Welfare Information Gateway website: <https://www.childwelfare.gov/pubs/militarybulletin/>.

<sup>50</sup>The Adoption Exchange Association is a national association of adoption programs and organizations. The report includes information on what adoption agencies and military personnel can do to prepare and help military families with adoption and covers topics such as targeted recruitment of military families, placement and the adoption process, post-adoption services, and biases and barriers that have contributed to the difficulties military families may face in adopting children. Judith K. McKenzie, John L. McKenzie, and Rosemary Jackson, McKenzie Consulting Inc., *Wherever My Family is: That's Home!, Adoption Services for Military Families, A Reference Guide for Practitioners*. AdoptUSKids' mission is to recruit and connect foster and adoptive families with waiting children in the U.S.

Figure 4: HHS Resources on Adoption by Military Families

**BULLETINS FOR PROFESSIONALS | JUNE 2021**

## Working With Military Families as They Pursue Adoption of Children and Youth

The adoption process for military and civilian families is similar in most ways. Some child welfare professionals may be reluctant to support military parents through the adoption process due to limited understanding of military life. A deeper awareness of the resources and culture that support military families may help adoption professionals place children in caring and stable families.

This bulletin provides an overview of the ways military families meet the needs of children and youth who need forever families. It addresses concerns specific to families with one or more service members interested in adoption and provides resources to assist adoption professionals in better serving these sometimes-overlooked prospective adoptive parents.

**WHAT'S INSIDE**

- Valuable resources for children and youth eligible for adoption
- Unique adoption concerns facing military families
- Other organizations with resources to support military families

Child Welfare Information Gateway  
PROTECTING CHILDREN • STRENGTHENING FAMILIES

Children's Bureau  
An Office of the Administration for Children & Families

Children's Bureau/ACYF/ACF/HHS | 800.394.3366 | Email: info@childwelfare.gov | https://www.childwelfare.gov

**FACTSHEETS FOR FAMILIES | JUNE 2021**

## Military Families Considering Adoption

Military families who adopt primarily go through the same processes as civilian families. [Military OneSource](#), a program for the military community funded by U.S. Department of Defense (DoD), provides information and support on [adoption](#) to help your family navigate procedures common to all prospective adoptive parents as well as some that are unique to military families. This factsheet provides an overview of adoption processes that are specific to families with one or more service members.

**WHAT'S INSIDE**

- The adoption process
- Military family adoption issues
- Child Welfare Information Gateway resources for more information

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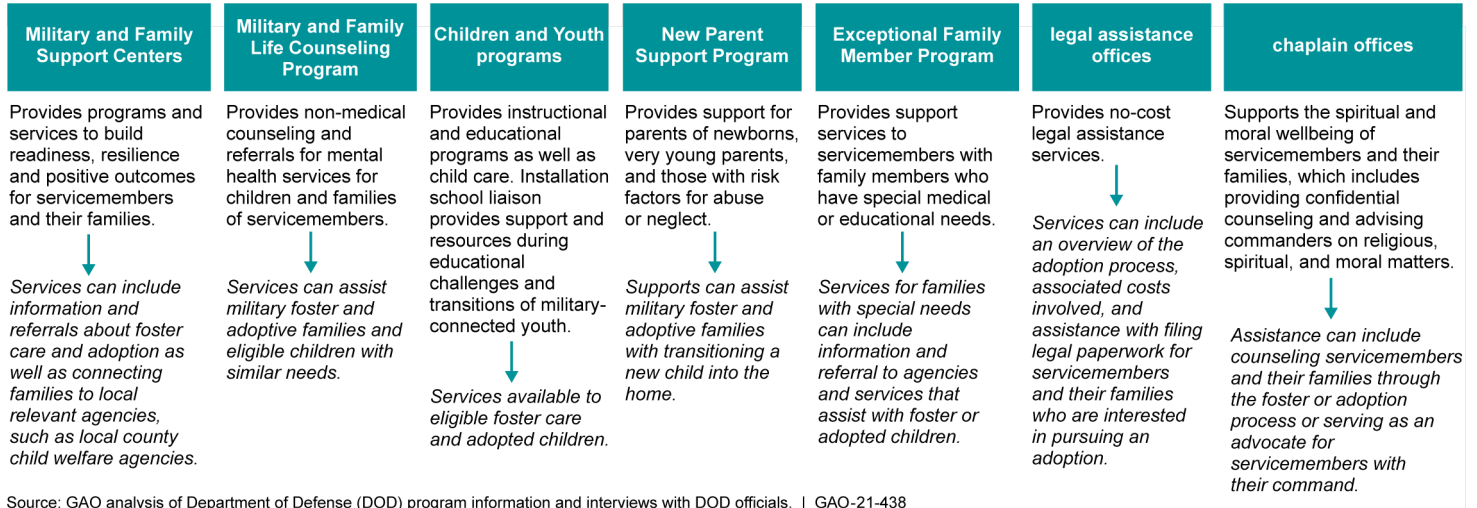
Source: Department of Health and Human Services' (HHS) Children's Bureau, Child Welfare Information Gateway, available online at <https://www.childwelfare.gov/pubs/militarybulletin/>. | GAO-21-438

**State and local agency assistance and information.** Officials from four state and local agencies identified resources targeted to military foster and adoptive families. Officials we spoke with in one state said that their state recently passed legislation providing financial benefits to military families who adopt a child with special needs from the child welfare system. In addition, officials from three local agencies told us of efforts to provide information to military servicemembers about fostering and adopting children. For example, officials from one county child welfare agency we interviewed told us they attended a recruitment event for foster and adoptive parents at a local military installation in response to interest from servicemembers and their families.

Other Supports That Serve All Servicemembers and Their Families

DOD provides other supports to servicemembers and their families, which can include but do not specifically focus on foster and adoptive families, such as counseling and referral services. See figure 5 for a description of these other supports available through selected DOD programs and offices.

**Figure 5: Available Supports through Selected Military Programs and Offices, and How Supports May Apply to Foster or Adoptive Family Needs**



Source: GAO analysis of Department of Defense (DOD) program information and interviews with DOD officials. | GAO-21-438

**Text of Figure 5: Available Supports through Selected Military Programs and Offices, and How Supports May Apply to Foster or Adoptive Family Needs**

<b>Military and Family Support Centers</b>	Provides programs and services to build readiness, resilience and positive outcomes for servicemembers and their families.	Services can include information and referrals about foster care and adoption as well as connecting families to local relevant agencies, such as local county child welfare agencies.
<b>Military and Family Life Counseling Program</b>	Provides non-medical counseling and referrals for mental health services for children and families of servicemembers.	Services can assist military foster and adoptive families and eligible children with similar needs.
<b>Children and Youth programs</b>	Provides instructional and educational programs as well as child care. Installation school liaison provides support and resources during educational challenges and transitions of military-connected youth.	Services available to eligible foster care and adopted children.
<b>New Parent Support Program</b>	Provides support for parents of newborns, very young parents, and those with risk factors for abuse or neglect.	Supports can assist military foster and adoptive families with transitioning a new child into the home.

<b>Exceptional Family Member Program</b>	Provides support services to servicemembers with family members who have special medical or educational needs.	Services for families with special needs can include information and referral to agencies and services that assist with foster or adopted children.
<b>Legal assistance offices</b>	Provides no-cost legal assistance services.	Services can include an overview of the adoption process, associated costs involved, and assistance with filing legal paperwork for servicemembers and their families who are interested in pursuing an adoption.
<b>Chaplain offices</b>	Supports the spiritual and moral wellbeing of servicemembers and their families, which includes providing confidential counseling and advising commanders on religious, spiritual, and moral matters.	Assistance can include counseling servicemembers and their families through the foster or adoption process or serving as an advocate for servicemembers with their command.

Source: GAO analysis of Department of Defense (DOD) program information and interviews with DOD officials. | GAO-21-438

According to officials we interviewed across the four selected installations, families who are fostering or adopting may find these supports helpful in addressing their needs. For example, officials from the military and family life counselor office at a selected installation said their counselors can provide post-adoption information and counseling services to adoptive families to help them prepare for a move and connect them to needed resources in the new area. Many of the military families we interviewed told us that finding local services, such as a new therapist for their foster or adopted child, a new school that provides specialized services, or a new foster care agency to work with to become licensed, can be difficult after each move. In addition, HHS guidance for military adoptive families notes that the Exceptional Family Member Program can assist families with eligible children before, during, and after a permanent change of station (PCS) move by providing information and referrals to help families navigate medical and educational systems. One military family we interviewed that fostered a child mentioned receiving a helpful list of resources from this program that the child would be eligible to access.

### Officials and Families We Interviewed Had Limited Awareness of Available DOD Supports That Can Assist Foster and Adoptive Families

Officials we spoke with across three of the selected installations, and four state and local agencies said they lacked awareness of the military supports that could assist foster and adoptive families. In addition, less than half of the 29 military families we spoke with were aware of the range of DOD supports that could provide foster- and adoption-related



assistance. For instance, officials from 14 programs and offices across the four installations said they lacked information on the size of the military foster and adoptive population, the foster and adoption process, or where to refer families interested in fostering or adopting. Similarly, officials from three local child welfare agencies we spoke with said they lacked an understanding of the military supports available to these families to be able to refer families, when needed. For example, an official from a private placement agency in one state told us the agency would like more information about mental health, child care, and other social service supports available on installations to better support these families through the process. Officials from a state child welfare agency also told us it would be helpful to know if there are equivalent services on installations to help with trauma-related issues that children may face and how military foster and adoptive families can obtain access to these services. Families we interviewed also reported a lack of awareness that many of the military supports we identified could help assist them during the foster or adoption process. For example, two military adoptive families we interviewed said they were aware of the legal assistance office, but did not believe the office could provide assistance with adoptions. One of these families told us they never sought help with their private adoption paperwork because they viewed legal assistance offices as only helping with military-related matters.

Across military programs and offices at the four selected installations we reviewed, efforts to inform the military community about available supports that could assist foster and adoptive families were limited. Officials from more than half of the programs and offices we interviewed across the four installations said that their outreach efforts did not include information on how their services could assist members and their families who are fostering or adopting. Officials from six programs said that although their programs, including those for children and youth and family life counseling, are discussed at welcome aboard briefings for servicemembers new to the installation, the information presented is not specific to foster and adoptive families, in part because the programs do not focus on those families.

Military families we interviewed reported using some of the DOD supports that serve all servicemembers and their families during the process of fostering or adoption, and had a range of views on whether supports were helpful or met their specific needs. For example, two military families told us that a military and family life counselor provided referrals for specific mental health services or to medical and community resources. One family said that the counselor they worked with was well-informed on

foster and adoption-related issues, such as loss, attachment, and trauma, which was helpful for the family that fostered a child who had a hard time adjusting to the family. In another case, a family who used Children and Youth programs said it was very helpful to have access to youth sports programs and other activities for their foster children who previously had no access to extracurricular activities.<sup>51</sup>

Other families spoke of difficulties finding foster- and adoption-related supports from selected programs and offices, including one family who said they requested but did not receive assistance from Children and Youth programs with coping skills and emotional regulation for their adopted child who was at the military child care center. This family said that military children generally have issues with grief, separation, and post-traumatic stress similar to foster children, and they expected personnel at these centers to be more prepared to address these issues. Officials we interviewed across these other military support offices said they are not required to be trained on the foster or adoption process as it is not the focus of the supports they offer to servicemembers and their families. Officials from seven programs and offices spoke of general training requirements related to working with children experiencing difficulties, such as with trauma or attachment or for families in transition due to a deployment. These officials said though such training is not targeted to foster care and adoption, it may help foster and adoptive families who face similar issues.

Selected quotes from military families on their experiences with various DOD supports:

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<sup>51</sup>Officials from three of the Children and Youth programs we interviewed told us that in regards to child care programs available on installations, wait lists can impact how quickly servicemembers and their families have access. Additionally, one program official from another selected installation said that they have wait lists for all types of families, and wait lists have been further complicated by the COVID-19 pandemic, which required them to reduce the number of children they serve. GAO reported on wait lists and wait times to obtain child care on an installation and steps DOD has taken to reduce wait lists. For more information, see GAO, *Military Child Care: Off-Base Financial Assistance and Wait Lists for On-Base Care*, [GAO-21-127R](#) (Washington, D.C.: Dec. 2020).

*"He [military family and life counselor] is very helpful.... They talk with children about issues that are more, I guess, prevalent for military children, like moving all the time and having to start over with school and friends. Or, you know, parents being away for a long time. And a lot of that overlaps with foster children.... So, he was really helpful with one of our [children] who was having a really hard adjustment."*

*"I found it helpful because a lot of our [foster care] [children] have not been able to do any extracurricular activities and stuff before, and Child[ren] and Youth runs youth sports programs where they're affordable and they're – I guess, the biggest part is they're affordable and a lot of the kids have never done any sports."*

*"I had asked them [military and family life counselor] can you please – maybe the [military and family life counselor] can help my child with some coping skills, emotional regulation, soothing skills, and they were very hesitant to do that. I don't know if they just didn't care for that particular military and family life counselor or what but neither of my children in the centers, even though I requested it, never got [military and family life counselor] support. Both my children have very delayed social skills. That would help them a lot. .... it's the lack of trauma-informed day care in my opinion, which is concerning because trauma kids aren't just foster kids. Our military children alone have grief and separation and problems with [post-traumatic stress disorder], it was concerning all around but, really they should be prepared for foster children."*

*GAO discussion group participants from military foster families*

Although DOD offers targeted and other supports to servicemembers and their families, no single military program or office provides a central repository of information for military families seeking assistance with fostering or adoption, according to our analysis of information from interviews with DOD officials. Officials from military and selected local agencies said that information in a central location would be helpful for both families and military personnel who may assist these families, with some noting that a central location for information would help prevent families from bouncing around from office to office and help military personnel refer families inquiring about fostering or adoption. In addition, foster and adoptive families we interviewed said they would like to be informed of military supports through a website, a point person knowledgeable about the foster and adoptive process and located in one

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place, such as a family support center, or through checklists about the process and available supports.<sup>52</sup>

The goals of the network of Military Community and Family Policy programs are to build a support system that provides needed services to members and families. However, we found limited awareness and outreach as well as difficulties navigating these supports among various stakeholders. *Standards for Internal Control in the Federal Government* also state that management should seek quality information from and communicate with internal and external parties to achieve its objectives. Furthermore, the standards state that management should select appropriate methods to communicate, and consider factors, such as the audience and availability of information when needed. Without promoting awareness of available supports that could assist military foster and adoptive families in a centralized location, DOD will potentially miss the opportunity to provide the continuum of support needed by military families who are in the process of or are looking to grow their families through fostering or adopting children.

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## Families Reported Challenges, Including with Enrollment in the Military Benefits System, Which May Be Partially Due to Inconsistencies between DOD Guidance and Regulations

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### Challenges Related to Frequent Moves and Deployments Can Delay or Interrupt the Foster Care Placement or Adoption Process

Most of the 29 military foster and adoptive families and almost all officials from 53 federal and selected military, state, and local agencies we interviewed said that the mobile lifestyle of the military, particularly orders for a PCS move or deployment, is challenging for military families who pursue a foster care placement or adoption. In addition, almost all families reported that a PCS move or deployment presented certain difficulties

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<sup>52</sup>Although Military OneSource has information on its website about various military programs and benefits, including adoption consultation, adoption reimbursement benefits, adoption-related leave, and military healthcare coverage, it does not include information in a central location on all the available military supports that can assist military families pursuing foster care or adoption.

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during the foster or adoption process, including difficulty completing or having to re-do required pre-placement processes or insufficient time to foster or finalize an adoption. These challenges can result in delays or interruptions in the foster care placement or adoption process as well as other impacts on the families.

### Mobility in the Military

Active-duty military servicemembers are subject to frequent relocations as a result of permanent change of station (PCS) and deployment orders. PCS orders enable the service branches to move personnel to assignments at new locations, and support a wide range of national security requirements and institutional needs. Upon receiving a PCS order, a servicemember is required to move to a new duty station by a specific date, and the servicemember's family can relocate at the same time or at a different time. PCS moves typically occur every 2 to 3 years, but the frequency can vary by service branch, rank of servicemember, and can include overseas assignments. In addition, servicemembers may deploy and be separated from their family for a period of time. In the case of dual-military couples, each servicemember spouse may be separated from their family during different periods of time, or both servicemembers could be deployed simultaneously. Deployments allow the service branches to move forces from their original locations to specific areas to conduct operations. Like PCS moves, deployments can also vary in frequency as well as duration based on the service branch, among other factors.

Source: GAO analysis of Department of Defense information and documents. | GAO-21-438

**Difficulty completing required pre-placement processes.** Many families and some officials we interviewed said that PCS moves or deployments present challenges with completing the required pre-placement processes to become a foster or adoptive parent, including background checks and home study interviews, which some families and officials said can result in delays.<sup>53</sup> Over half of the military families reported challenges completing background checks for the multiple states or countries they had been stationed in over the years. One military family said that obtaining the necessary documentation to complete required background checks was the most time-consuming part of their private adoption process. Another military family said that background checks from four or five states, including one going back 25 years, significantly delayed their foster parent licensing process. In addition, two military families said they experienced delays in the foster care placement or adoption process because a deployed or reassigned spouse was unavailable for certain parts of the process, such as a home study interview. For example, one family said they were on their third or fourth attempt to adopt from foster care when one spouse was assigned a temporary duty station at another base for several months.<sup>54</sup> The spouse who stayed at home had limited contact with her husband during that period of time, making it difficult to complete the home study in a timely manner.

*"[E]ven if we were able to get a background check for [the overseas assignment], it would have [to be] translated... you had to go back 5 years, and within 5 years, we [had] three assignments. So it really threw everybody here for a loop and it took a lot of time and... we almost thought that... they wouldn't approve us as a foster family... I think it set us back in the licensing process maybe 3 months..."*

*GAO discussion group participant from a military family adopting from foster care*

**Re-doing pre-placement processes.** In addition to difficulties completing the pre-placement process, a PCS move can result in families having to re-do background checks, a home study, or training because of state-specific requirements or a change in residence, which some said

<sup>53</sup>For families who foster or adopt from foster care, the process to complete a home study, background checks, and training is referred to as the licensing process. A family generally must be licensed before a child is placed in the home.

<sup>54</sup>Temporary duty is when a servicemember receives orders for a short-term assignment to a location other than the servicemember's permanent duty station.

can further delay or interrupt the foster or adoption process. Both families and officials said this lack of transferability of a foster family license or private adoption home study across states can lead to additional stress for military families and decisions to delay or give up pursuing the foster or adoption process. For example, one family said they were in the middle of their home study for a private adoption when the servicemember received PCS orders earlier than expected, resulting in the family having to re-do the home study in their new residence and thus delaying their adoption process. Another military family pursuing a private adoption said they may end their adoption journey if they would have to re-do the home study process following a PCS move.

*"We are a military family who has given up on the adoption via foster care process due to the timeline conflicts and other military conflicts in our past two duty stations... We have made the very very sad decision not to get a license in [the state where we currently live]. Every time we move, we have to start over (the classes are nearly identical!). The process takes a long time and we never know how much time we have. I wish there was a reciprocity option for military foster/adoption licenses. Private or overseas [adoption] does not seem to be a fit for us."*

*GAO discussion group participant from a military family who fostered and wanted to adopt from foster care*

*"We are in this very short window. Our consultant's contract is 15 months. If we don't adopt within 15 months, we have to pay again. And then our home study, I don't know how long [our current state]'s is up for, but it doesn't matter because we have a hard stop date of when we have to PCS to [a new state], and then we'll have to go through it again... and then all those people have to redo letters and everything with a whole new home study process there."*

*GAO discussion group participant from a military family who adopted privately*

**Insufficient time for a foster care placement or adoption.** More than half of the military foster families we spoke with and officials from 13 selected military, state, and local agencies said military families have difficulty fostering a child because of limited time in between PCS moves, with some noting that a move can interrupt a foster care placement. For example, one military foster family said a PCS move interrupted their foster care placement, resulting in the child being transferred to another foster home. A few officials from state and local agencies we interviewed said that their aim to minimize the number of different placements for foster children can impact whether children are placed with military families. For example, an official from one placement agency told us they

require families to confirm they will be local for 2 years in order to begin the foster parent licensing process. Another placement agency official said they would not place a foster child with a military family that anticipates a PCS move if the foster child's permanency plan is to reunify with their biological parents because that child would be unable to move out of state with the foster family.<sup>55</sup> One military family we interviewed said they tried to become licensed foster parents but were denied, saying the foster care agency staff had concerns about placing a child in their home because the family may not stay in the area long enough. A few families also said they had to consider how to balance career progression with pursuing assignments that would allow them to move less frequently so they could have time to foster. For example, one family said that, although it was not the best career decision, the servicemember spouse took an assignment to remain at an installation for another 3 years to give the family time to have foster care placements and possibly adopt from foster care.

More than half of military adoptive families and officials from many of the federal and selected military, state, and local agencies we spoke with said limited time in between PCS moves also makes it more challenging to complete the adoption process, particularly for those who adopt from foster care. According to HHS, several states require families to foster a child for a period of time ranging from 6 months to 2 years before they can adopt the child.<sup>56</sup> In addition, the process to terminate parental rights before initiating the adoption process can vary in length.<sup>57</sup> Some families trying to adopt from foster care told us that a PCS move had interrupted or would interrupt the process to adopt a child placed in their home. For

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<sup>55</sup>Officials from six state and local agencies we spoke with said a foster family who intends to adopt may be able to move out of state with their foster child if parental rights for the foster child have been terminated. The primary goal of the foster care system is to reunify the child with their parents when and if it is safe to do so or otherwise achieve permanency, such as by finding the child a home with a relative or adoptive family.

<sup>56</sup>According to HHS, as of August 2020, 13 states require that the child must have resided with the foster parents for a period of between 6 months and 2 years before the foster parents can be considered for adoptive placement. See Department of Health and Human Services, Children's Bureau, *Home Study Requirements for Prospective Parents in Domestic Adoption* (Washington, D.C.: 2021). In some states, according to this publication, once a foster family has applied to adopt a child, an abbreviated home study will be conducted to determine the parent's ability to provide a permanent home.

<sup>57</sup>According to HHS, if a child remains in foster care for 15 out of the most recent 22 months, the law requires the child welfare agency to ask a court to terminate parental rights—which ends the legal parent-child relationship—and seek to place the child for adoption, unless a statutory exception applies, such as the child is being cared for by a relative. 42 U.S.C. § 675(5)(E).



example, one family who wanted to adopt from foster care said their PCS orders changed unexpectedly, leaving them insufficient time before the move to adopt the child who was placed in their home. A few families also said that in response to limited time in between PCS moves, they decided to pursue a private adoption instead of adopting from foster care. However, military families who adopted privately also expressed uncertainty about the length of the private adoption process or had difficulties finalizing an adoption before a PCS move or deployment. For example, one military family said it took 4 years to finalize their private adoption because the process was interrupted each time one spouse deployed, despite requests to defer the deployment. To avoid an adoption interruption, two military families said they split up the household so one spouse could remain in the area to finalize the adoption. A state agency official and a placement agency official who worked with families who did this explained that once an adoption is final and the military family has legal custody of the child, the family can more easily relocate with the child.<sup>58</sup>

Officials from selected state and local agencies as well as military families we interviewed provided examples of some flexibilities that prevented delays or interruptions in the foster care placement or adoption process due to frequent moves or deployments. For example, officials from two local child welfare agencies told us they provided information to servicemembers' command units, which they said helped some families delay their PCS move in order to finalize a foster care adoption. According to DOD policy, when practicable, a PCS move should occur at a time that allows a family who is in the process of adopting a child to

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<sup>58</sup>If a family needs to move with their child to another state before finalizing the adoption, the family would be subject to a process governed by the Interstate Compact on the Placement of Children (ICPC). The ICPC is an agreement between all states that is intended to ensure that children placed across state lines (such as for a foster care placement or adoption) will be placed in safe, suitable environments with people who are qualified to care for them. The ICPC is enacted into law by each state and establishes uniform procedures that must be followed before a child can be transferred for placement from one state to another. During the ICPC process, state ICPC offices exchange information on the case, such as information on the child and the family, and documents, such as the child's birth certificate and a Social Security card.

complete the adoption or avoid disrupting the adoption proceedings.<sup>59</sup> One military family said that the servicemember's command changed their PCS order so they did not have to move overseas 3 days before their adopted child was born. Officials from five state and local child welfare agencies also told us of flexibilities they can provide to military families, such as expediting the adoption process, allowing for an adoption finalization even if the servicemember parent cannot attend court proceedings in-person, and allowing a deployed parent to complete required training virtually.

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### Difficulty Enrolling Foster and Pre-Adoptive Children May Be Due to Inconsistencies between DOD Guidance and Regulations and Limited Awareness Among DOD Personnel of Eligibility Criteria

Military families we interviewed reported facing barriers to enrolling foster and pre-adoptive children in the military benefits system, although both groups are eligible to enroll in DEERS under DOD policy and regulations.<sup>60</sup> Specifically, 12 of the 29 military families we interviewed said they faced challenges with enrolling foster and pre-adoptive children in DEERS—DOD's centralized benefits database—which is generally necessary for dependents of a servicemember to access certain military benefits and services, such as recreation privileges or health care for pre-adoptive children.<sup>61</sup> Ten of these families said military personnel responsible for enrolling servicemembers' dependents at local installations were unaware that foster and pre-adoptive children are eligible to enroll in DEERS or the required documents needed to enroll them. A few other military families said they did not know their foster or pre-adoptive child was eligible for enrollment in DEERS. According to

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<sup>59</sup>See Department of Defense Instruction 1315.18, *Procedures for Military Personnel Assignments* (June 24, 2019). The instruction also states that a single servicemember or one member of a dual-military couple adopting a child will be deferred from assignment for a minimum of 4 months from the date the child is placed in the home as part of the formal adoption process if the assignment is to a dependent-restricted overseas tour or an accompanied overseas tour when concurrent travel is denied. The same deferment period applies to temporary duty assignments. The instruction does not include any reference to providing PCS or deployment timing flexibility to families who are fostering a child.

<sup>60</sup>See 32 C.F.R. § 161.23(b)(3)(vi)(foster children) and (b)(3)(ii)(pre-adoptive children); DOD Manual 1000.13.

<sup>61</sup>A foster child is generally ineligible for military healthcare benefits.

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families we interviewed, difficulties enrolling foster and pre-adoptive children in DEERS delayed access to available military services and benefits, such as an installation identification card, child care services on the installation, or TRICARE medical benefits for pre-adoptive children.<sup>62</sup>

### Barriers to Enrolling a Foster Child in DEERS

DOD personnel responsible for enrolling eligible family members in DEERS across the four selected installations told us they referred to Air Force Instruction 36-3026 (AFI), a joint service document developed by the services and applied across all uniformed service branches, for service-level guidance on eligibility and required documents for DEERS enrollment.<sup>63</sup> The AFI implements departmental DEERS enrollment policy and procedures developed by DOD's Defense Human Resources Activity in coordination with representatives from each service branch, who advise the Defense Human Resources Activity on DEERS-related issues and assist with policy recommendations and oversight of DEERS operations.<sup>64</sup> However, we found that information in the AFI on foster child

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<sup>62</sup>Children in a foster care placement are eligible to enroll in DEERS, but are not entitled to military medical care, unless the child is placed with a military family as a result of a placement agreement, court order, or other appropriate document from a court or other source authorized by state or local law to provide adoption placement that includes the intent to adopt (i.e., the child is considered pre-adoptive). See 32 C.F.R. § 161.10(b). According to DOD officials, foster and pre-adoptive children may access child care and other Children and Youth programs without enrolling in DEERS if the military family provides legal documentation of the foster care placement or adoption proceedings.

<sup>63</sup>Training materials for personnel responsible for enrolling eligible family members in DEERS further instruct them to reference the AFI when assisting families with DEERS enrollment, according to training manuals and DOD officials we interviewed. See Air Force Instruction (AFI) 36-3026, Vol. 1, *Identification Cards for Members of the Uniformed Services, Their Eligible Family Members, and Other Eligible Personnel* (Aug. 4, 2017). The military service branches jointly established the AFI to implement eligibility criteria for military benefits as outlined in DOD Manual 1000.13. As a multi-service publication, Air Force Instruction 36-3026, Vol. 1, is also known as Army Regulation 600-8-14; Bureau of Naval Personnel (BUPERS) Instruction 1750.10D, Vol. 1; and Marine Corps Order 5512.11E. In this report, when citing to provisions within this publication, we use the Air Force Instruction citation.

<sup>64</sup>DOD's Defense Human Resources Activity develops procedures for the management of DEERS and coordinates with other relevant offices to establish DEERS enrollment and eligibility guidance and procedures, as outlined in Department of Defense Instruction 1341.02, *Defense Enrollment Eligibility Reporting System (DEERS) Program and Procedures* (Aug. 18, 2016). Per that instruction, a Service Project Officer from each service branch represents the position of their component for personnel policy on matters concerning DEERS. In addition, the Service Project Officer develops and implements DEERS policy and procedures for their respective service branch.

enrollment is inconsistent with DOD regulations, potentially contributing to confusion among personnel who enroll eligible family members in DEERS and military families. For example, the regulations define a foster child differently from another type of dependent—a ward—and list different documentation requirements to enroll these two types of dependents in DEERS.<sup>65</sup> Defense Human Resources Activity officials explained that the required documentation to enroll a ward is more extensive than that for a foster child because, unlike a foster child, a ward is eligible to access military healthcare, provided certain criteria are met.<sup>66</sup> Yet, we found multiple sections of the AFI where a ward and a foster child are not treated as separate types of dependents, and instead overlap.<sup>67</sup> We also found that the AFI lacks key information on the required documents to enroll a foster child. The list of the required documents to enroll a foster child is missing from two key sections of the AFI where such information is listed for other types of dependents.<sup>68</sup> For a comparison of the information in the AFI and DOD regulations on foster child DEERS enrollment requirements, see appendix II.

A DOD official who administers updates to the AFI confirmed that the information on foster child eligibility and enrollment in the AFI does not align with the information listed in DOD regulations. This official explained that more specific information on foster child enrollment was left out of the AFI due, in part, to challenges in establishing uniform policies and

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<sup>65</sup>32 C.F.R. §§ 161.3 (definitions of foster child and ward); 161.23(b)(3)(v) (eligibility documentation required for a ward); 161.23(b)(3)(vi) (eligibility documentation required for a foster child). For example, to enroll a ward in DEERS requires a placement agreement or court document that establishes legal custody of the ward by the servicemember for no less than 12 consecutive months. This documentation is not required to enroll a foster child.

<sup>66</sup>See 32 C.F.R. § 161.10(b). Among other things, to be eligible for military health care, a ward must have been placed in the legal custody of the servicemember by a court of competent jurisdiction for a period of at least 12 consecutive months. DOD officials explained that a ward has additional required documents to enroll in DEERS because more documentation is needed to establish the ward's eligibility for military healthcare benefits.

<sup>67</sup>For example, the definition in the AFI for foster child includes a reference to a ward and the definition for a ward references foster children. See appendix II.

<sup>68</sup>Two sections of the AFI that contain information on the required documents to enroll various categories of dependent children do not include information on the required documents to enroll a foster child. See appendix II.

procedures for foster child enrollment across multiple service branches.<sup>69</sup> In addition, this official said that because documentation of a foster care placement can vary by state, the document review process can be more complicated for the personnel who enroll eligible family members in DEERS, especially for those who are less experienced. During our interviews at selected installations, the personnel we spoke with said they had little experience enrolling a foster child.

Ultimately, the overlapping information in the AFI on enrolling a ward and a foster child may pose a barrier for these personnel and military families to accurately identify the documentation required to enroll a foster child, and may further contribute to the confusion around whether foster children are eligible or how to enroll them, according to the DOD official. We heard inaccurate information from a military family and personnel from one DEERS office we interviewed about required documentation to enroll a foster child in DEERS, which illustrated this confusion. For instance, one military family said that, in order to enroll their foster child in DEERS, they were told to provide documentation demonstrating that the child was living in their household for more than 12 months. Similarly, an official at a selected installation said a servicemember must show that a foster child resides with the servicemember for at least 12 consecutive months to be eligible to enroll in DEERS, receive a base identification card, or access other services on base. Both individuals in these examples described the required documentation for enrolling a ward, not a foster child, in DEERS, according to the regulations. The official we spoke with from the office that administers updates to the AFI told us that the office plans to initiate a request to update the 2017 AFI, which would provide an opportunity to ensure the AFI is consistent with the regulations.<sup>70</sup> As of March 2021, that office had not yet initiated the request or established a timeframe to update the AFI.

Five of the 17 military foster families we interviewed discussed difficulties enrolling their foster child in DEERS and a few described the impact on

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<sup>69</sup>According to this official, prior to 1998, each service branch wrote its own rules and procedures for determining eligibility and required documents to enroll a foster child in DEERS. The official said the AFIs after 1998 were written to apply to all service branches, and brought together the policies of the different service branches. The current regulations were issued in 2016. However, the official said the required documents to enroll a foster child were not included in the AFI issued in 2017, in part, because there was not agreement among the service branches on what to include.

<sup>70</sup>According to this official, the 2017 AFI was developed over an 8-year period because it incorporated many significant changes to DEERS eligibility and enrollment guidance.

their families. Two families who lived on installations said difficulty enrolling their foster child in DEERS prevented the child from receiving an identification card and accessing installation services, including services from Children and Youth programs. One family said they had difficulties obtaining an identification card for a teenage foster youth who had been living with them for 7 months. As a result, the teenager could not enter or exit the installation or access installation services without the presence of another family member, which also limited the teenager's sense of belonging. The other family said their teenage foster youth was unable to participate in after-school programs or use installation facilities with his friends, such as the gym or the convenience store, because they were unable to enroll the youth in DEERS. Until DOD revises its guidance to be consistent with the regulations on required documentation to enroll foster children in DEERS, military families will continue to face challenges enrolling children they are fostering to access services.

#### Barriers to Enrolling a Pre-Adoptive Child in DEERS

As compared with the AFI instructions on foster child enrollment, the AFI instructions on pre-adoptive child eligibility and enrollment generally reflect the applicable DOD regulations, but a DOD official who administers the AFI told us that the pre-adoptive child dependent category may not be well understood by personnel responsible for enrolling these dependents in DEERS because they infrequently assist military adoptive families. Turnover among these personnel may further contribute to a lack of experience with pre-adoptive cases and lack of awareness that pre-adoptive children are eligible to enroll, according to this official. Most personnel we interviewed said they had little experience enrolling pre-adoptive children. According to the official who helps administer the AFI, some of these personnel may believe they cannot enroll pre-adoptive children because the family does not yet have a final adoption court order that clearly shows an adoption occurred, although such a court order is not required by either the regulations or the AFI for a

pre-adoptive enrollment.<sup>71</sup> As this official explained, personnel responsible for enrolling dependents may feel more comfortable waiting for a formal document, such as a court order finalizing an adoption, to avoid enrolling a dependent who is not eligible.<sup>72</sup>

Nine military families we interviewed said personnel responsible for enrolling eligible family members in DEERS told them their pre-adoptive child was not eligible for enrollment in DEERS until their adoption was finalized. A few families said that these personnel specifically requested documents demonstrating a finalized adoption, such as a birth certificate with the adoptive parents' names, which is not required by the DOD regulation.<sup>73</sup> In addition, some families said these personnel had not heard of pre-adoptive status or were unfamiliar with the required documents to enroll a pre-adoptive child. Four families told us that they brought a printed copy of related regulations or DEERS enrollment guidance to their local DEERS office with the corresponding required documents, but said the personnel still told them they could not enroll their pre-adoptive child. Two families pursuing a private adoption told us they were unable to enroll their child in DEERS while waiting to finalize the adoption—in one family's case, for 18 months. Many families said difficulty enrolling their pre-adoptive child in DEERS delayed their child's access to Children and Youth programs or TRICARE health providers. Some families who adopted privately said delayed access to TRICARE

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<sup>71</sup>To enroll a pre-adoptive child in DEERS, DOD regulations require the following eligibility documentation: (1) a birth certificate and (2) a placement agreement, court order or other appropriate document from a court of competent jurisdiction in the United States, or other appropriate document from a source authorized by state or local law to provide adoption placement (with written approval from the responsible uniformed service Judge Advocate General or local Staff Judge Advocate) that indicates the sponsor's intent to adopt. A certificate of live birth, a Consular Report of Birth Abroad, or a placement agreement, order, or other appropriate document from a court that establishes the child's date of birth can be used in lieu of a birth certificate. 32 C.F.R. § 161.23(b)(3)(ii).

<sup>72</sup>This official also said families who experience problems enrolling a pre-adoptive child may not know further assistance is available from the uniformed services DEERS Project Offices and the DMDC Beneficiary Helpdesks.

<sup>73</sup>As previously mentioned, to enroll a pre-adoptive child in DEERS, DOD regulations require a birth certificate and a placement agreement, court order, or other appropriate document from a source authorized by state or local law that indicates intent to adopt. 32 C.F.R. § 161.23(b)(3)(ii). According to a DOD official, the birth certificate does not need to include the adoptive parents' names as that is not available until the adoption is finalized, and the adoption does not need to be finalized in order to enroll a pre-adoptive child in DEERS. DOD regulations also state that a placement agreement or an order or other appropriate document from a court that establishes the child's date of birth can be used in lieu of a birth certificate. 32 C.F.R. § 161.23(b)(3)(ii).

health providers is particularly stressful because the child may not have another form of health insurance during that time. For example, a few military families who adopted privately said they had to pay out-of-pocket to get time-sensitive infant check-ups from non-TRICARE providers.<sup>74</sup>

*"[T]he [staff member responsible for enrolling eligible family members in DEERS] we went to had never heard of the pre-adopted status. And we had printed out... [guidance on] exactly what we need to bring and how they need to file it because we knew it was going to be a problem, so we did a lot of research beforehand. And they were still pretty much in denial... So it was just really confusing for them because they hadn't done it before and didn't know the difference between... placement paperwork and finalization paperwork."*

*"I think the biggest challenge we faced was trying to get our daughter into the system, get into DEERS, get into TRICARE... during that gap period before bringing her home and before having a birth certificate with our names on it, after the court order. That 7 [or] 8 months, the military didn't know what to do with her."*

*GAO discussion group participants from military families who adopted privately*

Despite DOD's stated objective to provide benefits and access to services for servicemembers and their families as part of its National Defense Strategy, we found that military families faced barriers to enrolling a foster or pre-adoptive child, which delayed or prevented some of the families we spoke with from accessing services and supports for their families.<sup>75</sup> *Standards for Internal Control in the Federal Government* state that agency management should internally communicate the necessary, quality information to achieve the entity's objectives. This information should be communicated down and across reporting lines to enable personnel to perform key roles in achieving those objectives. Furthermore, management should select the appropriate methods to communicate internally so that information is readily available on a timely basis. Unless DOD promotes awareness among all its personnel responsible for enrolling eligible family members in DEERS about

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<sup>74</sup>One family said they were later reimbursed by TRICARE for those out-of-pocket costs once the child was enrolled in DEERS.

<sup>75</sup>DOD's primary strategy document, the 2018 National Defense Strategy, lays out three lines of effort that provide a foundation for all other strategic guidance. According to DOD, in July 2019, the Secretary of Defense added a fourth line of effort aimed at taking care of military personnel and their families.



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guidance on enrolling foster and pre-adoptive children, both military foster and adoptive families will continue to face barriers enrolling their foster and pre-adoptive children in DEERS and accessing the full range of available military services and benefits for which they are eligible.

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## Conclusions

Although the process to foster or adopt is complex and sometimes lengthy for any individual or family, servicemembers and their families may face particular difficulties due to the frequent moves and deployments inherent in military service. DOD plays an important role in ensuring that servicemembers and their families have the supports needed for maintaining stability, resilience, and work-life balance wherever they are stationed. DOD provides some assistance specific to those servicemembers and families pursuing foster care or adoption, and makes available other supports to any servicemember, which may also address the needs of foster and adoptive families. However, with supports spread across multiple programs and offices and limited outreach on and awareness of these supports among foster and adoptive families as well as military programs and child welfare agencies assisting these families, DOD may potentially miss opportunities to support and meet the needs of this population.

In addition, DOD allows servicemembers and their families with eligible foster or pre-adoptive children the opportunity to access these military services and benefits through enrollment in its military benefits system, DEERS. However, a lack of clarity in DOD's guidance and inconsistencies between the guidance and DOD regulations on the required documentation for enrollment of foster children, as well as a lack of familiarity and experience enrolling both foster and pre-adoptive children among personnel responsible for enrolling eligible family members in DEERS, have created barriers for families to access these services. Without ensuring that the guidance on foster child enrollment is consistent with DOD regulations and regularly promoting awareness of information on the eligibility and required documents to enroll foster and pre-adoptive children in DEERS, some families may not be able to access the supports and services for which they are eligible, potentially resulting in unmet needs for both families and their children.

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## Recommendations for Executive Action

We are making the following three recommendations:

The Secretary of Defense should provide a centralized location for and promote awareness of information about foster and adoption-related policies and available DOD supports to better assist military foster and adoptive families. For example, the Secretary of Defense could provide such information through Military OneSource, using a designated point person on an installation, or through an existing installation program office. (Recommendation 1)

The Secretary of Defense should ensure that the Secretary of the Air Force revise AFI 36-3026, Volume 1, in cooperation with other DOD components as appropriate, to make it consistent with Department of Defense regulations on the required documents to enroll foster children in DEERS. (Recommendation 2)

The Secretary of Defense should ensure that the Secretaries of the military departments identify opportunities to regularly promote awareness of accurate information and guidance that includes accurate information on enrolling both foster and pre-adoptive children to all staff responsible for DEERS enrollments. For example, the military departments could coordinate with relevant offices to promote awareness of the guidance through annual trainings or other training mechanisms. (Recommendation 3)

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## Agency Comments and Our Evaluation

We provided a draft of this report to DOD and HHS for review and comment. DOD provided written comments, which are reproduced in appendix III, as well as technical comments, which we incorporated as appropriate. HHS did not provide any comments.

In its written comments, DOD generally concurred with our three recommendations. In response to our first recommendation to centralize information on available supports, DOD stated that it will explore opportunities to enhance existing information on foster and adoptive resources on Military OneSource and promote awareness of these resources. DOD also stated that it will ensure the Secretaries of the

military departments explore the identification of an installation level office or point of contact for foster and adoptive family assistance.

In response to our second recommendation to revise the information in the AFI on enrolling a foster child in its benefits system, DOD agreed that foster- and adoption-related policy developed and implemented by the Secretaries of the military departments should be consistent with DOD's policy. However, DOD suggested that the Secretary of the Air Force should take the lead in revising the AFI, in cooperation with other DOD components as appropriate, as this document is issued under the authority of the Secretary of the Air Force. We therefore revised our recommendation to direct it to the Secretary of the Air Force.

In response to our third recommendation to promote awareness of guidance on enrolling foster and pre-adoptive children, DOD agreed with promoting awareness of guidance that includes accurate information on enrolling both foster and pre-adoptive children in DEERS. DOD stated that it will ensure steps are taken to examine department-wide training and evaluate operational guidance for the personnel responsible for DEERS enrollment. However, DOD stated that the responsibility for promoting awareness of this information falls within the purview of the Secretaries of the military departments, which oversee the operation of sites that are responsible for DEERS enrollment. We therefore revised our recommendation to direct it to the Secretaries of the military departments.

We are sending copies of this report to the appropriate congressional committees, the Secretary of Defense, and the Secretary of Health and Human Services. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have questions concerning this report, please contact me at (202) 512-7215 or [larink@gao.gov](mailto:larink@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix IV.



Kathryn A. Larin  
Director, Education, Workforce, and Income Security Issues

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*List of Committees*

The Honorable Jack Reed  
Chairman  
The Honorable James M. Inhofe  
Ranking Member  
Committee on Armed Services  
United States Senate  
The Honorable Jon Tester  
Chairman  
The Honorable Richard Shelby  
Ranking Member  
Subcommittee on Defense  
Committee on Appropriations  
United States Senate  
The Honorable Adam Smith  
Chairman  
The Honorable Mike Rogers  
Ranking Member  
Committee on Armed Services  
House of Representatives  
The Honorable Betty McCollum  
Chair  
The Honorable Ken Calvert  
Ranking Member  
Subcommittee on Defense  
Committee on Appropriations  
House of Representatives

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## Appendix I: Objectives, Scope, and Methodology

Our report examines (1) what is known about the number and characteristics of military foster and adoptive servicemembers; (2) the foster- and adoption-related supports federal and selected state and local agencies provide that are specific to military families and families' use of these supports; and (3) the challenges that military foster and adoptive families face. This appendix provides information about the methods we used to answer these objectives.

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### Federal Data

To address our first objective on what is known about the number and characteristics of military foster and adoptive families, we examined data from several different sources for the time period covering calendar year 2016 through 2020. To gather information about the number of military foster families and families in the process of adopting a child (pre-adoptive), we interviewed officials from the Defense Manpower Data System (DMDC) support office about the data available from the Department of Defense's (DOD) Defense Enrollment Eligibility Reporting System (DEERS). According to DMDC staff, while DEERS can identify enrollments of eligible pre-adoptive children associated with a servicemember, it does not collect information that can readily identify child dependents that were adopted by servicemembers. We attempted to produce an estimate of the number of servicemembers who have adopted a child using other methods. However, after comparing the results of these methods, we determined that we could not confidently and reliably report on the number of servicemembers with adopted children using these methods. Therefore, we analyzed national record-level data from DEERS on active-duty servicemembers with a dependent classified as a foster child or a child in the process of being adopted.

We used the data on servicemembers with foster or pre-adoptive child dependents to describe the characteristics associated with these members, such as service branch, rank, and deployment status. Because we identified challenges servicemember families may face with respect to enrolling a foster child or pre-adoptive child as a dependent in DEERS, the numbers presented in this report may not reflect the full number of the military foster families and those in the process of adopting.

To provide a comparative look at the number of military foster and pre-adoptive servicemembers relative to the broader active-duty servicemember population, we analyzed published DMDC national data on the number of active-duty servicemembers with various characteristics, including service branch, rank, and deployment status.<sup>1</sup> Further, to understand the size of the population of active-duty servicemembers with a foster child relative to the broader population of adults in the U.S. that may foster, we reviewed Census Bureau data on the number of adults ages 18 and older in the U.S. in 2019. We also reviewed information in the Department of Health and Human Services (HHS) Adoption and Foster Care Analysis and Reporting System (AFCARS) reports on trends in foster care.<sup>2</sup> Specifically, we reviewed information on the number of children in the foster care system on September 30, 2019. Using DEERS and these AFCARS data, we calculated the percentage of foster children who were children of servicemembers. We then compared the percentage of foster children whose foster parents were servicemembers to the percentage of the adult U.S. population who were active-duty servicemembers in 2019. Adults ages 18 and older may not serve as an exact comparator with servicemembers, the majority of whom are under the age of 30.

To provide context for issues that may impact the fostering and adoption process for military families, we also obtained and analyzed record-level data from DOD's Contingency Tracking System on the number of deployments of active-duty servicemembers identified in DEERS with a foster or pre-adoptive child dependent at any point during calendar years 2016 through 2020. Specifically, we identified servicemembers who had a deployment between 2016 and 2020 that overlapped with the time they had foster or pre-adoptive children enrolled in DEERS.

To provide information about the use of supports that provide targeted assistance to military foster and adoptive families, we analyzed record-level data for calendar years 2016 through 2020 on payments made to

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<sup>1</sup>Although data on the total number of active-duty servicemembers are available for 2020, we chose to use 2019 as a baseline for comparison, in part, due to the outbreak of COVID-19 in 2020, which may have presented unique circumstances that were not present in previous years.

<sup>2</sup>Department of Health and Human Services, Administration for Children, Youth and Families, Children's Bureau, *Trends in Foster Care and Adoption: FY 2010-2019*, AFCARS data, (based on data submitted by states as of June 23, 2020) and *AFCARS Report: Preliminary FY 2019 Estimates as of June 23, 2020*, No.27.

servicemembers for reimbursement of adoption expenses from DOD's Adoption Reimbursement System. We also analyzed data on the number of adoption and foster care consultations provided through Military OneSource from DOD's Case Management System for fiscal years 2016 through 2020.<sup>3</sup>

To assess the reliability of data on foster care and pre-adoptive dependents, servicemember deployments, and reimbursement payments we (1) performed electronic testing of relevant data elements, (2) reviewed existing information about the data and the system that produced them, and (3) interviewed agency officials knowledgeable about the data. Electronic testing included, but was not limited to, checks for missing data elements, duplicative records, and values outside a designated range or valid time period. To assess the reliability of data on adoption consultations we (1) reviewed related documents and (2) interviewed agency officials knowledgeable about the data. We determined that these data were sufficiently reliable to identify the number of foster and pre-adoptive dependents of servicemembers and associated characteristics of these servicemembers; the number of deployments of these servicemembers; the number of reimbursement payments made to servicemembers in connection with adoption-related expenses; the number of adoption and foster care consultations; and comparisons with the broader active-duty population and children in foster care.

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## Site Visits

To inform all of our research objectives and gather information about foster- and adoption-related supports available to military families, we conducted virtual visits to four military installations from the Army, Navy, Marine Corps, and Air Force, and state and local child welfare and private placement agencies in four selected states—California, Colorado, Florida, and Georgia—between September 2020 and October 2020.<sup>4</sup> We selected military installations within states that had a high number of active-duty

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<sup>3</sup>According to DOD officials, all cases involving either adoption or foster care are annotated within the data system as "adoption consultation."

<sup>4</sup>The four military installations we selected included Fort Benning in Georgia (Army), Naval Air Station Pensacola in Florida (Navy), Camp Pendleton in California (Marine Corps), and Peterson Air Force Base in Colorado (Air Force).

servicemembers, and aimed for variation across the sites in installation size and geographic location.

Using a semi-structured interview guide, we interviewed officials from a variety of different programs and offices that provide services to military families at each of the four military installations within each selected state.<sup>5</sup> These programs and offices included, but were not limited to, Military Family Support or Readiness Centers, Military and Family Life Counseling Program, Children and Youth programs, New Parent Support Program, Exceptional Family Member Program, child and behavioral health services, legal assistance offices, Defense Enrollment Eligibility Reporting System support or personnel section offices, finance offices, and chaplain offices.

Within the four selected states, we also interviewed relevant state and local agency officials from 12 agencies, including officials from four state child welfare agencies, three county child welfare agencies, and five private placement agencies that contracted with states to provide related services. Because we relied on a nongeneralizable sample of sites and states, the views of the entities we interviewed do not represent the views of all states, localities, and installations providing supports to military foster and adoptive families.

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## Discussion Groups

To inform all of our research objectives and gather information about families' use of select supports and challenges military foster and adoptive families face, we conducted virtual discussion groups with 29 military families from each of the four services branches, including Army (10 participants), Navy (six participants), Marine Corps (four participants), and Air Force (nine participants). One person per family participated in a discussion group.

We used several outreach methods and a staged approach to identify participants for our virtual discussion groups. First, we conducted outreach by posting an advertisement of our study on DOD's Military OneSource web page. We then conducted outreach through private Facebook groups that include military foster and adoptive families. We also posted our advertisement on GAO's social media pages. We received a total of 40 initial responses to our request for participation in

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<sup>5</sup>We interviewed a total of 34 programs and offices across the four selected installations.



our discussion groups. Our criteria for selecting participants included those that: (1) had experience with a foster care placement, adoption from foster care, or private adoption of a U.S. citizen child within the last 5 years; and (2) had at least one spouse or partner that was an active-duty servicemember during the fostering or domestic adoption process.<sup>6</sup> To ensure respondents met our criteria for selection as well as the integrity of information we collected, we used a set of screening questions once we received an initial response from potential participants to our outreach. In addition, in an effort to ensure similar representation of participants from each service branch, we made an additional effort to identify more participants from the Marine Corps specifically.

The 29 selected families had varying experiences: seven had a foster care placement, 10 adopted from foster care, and 12 had a private adoption of a U.S. citizen child. In addition, the 29 families who participated reflected experiences from different ranks, including enlisted servicemembers (18) and officers (11). In total, we conducted 11 discussion groups. Based on the types and number of respondents, our discussion groups generally included a mix of service branches in each group and separated officers and enlisted servicemembers into different groups.

To ensure accurate collection of information, we conducted and recorded virtual discussion groups that were then transcribed. Using a standard set of questions for these discussion groups, which included polled questions, we gathered information on various topics including participants' experience fostering or adopting while serving in the military, any challenges they faced, their awareness of various supports and perspectives on their usefulness, and recommendations for additional supports.

We pretested our questions for discussion groups with five military families who were military servicemembers or the spouses or partners of servicemembers when they fostered or adopted a child. We identified

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<sup>6</sup>For this review, we focused on adoptions of children who are U.S. citizens (domestic adoptions). Generally, this review does not include adoptions of children who are not U.S. citizens, known as intercountry or international adoptions, as the total number of intercountry adoptions has decreased by 87 percent between 2004 and 2019, according to U.S. Department of State data. U.S. Department of State, Bureau of Consulate Affairs, *Fiscal Year 2019 Annual Report on Intercountry Adoption*, (March 2020). However, a small number of international adoptions were included in the data that DOD provided and that we analyzed to identify the number and characteristics of military foster and adoptive servicemembers between 2016 and 2020.

pretest participants through GAO employees and friends and family of GAO employees as well as private social media groups specific to military foster and adoptive families who met our established criteria.

### Interviews and Reviews of Relevant Documents

To inform all three objectives, we reviewed relevant federal laws, regulations, guidance, and program documents, and interviewed officials from DOD’s headquarters and program offices for each service branch, including: Military Community Support and Family Readiness Programs, Defense Finance and Accounting Services, Defense Manpower Data Center, Army Family Readiness and Family Advocacy Programs, Navy Family Readiness Programs, Marine Corps Family Care and Prevention and Clinical Services Programs, and Air Force Support and Family Programs. In addition to DOD, we interviewed officials from HHS’s Children’s Bureau, an office of the Administration for Children and Families.

To obtain additional information on available supports and challenges faced by military foster and adoptive families, we interviewed representatives from the following national-level organizations that have a perspective on families who foster or adopt. These organizations included AdoptUSKids, American Adoptions, American Public Human Services Association, Association of Administrators of the Interstate Compact on Adoption and Medical Assistance, Association of Administrators of the Interstate Compact on the Placement of Children, and Child Welfare League of America.

In this report, we defined and used qualifiers, such as “a few,” “some,” “many,” “most,” and “almost all” to quantify responses from military foster and adoptive families and officials across federal, military, and selected state and local agencies. We defined qualifiers for interviews with military foster and adoptive families and with officials across federal, military, and selected state and local agencies as follows:

	A few	Some	Many	Most	Almost all
Interviews with military foster and adoptive families	2-3	4-9	10-18	19-24	25-28
Interviews with federal, military, and selected state and local agencies	2-6	7-18	19-26	27-41	42-52

We assessed efforts by DOD to communicate necessary quality information to achieve its objectives against *Standards for Internal Control in the Federal Government* for information and communication and other relevant criteria.<sup>7</sup>

We conducted this performance audit from March 2020 through August 2021 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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<sup>7</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

## Appendix II: Comparison of Department of Defense (DOD) Regulations and Air Force Instruction 36-3026 Related to Enrolling Foster Children in Military Benefits System

Servicemembers must enroll their eligible dependents in the Department of Defense's (DOD) military benefits system—Defense Enrollment Eligibility Reporting System (DEERS)—for those dependents to gain access to certain military services and benefits. This appendix compares the DOD regulations on the documentation required to enroll foster children in DEERS to the information provided in Air Force Instruction 36-3026 (AFI), which is a joint instruction applied across all military service branches.

**Table 2: Comparison of Department of Defense (DOD) Regulations and Air Force Instruction 36-3026 (AFI) Related to Enrolling Foster Children in the Defense Enrollment Eligibility Reporting System (DEERS)**

	DOD regulations	AFI
<b>Definition of a foster child</b>	A child without parental support and protection, placed with a person or family, usually by local welfare services or by court order. The foster parent(s) do not have custody, nor is there an adoption, but they are expected to treat the foster child as they would their own in regard to food, housing, clothing, and education. This is a non-medically entitled dependent. (32 C.F.R. § 161.3.)	The definition of foster child in the AFI generally reflects the regulatory definition, but also states “ <b>See term of Ward.</b> ” (AFI, Attachment 1, Glossary of References and Supporting Information.)

**Appendix II: Comparison of Department of Defense (DOD) Regulations and Air Force Instruction 36-3026 Related to Enrolling Foster Children in Military Benefits System**

	<b>DOD regulations</b>	<b>AFI</b>
<b>Definition of a ward</b>	<p>An unmarried person who is placed in the legal custody of the member or former member as a result of an order of a court of competent jurisdiction in the United States (or a U.S. territory or possession) for a period of at least 12 consecutive months; is dependent on the member or former member for more than 50 percent of the person's support; resides with the member or former member unless separated by the necessity of uniformed service or to receive institutional care as a result of disability or incapacitation or under such other circumstances as the administering Secretary may by regulation prescribe; is not a dependent of a member or a former member under 10 U.S.C. 1072(2); and either: (1) Has not attained the age of 21; (2) Has not attained the age of 23 and is enrolled in a full-time course of study at an institution of higher learning approved by the administering Secretary; or (3) Is incapable of self-support because of a mental or physical incapacity that occurred while the person was considered a dependent of the member or former member. (32 C.F.R. § 161.3.)</p>	<p>The definition of ward in the AFI generally reflects the regulatory definition, but also states that "<b>This term includes foster children...</b>" (AFI, Attachment 1, Glossary of References and Supporting Information.)</p>
<b>Eligibility documentation required for a foster child</b>	<p>Birth certificate (Note 1) and Placement agreement (Note 2) or Court document (Note 2).</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. A certificate of live birth or [Consular Report of Birth Abroad] may be used in lieu of a birth certificate. When a placement agreement or an order or other appropriate document from a court of competent jurisdiction in the United States (or U.S. territory or possession) establishes the child's date of birth, it may also be used in lieu of a birth certificate.</li> <li>2. A placement agreement or an order or other appropriate document from a court of competent jurisdiction in the United States (or U.S. territory or possession) that establishes the child's relationship to the sponsor. (32 C.F.R. § 161.23(b)(3)(vi).)</li> </ol>	<p>This information is missing from the AFI; it does not appear in Chapter 4, ID Cards for Children or Attachment 5, Basic Documentation or Acceptable Information Sources Required to Determine Eligibility.</p>


**Appendix II: Comparison of Department of Defense (DOD) Regulations and Air Force Instruction 36-3026 Related to Enrolling Foster Children in Military Benefits System**

	<b>DOD regulations</b>	<b>AFI</b>
<b>Eligibility documentation required for a ward</b>	<p>Birth certificate (Note 1) and Financial dependency determination (Note 2) and Placement agreement (Note 3) or Court document (Note 3).</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. A certificate of live birth or [Consular Report of Birth Abroad] may be used in lieu of a birth certificate. When a placement agreement or an order or other appropriate document from a court of competent jurisdiction in the United States (or U.S. territory or possession) establishes the child's date of birth, it may also be used in lieu of a birth certificate.</li> <li>2. A financial dependency determination from the responsible service's Defense Finance and Accounting Services (DFAS), or the service equivalent pay office, acknowledging that the sponsor is providing more than 50 percent of the dependent's support, or was at the time of the sponsor's death.</li> <li>3. A placement agreement or an order or other appropriate document from a court of competent jurisdiction in the United States (or U.S. territory or possession) that establishes legal custody of the child by the sponsor for no less than 12 consecutive months.</li> </ol> <p>The sponsor must certify ... that the sponsor is providing more than 50 percent of the dependent's support and that the ward resides in the sponsor's household in order to issue an ID card. (32 C.F.R. § 161.23(b)(3)(v).)</p>	<p>The AFI states that the following documentation is required for a ward, <b>"including foster children..."</b></p> <p>A child's birth certificate or legal decree citing child's birth, and legal decree from a United States court of competent jurisdiction that establishes legal custody for no less than 12 consecutive months and an approved dependency determination. In addition, sponsor certifies ... he or she has had legal custody for at least 12 consecutive months. The sponsor must also certify ... dependency and residency are met. Note: An approved dependency determination is required for initial issue and renewal of each ID card to legal custody wards of the uniformed Services. (AFI, Attachment 5, Basic Documentation or Acceptable Information Sources Required to Determine Eligibility.)</p>

Source: GAO analysis of information provided by DOD officials, information in Air Force Instruction (AFI) 36-3026, Vol. 1, *Identification Cards for Members of the Uniformed Services, Their Eligible Family Members, and Other Eligible Personnel* (August 4, 2017), and 32 C.F.R. pt. 161. | GAO-21-438

Note: The AFI is a joint instruction applied across all military service branches.

## Appendix III: Comments from the Department of Defense

	<b>OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE</b> 1500 DEFENSE PENTAGON WASHINGTON, D.C. 20301-1500
	7/29/2021
<small>MANPOWER AND RESERVE AFFAIRS</small>	
<p>Ms. Kathryn A. Larin Director, Education, Workforce, and Income Security U.S. Government Accountability Office 441 G Street, NW Washington, DC 20548</p>	
<p>Dear Ms. Larin,</p>	
<p>This is the Department of Defense (DoD) response to the Government Accountability Office (GAO) Draft Report, GAO-21-438, "MILITARY FAMILIES: Additional DoD Actions Could Better Support Military Foster and Adoptive Families," dated June 17, 2021 (GAO Code 104165).</p>	
<p>DoD has reviewed this draft report. Enclosures 1 and 2 consists of a draft report comment matrix and DoD comments to the GAO recommendations, respectively. My point of contact is Patti A. Dybdahl, who can be contacted at <a href="mailto:patti.a.dybdahl.civ@mail.mil">patti.a.dybdahl.civ@mail.mil</a> and 571-372-5315.</p>	
<p>Sincerely,</p>	
<p>HEBERT.LERNE <small>Digitally signed by HEBERT.LERNE.S.J.1121185934</small> S.J.1121185934 <small>Date: 2021.07.30 08:25:57 -0400</small></p>	
<p>Lernes J. Hebert Performing the Duties of the Assistant Secretary of Defense for Manpower and Reserve Affairs</p>	

GAO DRAFT REPORT DATED JUNE 17, 2021  
GAO-21-438 (GAO CODE 104165)

“MILITARY FAMILIES: ADDITIONAL DOD ACTIONS COULD BETTER SUPPORT  
MILITARY FOSTER AND ADOPTIVE FAMILIES”

DEPARTMENT OF DEFENSE COMMENTS  
TO THE GAO RECOMMENDATION

**RECOMMENDATION 1:** The GAO recommends that the Secretary of Defense should provide a centralized location for and promote awareness of information about foster and adoption-related policies and available DOD supports to better assist military foster and adoptive families. For example, the Secretary of Defense could provide such information through Military OneSource, using a designated point person on an installation, or through an existing installation program office.

**DoD RESPONSE:** Concur. The Department agrees with the recommendation to provide a centralized location for foster and adoptive families to find information on related policies and available DoD supports. The Department will explore opportunities to enhance existing information on foster and adoptive resources on Military OneSource and promote awareness of foster and adoptive resources. The Department policy already requires the Secretaries of Military Departments to provide a military service headquarters points of contact (POC) for adoption information. The Department will ensure the Secretaries of Military Departments explore the identification of an installation level office or POC for foster and adoptive family assistance.

**RECOMMENDATION 2:** The GAO recommends that the Secretary of Defense should ensure that the Director of Defense Human Resources Activity coordinate with relevant offices to revise Air Force Instruction (AFI) 36-3026, Volume 1 to make it consistent with Department of Defense regulations on the required documents to enroll foster children in DEERS.

**DoD RESPONSE:** Partially Concur. The Department agrees foster and adoption related policy developed and implemented by the Secretaries of Military Departments should be consistent with the Department's policy. The Department does not concur that the Director of the Defense Human Resource Activity (DHRA) should take the lead in revising AFI 36-3026, Volume 1, as this document is a Department of the Air Force issuance issued under the authority of the Secretary of the Air Force. The Department will ensure the Secretary of the Air Force revises AFI 36-3026, Volume 1, in cooperation with other DoD Components as appropriate, to ensure it is consistent with Department policy.

**RECOMMENDATION 3:** The GAO recommends that the Secretary of Defense should ensure that the Director of Defense Human Resources Activity coordinates with relevant offices to regularly promote awareness of guidance that includes accurate information on enrolling both foster and pre-adoptive children to all staff responsible for DEERS enrollments. For example, the



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**Appendix III: Comments from the Department  
of Defense**

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Director of Defense Human Resources Activity could coordinate with relevant offices to promote awareness of the guidance through annual trainings or other training mechanisms.

**DoD RESPONSE:** Partially concur. The Department agrees with promoting awareness of guidance that includes accurate information on enrolling both foster and pre-adoptive children in DEERS. The Department will ensure the Director of Defense Human Resource Activity examines Department-wide training for Real-Time Automated Personnel Identification System (RAPIDS) personnel to ensure appropriate content for registration of foster and pre-adoptive children. The Department does not concur that the Director of Defense Human Resource Activity should take the lead with relevant offices in the Military Departments to regularly promote awareness of guidance related to the registration of foster and pre-adoptive children, as this responsibility falls within the purview of the Military Departments, which oversee the operation of RAPIDS sites that are responsible for DEERS enrollment. The Department will ensure the Secretaries of the Military Departments evaluate operational guidance for RAPIDS personnel to identify opportunities to promote accurate information and guidance on enrolling foster and pre-adoptive children.

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## Text of Appendix III: Comments from the Department of Defense

7/29/2021

Ms. Kathryn A. Larin

Director, Education, Workforce, and Income Security

U.S. Government Accountability Office 441 G Street, NW

Washington, DC 20548

Dear Ms. Larin,

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Sincerely,

Lernes J. Hebert

Performing the Duties of the Assistant Secretary of Defense for Manpower and Reserve Affairs

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GAO DRAFT REPORT DATED JUNE 17, 2021, GAO-21-438  
(GAO CODE 104165) "MILITARY FAMILIES: ADDITIONAL DOD

## ACTIONS COULD BETTER SUPPORT MILITARY FOSTER AND ADOPTIVE FAMILIES”

### DEPARTMENT OF DEFENSE COMMENTS TO THE GAO RECOMMENDATION

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DoD RESPONSE: Partially Concur. The Department agrees foster and adoption related policy developed and implemented by the Secretaries of Military Departments should be consistent with the Department’s policy. The Department does not concur that the Director of the Defense Human Resource Activity (DHRA) should take the lead in revising AFI 36-3026, Volume 1, as this document is a Department of the Air Force issuance issued under the authority of the Secretary of the Air Force. The Department will ensure the Secretary of the Air Force revises AFI 36-3026, Volume 1, in cooperation with other DoD Components as appropriate, to ensure it is consistent with Department policy.

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**coordinates with relevant offices to regularly promote awareness of guidance that includes accurate information on enrolling both foster and pre-adoptive children to all staff responsible for DEERS enrollments. For example, the Director of Defense Human Resources Activity could coordinate with relevant offices to promote awareness of the guidance through annual trainings or other training mechanisms.**

DoD RESPONSE: Partially concur. The Department agrees with promoting awareness of guidance that includes accurate information on enrolling both foster and pre-adoptive children in DEERS. The Department will ensure the Director of Defense Human Resource Activity examines Department-wide training for Real-Time Automated Personnel Identification System (RAPIDS) personnel to ensure appropriate content for registration of foster and pre-adoptive children. The Department does not concur that the Director of Defense Human Resource Activity should take the lead with relevant offices in the Military Departments to regularly promote awareness of guidance related to the registration of foster and pre-adoptive children, as this responsibility falls within the purview of the Military Departments, which oversee the operation of RAPIDS sites that are responsible for DEERS enrollment. The Department will ensure the Secretaries of the Military Departments evaluate operational guidance for RAPIDS personnel to identify opportunities to promote accurate information and guidance on enrolling foster and pre-adoptive children.

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## Appendix IV: GAO Contact and Staff Acknowledgments

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### GAO Contact

Kathryn A. Larin, (202) 512-7215, [larink@gao.gov](mailto:larink@gao.gov)

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### Staff Acknowledgments

In addition to the contact above, Kate Blumenreich (Assistant Director), Claudine Pauselli (Analyst-in-Charge), Elizabeth Hartjes, Caitlin Cusati, Sarah Cornetto, Justin Gordinas, Cynthia Grant, Amy Moran Lowe, and Kirsten Lauber made key contributions to this report. Also contributing to this report were Robin Marion, Mimi Nguyen, Jessica Orr, Stacy Ouellette, Linda Siegel, Almeta Spencer, Brienne Tierney, and Ashanta Williams.