



U.S. Citizenship and Immigration Services

Briefing on Joint USCIS/State Adoption Site Visit to Ethiopia

April 6, 2011

U.S. Adoption Program in Ethiopia

- Joint USCIS/State site visit
- Taking an analytical approach
- Procedural observations and guidance
- Case information analysis
- Findings

Joint USCIS/DOS Site Visit

■ January 18 – 21, 2011

- USCIS International Operations Division, Field Operations Division and Field Office Nairobi
- Department of State, Consular Affairs Bureau, Office of Children's Issues and Visa Office

■ Purpose of Trip:

- To review the Ethiopian adoptions program in light of growing concerns about its operation and oversight.

Joint USCIS/State Site Visit

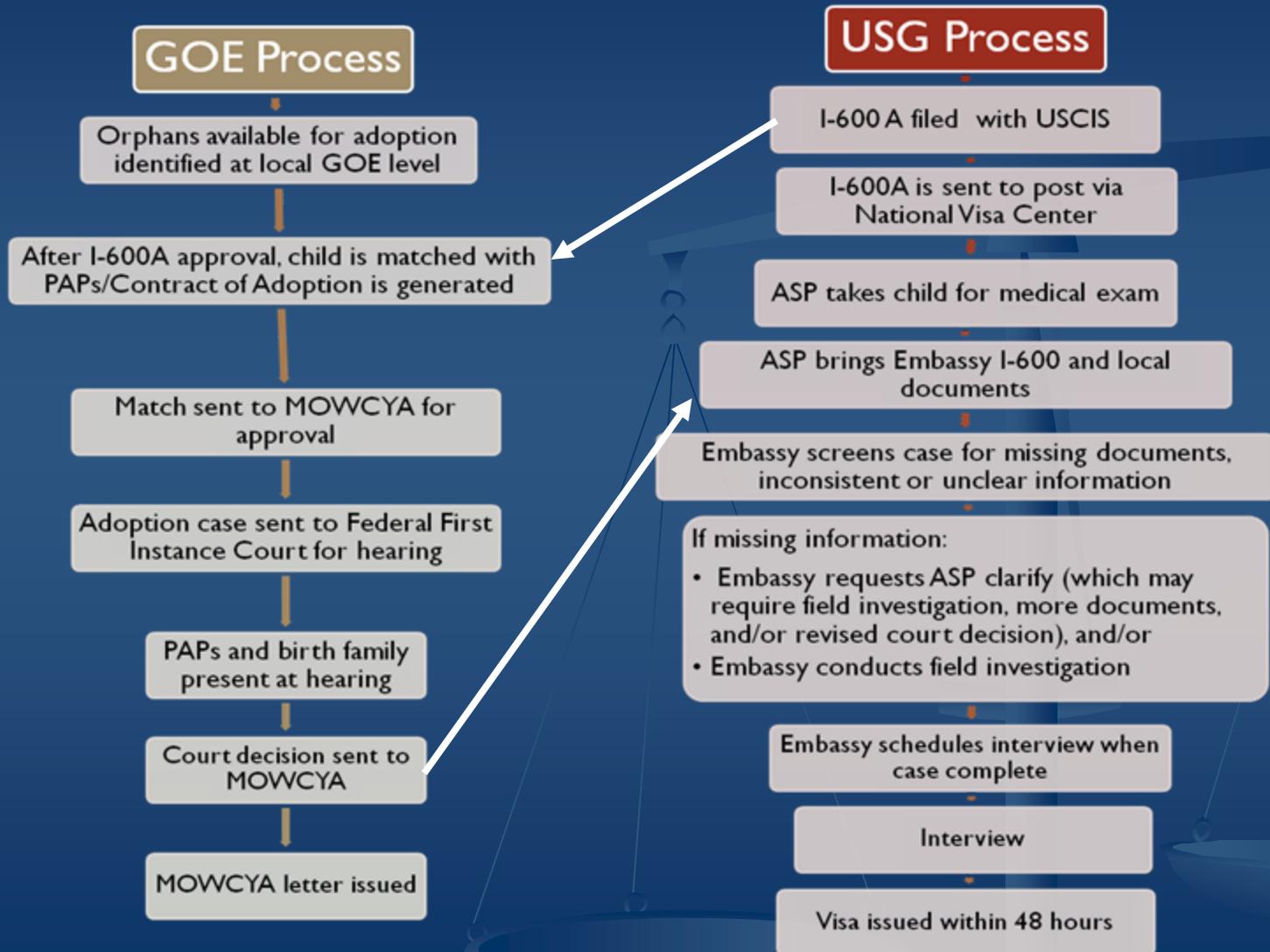
Summary of Findings:

- Generally children being adopted from Ethiopia by U.S. parents meet the definition of orphan under U.S. law and the cases are approved.
- U.S. adoptions processing in Ethiopia can benefit from the implementation of a “pre-approval” process to enable USG screening of cases before PAPs have completed the legal adoption process in Ethiopia.
- Various areas of concern identified during the site visit suggest there may be inappropriate activity in terms of how children are identified as available for adoption.

Taking an Analytical Approach

- Observations and concerns raised by the international community and the Embassy led to the site visit.
- Procedural observations and case file review during the visit led to procedural guidance that will improve case processing.
- Analysis of case information gathered at Embassy Addis Ababa will lead to targeted inquiry and follow-up.

Sequence of Ethiopian Adoption Process



Vulnerabilities in the Ethiopian Adoption Process

Stage of Process

Vulnerabilities

↑
TIME

<p>U.S. Adjudication of I-600 and visa application for child</p>	<p>Valid Ethiopian adoption decrees presented with supporting documents containing inconsistencies</p> <p>Court of First Instance reluctant to overturn a case it has already approved</p> <p>Embassy officers have difficulty distinguishing between careless errors in the dossiers and potentially deeper problems involving fraud or misrepresentation</p>
<p>Child moved to transition house and Ethiopian adoption ongoing</p>	<p>Lack of consistent ASP due diligence to learn the true facts of the child's availability</p> <p>Local court documentation of abandonment or relinquishment often inconsistent with other available records</p> <p>Court of First Instance adoption decrees often inconsistent with other evidence</p>
<p>Child at orphanage and being matched with U.S. PAPs</p>	<p>General lack of proper intake records at orphanages</p> <p>Concern that some ASPs pay orphanages per capita for children matched with U.S. PAPs</p> <p>Anecdotal evidence that certain orphanages enter into coercive contracts with birth parents to prevent them from changing their minds.</p>
<p>Child being identified as an orphan – either relinquished or abandoned</p>	<p>Limited evidence or record-keeping about abandonments</p> <p>Anecdotal evidence that ASPs are soliciting children</p> <p>Anecdotal evidence that some local officials and orphanages are working together to identify and place children in orphanages</p> <p>General lack of birth or death records</p> <p>Many biological parents, particularly fathers, whereabouts unknown</p>

Procedural Guidance – Pre-Approval

- A “pre-approval” process would allow the USG to review and screen appropriately filed Form I-600 petitions and supporting evidence (except for the adoption decree) before the PAPs have completed the Ethiopian adoption process.
- A review of the Ethiopian adoption system with Embassy personnel indicates that a “pre-approval” process would be procedurally possible and likely desirable. This process would allow potentially disqualifying issues to be addressed and resolved before the adoption was full and final under Ethiopian law.

Procedural Guidance

U.S. Embassy Addis Ababa will:

- Transfer cases to USCIS Field Office Nairobi that present with material inconsistencies or discrepancies;
- Ensure that Privacy Act waivers are on file to allow Embassy Addis to communicate directly with ASP staff;
- Shift to the PAPs and the ASPs the burden of ensuring cases are carefully and completely prepared before a petition is filed;
- Return to ASPs filings of incomplete cases or cases with errors.

Case Analysis – Disclaimers

- The following information is presented based on an initial review only.
- This is not a formal analysis done by a statistician accounting for statistical relevance and accuracy.
- We are presenting these rough data points in the interest of getting the conversation started in a timely manner.
- We welcome feedback on the norms and anomalies presented.
- This case information gathered by Embassy Addis Ababa is for internal use only and cannot be released due to Privacy Act concerns and INA § 222(f) rules governing the confidentiality of visa records.

Case Analysis – Information

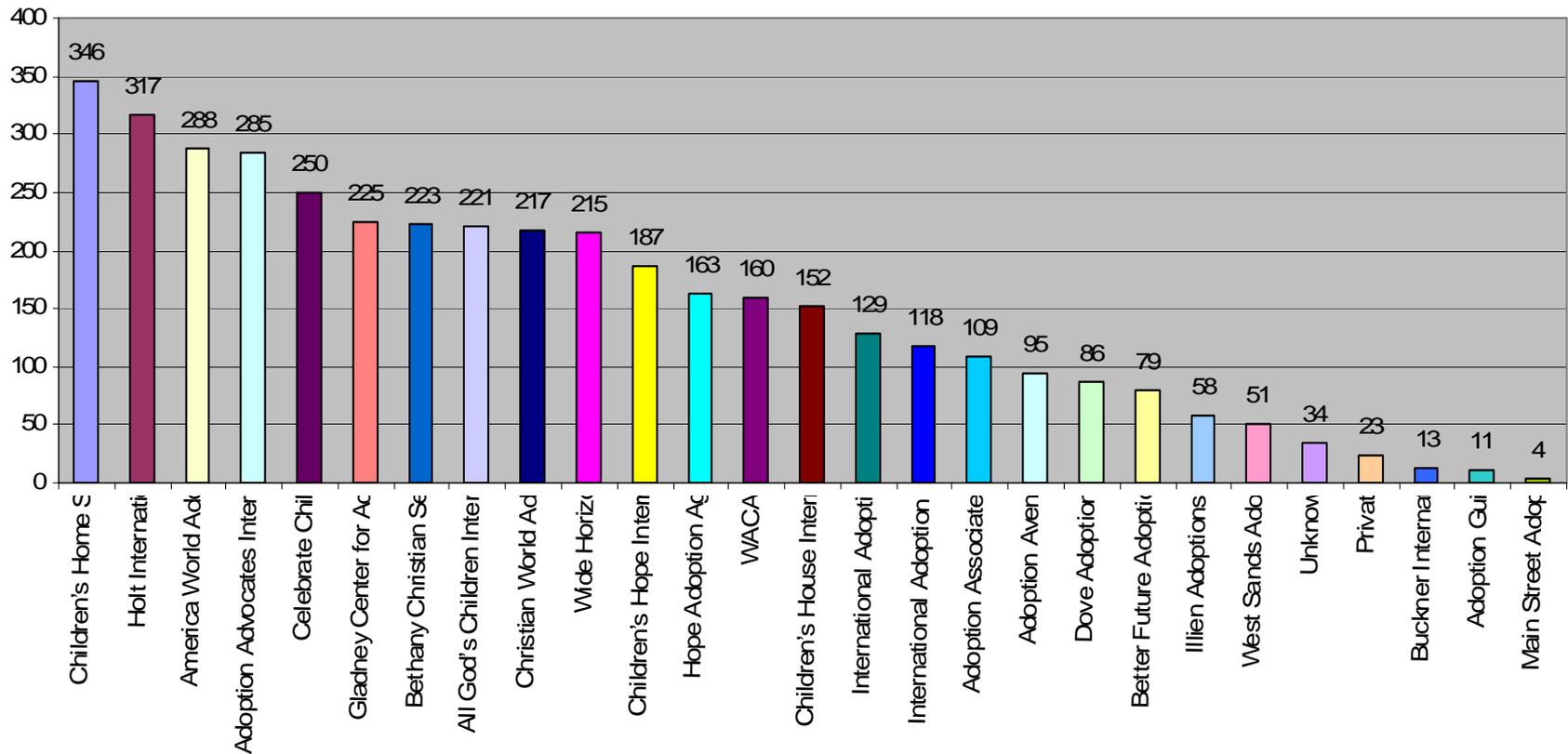
- Based on some 4,000 cases presented over the last 21 months
- Cases generally include information about:
 - ASP,
 - Orphanage,
 - Child's DOB,
 - Interview date, and
 - Who relinquished or if the child was abandoned.
- Analysis based on this basic information reveals overall patterns and trends.

Case Analysis -- Baseline

- Casework to date shows the majority of Ethiopian children in the U.S. adoption program ultimately meet the definition of orphan and are approved. This provides a solid foundation of information about eligible cases to use as a baseline.
- The baseline allows us to identify norms, divergences from the norms, and anomalies that may need further review.

Information Baseline – ASPs

Number of Cases by ASP



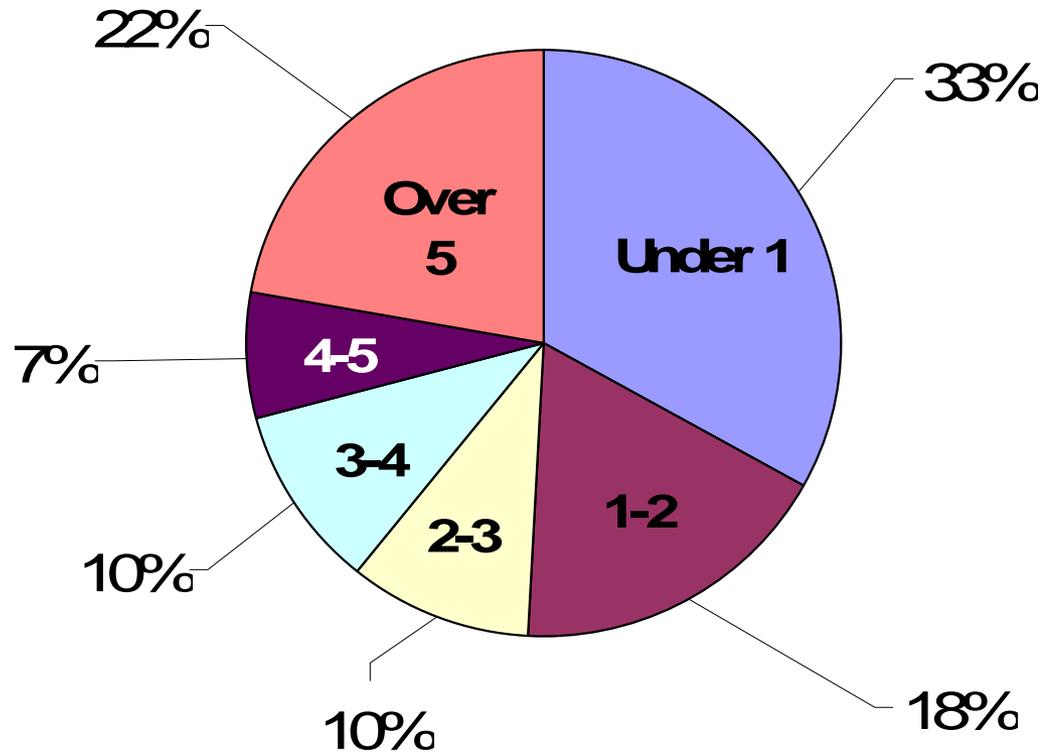
Focus of Case Analysis

Preliminary review of cases grouped by ASP and by Orphanage to look for anomalies to help focus further inquiry:

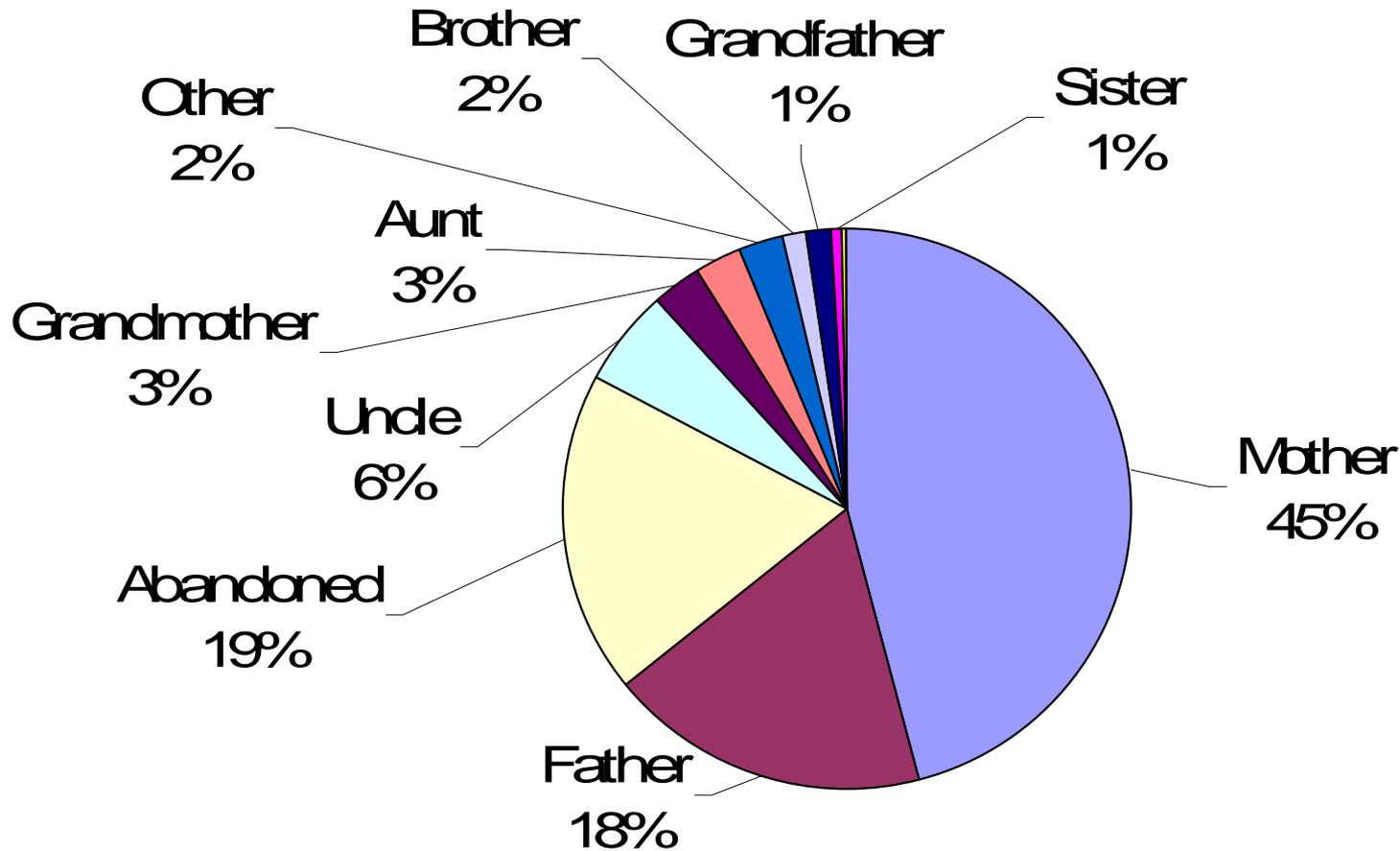
- Unusual age distribution of children placed
- Larger than usual numbers of abandonments
- Larger than usual numbers of relinquishments by other than parents
- One-to-one relationships between ASPs and orphanages

Baseline Age Distribution

Overall Age Distribution at Time of Interview



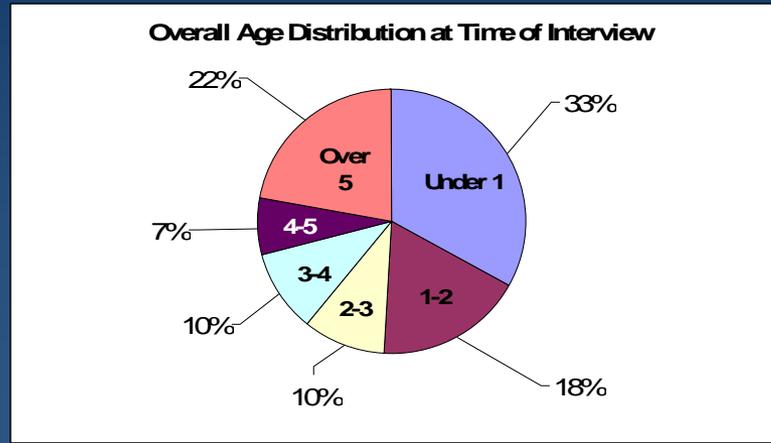
Baseline source pattern: children abandoned or relinquished by a relative



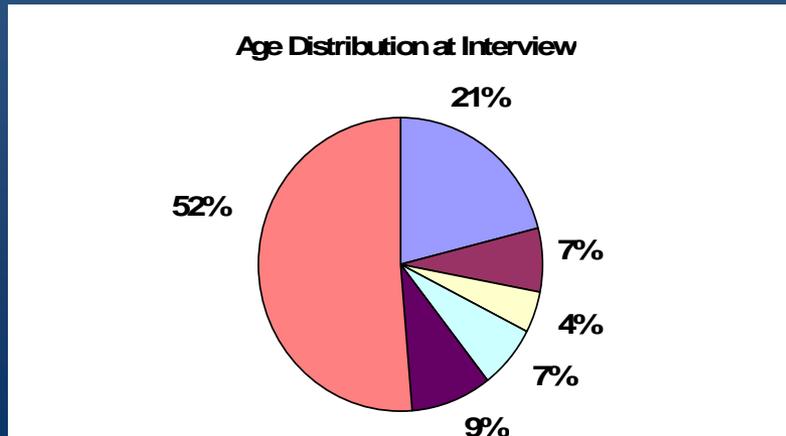
Baseline Age and Source Observations

- Half of the children are over the age of 2 at time of interview.
- Children over 5 represent nearly a quarter of the caseload.
- Mothers relinquish in 45% of cases.
- Fathers relinquish in 18% of cases.
- 19% of cases are abandonments.
- More distant relatives relinquish in 18% of cases.

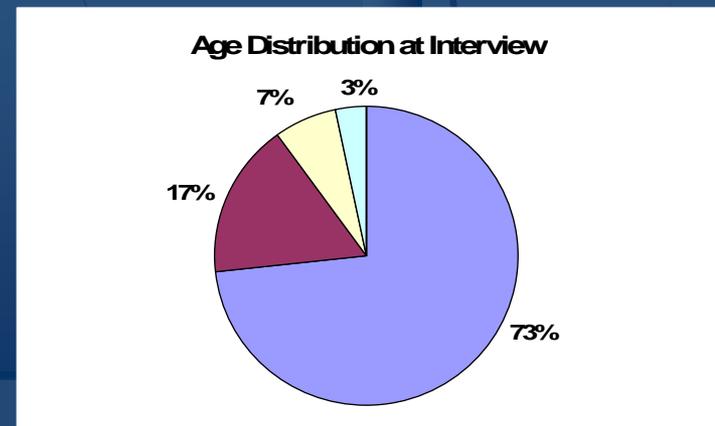
Age-related Anomalies



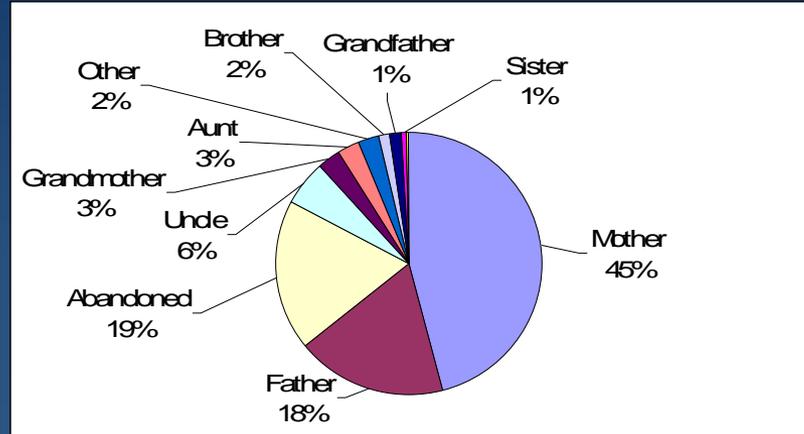
Hypothetical A



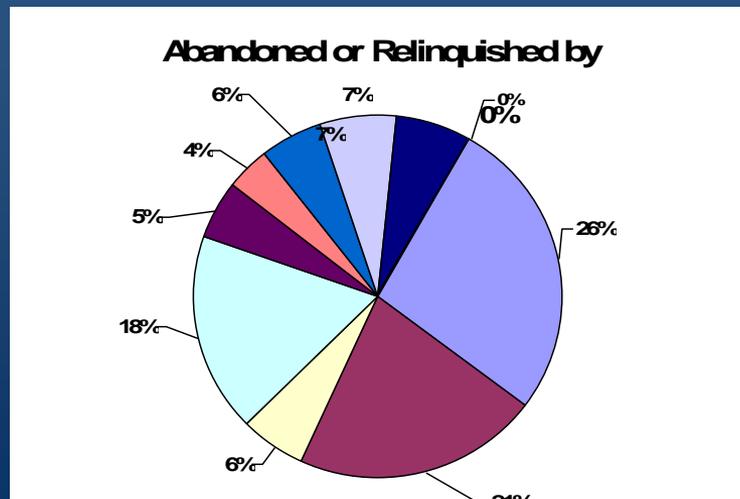
Hypothetical B



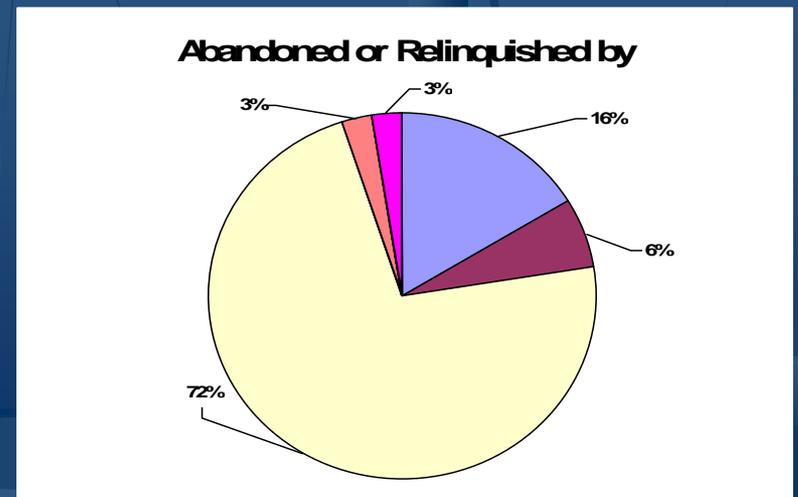
Source Anomalies



Hypothetical C



Hypothetical D



Baseline Observations on One-to-one Relationships

- 12 orphanages with 20 or more placements in the database placed all of their children with a single ASP.
- 8 of the 20 largest orphanages placing children have one-to-one relationships with an ASP.
- 9 ASPs have a one-to-one relationship with at least one orphanage that placed 20 or more children.

Case Analysis -- Findings

- This level of analysis does not provide conclusive evidence of fraud or malfeasance.
- It indicates possible areas for concern and will help identify fact patterns in need of follow-up.
- It suggests lines of inquiry that are specific to ASPs and orphanages.

Case Analysis – The Goal

To use a fact-based, analytical approach to identify anomalous fact patterns in the caseload which will:

- Lead to further, targeted inquiry which may:
 - Help the USG to uncover unethical or fraudulent practices on the part of specific actors which would:
 - Enable the USG to take appropriate actions to prevent harm to adoptive parents and children.

Conclusions

- USCIS and State support the continuation of the intercountry adoption program in Ethiopia while also seeking to address specific problems and concerns.
- Procedural changes will protect the integrity of the adoption process while providing better safeguards for PAPs and children.
- ASPs need to take more responsibility for ensuring due diligence and careful case preparation.
- The USG will continue to refine the analysis of adoption case information at U.S. Embassy Addis Ababa as a tool to help guard against unethical or fraudulent practices.

DISCUSSION

