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Questions & Answers: Information for U.S. Citizens in the process of adopting a child from Haiti

Introduction

On Jan. 12, 2010, Haiti experienced an earthquake of devastating proportions. This set of questions and answers provides information for United States citizens in the process of adopting a child from Haiti.

Questions and Answers

Q. I am in the process of adopting a child from Haiti, what can I do to bring the child to the United States?

A. Department of Homeland Security (DHS) Secretary Janet Napolitano has authorized the use of humanitarian parole for the following categories of orphans in Haiti:

Category 1 Cases

Description: Children being adopted by U.S. citizens prior to Jan. 12, 2010, who have been legally confirmed as orphans available for inter-country adoption by the Government of Haiti (GOH) through an adoption decree or custody grant to suitable U.S. citizen adoptive parents.

Required Criteria

- Evidence of availability for adoption MUST include at least one of the following:
 - Full and final Haitian adoption decree; or
 - GOH custody grant to prospective adoptive parents for emigration and adoption; or
 - Secondary evidence in place of the above.
- Evidence of **suitability** MUST include one of the following:
 - Approved Form I-600A, Application for Advance Processing of an Orphan Petition; or
 - Current FBI fingerprints and security background check; or
 - Physical custody in Haiti plus a security background check.

Please note, some of the children in this category will receive immigrant visas and others will receive humanitarian parole, depending on the completeness of the cases. Those who enter with immigrant visas will enter as aliens lawfully admitted for permanent residence. Those who enter with humanitarian parole will need to have their immigration status finalized after arrival through an application for adjustment of status.

Category 2 Cases

Description: Children being adopted by U.S. citizens prior to Jan. 12, 2010, with whom the American adoptive parents have already established a genuine relationship, and for whom there is evidence that the children are available for adoption.

Required Criteria

- Significant evidence of a relationship between the prospective adoptive parents and the child; AND of the parents' intention to complete the adoption, which could include the following:
 - Proof of travel by the prospective adoptive parents to Haiti to visit the child;
 - Photos of the child and prospective adoptive parents together;
 - An Adoption Service Provider (ASP) "Acceptance of Referral" letter signed by the prospective adoptive parents;
 - Documentary evidence that the prospective adoptive parents initiated the adoption process prior to Jan. 12, 2010, with intent to adopt the child (filed Form I-600A, Application for Advance Processing of an Orphan Petition, and/or Form I-600, Petition to Classify an Orphan as an Immediate Relative, completed a home study, located an ASP to work with in Haiti, etc.).
- Evidence of the child's **availability** for adoption, which would include the following:
 - IBESR (Haitian Adoption Authority) approval;
 - Documentation of legal relinquishment or award of custody to the Haitian orphanage;
 - Secondary evidence in place of the above.
- Evidence of suitability MUST include one of the following:
 - Approved Form I-600A, Application for Advance Processing of an Orphan Petition; or
 - Current FBI fingerprints and security background check.

If the child you have adopted or are adopting meets these criteria, please send U.S. Citizenship and Immigration Services (USCIS) detailed information about the adoption case at HaitianAdoptions@dhs.gov. This e-mail address is dedicated to collecting information about adoption cases still pending in Haiti. Please include the name of the prospective adoptive parent in the subject line of the e-mail. Once we have your information, we will contact you with further information.

Q. If parole is authorized, how will my child get out of Haiti?

A. The Consular Section and USCIS Office is coordinating the arrival of children at the Embassy so that they are able to arrive safely. We urge families not to make individual arrangements and to assist us in coordinating with the orphanages on the ground. Orphanage directors should wait to receive instructions either from the Embassy or USCIS Headquarters in Washington before taking their group of children to the Embassy for processing. Individuals or groups that appear at the Embassy without prior coordination may be turned away.

Q. If humanitarian parole is authorized, may I travel to pick up a specific child?

A. The Department of State (DOS) Travel Warning, urges U.S. citizens to avoid travel to Haiti. Communications and transportation in Haiti is extremely limited and nearly all available resources are dedicated to the immediate search and rescue of Haitians. Updates to the DOS travel warnings for Haiti are available online at http://www.travel.state.gov/travel/cis_pa_tw/tw/tw_4632.html.

Once a child receives a visa or is authorized for humanitarian parole, we encourage you to work with your U.S. adoption agency and the orphanage staff in Haiti to identify an escort to bring the child to the United States.

Q. Many documents were destroyed in the earthquake. What kind of secondary evidence can

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Related Links

I-600A, Application for Advance Processing of Orphan Petition
Department of State
State Department: Travel Warnings for Haiti
United States Agency for International Development (USAID)
International Committee of the Red Cross
Interaction

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be submitted in the place of primary documents?

A. Secondary evidence may include, but is not limited to, copies of records or correspondence referring to the existence of the destroyed or missing document, as maintained by an Adoption Service Provider or the prospective adoptive family, as well as affidavits of individuals with knowledge of the document or event.

Q. I am a prospective adoptive parent in the process of adopting a child in Haiti, but the adoption was not finalized prior to the earthquake. If DHS authorizes humanitarian parole for a child who was not legally adopted in Haiti, how will I obtain the legal authority to take the child into my home?

A. If you received an order from the Government of Haiti granting custody of the child to you, then the child may be paroled into your custody upon verification of the order, your identity and that of the child after the child's arrival in the United States.

If you have not received a formal order granting you custody from the Government of Haiti, then the child may be placed in your care but some additional procedures must be followed. These procedures are intended to protect children and ensure that those without final adoptions are placed with families that are able to care for them. These additional procedures may take a little time, but they are critical for keeping children safe. Children who cannot be placed with prospective adoptive parents will be well cared for. ORR has contracts with organizations around the country to care for unaccompanied children who are not U.S. citizens.

Whether you become a sponsor or not, you will need to adopt the child under the adoption laws of your place of residence in order for the child to acquire permanent residence in the United States.

Q. How do I request Humanitarian Parole for the child I am in the process of adopting?

A. If you want to request humanitarian parole for a specific child you are in the process of adopting from Haiti, please send the request to HaitianAdoptions@dhs.gov. Please include the name of the prospective adoptive parent in the subject line of the e-mail. You do not need to file Form I-131 or submit a fee for these cases.

Q. I am a prospective adoptive parent in the process of adopting a child from Haiti. What should I do if my Fingerprint Clearance has expired?

A. USCIS will review each prospective adoptive parent's request for humanitarian parole on a case-by-case basis. If we determine that your fingerprint clearance(s) has expired, you do not need to take any action. USCIS will electronically rerun your prints. (Please do not send a request for updated fingerprint to HaitianAdoptions@dhs.gov.) If you have not been fingerprinted by USCIS at any stage of your adoption process, please send an e-mail message to HaitianAdoptions@dhs.gov and we will arrange a fingerprint appointment for you. Please include "FP Request" in the subject line of the e-mail.

Q. Is there any other way I can help orphans in Haiti?

A. We understand that some Americans want to respond by offering to open their homes. We certainly appreciate this generous impulse, but note that it can be extremely difficult to determine whether children are truly orphans. Children may be temporarily separated from their parents or other family members, and their parents or other relatives may be looking for them. In the first instance, we believe it is most important to focus on re-uniting separated children with their relatives. Some individuals may wish to assist by contributing to a reputable relief or humanitarian organization working in that country. More information can be found at the following Web sites linked on the right:

- [Department of State](#)
- [United States Agency for International Development \(USAID\)](#)
- [International Committee of the Red Cross \(ICRC\)](#)
- [Interaction](#)

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