



USCIS Update

October 25, 2007

USCIS ANNOUNCES CHANGES TO VIETNAM ADOPTIONS

WASHINGTON - U.S. Citizenship and Immigration Services (USCIS) today announced that the USCIS office in Ho Chi Minh City, Vietnam will have sole jurisdiction over all Form I-600s, *Petition to Classify Orphan as an Immediate Relative*, filed on behalf of a Vietnamese child on or after October 29, 2007.

In response to growing concerns about irregularities in the methods used to identify children for adoption in Vietnam and the resulting difficulties in classifying those children as orphans, USCIS will centralize processing of I-600s in Ho Chi Minh City. USCIS encourages prospective adoptive parents to file the I-600 directly with USCIS in Ho Chi Minh City before traveling to Vietnam. This will enable USCIS or Department of State officers to determine whether a child identified in the petition qualifies as an orphan, as defined in Section 101(b)(1)(F) of the Immigration and Nationality Act. This is important because irregularities that may affect the eligibility of the child for classification as an orphan are becoming apparent only after the adoption has taken place and while the parents and child are awaiting resolution in Vietnam. These circumstances have proven difficult to address or overcome for all parties involved.

Prospective adoptive parents are encouraged to file the Form I-600 with the required supporting evidence, other than the adoption or custody decree, by mail or courier with USCIS, Ho Chi Minh City, as follows:

Filing by mail:

United States Consulate General
Ho Chi Minh City
PSC 461 Box 500
FPO AP 96521-0002
Attn: DHS/USCIS

Filing by courier:

United States Consulate General
4 Le Duan Street
District 1
Ho Chi Minh City, Vietnam
Attn: DHS/USCIS

The petitioner will receive a notice of receipt when the USCIS Ho Chi Minh City office receives the Form I-600 and supporting evidence. USCIS will then review the petition and supporting evidence to determine whether the child qualifies as an orphan. In certain cases an administrative field inquiry or a request for evidence will be necessary to make that determination. USCIS anticipates completing most determinations in 60 days.

Once a determination is made, USCIS will notify the petitioner, who may then travel to Vietnam to proceed with the adoption. In cases where it appears the child may not qualify as an orphan, the petitioner will have an opportunity to respond to those findings through established procedures.

USCIS will forward all Form I-600s received in domestic USCIS field offices on or after October 29, 2007 to its Ho Chi Minh City office.

After November 16, 2007, USCIS will not expedite the processing of the Form I-600 solely because the petitioner is in Vietnam. If a petitioner chooses to travel to Vietnam to file the Form I-600 after November 16, 2007, the petition and supporting documents will undergo the same processing as those filed and received by mail.