

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

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Office of the Acting Director of Area Operations

425 I Street NW  
Washington, DC 20536

April 7, 2003

MEMORANDUM FOR REGIONAL DIRECTORS

FROM: William R. Yates /S/ Janis Sposato  
Acting Associate Director for Operations

SUBJECT: Processing Fingerprint Checks Prior to the Filing of Form I-600 Abroad

**Purpose**

The purpose of this memorandum is to provide guidance in processing FBI fingerprint checks subsequent to the approval of the Application for Advance Processing of Orphan Petition, Form I-600A, and prior to the filing abroad of the Petition to Classify Orphan as an Immediate Relative, Form I-600. This memorandum should be read in conjunction with the Memorandum, Fingerprint Check Integrity When Adjudicating Orphan Petitions dated February 14, 2003 (attached). The procedures outlined in this memorandum shall be implemented immediately.

**Background**

Prior to the adjudication of Forms I-600 filed abroad, prospective adoptive parents (PAPs) and qualifying household members must have valid FBI fingerprint clearances. In order to facilitate this requirement, field offices should take the following steps to ensure that PAPs will not need to undergo fingerprint processing when traveling abroad to file Form I-600 or face undue delay related to this procedure.

**Approval of Form I-600A**

- In order to best utilize the fifteen month FBI fingerprint check period of validity, the adjudicating office should schedule the PAPs and all qualifying household members for fingerprinting *after* the home study has been received.

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- Upon approval of Form I-600A the FBI fingerprint check expiration date for the PAPs and all qualifying household members will be annotated on the Notice of Approval, Form I-171H.
- An addendum will be attached to the Form I-171H notifying the PAPs that, if they are traveling abroad to file Form I-600, they should check the FBI fingerprint expiration date(s) listed on Form I-171H.
- If the FBI fingerprint check is due to expire within thirty (30) days of their planned departure they should appear at their local BCIS office with the Form I-171H in order to request a referral for re-fingerprinting and payment of the fingerprint fee (for the PAPs and all qualifying household members).
- A copy of the Form I-171H will be retained in the office adjudicating the approval of the Form I-600A. Additionally, if the PAP or qualifying household member is an IDENT, a copy of the rap sheet shall be retained together with the Form I-171H.
- The expiration date of the FBI fingerprint checks shall also be noted on the Visas 37 that is forwarded to the overseas office.

### **Processing of Re-Fingerprinting Requests**

- If a PAP appears at the local BCIS office requesting to be fingerprinted again due to either the expiration or impending expiration of fingerprints, then the fee for such processing will be taken at the local office and a referral to the Application Support Center (ASC) provided to the PAP and all qualifying household members. Prior to scheduling the PAPs for re-fingerprinting, the BCIS officer shall check F-track or BBSS to ensure that re-fingerprinting is necessary (fingerprints have expired or will expire within thirty days of travel).
- The proper fingerprinting fee must be received and may be recorded on Form I-171H (i.e. attaching the receipt). Local procedures may be implemented for handling the fee receipt as appropriate.
- After a referral to the ASC, a system inquiry (F-track or BBSS) within the anticipated processing time it takes for the FBI fingerprint check to be completed (usually 48 hours) should be performed.
- If the new FBI fingerprint check has been completed and is a NON-IDENT the adjudicating officer should forward a revised Visas 37 reflecting the new period of fingerprint validity. The information necessary to send the Visas 37 will be taken from the copy of the Form I-171H retained by the adjudicating office.

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- If the FBI fingerprint check response is an IDENT then the adjudicating office shall await the receipt of the rap sheet related to that IDENT. Upon receipt of the rap sheet, the adjudicating officer will check to ascertain whether there are any arrests or convictions that did not appear on a previous rap sheet or were undisclosed. Additionally, adjudications officers should ensure that the record is noted to indicate that any arrest or conviction was reviewed. As circumstances warrant, a request for evidence or home study update will then be initiated by the adjudicating officer.