



Application for Determination of Suitability to Adopt a Child from a Convention Country

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

USCIS
Form I-800A

Instructions

Read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet of paper. Write your name and USCIS Account Number, if known, at the top of each sheet of paper and indicate the part and number of the item to which the answer refers.

What Is the Purpose of This Form?

The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (the Convention) entered into force with respect to the United States on April 1, 2008. The Convention strengthens protections for children, birth parents, and prospective adoptive parent(s), and establishes internationally agreed upon rules and procedures for adoptions between countries that have a treaty relationship under the Convention (Convention countries). It ultimately provides a framework for member countries to work together to ensure that children are provided with permanent, loving homes, that adoptions take place in the best interests of a child, and that the abduction, sale, or traffic in children is prevented.

A Convention country is defined as a country that is a party to the Convention and with which the Convention is in force with respect to the United States. To obtain a current listing of Convention countries, visit the U.S. Department of State website at www.travel.state.gov. Additional information on intercountry adoptions can be found on the USCIS Internet website at www.uscis.gov.

Use Form I-800A, Application for Determination of Suitability to Adopt a Child from a Convention Country, to initiate the immigration process if you intend to adopt a child who habitually resides in a Convention country. Form I-800A and supporting evidence are required for USCIS to determine your eligibility and suitability to adopt a Convention child.

When Should I Use Form I-800A?

You should use Form I-800A if you are a U.S. citizen who habitually resides in the United States and you intend to adopt a child who is a habitual resident of a Convention country. See “**Who May File This Form I-800A?**” of these instructions for more information on who may submit this application.

NOTE: Do not use this form if you intend to adopt a child from a country other than a Convention country. See the instructions provided on Form I-600A, Application for Advance Processing of Orphan Petition, and Form I-600, Petition to Classify Orphan as an Immediate Relative, for additional information.

If you filed Form I-600A and/or Form I-600 prior to April 1, 2008, and you intend to adopt a child from a Convention country, you may continue to have your case processed according to governing regulations for eligibility as an orphan. **Do not use** Form I-800A if you wish to continue your case under the provisions of existing orphan regulations.

CAUTION:

Do not accept any adoption placement before USCIS has approved Form I-800A. You must also refrain from any contact with the parent(s), legal custodian(s), or other individual or entity responsible for the care of a child who may be eligible for intercountry adoption until the contact is permissible under Article 29 of the Convention.

Once the Central Authority of the child's Convention country has proposed an adoption placement, and you have accepted it, you must file Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative, before you adopt or obtain custody of the child. You may not file Form I-800 until the Form I-800A has been approved.

Do not adopt or obtain custody of the child until **after**:

1. USCIS has approved Form I-800A; **and**
2. You have obtained provisional approval of Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative; **and**
3. The U.S. Department of State has provided to the Central Authority of the child's country of origin the notice, under Article 5 of the Convention, that the adoption or custody proceeding may be completed.

NOTE: Central Authority means the entity designated as such by a Convention country under Article 6(1) of the Convention. In the United States, the U.S. Department of State is the Central Authority. Central Authority also means an individual who, or entity that, is performing a Central Authority function, having been authorized to do so by the designate Central Authority, in accordance with the Convention and the law of the Central Authority's country.

Who May File Form I-800A?

You may file this application if you are a U.S. citizen who habitually resides in the United States. You are a habitual resident of the United States if:

1. You are domiciled in the United States; **or**
2. You are domiciled in the United States, even if temporarily living outside the United States; **or**
3. You are not currently domiciled in the United States, but you will establish a domicile in the United States on or before the date of the child's admission to the United States for permanent residence as a Convention adoptee; **or**
4. You are domiciled abroad, but you intend, after you complete the child's adoption abroad, to bring the child to the United States before the child's 18th birthday, so that the child may obtain naturalization as a U.S. citizen.

And:

5. You are unmarried and at least 24 years of age; **or**
6. You are married and you and your spouse will both adopt a child based on the approval of Form I-800A; **and**
7. If you are married, your spouse is either a U.S. citizen, a non-citizen U.S. national, or an alien who, if living in the United States, holds a lawful status under U.S. immigration law. If your spouse is not a U.S. citizen or national and is in the United States in a lawful status other than the status of an alien lawfully admitted for permanent residence, such status will be a factor in determining whether your family situation is sufficiently stable to support a finding that you and your spouse are suitable as the adoptive parents of a child from a Convention country.

Who May Not File Form I-800A?

You may **not** file Form I-800A if:

1. You and your spouse are a married couple but neither of you is a U.S. citizen;
2. You are an unmarried individual who is not a U.S. citizen;
3. You are a U.S. citizen who is still legally married but separated from your spouse, unless your spouse will join in the adoption and filing of this application and subsequent Form I-800; **or**
4. You intend to adopt a child from a country other than a Convention country.

Role of Service Provider

Adoption Service Provider

An individual or entity must be authorized under 22 Code of Federal Regulations (CFR) Part 96 to provide adoption services in connection with a Convention adoption. You should specifically ask any adoption service provider whether they are authorized under 22 CFR Part 96 to provide adoption services in connection with Convention adoptions before engaging the services of that provider.

Legal Services

Only an individual who is licensed in the United States as an attorney, or who is otherwise permitted under 8 CFR Part 292 to practice before USCIS, may give you legal advice concerning your Form I-800A, or provide any other legal services concerning your Form I-800A. You should specifically ask anyone providing you with legal advice if they are licensed or otherwise permitted by regulation to provide you with legal advice pertaining to immigration processes.

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 application. USCIS will not accept a stamped or typewritten name in place of any signature on this application. If you are under 14 years of age, your parent or legal guardian may sign the application on your behalf. A legal guardian may also sign for a mentally incompetent person. If your application is not signed, or if the signature is not valid, we will reject your application. 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, available at www.uscis.gov/forms, for specific information about the fees applicable to this form.

Evidence. When you file your application, you must submit all evidence and supporting documents listed in 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 application;
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.**

Affidavits. If a required document cannot be obtained, you must submit an original written statement from the governmental agency that should have the record, verifying that the record does not exist. Only then may you submit written affidavits sworn to or affirmed by two persons who were living at the time and who have personal knowledge of the event and circumstances you are trying to prove. Each affidavit must contain the affiant's full name, address, date and place of birth, and signature. The affidavit must provide full information concerning the event and complete details of how the affiant acquired the information.

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 he or she is competent to translate from the foreign language into English. The certification must also include the translator's signature, printed name, the signature date, and the translator's contact information.

USCIS Contact Center. For additional information on the application 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.

How To Complete Form I-800A

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this petition, 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.

NOTE: If you have previously filed an application with USCIS for an intercountry adoption under the Hague Convention, you and your spouse (if married) should have been assigned separate USCIS Account Numbers. If this applies to you, USCIS would have notified you of any assigned USCIS Account Numbers that exist.

This form is divided into **Parts 1. – 8.** as well as three supplements. **Form I-800A, Supplement 1**, must be completed if there are additional adult members of the household residing with you. **Form I-800A, Supplement 2**, must be completed if you wish to provide written consent for USCIS to disclose information about your case to your adoption service provider. **Form I-800A, Supplement 3**, must be completed if you are requesting that some type of action be taken on an approved Form I-800A (extension, change, etc.) and you have not yet filed Form I-800.

The following information will help you fill out the form.

Part 2. Information About You

Item Number 1. Provide the requested information about you.

Family Name (Last Name). Use your legal name. If you have two last names, include both and use a hyphen (-) between the names, if appropriate.

Other Names Used. Provide any other names used or by which you have been known. Include maiden names, aliases, etc.

U.S. Social Security Number (if any). Provide your U.S. Social Security number. If you do not have a U.S. Social Security number, type or print “N/A.”

Date of Birth. Use eight numbers to show your date of birth. (Example: May 1, 1979, must be written 05/01/1979.)

Place of Birth. Provide the name of the place where you were born. Include the city, State or province, and country.

Physical Address. Provide your physical address if it is different from your mailing address.

Mailing Address. Provide the address where you would like to receive written correspondence regarding your application.

Item Numbers 2. – 9. Provide the requested information. Provide additional information on a separate sheet of paper if necessary.

Item Number 10. You must answer each question. If the answer is “Yes” to any of the questions, you must provide a certified copy of the documentation showing the final disposition of each incident which resulted in arrest, indictment, conviction, and/or any other judicial or administrative action. You must also provide a written statement giving details, including any mitigating circumstances, about each arrest, signed under penalty of perjury under U.S. law.

The written statement must show the date of each incident; place incident occurred (city/town, State/province, country); name of police department or other law enforcement administration or other entity involved; and date of incarceration and name of facility, if applicable. Also provide a description of any type of counseling, rehabilitation, or other information that you would like to be considered. (See **Page 9.** of these instructions for information concerning your duty to disclose information.)

Part 3. Information About Your Spouse

Item Numbers 1. - 7. Provide the requested information. Where required, provide additional information on a separate sheet of paper.

Item Number 8. You must answer each question. If the answer is “Yes” to any of the questions, follow the instructions provided in **Part 2., Item Number 10.**

Part 4. General Information

Item Numbers 1. - 8. Provide all requested information. Failure to provide the requested information may cause a delay in processing your application, or may result in a denial of your application.

Part 5. Applicant's Statement, Certification, Duty of Disclosure, and Signature.

Select the appropriate box to indicate whether you read this application yourself or whether you had an interpreter assist you. Also, if someone assisted you in completing the application, select the box indicating that you used a preparer. Under 8 CFR section 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. See the **Duty of Disclosure** section of these Instructions below for more information. Read the Duty of Disclosure certification, then sign and date this section of the application. Every application **MUST** contain the signature of the applicant. A stamped or typewritten name in place of a signature is not acceptable.

Part 6. 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 application themselves or whether he or she had an interpreter assist them. If someone assisted your spouse in completing the application, select the box indicating that he or she used a preparer. Additionally, if you are married, your spouse has an ongoing duty of disclosure throughout the intercountry adoption process. See the **Duty of Disclosure** section of these Instructions below for more information. Your spouse must read the Duty of Disclosure certification, then sign and date this section of the application. Every application **MUST** contain the signature of your spouse. A stamped or typewritten name in place of a signature is not acceptable.

Part 7. 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 application 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 application.

Part 8. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant and/or Spouse.

This section must contain the signature of the person who completed your application, if other than you, the applicant. If the same individual acted as an interpreter **and** preparer for you and your spouse (if married), that person should complete both **Part 7.** and **Part 8.** If the person who completed this application 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 application **MUST** sign and date the application. 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 application 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 application.

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.

Form I-800A, Supplement 1, Listing of Adult Member of the Household

If there are any additional adult members residing in your household other than you and your spouse (if married), **Form I-800A, Supplement 1, Listing of Adult Member of the Household, must be completed** for each of the adult members in your household. For purposes of this supplement, the definition of adult member of the household is any individual who has the same principal residence as you and who reached his or her 18th birthday on or before the date Form I-800A is filed.

NOTE: USCIS reserves the right to request information on any person who has not yet reached his or her 18th birthday before the date Form I-800A is filed, or who does not actually live at the same residence, but whose presence in the residence is relevant to the issue of your (and your spouse, if applicable) suitability to adopt.

Form I-800A Supplement 2, Consent to Disclose Information

If you want to provide consent for USCIS to disclose information about your case to your adoption service provider, you must complete **Form I-800A, Supplement 2, Consent to Disclose Information**. You are not required to provide this consent in order to file Form I-800A.

Form I-800A Supplement 3, Request for Action on Approved Form I-800A

Use **Form I-800A, Supplement 3**, if you are requesting action (such as an extension or updated suitability determination) be taken on your approved and valid Form I-800A. Once you file Form I-800, you are not required to keep any underlying Form I-800A approval valid, but you may do so if you wish. **If your Form I-800A approval is still valid**, you must use **Form I-800A, Supplement 3**, regardless of whether you have filed Form I-800, to request any of the following:

- A.** A first or second extension of your approved Form I-800A;
- B.** A third or subsequent extension of your Form I-800A;
- C.** A new approval notice based on a significant change or change in the number of children or characteristics (such as age, sex, and/or special needs) of the child or children you intend to adopt after your Form I-800A was approved;
- D.** A first or second change to a new Convention country;
- E.** A third or subsequent change to a new Convention country; or
- F.** 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-800A approval notice indicates the date your approval expires. If you are filing Supplement 3 to obtain an extension of your approved Form I-800A, you must do so before your approval expires, but no more than 90 days before its expiration.

General Requirements

You must submit the following documents:

1. Proof that you are a U.S. citizen. Examples of such proof include:

- A.** A birth certificate that was issued by a civil authority and that establishes birth in the United States;
- B.** An unexpired U.S. passport issued initially for a full 10-year period showing U.S. citizenship (and not a noncitizen national);
- C.** A statement executed by a U.S. consular officer certifying you are a U.S. citizen and the bearer of a currently valid U.S. passport;
- D.** A Certificate of Naturalization;
- E.** A Certificate of Citizenship; **or**
- F.** An FS-240, Report of Birth Abroad of a Citizen of the United States, issued by a U.S. Embassy or consulate.

2. If your spouse (if married) is a U.S. citizen or national of the United States, proof of such status. Examples of such proof include:

- A.** A birth certificate that was issued by a civil authority and that establishes birth in the United States or in an outlying possession of the United States;
- B.** An unexpired U.S. passport issued initially for a full 10-year period showing U.S. citizenship or nationality;

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- C. A statement executed by a U.S. consular officer certifying your spouse as a U.S. citizen or national and the bearer of a currently valid U.S. passport;
 - D. A Certificate of Naturalization;
 - E. A Certificate of Citizenship; **or**
 - F. An FS-240, Report of Birth Abroad of a Citizen of the United States, issued by a U.S. Embassy or consulate.
3. **If your spouse (if married) is not a U.S. citizen or national**, proof of lawful status in the United States. Your spouse must be in a lawful immigration status *if residing in the United States*. Examples of evidence establishing a lawful status (such as a lawful permanent resident, valid non-immigrant, refugee, asylee, etc.) include:
- A. I-551, Permanent Resident Card;
 - B. I-94, Arrival-Departure Document;
 - C. Valid passport indicating current status; or
 - D. Other U.S. Department of Homeland Security (DHS) issued document.
4. If your spouse (if married) is not a resident of the United States, proof of his or her name, identity, and citizenship. An example of such proof is a copy of his or her passport from the country of citizenship.
5. Proof of marital status (if applicable). If you are married, you must submit a copy of the marriage certificate and proof of termination of all prior marriages of you and your spouse. If you are now unmarried but were previously married, submit proof of termination of all prior marriages. Examples of such proof include:
- A. Divorce decree;
 - B. Annulment decree or other legal termination;
 - C. Death certificate of previous spouse.

Any of the above documents must be issued by a civil registrar, vital statistics office, or other civil authority.

6. **Evidence of compliance with preadoption requirements, if any.** If the State of the child's proposed residence has any preadoption requirements, these requirements must be complied with if the Convention adoptee is coming to be adopted in the United States. A qualified Convention adoptee is deemed to be coming to be adopted in the United States if either of the following factors exists:
- A. The applicant/petitioner will not complete the child's adoption abroad; or
 - B. In the case of a married applicant/petitioner, the child was adopted abroad only by one of the spouses, rather than by the spouses jointly, so that it will be necessary for the other spouse to adopt the child after the child's admission.
7. **Home Study.** The home study must be prepared by an authorized home study preparer. 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 personally sign the home study and any updated or amended home study under penalty of perjury under U.S. law.

A home study preparer is an individual or agency authorized to conduct home studies for Convention adoption cases, either as a public domestic authority, an accredited agency, a temporarily accredited agency, approved person, supervised provider, or exempted provider. The home study preparer (other than a public domestic authority) must hold any license or other authorization that may be required to conduct adoption home studies under the law of the jurisdiction in which the home study is prepared. You should specifically ask any adoption service provider whether they are authorized to provide adoption services in connection with Convention adoptions according to 22 CFR Part 96 before engaging the services that provider.

NOTE: An accredited agency or temporarily accredited agency must review and approve any home study that has not been performed by an accredited agency or temporarily accredited agency before it is submitted to USCIS. This requirement does not apply to a home study that was actually prepared by a public domestic authority. A public domestic authority means an authority operated by a State, local, or tribal government within the United States.

The home study must be submitted with your application. The only exception to this requirement is if you live where an appropriate State authority must review and approve a home study before it is submitted to USCIS. In such a case, do not file Form I-800A until that appropriate State authority has reviewed your home study and is ready to submit it to USCIS.

If your Form I-800A is submitted without the home study because your State of residence must review and forward the home study directly to USCIS, indicate that fact on your application (**Part 4., Item Number 1**).

If you submit your application without a home study because you indicate that it will be forwarded to USCIS directly by the State authority, USCIS will send you a notice providing you with the date by which the home study must be submitted. If the State authority fails to submit the home study by the date specified, USCIS may deny your Form I-800A. Thus, you or the accredited agency will need to work closely with your State authority to ensure that the home study is submitted on time.

In all cases, the home study must not be more than 6 months old when submitted to USCIS. If it is more than 6 months old when submitted, you must include an update or amendment that is not more than 6 months old.

Home Study Requirements

For a complete description of the requirements that a home study must meet, see 8 CFR Part 204.311 and 22 CFR Part 96.

NOTE: You can find information on immigration laws, regulations, and procedures by visiting our Internet website at www.uscis.gov.

Home study updates and amendments

Ordinarily, a home study will not have to be updated or amended after it has been submitted to USCIS unless there is a significant change in your household since the home study was completed. Listed below are examples of significant changes that require a home study amendment or update. Note that the list of changes below is not exhaustive. Your adoption service provider can advise you regarding other changes which may require an amended or updated home study.

A. Change in marital status. An approved Form I-800A will be revoked automatically if you are an unmarried prospective adoptive parent who marries, or if your current marriage ends. Revocation of the approval of Form I-800A will be without prejudice to the filing of a new Form I-800A.

If the change in marital status is:

- 1. While your application is pending,** you must submit an updated or amended home study with a new Form I-800A, that reflects your changed marital status and required signature(s).
- 2. After your application has been approved,** a new Form I-800A, which reflects your new marital status, will be required, along with an updated and amended home study.
 - A. Change of residence including change in the child's proposed State of residence.** The preadoption requirements, if any, of any new State of residence must be complied with in the case of a child coming to the United States to be adopted.
 - B. Any change in history of arrest, child abuse, substance abuse, or domestic violence** for you, your spouse (if married), or any household member regardless of age.
 - C. Change to different Convention country.** This change requires the updated home study to address suitability under the requirements of the new Convention country.

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- D. If, prior to the Convention child's immigration to the United States, there is an addition of one or more children to your home**, whether through adoption, foster care, birth, or any other means, an amended home study is required. This requirement must be met even if the original home study recommended the adoption of more than one Convention child. The amended home study must recommend the adoption of an additional child, because the actual placement of one or more child(ren) in your household after the home study was completed, is a significant change in the household which must be assessed before the adoption of any additional child(ren).
 - E. The addition of other dependents or adult member(s)** of the household to the family prior to the prospective child's immigration to the United States.
 - F. Change because you are seeking to adopt a handicapped or special needs child**, if the home study did not already address your suitability as the adoptive parent of a child with the particular handicap or special need.
 - G. A lapse of more than 6 months** between the date the home study is completed and the date it is submitted to USCIS.
 - H. Change in the number of children or characteristics** (such as age and/or sex) of the child(ren) you intend to adopt.

Filing updates and amendments to the 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-800A Supplement 3 with your updated home study unless your Form I-800A is pending. If your Form I-800A is pending, submit your updated home study to the office reviewing your case; no Form I-800A Supplement 3 is required.

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

If it becomes necessary to file an updated or amended home study, it must always be accompanied by a copy of the home study that is being updated or amended, including all prior updates and amendments.

If submission of an updated or amended home study becomes necessary **after USCIS has approved Form I-800A**, you must file Form I-800A, Supplement 3.

If USCIS determines that the amended or updated home study shows that you and your spouse (if married) remain suitable adoptive parent(s) for a Convention adoptee, a new approval notice will be issued which will have the same expiration date as the original approval, unless the amended home study was submitted in support of a request for extension of approval.

Duty of Disclosure:

Under 8 CFR Part 204. 311(d), you, your spouse, and any adult member of your household have a duty of candor in completing Form I-800A and home study process. This duty requires you, your spouse, and any member of your household, to:

1. Provide true and complete information to the home study preparer; and
2. Disclose other relevant information, such as physical, mental, or emotional health problems; and
3. Disclose any arrest, conviction, or other adverse criminal history, whether in the United States or abroad, **even if the record of the arrest, conviction, or other adverse criminal history has been expunged, sealed, pardoned, or the subject of any other amelioration**; and
4. Disclose any history of substance abuse, sexual abuse or child abuse, and/or family violence as an offender; and
5. Notify the home study preparer and USCIS of any new event or information that might warrant submission of an amended or updated home study.

With respect to child abuse or neglect, this duty of disclosure requires the disclosure of any currently 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, as well as past investigation other than an investigation that has been completed and formally closed based on a finding that the allegation of abuse or neglect was unfounded or unsubstantiated.

This duty of disclosure is an ongoing duty, and continues while your Form I-800A is pending, after Form I-800A is approved, and also while any Form I-800 that you may file is pending and until there is a final decision admitting a child, on whose behalf you filed Form I-800, to the United States with a visa.

WARNING:

Under 8 CFR Part 204.309(a), this application will be denied if you, your spouse, or any adult member of the household:

- A.** Fail to disclose to the home study preparer or to USCIS, or conceal, or misrepresent, any fact(s) 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 has been expunged, sealed, pardoned, or the subject of any other amelioration does not relieve you, your spouse, or any additional adult member of the household of the obligation to disclose the arrest, conviction, or other criminal history;**
- B.** Fail to cooperate in having available child abuse registries checked in accordance with 8 CFR Part 204.311;
- C.** Fail to disclose, as required by 8 CFR Part 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 the household for adoption or custodial care.

As part of the USCIS biometrics services requirement, the following persons must submit biometrics (including fingerprints) in connection with this application:

- A.** You and your spouse (if married); and
- B.** Each additional member of your household who is 18 years of age or older, or any person whose presence in the residence is relevant to the issue of your (and your spouse, if applicable) suitability to adopt, as determined by USCIS.

NOTE: After submission of Form I-800A, USCIS will notify each person regarding when and where to go to submit biometrics. Failure to be fingerprinted may result in a denial of this application.

Where To File?

Please see our website at www.uscis.gov/I-800A for the most current information about where to file this application.

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

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, 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.

Biometrics services for applicants residing in the United States. After filing this application, USCIS will notify each person in writing of the time and location where they must go to be fingerprinted. Failure to appear for fingerprinting or for other biometrics services may result in denial of this application.

Biometrics services for applicants residing abroad. Each individual who must provide biometrics must go to a USCIS international office, U.S. Embassy, U.S. Consulate, or U.S. military installation abroad to submit a completed Form FD-258, Applicant Fingerprint Card, or provide biometrics electronically where available. For additional information on obtaining biometric services when residing outside the United States, consult the nearest USCIS international office, U.S. Embassy, or U.S. Consulate.

Decision. If USCIS approves your application, you will receive a written notice which will include a specific period of approval. The period of approval will be determined to be 15 months from the date of approval.

Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative, may only be filed on behalf of a specific child during the 15-month validity period of an approved and valid Form I-800A or Form I-800A Supplement 3.

Once your application has been approved or extended by USCIS, your adoption service provider must ensure that the same home study that was submitted to USCIS is transmitted to the Central Authority of the Convention country from which you intend to adopt a child.

USCIS Forms and Information

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

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-800, we will deny your petition 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

USCIS will use the information on Form I-800A to determine eligibility for the requested immigration benefit. We may provide information on your application to other government agencies.

USCIS may not disclose or give access to any information or record relating to any applicant or petitioner, spouse (if applicable), or adult member of the household who has filed Form I-800A or Form I-800 to any individual or entity other than that person, including but not limited to an accredited agency, temporarily accredited agency, approved person, exempted provider, or supervised provider, unless written consent is given, as provided by the Privacy Act, 5 U.S.C. 552a.

If you want to give consent for USCIS to disclose information about your case to your adoption service provider, you must complete Form I-800A, Supplement 2, Consent to Disclose Information. You are not required to give this consent in order to file Form I-800A. The adoption service provider information you provide in Form I-800A, Supplement 2, must relate to the accredited agency who prepared or reviewed your home study, or the public domestic authority who prepared your home study, or the primary adoption service provider as defined in 22 CFR Part 96.2, if a primary adoption service provider has already been identified.

In a Convention adoption, a primary adoption service provider is the accredited, or temporarily accredited agency, or approved person who is responsible under 22 CFR Part 96.14, for the six adoption services defined in 22 CFR Part 96.2, and for supervising and being responsible for supervised providers where used.

Notice to Household Members: You are not the “applicant” who is filing Form I-800A. As a member of the applicant’s household, however, information about you may be relevant to the adjudication of the applicant’s Form I-800A. Under 8 CFR Part 103.2(b)(16), the applicant is entitled to review any information that may be used as evidence supporting a denial of Form I-800A. By signing Form I-800A, Supplement 1, therefore, you are giving consent for USCIS to disclose to the applicant and adoption service provider information that USCIS may obtain about you that is relevant to the adjudication of the applicant’s Form I-800A, even if the Privacy Act, 5 U.S.C. 552a might otherwise prevent disclosure of the information to the applicant.