



# 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

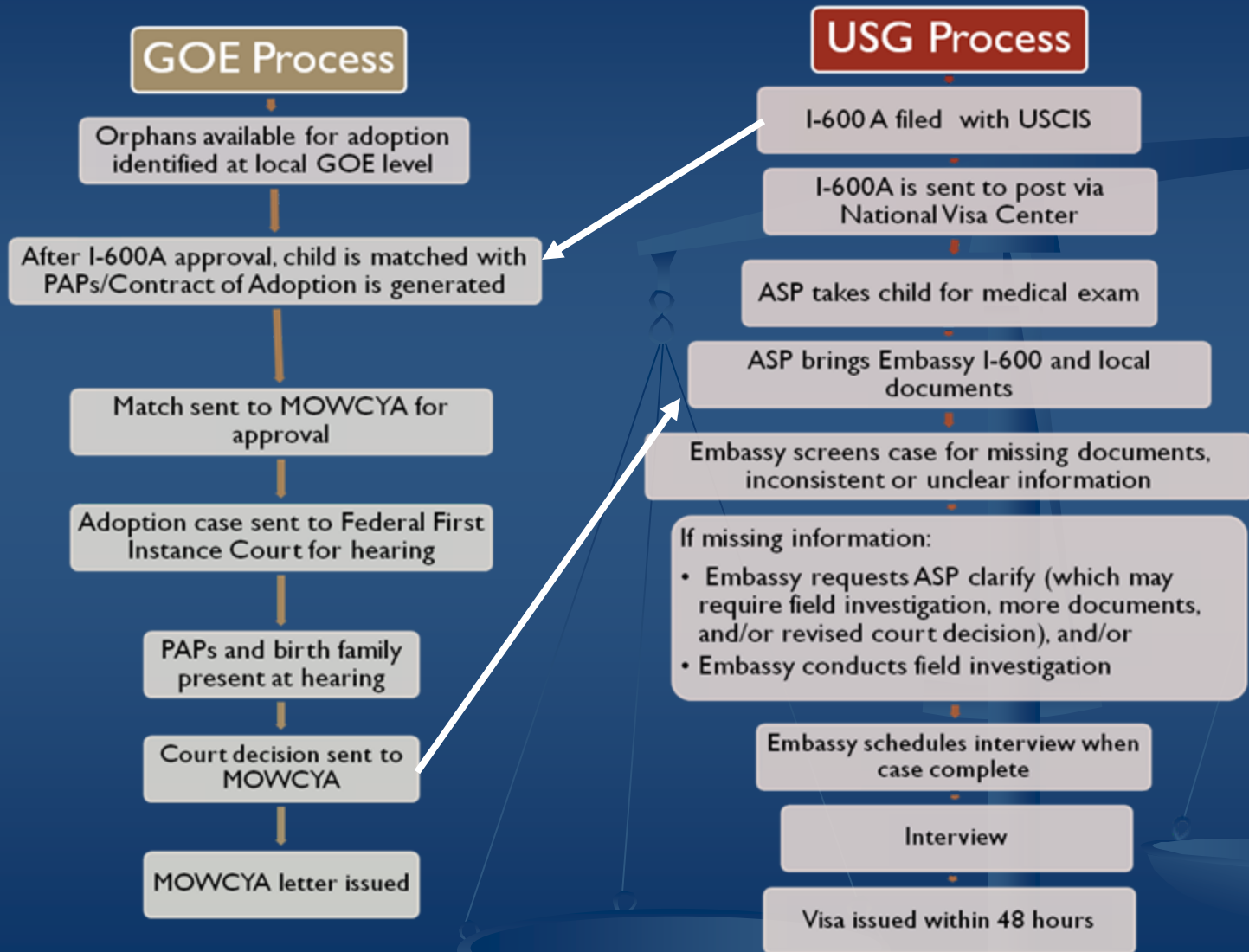
## Summary of Findings:

- 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

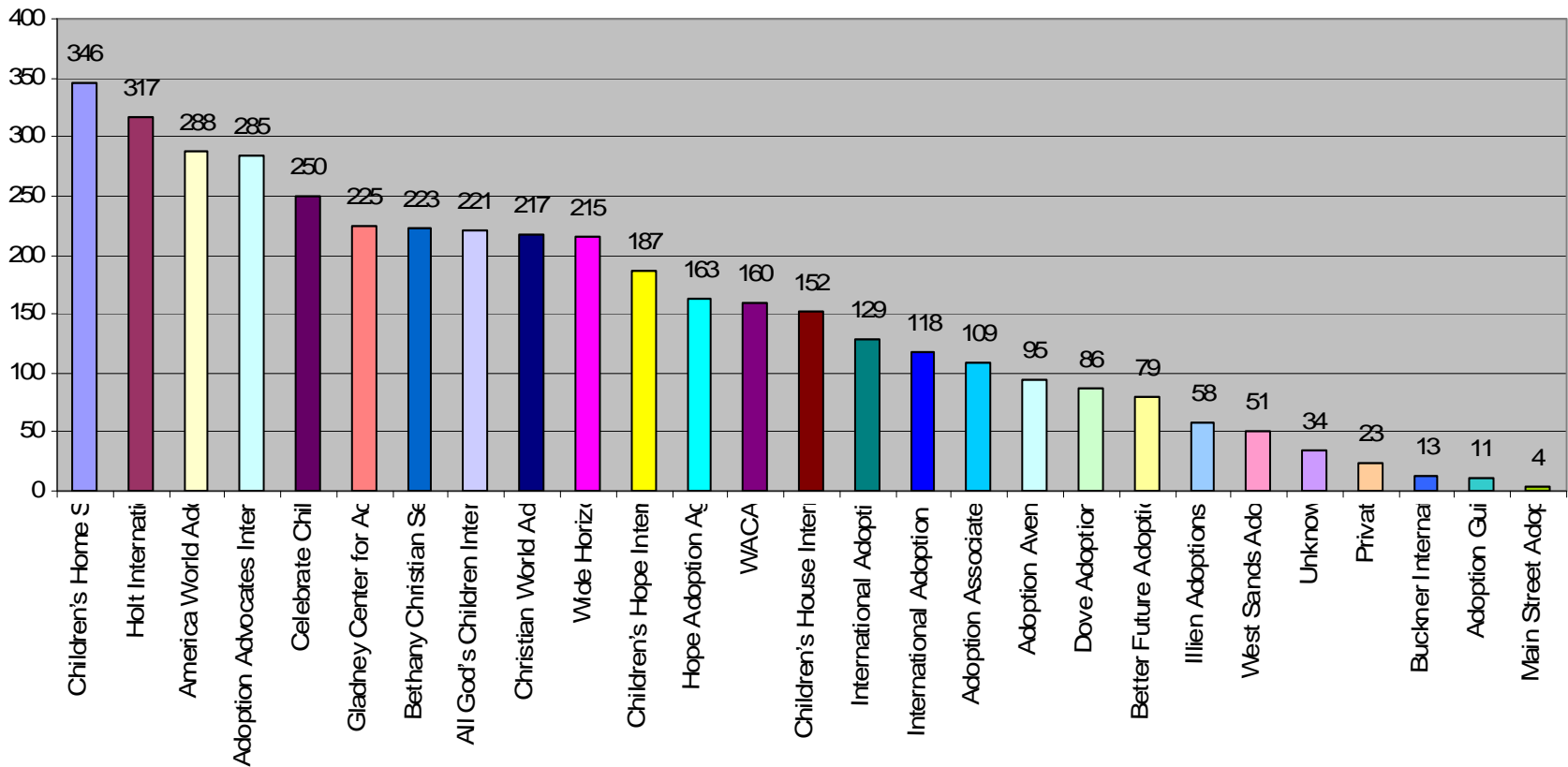
- Based on some 4,000 cases presented over the last 21 months
- Cases generally include information about:
  - ASP,
  - Orphanage,
  - Child's DOB,
  - Interview date, and
  - Who relinquished or if the child was abandoned.
- Analysis based on this basic information reveals overall patterns and trends.

# 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



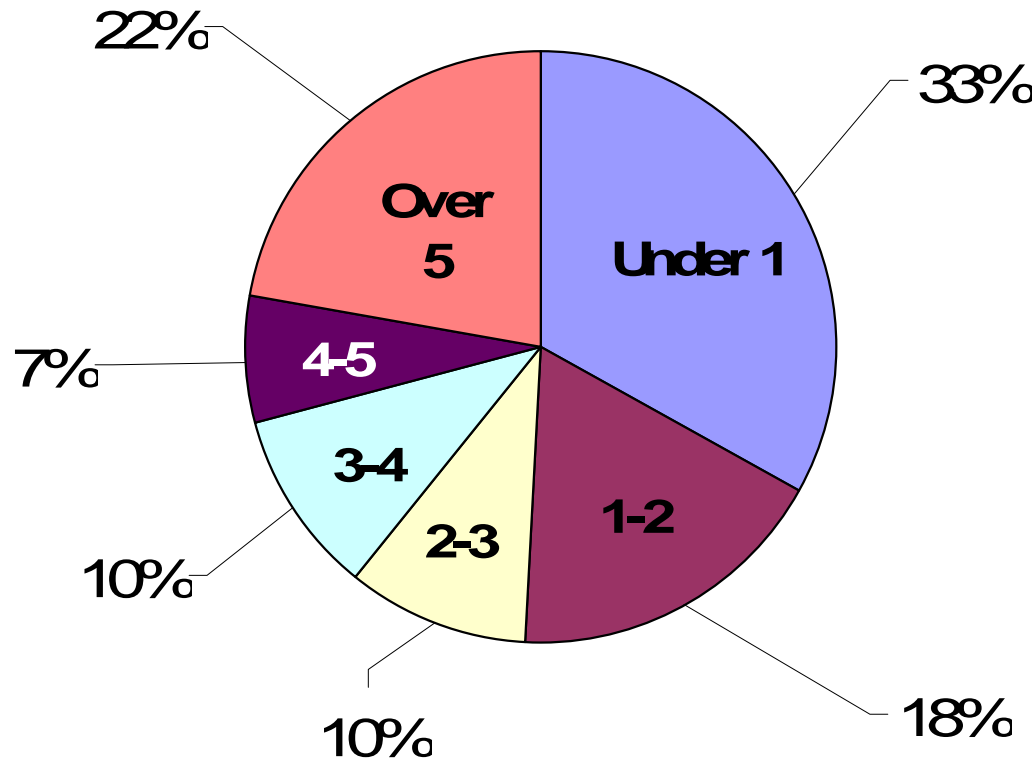
# Focus of Case Analysis

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

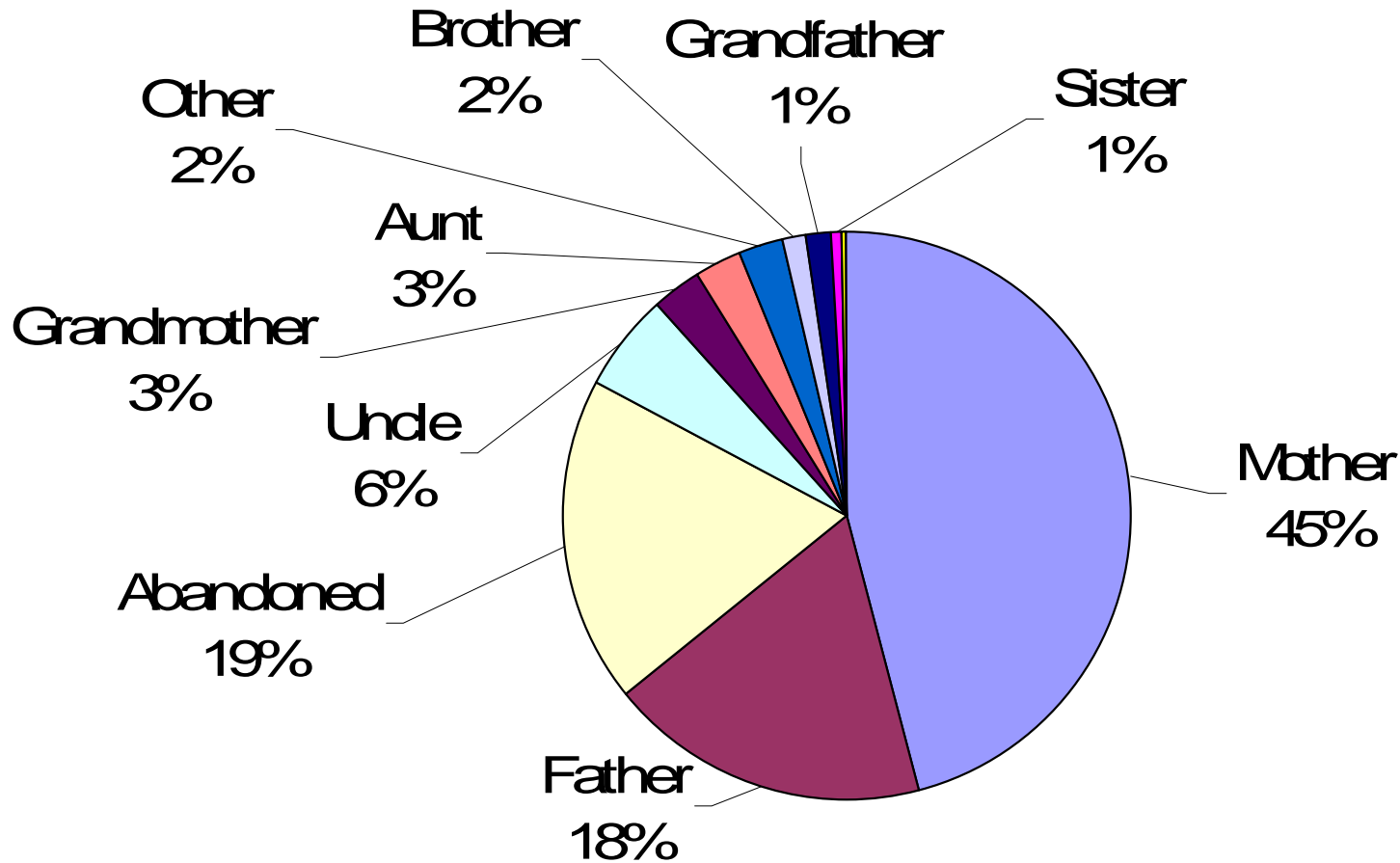
- Unusual age distribution of children placed
- Larger than usual numbers of abandonments
- Larger than usual numbers of relinquishments by other than parents
- One-to-one relationships between ASPs and orphanages

# Baseline Age Distribution

Overall Age Distribution at Time of Interview



# Baseline source pattern: children abandoned or relinquished by a relative

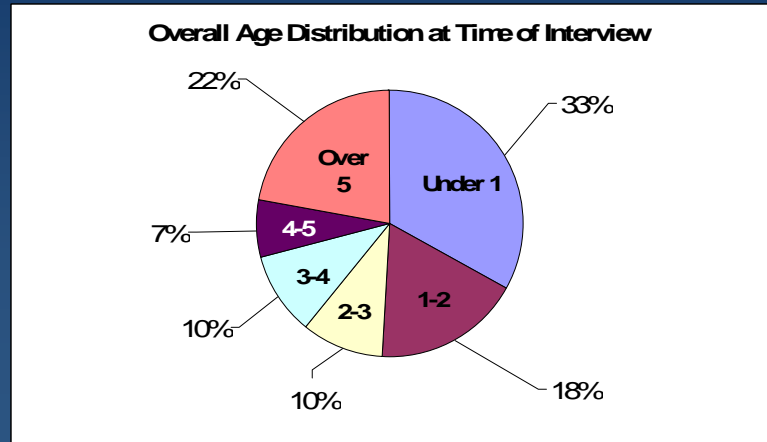




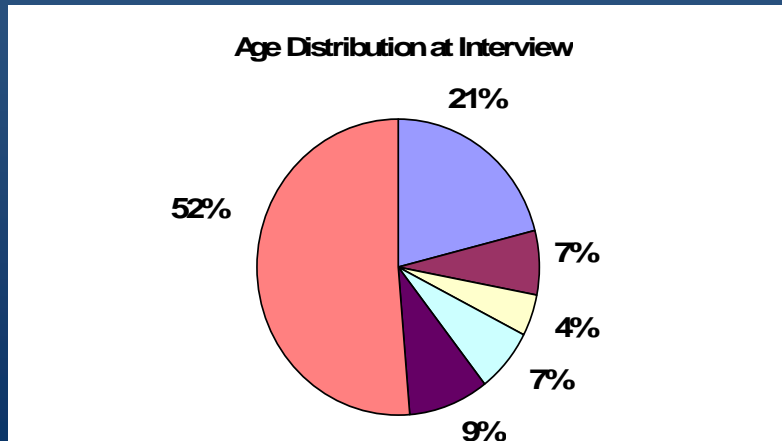
# Baseline Age and Source Observations

- 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.

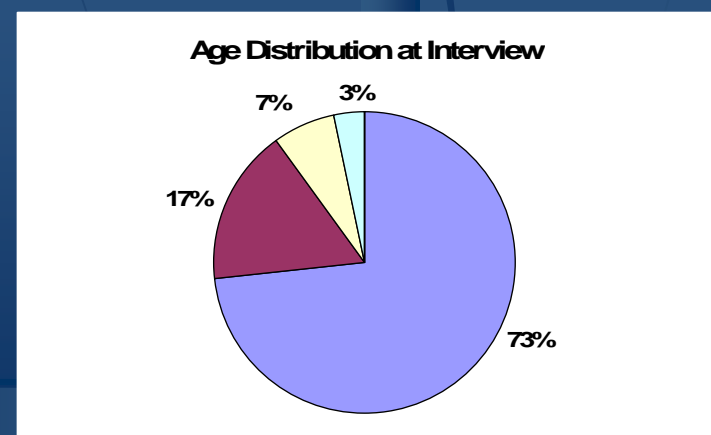
# Age-related Anomalies



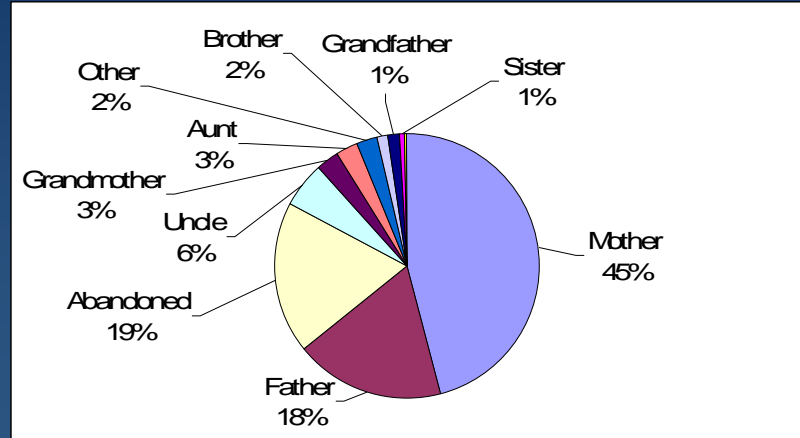
Hypothetical A



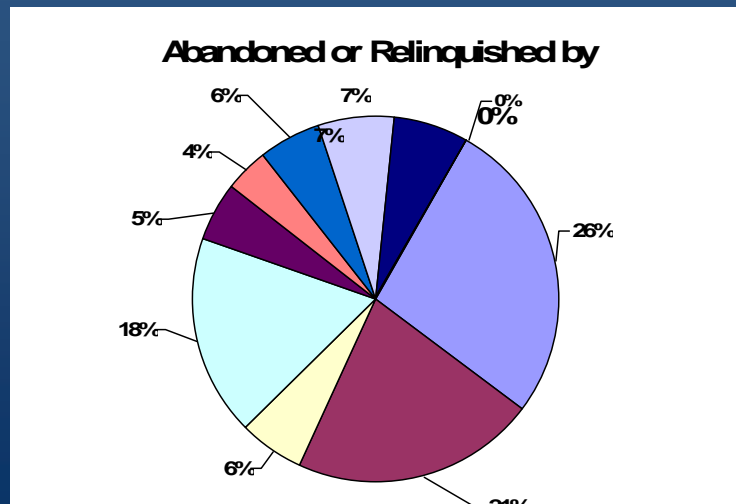
Hypothetical B



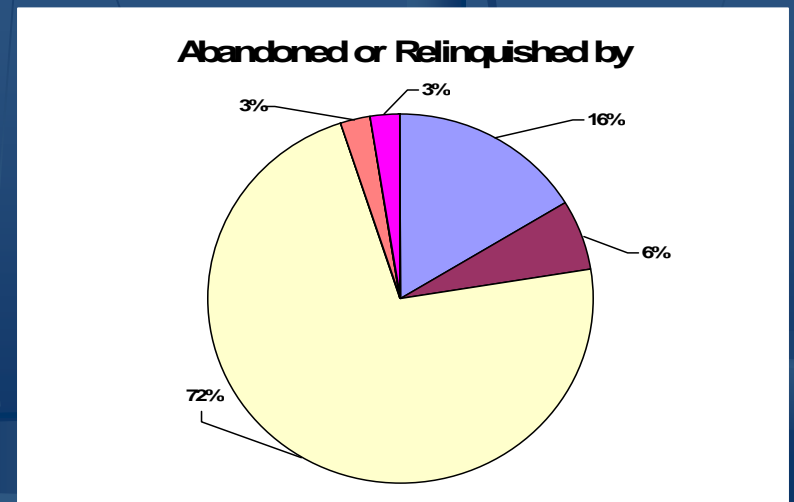
# Source Anomalies



## 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

