



USCIS Update

November 26, 2007

U.S. NEARS GOAL TO JOIN THE HAGUE ADOPTION CONVENTION

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) is pleased to provide this update concerning the implementation of the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (“Hague Adoption Convention”), signed at The Hague in May 1993.

On November 16, 2007, the President signed the instrument of ratification for the Hague Adoption Convention. The Department of State has informed USCIS that the Department of State intends to deposit the instrument of ratification on December 12, 2007, with the Ministry of Foreign Affairs for the Kingdom of the Netherlands. The Department of State will then announce in the *Federal Register* the date on which the Hague Adoption Convention will enter into force for the United States. Based on the planned date for depositing the ratification instrument, the projected date for entry into force is April 1, 2008.

Title III of the Intercountry Adoption Act of 2000, Public Law 106-279, will enter into force on the same date as the Hague Adoption Convention. Also on that same date, the interim rule that USCIS published in the *Federal Register* on October 4, 2007, at 72 FR 56832 will become operational. This means that for all cases filed on or after April 1, 2008 (or any later date, if specified by the Department of State), any U.S. citizen seeking to adopt and bring to the United States a child habitually resident in any country that has ratified the Hague Adoption Convention must follow the Hague process, as specified in the USCIS interim rule. Under United States law, prospective adoptive parents who filed Form I-600A or Form I-600 prior to the effective date may continue to process their adoptions under the current orphan regulations, provided that the laws of the country of the child's origin allows for continuation under the current orphan regulations. Some countries may require processing under the rules of the Hague Convention no matter when the case was initiated.

As of November 26, 2007, 74 countries have become parties to the Hague Adoption Convention. The Hague Adoption Convention is designed to protect children and their families against the risks of unregulated adoptions abroad and ensures that intercountry adoptions are made in the best interests of children. The Hague Adoption Convention also serves to prevent the abduction of, sale of, or traffic in children. The new process protects the rights of children, birth parents, and adoptive parents while promoting transparency, accountability, and ethical practices among adoption service providers. USCIS also reminds all interested parties that comments on the October 4, 2007, interim rule must be submitted no later than December 3, 2007. Interested parties may submit comments by visiting the website at www.regulations.gov and selecting DHS Docket No. USCIS-2007-0008.

For more information on intercountry adoptions and the Hague Convention on Intercountry Adoption, please visit the [intercountry adoption](#) page of the USCIS website and the [intercountry adoption](#) page of the Department of State website.

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