



There are standards in 22 CFR 96 Subpart F, which may be considered “not applicable” for some applicants, as the standards are written with conditions that may or may not apply to the agency or person. IAAME staff will confirm, during the on-site review, that the conditions exist to warrant an “NA” rating. The list below addresses standards and corresponding conditions which may warrant a rating of “NA”.

Section 96.30 State Licensing

96.30 (d) In the case of a person, the individual or for-profit entity is not prohibited by State law from providing adoption services in any State where it is providing adoption services, and does not provide adoption services in Convention countries that prohibit individuals or for-profit entities from providing adoption services.

NA – The Adoption Service Provider is an agency.

Section 96.31 Corporate Structure

96.31 (a) The agency qualifies for nonprofit tax treatment under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or for nonprofit status under the laws of any State.

NA – The Adoption Service Provider is a person.

96.31 (b) The person is an individual or is a for-profit entity organized as a corporation, company, association, firm, partnership, society or joint stock company, or other legal entity under the laws of any State.

NA – The Adoption Service Provider is an agency.

96.32 Internal Structure and Oversight

96.32 (b) The agency or person has a board of directors or a similar governing body that establishes and approves its mission, policies, budget, and programs; provides leadership to secure the resources needed to support its programs; includes one or more individuals with experience in adoption, including, but not limited to, adoptees, birth parents, prospective adoptive parent(s), and adoptive parents; and appoints and oversees the performance of its chief executive officer or equivalent official. This standard does not apply where the person is an individual practitioner.

NA – The Adoption Service Provider is an individual practitioner.

96.34 Compensation



96.34 (e) Any other compensation paid to the agency's or person's directors or members of its governing body is not unreasonably high in relation to the services rendered, taking into account the same factors listed in paragraph (d) of this section and its for-profit or nonprofit status.

NA – The Adoption Service Provider is an individual practitioner.

Section 96.35 Suitability of Agencies and Persons to Provide Adoption Services Consistent with the Convention

96.35 (d) In order to permit the accrediting entity to evaluate the suitability of a person who is an individual practitioner for approval, the individual:

1. provides the results of a State criminal background check and a child abuse clearance to the accrediting entity;
2. completes and retains an FBI Form FD-258 on file in case future allegations warrant submission of the form for a Federal criminal background check;
3. if a lawyer, for every jurisdiction in which he or she has ever been admitted to the Bar, provides a certificate of good standing or an explanation of why he or she is not in good standing, accompanied by any relevant documentation, and immediately reports to the accrediting entity any disciplinary action considered by a State bar association, regardless or whether the action relates to intercountry adoption; and
4. if a social worker, for every jurisdiction in which he or she has been licensed, provide a certificate of good standing or an explanation of why he or she is not in good standing, accompanied by any relevant documentation.

NA – The Adoption Service Provider is an agency or a for-profit organization.

Section 96.37 Education and Experience Requirements for Social Service Personnel

96.37 (f) The agency's or person's employees who conduct home studies:

1. are authorized or licensed to complete a home study under the laws of the States in which they practice;
2. meet the INA requirements for home study preparers in 8 CFR 204.3(b); and
3. are supervised by an employee of the agency or person who meets the requirements in paragraph (d) of this section

NA – The agency or person or its supervised providers do not provide any services in incoming cases.

96.37 (g) The agency's or person's employees who prepare child background studies:



1. are authorized or licensed to complete a child background study under the laws of the States in which they practice; and
2. are supervised by an employee of the agency or person who meets the requirements in paragraph (d) of this section.

NA – The agency or person does not provide any services in outgoing cases.

Section 96.43 Case Tracking, Date Managements, and Reporting

96.43 (c) If the agency or person provides adoption services in cases not subject to the Convention that involves a child emigrating from the United States for the purpose of adoption or after an adoption has been finalized, it provides such information as required by the Secretary directly to the Secretary and demonstrates to the accrediting entity that it has provided this information.

NA – The agency or person does not provide any services in outgoing cases.

Sections 96.47-96.53 Standards for Cases in Which a Child Is Immigrating to The United States (Incoming Cases)

NA – The agency or person does not provide adoption services in any incoming cases.

Sections 96.53-96.55 Standards for Cases in Which a Child is Emigrating from The United States (Outgoing Cases)

NA – The agency or person does not provide adoption services in any outgoing cases.