



DATE

The Honorable Carl C. Risch
Assistant Secretary of State for Consular Affairs
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Assistant Secretary Risch,

For hundreds of thousands of orphans worldwide who cannot be reunified with family or placed domestically for adoption, intercountry adoption provides the only alternative to growing up in an institution and being at increased risk for abuse and trafficking. Abuses in intercountry adoption existed prior to the implementation of the Intercountry Adoption Act (IAA) in 2008. However, the current incidence of abuses in intercountry adoption is increasingly rare. The Hague Convention on Intercountry Adoption, and the resulting regulations developed by the U.S. Department of State in 2008, have created a stronger system of oversight and accountability and have led to a much more uniform standard of practice in the U.S. than had previously existed. Yet, each year since the implementation of the Convention, intercountry adoption is a less utilized option for orphaned, abandoned and relinquished children around the world.

In the last three years, a tense relationship has developed between the Department of State – Office of Children’s Issues (OCI) and the greater professional adoption community as the number of intercountry adoptions has continued to spiral downward. Despite its public attempts to appear collaborative with the adoption community, OCI has used heavy-handed measures in an attempt to expand and re-interpret the accreditation regulations, resulting in the alienation of vitally important service organizations, and confusion among agencies, organizations and ministries worldwide.

The U.S. has historically embraced a compassionate but cautious approach to intercountry adoption. OCI’s current leadership has amplified caution—beyond regulatory reason, despite human need, and despite a pledge to champion permanency for orphans.

In September 2016, OCI published new proposed regulations for accreditation, which were widely opposed by the adoption community, adoption policymakers and advocates - and were subsequently withdrawn earlier this year. These proposed regulations were designed to expand OCI’s control over intercountry adoption beyond what the Intercountry Adoption Act of 2000 envisioned. The new regulations could have enabled OCI to pick “winners and losers” among agencies and limit the number of agencies allowed to work in individual countries

and would have had a detrimental financial impact on the majority of currently accredited adoption agencies, as confirmed by the Small Business Administration's own analysis and subsequent opposition to the proposed regulations. In contradiction to the Hague Convention on Intercountry Adoption, OCI has implied a view that only countries with sophisticated child welfare systems should be allowed to place children with families in the United States, leaving thousands of orphans in underdeveloped nations to languish in orphanages or other institutions.

In addition, on August 8, OCI announced the designation of another accrediting entity, perhaps based on the refusal of the Council on Accreditation (COA) to implement additional and controversial requirements being created by OCI regarding the oversight of accredited agencies. We find it strange that the new organization was designated as an accrediting entity on the same day they were incorporated. From the limited amount of information available on the new agency, we can see no apparent qualifications in accrediting any type of organization, and presumably as a newly created organization, we assume they have no policies and procedures for accreditation in place. It is reasonable to conclude that this new organization was "recruited" to apply, and that they were designated because they are willing to comply with whatever interpretation of accreditation standards OCI issues, regardless of whether they are in compliance with existing regulations.

The adoption agencies listed below, adoption professionals, adoption scholars and adoption advocates endorse this letter and urge you to make the necessary changes in the OCI to give orphans hope for a permanent family in the United States. We believe the first step in these changes is to appoint, on a temporary basis, an outside intercountry adoption expert to the vacant Special Advisor on Children's Issues position until we return to the goal of helping every child have a permanent family.

Sincerely,

Save Adoptions Coordinating Committee (listed alphabetically)

Heidi Cox, Gladney Center for Adoption

Kelly Dempsey, Attorney

National Council for Adoption

Daniel Nehrbass, Nightlight Christian Adoptions

Jackie Semar, International Child Foundation

Robin Sizemore, Hopscotch Adoptions

Ron Stoddart, Attorney

Tom Velie, New Beginnings International