



Instructions for Petition to Classify Orphan as an Immediate Relative

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-600
OMB No. 1615-0028
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What Is the Purpose of Form I-600?

U.S. Citizenship and Immigration Services (USCIS) uses the information provided on Form I-600, Petition to Classify Orphan as an Immediate Relative, to determine whether a child who has been or will be adopted by a U.S. citizen (and spouse, if married) can be classified as an orphan for an immediate relative immigrant visa.

Who May File Form I-600?

If you are a U.S. citizen, you (and your spouse, if married) may file Form I-600 for an unmarried child if:

1. You file the Form I-600 before the child's 16th birthday (or before the child's 18th birthday in some cases, as discussed in these Instructions);
2. The child's adoption is not governed by the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Adoption Convention);
3. The child qualifies as an orphan, as defined in the Immigration and Nationality Act (INA) section 101(b)(1)(F); and
4. You (and your spouse, if married) either:
 - A. Have adopted the child outside the United States and the adoption order is final; or
 - B. Have obtained legal custody of the child for emigration and adoption in the United States and will adopt the child in the United States after the child enters the country with a visa.

To qualify as an adoption for immigration purposes, the adoption must, according to the laws where it takes place, establish a permanent legal parent-child relationship between the child and you (and your spouse, if married), as well as terminate the legal parent-child relationship between the child and any former parent(s).

If you do not have a final adoption, you may still be eligible to file this petition if you have legal custody of the child for the purposes of emigration and adoption. For example a guardianship order, foster parent appointment, or other custody order may be sufficient if it permits you to take the child out of the country for the purpose of finalizing the adoption in the United States or in another country.

Who May Not File Form I-600?

If the child is already in the United States, you may not file Form I-600 unless that child is a parolee and has not been adopted in the United States.

If the child does not qualify as an orphan under INA section 101(b)(1)(F), you cannot file Form I-600. However, the child may qualify as an immediate relative under INA section 101(b)(1)(E) and you may be able to file Form I-130, Petition for Alien Relative. See Form I-130 and its Instructions for additional information about this alternative.

If the child's adoption is governed by the Hague Adoption Convention, you generally cannot file Form I-600 for the child. If you seek to adopt a child who is a habitual resident in a country that is a party to the Hague Adoption Convention, or you have already adopted a child on or after the date the child's country became a party to the Hague Adoption Convention, you should generally file Form I-800A, Application for Determination of Suitability to Adopt a Child from a Convention Country, and Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative.

There are three exceptions. You may be able to file Form I-600 if:

1. You (and your spouse, if married) were not yet U.S. citizens when you adopted the child, but the petitioner is a U.S. citizen at the time of filing Form I-600;
2. The child's adoption is not governed by the Hague Adoption Convention, even though it occurred 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 of origin to proceed as a non-Convention case during a country's transition to the Hague process; or
3. The child's adoption is not governed by the Hague Adoption Convention because it occurred before the Hague Adoption Convention entered into force in the child's country of origin. For additional information, see the adoption-related pages on the USCIS website at www.uscis.gov/adoption and the Department of State's website at www.state.gov/family-law/.

NOTE: If you are filing under one of these exceptions, you should include evidence that you qualify for the exception with your Form I-600.

For a list of Hague Adoption Convention countries and the dates the Hague Adoption Convention became effective for each country, see the Status Table on the website of The Hague Conference on Private International Law at <https://www.hcch.net/en/instruments/conventions/status-table/?cid=60>.

What Are the Eligibility Requirements?

1. Eligibility requirements for a child.

Under INA section 101(b)(1)(F), an orphan is a child who has:

- A. No parents because of the death or disappearance of, abandonment or desertion by, or separation or loss from both parents; or
- B. A sole or surviving parent who is incapable of providing the child with proper care and has, in writing, irrevocably released the child for emigration and adoption.

Specific age requirements apply. Even if you have not yet completed the adoption or obtained all of the required supporting documentation, you **MUST** file Form I-600 before the child turns 16 years of age unless one of the following exceptions applies:

- A. **Sibling Exception.** You may file Form I-600 after the child's 16th birthday, but before the child's 18th birthday, only if the child is the birth sibling of another foreign born child ("other sibling") who has immigrated (or will immigrate) based on an adoption by the same adoptive parent(s). If the other sibling immigrates as an orphan, then the Form I-600 for the other sibling must have been filed before that sibling's 16th birthday. If the other sibling immigrates as an adopted child under INA 101(b)(1)(E), rather than as an orphan, the actual adoption must have occurred before that sibling's 16th birthday; or
- B. **Form I-600A Filed When a Child is 15 Years of Age.** If you have filed Form I-600A, USCIS will deem the Form I-600A filing date to be the Form I-600 filing date if:
 - (1) You filed Form I-600A after the child's 15th birthday, but before the child's 16th birthday (or, if applicable for a birth sibling, after the child's 17th birthday, but before the child's 18th birthday); **AND**
 - (2) You filed Form I-600 no more than 180 days after the initial approval of Form I-600A.

2. Eligibility requirements for parents.

You must be a U.S. citizen to file Form I-600.

If you are married, your spouse does not need to be a U.S. citizen. However, if your spouse lives in the United States, you must submit proof that your spouse is living in the United States lawfully as a U.S. citizen, U.S. national, lawful permanent resident, or in another lawful immigration status.

If you are unmarried, you must be at least 25 years of age to file Form I-600.

3. Eligibility requirements for adoption abroad - child adopted by both parents and seen in person by at least one adoptive parent.

If the child was adopted abroad, you must establish that either you or your spouse (if married) personally saw and observed the child before or during the adoption proceedings in order for the adoption to be considered full and final. If you are married, you and your spouse do not both need to have personally seen and observed the child. However, the adoption decree must show that you and your spouse adopted the child jointly.

If you previously filed Form I-600A and your responses on this petition differ from the responses provided on your Form I-600A, USCIS may request additional information regarding the responses.

4. Eligibility requirements for adoption abroad - child not seen by at least one parent or not adopted by both parents.

If the child was adopted abroad, but neither you nor your spouse (if married) personally saw and observed the child before or during the adoption proceedings, the child will be considered to be coming to the United States for adoption. You will then need to either adopt the child anew in your state of residence or take whatever steps may be required by your state of residence to recognize the foreign adoption.

Also, if you are married and you and your spouse did not jointly adopt the child abroad, the child will be considered to be coming to the United States for adoption, and the spouse who did not adopt abroad will need to adopt the child in the United States.

5. Pre-adoption eligibility requirements when a child is coming to the United States for adoption.

If the child has not been adopted abroad (for example, you only obtained legal custody or guardianship for emigration and adoption in the United States), or if the child will be considered to be coming to the United States for adoption, you and your spouse (if married) must establish that:

- A. You and your spouse will adopt the child in the United States; and
- B. Any pre-adoption requirements of the state of the orphan's proposed residence in the United States have been met or will be met at a later time.

Combination Form I-600 Filing

In some situations, you can file your Form I-600 petition on behalf of a specific child together with the supporting documents for Form I-600A, Application for Advance Processing of an Orphan Petition, to request that USCIS decide your suitability and eligibility to adopt at the same time as the child's eligibility. This is referred to as combination filing. You do not need to file a separate Form I-600A in this situation.

You may use this combination filing option if you:

1. Have not previously filed Form I-600A, but you have finalized an adoption or obtained legal custody of a child;
2. Have identified a child you would like to adopt and your previously approved Form I-600A expired before you filed a Form I-600 petition; or
3. Previously filed Form I-600A, but your marital status changed after the Form I-600A was approved, and you have finalized an adoption or obtained legal custody of a child.

General Instructions

We provide free forms through the USCIS website. To view, print, or complete our forms, you should use the latest version of Adobe Reader, which you can download for free at <http://get.adobe.com/reader/>. If you do not have internet access, you may call the USCIS Contact Center and ask that we mail a form to you.

Signature. You (or your signing authority) must properly complete your petition. USCIS will not accept a stamped or typewritten name in place of any signature on this petition. If you are under 14 years of age, your parent or legal guardian may sign the petition on your behalf. A legal guardian may also sign for a mentally incompetent person. If your petition is not signed, or if the signature is not valid, we will reject your petition. See 8 CFR 103.2(a)(7)(ii)(A). If USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS may deny the request.

Validity of Signatures. USCIS will consider a photocopied, faxed, or scanned copy of an original handwritten signature as valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten ink signature.

Filing Fee. See Form G-1055, Fee Schedule, available at www.uscis.gov/forms, for information on all filing fees.

Evidence. When you file your petition, you must submit all evidence and supporting documents listed in the **Initial Evidence** section of these Instructions.

Biometric Services Appointment. USCIS may require you to appear for an interview or provide biometrics (fingerprints, photograph, and/or signature) at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application or petition. If we determine that a biometric services appointment is necessary, we will send you an appointment notice with the date, time, and location of your appointment. If you are currently overseas, your notice will instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to schedule an appointment.

At your biometrics appointment, you must sign an oath reaffirming that:

1. You provided or authorized all information in the petition;
2. You reviewed and understood all of the information contained in, and submitted with, your petition; and
3. All of this information was complete, true, and correct at the time of filing.

If you do not attend your biometric services appointment, we may deny your petition.

Copies. You should submit legible photocopies of requested documents unless the Instructions specifically instruct you to submit an original document. USCIS may request an original document at any time during our process. If we request an original document from you, we will return it to you after USCIS determines it no longer needs the original.

NOTE: If you submit original documents when they are not required or requested, **USCIS may destroy them after we receive them.**

Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that they are competent to translate from the foreign language into English. The certification must also include their signature, printed name, the signature date, and their contact information.

USCIS Contact Center. For additional information on the petition and Instructions about where to file, change of address, and other questions, visit the USCIS Contact Center at www.uscis.gov/contactcenter or call at **800-375-5283** (TTY **800-767-1833**). The USCIS Contact Center provides information in English and Spanish.

Disability Accommodations/Modifications. To request a disability accommodation/modification, follow the instructions on your appointment notice or at www.uscis.gov/accommodationsinfo.

Affidavits. If you cannot obtain a required document, you must:

1. Submit an original typed or printed statement from the governmental agency that should have the record, verifying that the record does not exist;
2. Submit a citation to the U.S. Department of State Foreign Affairs Manual indicating that the records are generally not available; or

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3. Otherwise demonstrate that both the primary and secondary evidence are unavailable. Only then may you submit two or more typed or printed affidavits sworn to or affirmed by persons who are not parties to the petition and have direct personal knowledge of the event and circumstances. Affidavits should contain the following information about each person making the affidavit: his or her full name, address, date and place of birth, relationship to you, full information concerning the event, and complete details on how he or she acquired knowledge of the event.

How To Complete Form I-600

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this petition, use the space provided in **Part 11. Additional Information** or attach a separate sheet of paper. Type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.
3. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks, "Provide the name of your current spouse"), type or print "N/A" unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have" or "How many times have you departed the United States"), type or print "None" unless otherwise directed.
4. **USCIS Online Account Number.** You will only have a USCIS Online Account Number (OAN) if you previously filed a form that has a receipt number that begins with IOE. If you filed the form online, you can find your OAN in your account profile. If you mailed us the form, you can find your OAN at the top of the Account Access Notice we sent you. If you do not have a receipt number that begins with IOE, you do not have an OAN. The OAN is not the same as an A-Number.
5. **Part 4. Information About Your Home Study and Primary Adoption Service Provider.** For **Item Number 1.**, select only one box in **Items A. - D.**, depending on the status of your home study:
 - A. **If you previously submitted your home study with your approved and valid Form I-600A, then select Item A.** and submit a copy of your Form I-600A approval notice;
 - B. **If you previously submitted your home study, but your Form I-600A is still pending,** then select **Item B.** and submit a copy of your Form I-600A receipt notice;
 - C. **If you previously submitted your home study with Form I-600A/I-600, Supplement 3,** then select **Item C.** and submit a copy of your Form I-600A/I-600, Supplement 3 receipt notice.
 - D. **If you did not file Form I-600A or filed Form I-600A without your home study,** then select **Item D.** and submit your original home study; or
 - E. **If you are unable to submit your home study because your state of residence must review and forward your home study directly to USCIS,** then select **Item E.**, but do not file your Form I-600 until your state authority is ready to send your home study to USCIS.

NOTE: If you do not have your home study yet because your state authority must review and approve it, **but will forward it to you (as opposed to USCIS directly)**, then do not file your Form I-600 until you have received your home study from your state authority. When you have received your home study, select **Item D.** and submit your original home study with your petition.
6. **Part 7. Petitioner's Statement, Certification, Duty of Disclosure and Signature.** Select the appropriate box to indicate whether you read this petition yourself or whether you had an interpreter assist you. Also, if someone assisted you in completing the petition, select the box indicating that you used a preparer. Additionally, under 8 CFR 204.311(d), you, your spouse (if married), and any adult member of your household have an ongoing duty of disclosure throughout the adoption process. (See the **Duty of Disclosure** section for specific information.) Read the **Duty of Disclosure** statement, then sign and date this section of the petition. Every petition **MUST** contain the signature of the petitioner. A stamped or typewritten name in place of a signature is not acceptable.

7. Part 8. Your Spouse’s Statement, Certification, Duty of Disclosure, and Signature. Your spouse should select the appropriate box to indicate whether he or she read this petition themselves or whether he or she had an interpreter assist them. If someone assisted your spouse in completing the petition, select the box indicating that he or she used a preparer. Additionally, under 8 CFR 204.311(d), your spouse (if married) has an ongoing duty of disclosure throughout the adoption process. (See the **Duty of Disclosure** section for specific information.) Your spouse must read the **Duty of Disclosure** statement, then sign and date this section of the petition. Every petition **MUST** contain the signature of your spouse. A stamped or typewritten name in place of a signature is not acceptable.

8. Part 9. Interpreter’s Contact Information, Certification, and Signature. If you and/or your spouse (if married) used anyone as an interpreter to read the Instructions and questions on this petition to you in a language in which you are fluent, the interpreter must fill out this section; provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, his or her mobile telephone number (if any), and his or her email address (if any). The interpreter must sign and date the petition.

9. Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Petition, if Other Than the Petitioner and/or Spouse. This section must contain the signature of the person who completed your petition, if other than you, the petitioner and/or your spouse (if married). If the same individual acted as an interpreter and preparer for you and your spouse (if married), that person should complete both **Part 8.** and **Part 9.** If the person who completed this petition is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you and/or your spouse complete this petition **MUST** sign and date the petition. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you and/or your spouse prepare your petition is an attorney or accredited representative, he or she may also need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, or Form G-28I, Notice of Entry of Appearance as Attorney In Matters Outside the Geographical Confines of the United States, along with your petition.

Only an individual who is licensed in the United States as an attorney (or who is otherwise permitted under 8 CFR parts 1.2, 292.1, and 292.2 to practice before USCIS) may give you legal advice or provide any other legal services concerning your application. You should ask anyone providing you with legal advice if he or she is licensed to practice law or is otherwise permitted by U.S. law to provide you with legal advice about immigration processes.

An “accredited representative” means an individual accredited under 8 CFR 292.2(d) to practice before USCIS and/or the Executive Office for Immigration Review (EOIR). This type of accreditation to provide legal services is separate and distinct from accreditation to provide adoption services under the Department of State regulations at 22 CFR 96.

10. Part 11. Additional Information. If you need extra space to provide any additional information within this petition, use the space provided in **Part 11. Additional Information.** If you need more space than what is provided in **Part 11.**, you may make copies of **Part 11.** to complete and file with your petition, or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the **Page Number, Part Number,** and **Item Number** to which your answer refers; and sign and date each sheet.

We recommend that you review your copy of your completed petition before you go to your biometric services appointment at a USCIS ASC. At your appointment, USCIS will allow you to complete the petition process only if you are able to confirm, under penalty of perjury, that all of the information in your petition is complete, true, and correct. If you are not able to make that attestation in good faith at that time, we will require you to return for another appointment.

Form I-600A/I-600 Supplements

Form I-600A/I-600, Supplement 1, Listing of Adult Member of the Household

You must submit **Form I-600A/I-600, Supplement 1, Listing of Adult Member of the Household**, for each adult member of your household. For this supplement, an adult member of the household is any individual other than you and your spouse (if married), who has the same residence as you and is 18 years of age or older on or before the date that you file Form I-600A or Form I-600. An adult member of the household is considered to have the same residence as you if they actually live with you. It does not matter if they intend to reside with you for a short term or long term.

USCIS may request that you submit Supplement 1 for any household member who has not yet turned 18 years of age before you file Form I-600A or Form I-600, or who does not actually live with you but whose presence USCIS deems relevant to whether you and your spouse (if married) are suitable and eligible to adopt.

Form I-600A/I-600, Supplement 2, Consent to Disclose Information

If you want to give consent for USCIS to disclose information about your case to your primary adoption service provider, home study preparer, or any other individual or entity (other than your attorney or accredited representative), you should complete **Form I-600A/I-600, Supplement 2**. You are not required to give this consent in order to file Form I-600.

Form I-600A/I-600, Supplement 3, Request for Action on Approved Form I-600A/I-600

You must file Form I-600A/I-600, Supplement 3 if you would like to request action, such as:

- An extension or updated suitability determination, on your approved and valid Form I-600A; or
- An updated suitability determination on your approved Form I-600 (combination filing).

Once you file Form I-600, you are not required to keep any underlying Form I-600A approval valid, but you may do so if you wish.

If your Form I-600A approval is still valid, you must use **Form I-600A/Form I-600, Supplement 3**, regardless of whether you have filed Form I-600, to request any of the following:

1. A first extension of your approved Form I-600A;
2. A second or subsequent extension of your approved Form I-600A;
3. A new approval notice based on a significant change or change in the number of children or characteristics (such as age, gender, and/or special needs) of the child or children you intend to adopt after your Form I-600A or Form I-600 was approved;
4. A first change to a new non-Hague Adoption Convention country;
5. A second or subsequent change to a new non-Hague Adoption Convention country; or
6. A duplicate approval notice.

You must submit an updated home study if there are any changes or if you are requesting an extension.

Your Form I-600A approval notice indicates the date your approval expires. If you are filing Supplement 3 to obtain an extension of your approved Form I-600A, you must do so before your approval expires, but no more than 90 days before its expiration.

NOTE: You may not use Supplement 3 to extend eligibility to process your case as a Hague Adoption Convention transition case beyond your first extension. Generally, you may not use Supplement 3 to increase the number of children you wish to adopt from a transition country. However, unless prohibited by the new Convention country, USCIS will permit prospective adoptive parent(s) to request an updated Form I-600A approval notice to increase the number of children they are approved to adopt as a transition case only to pursue the adoption of a birth sibling, provided the birth sibling(s) is (are) identified and the Form I-600 petition is filed before the Form I-600A approval expires. You may not use Supplement 3 to change to a transition country if you have already designated a country. See the adoption-related pages on the USCIS website at www.uscis.gov/adoption for information on filing limitations in transition cases.

Initial Evidence

Unless otherwise stated, you must submit the following supporting documentation with your Form I-600:

If you are seeking to file Form I-600 for a child that is 15 years of age, see the **What Are the Eligibility Requirements** section of these Instructions.

1. Proof of Petitioner's U.S. Citizenship

If you previously submitted proof of your U.S. citizenship with your pending or approved and valid Form I-600A, you do not need to submit it again unless USCIS requests it. Otherwise, please submit the evidence listed below.

- A.** If you were born in the U.S., you must submit a copy of your birth certificate issued by a civil registrar, vital statistics office, or other civil authority. If your birth certificate is not available, submit a statement from the appropriate civil authority certifying that your birth certificate is not available and secondary evidence, such as:
- (1) **Religious records** bearing the seal of the organization showing the baptism, dedication, or comparable rite occurred within two months after your birth and showing the date and place of your birth, date of the religious ceremony, and the names of your parents;
 - (2) **School records** issued by the authority (preferably the first school you attended) showing the date of your admission to the school, your age at the time, and your parents' names and places of birth;
 - (3) **Census records** (state or Federal) showing your name, place of birth, and date of birth or age;
 - (4) **Affidavits** sworn to or affirmed by persons who were living at the time of your birth and who have personal knowledge of your date and place of birth in the United States. Affidavits should contain the following information about each person making the affidavit: his or her full name, address, date and place of birth, relationship to you, full information concerning the event, and complete details on how he or she acquired knowledge of your birth; or
 - (5) An unexpired **U.S. passport** issued with 10 years of validity.
- B.** If you were born outside the United States, submit a copy of one of the following:
- (1) Certificate of Naturalization or Certificate of Citizenship issued by USCIS or the former Immigration and Naturalization Service (INS);
 - (2) Form FS-240, Report of Birth Abroad of a Citizen of the United States, issued by a U.S. Embassy or U.S. Consulate;
 - (3) An unexpired U.S. passport issued with 10 years of validity; or
 - (4) An original statement from a U.S. consular officer verifying your U.S. citizenship with an unexpired passport.

NOTE: If you are married and your spouse lives in the United States, you must submit proof that your spouse is living in the United States lawfully. If your spouse is a U.S. citizen or non-citizen U.S. national, you must submit the evidence listed above as proof of your spouse's U.S. citizenship or non-citizen U.S. national status. If your spouse is a foreign national who is residing in the United States, submit proof of your spouse's lawful immigration status, such as a Permanent Resident Card (Green Card); Form I-94, Arrival-Departure Record; a copy of the biographic pages of your spouse's passport and his or her nonimmigrant visa pages showing an admission stamp; or any other Department of Homeland Security (DHS)-issued document.

2. Proof of Marriage of Petitioner and Spouse (if applicable)

If you are married, you must submit a copy of your marriage certificate. If you or your spouse were previously married, you must also submit proof of termination of any prior marriages. However, if you previously submitted any of this evidence with a pending or approved and valid Form I-600A, you do not need to submit it again unless USCIS requests it.

If any change occurs in your marital status while your petition is pending, immediately notify the USCIS office or the government entity that USCIS designates as having jurisdiction over your case. See the **Home Study Updates** section of these Instructions below for more details on changes in marital status.

3. Proof of Orphan's Age and Identity

Submit a copy of the orphan's birth certificate, or if such a certificate is not available, an explanation together with other proof of age and identity. Secondary evidence can include medical records, school records, religious records, entry in a family Bible, orphanage intake sheets, or affidavits from individuals with first-hand knowledge of the event(s) to which they are testifying. If there is doubt that the child is the birth child of his or her purported birth parent, USCIS may allow you to submit DNA evidence to establish the claimed relationship.

4. Copies of Death Certificates of Child's Parents (if applicable)

5. Certified Copy of Adoption or Custody Decree and Certified Translation (if applicable)

Some orphan countries follow the Pre-Adoption Immigration Review (PAIR) process. In such countries, you must file Form I-600 and obtain a PAIR letter before adopting or obtaining legal custody for emigration and adoption in the United States. For a list of such countries, see the adoption-related pages on the USCIS website at www.uscis.gov/adoptions.

6. Evidence Child is an Orphan (as defined in INA section 101(b)(1)(F) and 8 CFR 204.3(b))

You must submit evidence that:

- A. The child's birth mother is a **sole parent** who is incapable of providing proper care for the child and has in writing irrevocably released the child for emigration and adoption. A birth father of an orphan cannot be classified as a sole parent under 8 CFR 204.3(b);
- B. One of the child's birth parents is deceased, and the **surviving parent** is incapable of providing proper care for the child and has in writing irrevocably released the child for emigration and adoption; or
- C. The child has **no legal parents** due to the death or disappearance of, abandonment or desertion by, or separation or loss from both parents. These terms are defined in 8 CFR 204.3(b) and indicate what must be established for each of these situations to apply. It is not necessary to establish that each parent is absent for the same reason. For example, if one parent has disappeared and the other parent has abandoned the child, the child may qualify as an orphan.

Before USCIS, or the government entity that USCIS designates, can make a final decision on your petition, an officer must complete an internal document called Form I-604, Determination on Child for Adoption, also known as an orphan determination. USCIS, or the government entity that USCIS designates, must complete an orphan determination as part of every orphan adoption case to verify that the child is an orphan under U.S. immigration law.

7. Proof of Compliance with Preadoption Requirements (if any)

If the child will be coming to the United States for adoption, you must provide evidence that any pre-adoption requirements of the state where the child will live have been met or will be met. If you cannot submit this evidence when you initially file your petition due to state law requirements, you may submit this evidence later. However, USCIS will not approve your Form I-600 for a specific child without this evidence.

8. Home Study

If you previously submitted your home study to USCIS with your pending or approved and valid Form I-600A or **Form I-600A/I-600, Supplement 3**, you do not need to resubmit a copy of it with your Form I-600. **However, you must submit a home study with your Form I-600 if you did not previously submit it with your Form I-600A or Form I-600A/I-600, Supplement 3, or if you are requesting a suitability and eligibility determination as part of Form I-600.** The only exception to this requirement is if you live in a state where an appropriate state authority must review and approve your home study and submit it directly to USCIS. In all cases, your home study must not be more than six months old when it is submitted to USCIS. If it is more than six months old, you must include an update that is not more than six months old.

You must submit a home study prepared according to the requirements specified in 8 CFR 204.311 by a person who is authorized under 22 CFR 96 to prepare the home study.

A home study preparer is an individual or agency authorized to conduct home studies, as a public domestic authority, a public foreign authority, an accredited agency, approved person, supervised provider, or exempted provider (see 8 CFR 204.301). The home study preparer (other than a public domestic authority or a public foreign authority) must hold any license or other authorization that is required to conduct adoption home studies under the law of the jurisdiction where the home study is prepared. The home study preparer (or, if the home study is prepared by an entity, the officer or employee who has authority to sign the home study for the entity) must also personally sign your home study and any updated home study under penalty of perjury under U.S. law.

If your case meets certain criteria, your home study may be required to meet some different requirements than those described above. For more information, see the information on the Intercountry Adoption Universal Accreditation Act of 2012 on the USCIS website at www.uscis.gov/adoption.

If your home study was not conducted by an accredited agency, an accredited agency must review and approve the home study before you submit it to USCIS. This requirement does not apply to a home study that was conducted by a public domestic authority or a public foreign authority. A public domestic authority means an authority operated by a state, local, or tribal government within the United States. A public foreign authority means an authority operated by a national or subnational government of a foreign country. Although a reviewer is not required, a home study conducted by a public foreign authority or public domestic authority must still comply with the requirements specified in 8 CFR 204.311.

9. Affidavit of Support

You will need to submit one of the following forms with any visa application you file with the U.S. Department of State (see www.travel.state.gov for more information):

- A. Form I-864, Affidavit of Support Under Section 213A of the INA. You will need to file Form I-864 if the child will not automatically acquire U.S. citizenship under INA section 320 upon being admitted into the United States. This includes the following circumstances in which you will finalize the child's adoption in the United States:
 - (1) You were granted legal custody abroad;
 - (2) You are married and your spouse did not jointly adopt the child abroad; or
 - (3) You (and your spouse, if any) adopted the child abroad but neither adoptive parent personally saw and observed the child before or during the adoption proceedings, unless you establish that the foreign adoption will be recognized under the law of the state of residence without the need for "readoption" or a similar formal court proceeding.
- B. Form I-864W, Request for Exemption for Intending Immigrant's Affidavit of Support. You will need to file Form I-864W instead of Form I-864 if the child will automatically acquire U.S. citizenship under INA section 320 upon being admitted into the United States. This applies if the adopted child will be residing in the United States in your legal and physical custody based on an approved Form I-600, AND you (and your spouse, if any) adopted the child abroad and at least one adoptive parent personally saw and observed the child before or during the adoption proceeding.

Home Study Requirements

For a complete description of the requirements for a home study, see 8 CFR 204.311 and 22 CFR 96. If your case meets certain criteria, your home study may not be required to meet the requirements of 8 CFR 204.311 and 22 CFR 96. For more information, see the information on the Intercountry Adoption Universal Accreditation Act of 2012 on the USCIS website at www.uscis.gov/adoption.

Home Study Updates

There may be times during the adoption process when you will be required to obtain and provide an update of your home study.

The following are some examples of circumstances that require a home study update:

1. **If you previously filed Form I-600A**, you must submit an updated home study to USCIS when you request an extension of your Form I-600A approval.
2. **Change to a different non-Hague Convention country.**
3. **Change in marital status.**

If your marital status changes before you complete the intercountry adoption process, you must submit a new Form I-600A or Form I-600 combination filing with an updated home study. You may not use Form I-600A/I-600, Supplement 3.

4. **Change of residence, including a change in the child's proposed residence.** If you move to a new state in the United States, you must meet any pre-adoption requirements of that new state if a child is coming to the United States for adoption.
5. **Significant decrease in availability of financial resources, such as loss of employment, garnishment of wages, etc.**
6. **Any change in history of arrest or criminal history of any household member regardless of age.**
7. **Any change in history of child abuse or neglect, substance abuse, family violence, and/or sexual abuse as an offender, for any household member regardless of age.**
8. **Change in the number of and/or identity of children in your household, whether through adoption, foster care, birth, or any other means.**
9. **Change in the number of and/or identity of adult members of your household.** A Form I-600A/Form I-600, Supplement 1 is required for any new adult member of the household.
10. **Lapse of more than six months between the date your home study is completed and the date you submit it to USCIS.**
11. **Change in the number of children or characteristics (such as age, gender, and/or special needs) of the child or children you intend to adopt.**
12. **A development of a serious health condition for any household member, including but not limited to: heart attacks, cancer, strokes, conditions requiring extensive therapy, dementia, severe injuries, etc.**

Your adoption service provider can advise you on other changes that may require an updated home study.

How to File Updates to Your Home Study

The location for filing an update to your home study and the items you must include will depend on where you are in the adoption process.

You must submit a Form I-600A/I-600, Supplement 3 with your updated home study unless your Form I-600A or Form I-600 combination filing is pending. If your Form I-600A or Form I-600 combination filing is pending, submit your updated home study to the office reviewing your case; no Form I-600A/I-600 Supplement 3 is required.

USCIS will review your updated home study to determine your suitability and eligibility.

Duty of Disclosure

Under 8 CFR 204.311(d), you, your spouse (if married), and any adult member of your household have an ongoing duty of disclosure throughout the intercountry adoption process. This duty requires you, your spouse, and any adult member of your household to:

1. Provide true and complete information to your home study preparer;
2. Disclose other relevant information, such as physical, mental, or emotional health problems or behavioral issues;
3. Disclose any arrest, conviction, or other criminal history, whether in the United States or abroad, even if the record of the arrest, conviction, or other criminal history was expunged, sealed, pardoned, or the subject of any other amelioration;
4. Disclose any history of substance abuse, sexual abuse, child abuse or neglect, and/or family violence as an offender under 8 CFR 204.309(a)(1), even if closed or unsubstantiated; and
5. Notify your home study preparer and USCIS of any new event or information that might require you to submit an updated home study.

With respect to child abuse or neglect, this duty of disclosure requires you to disclose any past or pending investigation by any child welfare agency, court, or other official authority in any state or foreign country concerning the abuse or neglect of any child even if closed or unsubstantiated.

This duty of disclosure is an ongoing duty that continues throughout the intercountry adoption process. This timeframe includes periods while any Form I-600A is pending, after any Form I-600A is approved, while any Form I-600 is pending, and until there is a final decision admitting the child to the United States with a visa.

WARNING

Under 8 CFR 204.309(a), USCIS will deny this petition if you, your spouse (if married), or any adult member of your household:

1. Conceal, misrepresent, or fail to disclose any facts to the home study preparer or USCIS about any arrest, conviction, or history of substance abuse, sexual abuse, child abuse, and/or family violence, or any other criminal history as an offender. The fact that an arrest or conviction or other criminal history was expunged, sealed, pardoned, or the subject of any other amelioration does not relieve you, your spouse, or any additional adult member of your household of the obligation to disclose it;
2. Fail to cooperate in having available child abuse registries checked in accordance with 8 CFR 204.311; or
3. Fail to disclose, as required by 8 CFR 204.311, each and every prior adoption home study, whether completed or not, including those that did not favorably recommend you, your spouse, or any adult member of your household for adoption or custodial care.

Where To File?

Please see our website at www.uscis.gov/i-600 for the most current information about where to file this petition.

Address Change

If you are not a U.S. citizen, you must notify USCIS of your new address within 10 days of moving from your previous residence. For information on changing your address, go to our website at www.uscis.gov/addresschange, or call the USCIS Contact Center.

NOTE: Do not submit a change of address request to the USCIS Lockbox.

Processing Information

Certification. You must fill out and sign **Part 7** of Form I-600. Your spouse (if married) must fill out and sign **Part 8**.

USCIS will reject any Form I-600 that is not signed or accompanied by the correct fee, if any, and issue a notice stating that your Form I-600 is deficient. You may correct the deficiency and resubmit Form I-600. A petition is not considered properly filed until USCIS accepts it.

Initial Processing. Once USCIS accepts your petition, we will check it for completeness. If you do not properly complete this petition, you will not establish a basis for your eligibility and we may reject or deny your petition.

Requests for More Information. USCIS may request that you provide more information or evidence to support your petition. We may also request that you provide the originals of any copies you submit. If we request an original document from you, it will be returned to you, we will return it to you after USCIS determines it is no longer needed.

Requests for Interview. We may request that you appear at a USCIS office for an interview based on your petition. During your interview, USCIS may require you to provide your biometrics to verify your identity and/or update background and security checks.

Decision. The decision on Form I-600 involves a determination of whether you have established that a child is an orphan and eligible to be classified as your immediate relative for immigration purposes. If you filed Form I-600 without a previously approved Form I-600A which remains valid, the decision will also include a determination as to whether you are suitable and eligible to adopt. USCIS or the government entity with jurisdiction over your case will notify you of the decision in writing.

USCIS Forms and Information

To ensure you are using the latest version of this petition, visit the USCIS website at www.uscis.gov.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-600, we will deny your Form I-600 and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

DHS Privacy Notice

AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under INA sections 101(b)(1)(F), 201, and 204, 8 CFR 204.3, 8 CFR 204.301, and 8 CFR 204.311.

PURPOSE: The primary purpose for providing the requested information on this petition is to determine if you have established that a child is an orphan and eligible to be classified as your immediate relative for immigration purposes. For petitioners who do not have a previously approved Form I-600A which remains valid, the information on **your** petition will also enable USCIS to determine whether you are suitable and eligible to adopt. DHS will use the information you provide to grant or deny your petition.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision in your case or result in denial of your petition.

ROUTINE USES: DHS may share the information you provide on this petition with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS-005 - Inter-County Adoptions Security and DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records] and published privacy impact assessments [DHS/USCIS/PIA-007(b) Domestically Filed Intercountry Adoptions Applications and Petitions and DHS/USCIS/PIA-051 Case and Activity Management for International Operations], which you can find at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.

PRIVACY ACT WAIVER: Except as permitted by the Privacy Act, 5 U.S.C. 552a, applicable routine uses, and information related to adult members of your household as noted in Form I-600A/I-600, Supplement 1, USCIS may not disclose or give access to any information or record relating to any petitioner, spouse (if married), or adult member of your household to any individual or entity other than that person, including but not limited to an accredited agency, approved person, exempted provider, supervised provider, or other adoption service provider, unless you give written consent. If you want to give consent for USCIS to disclose information about your case to an individual or entity, you must complete Form I-600A/I-600, Supplement 2, Consent to Disclose Information. You are not required to give this consent to file Form I-600.

Paperwork Reduction Act

USCIS may not conduct or sponsor an information collection, and you are not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at **49 minutes** per response, including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the application. The collection of biometrics is estimated to require

1 hour and 10 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0028. **Do not mail your completed Form I-600 to this address.**