

Responses to 60-day FRN Public Comments
Form I-600 Revision, posted July 17 – September 17, 2018

Comment #	Public Comments	USCIS Response
Comment 1.	Commenter: Jean Publiee	
	<p>if there are u.s. citizens who want to adopt and take the full financial responsibility of these "orphans", then its ok, but they must show that they have financial resources to pay for the full care and education of this child. we cannot allow into this country "orphans" who show up at the border and claim to be parentless when we know that isnt true or honest and that they lie to come into this country to make the working people of this country pay for their care instead of their own parents. we are sick of being played for chumps. we have our own children to take care of and the economic realities of life in the usa for most people is not cushy as is claimed. it is hand to mouth day to day. we cannot continmue to absorb all of these migrating people invading our country. we shoudl be taking care of our own american citizens first, our old people, our infirm, our disadvantaged. we are in fact neglecting them at the present time with all available money going to the worlds citizens. and WE ARE FORGETTING ABOUT OUR OWN AMERICAN CITIZENS. THEY GET NOTHING ANYMORE. THEY ARE DISADVANTAGED TO THE MAX. WE CANNOT CONTINUE TO DO THAT TO OUR OWN CITIZENS. SHUT THE GODDAM DOOR. DONT LET ANY FOREIGN IN ANY MORE. WE HAVE MILLIONS MORE THAN WE KNOW WHAT TO DO WITH. WE SHOULD BE DEPORTING ALL THE LIARS, CRIMINALS, PROSTITUTES, DRUGGES, ETC. WE GET THE CHINESE 90 YEARS OLDS TO TAKE CARE OF. WE SEEM TO BE THE DUMPING GROUND FOR ALL THE WORLDS NEGLIGNET PARENTS AND FAMILY PEOPLE. THAT NEEDS TO STOP.; WE NEED TO FOCUS ON AMERICANS. WE NEED</p>	<p>Response: Thank you for your comment. Since no substantive issues regarding the information collection were raised, no changes will be made as a result of this comment.</p>

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	<p>TO TAKE CARE OF OUR OWN CITIZENS. SHUT THE GODDMA DOOR TO THESE FOREIGNERS, ORPHAN OR NOT. IF THEY ARE MEXICAN ORPHAN, THEY BELONG IN MEXICO. IF A GUATEMALAN ORPHAN, THEY BELNG IN GUATAMALA. NOT HERE. ITS TIME TO SHUT THE DOOR. AND TO TAKE STEPS TO STOP PREGNANT WOMEN FROM FLYING OR SNEAKING IN HERE TO HAVE ALLEGEDLY "AMERICAN" KIDS WHEN THESE PEOPLE ARE FOREIGNERSS AND NOT AMERICANS AT ALL. WE NEED TO PRESERVE OUR AMERICAN HERITAGE. NOW. NO MORE FOREIGN "ORPHANS" AND NO CRIMINIALITY SCHEMES BY ILLEGAL IMMIGRANTS SNEAKING HERE TO TAKE IN THEIR ALLEGED "ORPHANS". THAT IS NOTHING BUT A CRIMINAL SCHEME.</p>	
Comment 2.	Commenter: Deborah Huebner	
	<p>Thank you for adding the Supplement 2, Consent to Release.</p>	Response: Thank you for your comment.
Comment 3., Issue 1.	Commenter: Irene Steffas	
	<p>See attached file(s)</p> <p>Thank you for the opportunity to review and comment. In brief:</p> <ol style="list-style-type: none"> 1. This is an opportunity to distinguish between primary providers, accredited agencies, accredited representatives and legal service providers. If done this would protect PAPs. 2. The form uses the term "birth siblings". However, USCIS has suggested that children who were adopted by the same parents would also qualify. Hence, legal siblings is 	Response: Thank you for your comment. Detailed responses are provided in the other Comment 3 Issue rows.

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	<p>more accurate and inclusive.</p> <p>3. Signatures on USCIS forms and signature on documents should be distinguished. Signatures on Forms and on Statements re criminal history are the only ones that require original signatures.</p> <p>4. Re Translations - USCIS should accept official government translations from other countries.</p> <p>5. Consider adding secondary evidence for Death Certificates.</p> <p>6. This is a great opportunity to enlighten adoptive parents, attorneys and the public about the requirements of the Universal Accreditation. This was not done.</p> <p>7. Forms appear very simple and USCIS implies that adoptive parents can complete them on their own. This is not true. The Primary Provider for PAPs should be the ones completing these forms.</p> <p>8. The amount of duplicity in the questions on the form make it longer and more confusing.</p>	
<p>Comment 3., Issue 2.</p>	<p>I-600 Instructions, TOC pg. 5: Legal Service Provider</p> <p>ADD</p> <p><i>A Legal Service Provider is not the same as an Approved Person who is an attorney.</i></p>	<p>Response: This comment applies to language that no longer exists in this place on the proposed revision of the form. The language in question has been moved to Part 9. USCIS has considered the comment in the context of the language's new placement and made an edit to explain that not all attorneys are approved persons authorized to provide adoption services under 22 CFR 96.2.</p>
<p>Comment 3., Issue 3.</p>	<p>I-600 Instructions, TOC pg. 9: Regarding signatures: ADD</p> <p><i>USCIS requires the original signatures of Petitioner, Petitioner's spouse and all adult household members on all USCIS forms: I-600A, I-600, Supplement 1, Supplement 3, G-28, I-864, I-864W, Home Study etc</i></p>	<p>Response: USCIS declines these edits. The instructions regarding signatures are clear.</p>

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	<p>Distinguish <i>signatures on forms</i> and <i>signatures on documents</i>:</p> <p><i>Photocopies of documents that include a signature are acceptable.</i></p>	
Comment 3., Issue 4.	<p>I-600 Instructions, TOC pg. 11: ADD:</p> <p><i>Official Translations that is issued by a foreign sovereignty are acceptable.</i></p>	<p>Response: USCIS will make determinations regarding translations after reviewing the documents submitted.</p>
Comment 3., Issue 5.	<p>I-600 Instructions, TOC pg. 21: Last paragraph – NOTE: This paragraph explains what the requirements are for a non US citizen.</p> <p>ADD: <i>You should not file form I-600 under the following circumstances: a) your spouse is a conditional resident and USCIS has not been adjudicated his or her status; b) your spouse is in removal proceedings; and or USCIS had not adjudicated your spouse’s claim for asylum.</i></p>	<p>Response: USCIS declines this edit. There is nothing in USCIS regulations that prohibit us from adjudicating and considering cases under these circumstances.</p>
Comment 3., Issue 6.	<p>I-600 Instructions, TOC pg. 22: Copies of Death Certificates of Child’s Parents if applicable.</p> <p>ADD: <i>If Death Certificates are not available, an explanation along with Secondary evidence can be included, such as medical records, obituaries, gravesites, statements from funeral home and crematorium and family and clergy that helped bury the dead.</i></p>	<p>Response: USCIS declines the edit. The I-600 Instructions explain secondary evidence in the Affidavits section.</p>
Comment 3., Issue 7.	<p>I-600 Instructions, TOC pg. 27: ADD language in bold:</p>	<p>Response:</p>

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	<p>Petitioner should disclose all changes in circumstances to this Home Study Provider and Primary Provider.</p> <p>A Home Study Update may be needed in the following: change of address or a change of employment.</p>	<p>USCIS declines this edit. USCIS regulations do not require disclosure to the Primary Provider.</p> <p>USCIS declines this edit. A home study update is required in the circumstances listed in the instructions.</p>
Comment 3., Issue 8.	<p>I-600 Instructions, TOC pg. 31: ADD language in bold:</p> <p>1. Provide true and complete information to your home study preparer and primary provider.</p>	<p>Response: USCIS declines this edit. USCIS regulations do not reference the primary provider, only the home study preparer.</p>
Comment 3., Issue 9.	<p>I-600 Instructions, TOC pg. 32: ADD – onto the last line</p> <p><i>such as a first offender's program.</i></p>	<p>Response: USCIS declines the edit. The language in this paragraph clearly explains that any possible offenses should be disclosed, regardless of “the fact that an arrest or conviction or other criminal history was expunged, sealed, pardoned, or the subject of any other amelioration.”</p>
Comment 3., Issue 10.	<p>I-600 Instructions, TOC pg. 32: ADD primary provider in 5.</p> <p>5. Notify your home study preparer, primary provider and .</p>	<p>Response: USCIS declines this edit. USCIS regulations do not reference the primary provider, only the home study preparer.</p>
Comment 3., Issue 11.	<p>I-600 Instructions, TOC pg. 32: After Warning, 1. ADD primary provider</p> <p>Conceal, misrepresent, or fail to disclose any facts to the home study preparer, primary provider and USCIS</p>	<p>Response: USCIS declines this edit. USCIS regulations do not reference the primary provider, only the home study preparer.</p>
Comment 3., Issue 12.	<p>I-600 Instructions, TOC pg. 43: Paperwork Reduction Act 1 hour per response. Not accurate. Every response does not require 1 hour. The entire form may require 1-2 hours to prepare.</p>	<p>Response: Under the Paperwork Reduction Act, the time burden per response is the estimated time required to fill out the entire form.</p>

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<p>Comment 3., Issue 13.</p>	<p>General Comment A.</p> <p>Siblings This section is incorrect: the Sibling exception to age is found in all 3 definitions of INA 101(b)(1)(E), INA 101(b)(1)(F) and INA 101(b)(1)(G),</p> <p>Secondly, the adopting parents do not need to adopt both children under the same adoption. For example, adopting parent adopts child under INA 101(b)(1)(F). Years later, adopting parent adopts sibling and uses INA 101(b)(1)(E) or (G).</p> <p>The sibling exception also applies when the PAPs adopt 2 children simultaneously and one child is under the age of 16 and the other child is under age 18, but over the age of 16 WHEN THE I-600A or I-600 are filed.</p> <p>This exception only includes “birth siblings”. At the last Symposium by the Office of Children’s Issues and the Council on Accreditation, (2015 or 2016) a representative from USCIS, International Operations said that the sibling exception should not exclude siblings who were adopted by the same adopting family. Hence the sibling exception includes children who were adopted by the same family. Instead of saying birth siblings, USCIS should consider legal siblings</p>	<p>Response:</p> <p>The sibling exception for Form I-600 applies if the beneficiary was adopted while under age 18, is the natural sibling of a child described in 101(b)(1)(F)(i) or (E)(i), and was adopted by the same adoptive parents as this sibling. Note: INA §101(b)(1)(G)(i) is not included in the older sibling exception at INA 101(b)(1)(E)(ii) or (F)(ii).</p> <p>The sibling exceptions in sections 101(b)(1)(E), (F), and (G) of the Immigration and Nationality Act (INA) <u>do not</u> include adoptive siblings in light of the statutory language Congress chose, which states that the exception applies to “natural siblings.” USCIS does not have the authority to interpret a statute contrary to its plain meaning and Congressional intent.</p>
<p>Comment 3., Issue 14.</p>	<p>General Comment B.</p> <p>Although the definitions of an eligible child, 8 CFR 204.3b are not the subject of these comments, it is appropriate for USCIS, DOS and others to review the antiquated definitions under this regulation.</p> <p>No parents because of the death or disappearance of, abandonment or desertion by, or separation or loss from both parents.</p>	<p>Response:</p> <p>Thank you for the comment regarding 8 CFR 204.3. This Federal Register Notice is a request for public comments on a form revision, not on a proposed regulation.</p>

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	<p>The U.S. is the only country that defines abandonment in this matter.</p> <p>There is no category for orphans whose parents do not in writing surrender their children to a government body. Many country do not have the infra structure to accept such children.</p> <p>There is no definition for an eligible when his or her birth parents never bonded with the child and simply to do not want to parent the child.</p> <p>Language used in these regulations was appropriate in 1950-1970. Using the term natural parents is considered as derogatory and outdated.</p>	
<p>Comment 3., Issue 15.</p>	<p>General Comment C. There is no mention of the Universal Accreditation Act, which now requires:</p> <ul style="list-style-type: none"> • Need for a Primary Provider • Home Study by an Accredited Agency (or if a non Accredited Agency conducts the Home Study, then an Accredited Agency must review and approve the Home Study. • Primary Provider collaborates or supervises Foreign Adoption Service Provider • PAPs must document fees paid 	<p>Response: While USCIS has removed reference to the Universal Accreditation Act, the requirements have been incorporated through questions in the revised forms.</p>
<p>Comment 3., Issue 16.</p>	<p>General Comment D. This form makes it appear that USCIS will be interviewing PAP. This is not the current practice. Is this a change for future filings of I-600s?</p>	<p>Response: While this form update is not intended to convey changes to current interviewing practices or requirements for Form I-600 filings and adjudication. Still, the instructions note that 8 CFR</p>

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		103.2(a)(9) authorizes USCIS to require interviews or biometrics from petitioners at any time.
Comment 3., Issue 17.	General Comment E. There is no place that distinguishes between a Primary Provider, Accredited Agency, Accredited Representative and Legal Service Provider. These are all different. It is a shame to see PAPs waste money on a Home Study by an Unaccredited Agency that does not even follow the requirements of 8 CFR 204.311. Or an immigration attorney that does not advise PAPs that they need a Primary Provider and a Home Study by an Accredited Agency.	Response: USCIS reformatted questions related to home study preparers in Part 2. of Form I-600A to further distinguish roles.
Comment 4., Issue 1.	Commenter: Irene Steffas	
	On the whole the changes are clear and appropriate. Concerned about the word Investigation -- investigation of applicant, petitioner's spouse and adult household member. Word is too broad and should be limited. Glad to see applicant's residing abroad addressed. Thank you	Response: USCIS views any investigation of the applicant, petitioner, spouse, and/or adult member of the household as potentially relevant to a suitability determination.
Comment 4., Issue 2.	Form I-600A, TOC pg. 7: Under Question 31 Type of Application/Petition Filed: ADD: I-130 for an adopted child	Response: USCIS has made the requested edit to Form I-600A.
Comment 4., Issue 3.	Form I-600A, TOC pg. 7: Under Question 32. ADD: words in bold:	Response:

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	State and County where adoption was finalized? Case Number of Your Petition for Adoption	USCIS has added “County” to the Item Number 32. on both the Form I-600 and the Form I-600A. We decline the request to add a case number field.
Comment 4., Issue 4.	Form I-600A, TOC pg. 9: Under Duty of Disclosure, new phrase 37. A and 38. A Investigated: This needs to be defined. Too broad and overreaching. Students applying to law school are investigated by the law schools. Graduates of law school are investigated when they apply to a State Bar Association. Teachers are investigated when they apply for a state license to teach. Applicants to the FBI, Secret Service, DOD etc.	Response: USCIS views any investigation of the applicant, petitioner, spouse, and/or adult member of the household as potentially relevant to a suitability determination. The language under Duty of Disclosure, Item Numbers 37.A. and 38.A. specifically states and relates to investigations “for breaking or violating any law or ordinance.”
Comment 4., Issue 5.	Form I-600A, TOC pg. 12: ADD to Item 5 the words in bold Have you identified another accredited agency or approved person to serve as your primary adoption service provider?	Response: USCIS accepts the comment and has made the requested edits.
Comment 4., Issue 6.	Form I-600A, TOC pg. 15: ADD INSERT into paragraph 9. If known, are the children you seek to adopt siblings?	Response: USCIS declines this edit. The information is not needed to adjudicate Form I-600A.
Comment 4., Issue 7.	Form I-600A, TOC pg. 18: Applicant’s Duty to Disclose: ADD the language in Bold . . . I agree to notify my home study prepare, my primary adoption service provider and USCIS . . .	Response: USCIS declines this edit. USCIS regulations do not require disclosure to the Primary Provider.
Comment 4., Issue 8.	Form I-600A, TOC pg. 21: Your Spouse’s Duty to Disclose: ADD the language in Bold	Response: USCIS declines this edit. USCIS regulations do not require disclosure to the Primary Provider.

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	. . . I agree to notify my home study prepare, my primary adoption service provider and USCIS . . .	
Comment 4., Issue 9.	<p>General comments:</p> <p>1. Delighted that you added Primary Adoption Service Provider.</p> <p>2. Define and distinguish between a Primary Adoption Service Provider, Accredited Agency, Accredited Representative and Legal Service Provider. These terms should be explained in greater detail at the onset on the case.</p> <p>Consider allowing Accredited Agencies or Approved Persons to Prepare Immigration Forms such as I-600A, I-600, Supplement 1, and Supplement 2.</p>	<p>Response:</p> <p>Please see responses to specific comments.</p>
Comment 4., Issue 10.	<p>I-600A Instructions, pg. 1:</p> <p>Add a 3rd item:</p> <p>The child’s adoption is not governed by the Hague Adoption Convention, even though after the Hague Adoption Convention entered into force. For Example, the case meets requirements agreed upon by the United States and the child’s country o foreign to proceed as a non-Convention case <i>during the country’s transition to the Hague Process.</i></p>	<p>Response:</p> <p>USCIS declines the comment. The two exceptions noted in the instructions apply only to non-transition cases. In the instance of transition cases, a prospective adoptive parent would already have an approved Form I-600A and transition cases would only occur in the context of Form I-600. Form I-600 petition instructions address processing of transition cases.</p>
Comment 4., Issue 11.	<p>I-600A Instructions, pg. 2:</p> <p>Glad to see that you are addressing Applicants Residing Abroad</p>	<p>Response:</p> <p>Thank you.</p>
Comment 4., Issue 12.	<p>I-600A Instructions, pg. 3:</p> <p><i>Under Affidavits: ADD</i></p> <p>USCIS accepts Statements when the person providing the Statement is clearly identified [DOB, A#, address, e-mail, mobile phone]. Such Statements may be made before a Notary Public or the statement includes the following language: Under penalties of perjury of the laws of the United States, I affirm that the matters contained in this</p>	<p>Response:</p> <p>USCIS declines this edit.</p>

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	statement are true and correct. Such statements must be signed and dated	
Comment 4., Issue 13.	<p>I-600A Instructions, pg. 7: <i>What is USCIS referring to on page 7, 3rd paragraph that states:</i></p> <p>If your case meets certain criteria, you home study may not be required to meet some of the above requirements.</p> <p><i>If USCIS is referring to Applicants residing abroad, it should state so. Otherwise, this paragraph will lead to confusion and errors by Applicants.</i></p>	<p>Response: USCIS is referring to the UAA. The sentence immediately following says “For more information...”</p>
Comment 4., Issue 14.	<p>I-600A Instructions, pg. 1: Under the Section of Who May Not File Form I-600A: consider the following additions:</p> <p><i>a) Your spouse is a conditional resident and USCIS has not been adjudicated his or her immigration status;</i> <i>b) Your spouse is in detention or in removal proceedings;</i> <i>c) USCIS had not adjudicated your spouse’s claim for asylum: and</i> <i>d) Your spouse is on probation.</i></p>	<p>Response: USCIS declines this edit. There is nothing in USCIS regulations that prohibit us from adjudicating and considering cases under these circumstances.</p>
Comment 4., Issue 15.	<p>Form I-600A Supplement 1:</p> <p>1. Page 3, Adult Member of Household’s Duty of Disclosure, ADD words in bold . . . I agree to notify the applicant, petitioner, home study prepare, primary adoption service provider and USCIS . . .</p> <p>2. Concerns raised above regarding the word Investigation. Too broad, not clear and could be very invasive.</p>	<p>Response: USCIS declines this edit. USCIS regulations do not require disclosure to the Primary Provider.</p>

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Comment 5., Issue 1.	Commenter: Ryan Hanlon on behalf of National Council For Adoption (NCFA)	
	I-600A Instructions: We suggest adding clarity regarding I-600A Part 3, question 6 so that applicants know the differences/merits of filing stateside vs. filing at a foreign consulate	Response: There is generally no advantage to file Form I-600, Petition to Classify Orphan as an Immediate Relative, abroad or domestically.
Comment 5., Issue 2.	I-600A Instructions: On page 10, the instructions indicate that two separate checks or money orders are required for the filing and biometric fees. This seems to be unnecessarily burdensome. We suggest allowing applicants to submit just one check or one money order to pay for these services.	Response: USCIS currently requires these fees to be submitted separately.
Comment 5., Issue 3.	I-600A Instructions: Also on page 10, the proposed changes include information about paying via credit card. NCFA welcomes this change in the instructions and supports the concept of more options and electronic options for prospective adoptive parents. We suggest adding more to the instructions here for users, instead of just sending them to a link for form G-1450. Specifically, we suggest: a) Making it clear if they need to do two separate forms (one for biometrics, one for the filing fee) or if they can just do one form G-1450 to cover all expenses. b) Making it explicit how they submit G-1450 with the I-600A (e.g. included completed form G-1450 as supplemental doc	Response: USCIS declines this edit. Instructions for filing Form G-1450 are provided in the context of that form.
Comment 5., Issue 4.	Form I-600A: In Part 10, Question 7b we suggest adding clarity to this to indicate if “does not extend” includes or does not include USCIS issuing a Request for Evidence (RFE) or Notice of Intent to Deny (NOID). If they do not, can clarity be given if	Response: USCIS declines this edit. This does not seem to be a point of confusion for applicants.

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	<p>in such situations, the Hague-accredited Primary Provider would then have responsibility of responding?</p> <p>One suggested solution would be to eliminate the option of partial representation. This would be consistent with USCIS Form G28 which does not allow attorneys to limit their representation to just completing the I-600A application.</p>	
Comment 5., Issue 5.	<p>I-600 Instructions: We welcome the change regarding the validity of signatures in the general instructions and believe this will enable prospective adoptive families and USICS to utilize commonplace technology (e.g. scanning) while still ensuring the authenticity of the original signature (i.e. by requiring it to be a scan/photocopy of the original).</p>	<p>Response: Thank you for your comment.</p>
Comment 5., Issue 6.	<p>I-600 Instructions: On page 7 of the proposed changes, under the section “Initial Evidence” under “1. Proof of Petitioner’s U.S. Citizenship” under point A. (5) we suggest clarifying that this does not require the passport to have 10 years of validity at time of displaying as evidence, but rather that it had 10 years of validity at the time of issuance. This could be clarified by adding the word “originally” between the words “passport” and “issued”.</p>	<p>Response: USCIS declines this edit.</p>
Comment 5., Issue 7.	<p>I-600 Instructions: In the WARNING section, please add “Primary Provider” so that they are listed in addition to Home Study Preparers and USCIS.</p>	<p>Response: USCIS declines this edit. USCIS regulations do not require disclosure to the Primary Provider.</p>
Comment 5., Issue 8.	<p>Addition of new Supplement 2, Consent to Disclose Information: We welcome the new addition of the Supplement 2 for forms I-600A/I-600 and hope it will allow USCIS and adoption services providers to communicate in a more efficient manner in their joint service to prospective adoptive families.</p>	<p>Response: Thank you for the comment.</p>