



Published on *US Immigration Lawyer, Law Offices of Rajiv S. Khanna, PC, Rajiv S. Khanna* (<https://immigration.com>)

USCIS Announces It Cannot Resume Processing Adoptions From Vietnam

USCIS Announces It Cannot Resume Processing Adoptions From Vietnam ^[1]

Submitted by Editor on Feb 3rd 2012

WASHINGTON ? U.S. Citizenship and Immigration Services (USCIS) announced it cannot approve a Form I-800, *Petition to Classify Convention Adoptee as an Immediate Relative*, filed on behalf of a child to be adopted from Vietnam. The Department of State (DOS) has determined that Vietnam has not proven capable of meeting its obligations under *The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Adoption Convention)*. As a result, DOS consular officers cannot issue the required Hague Adoption Certificate or Hague Custody Declaration.

USCIS can only approve a Form I-800 in a Hague Convention adoptee case after DOS has issued a certification of compliance under the Hague Adoption Convention and the Intercountry Adoption Act of 2000. At this time, DOS cannot issue certificates in Vietnamese adoption cases. Until further notice, USCIS will not be able to approve any Form I-800 that is filed on behalf of a child to be adopted from Vietnam. Because U.S. prospective adoptive parents cannot complete the immigration process for an adopted child from Vietnam, USCIS strongly urges parents to not file any Form I-800 on behalf of a child to be adopted from Vietnam. USCIS also strongly urges them not to file Form I-800A, *Application for Determination of Suitability to Adopt a Child from a Convention Country*, identifying Vietnam as the country from which they seek to adopt.

The Hague Adoption Convention, which entered into force for the U.S. on April 1, 2008, protects the welfare of children, birth parent(s) and adoptive parent(s) engaged in intercountry adoptions. Effective April 1, 2008, new intercountry adoptions between the United States and other Hague Convention countries must comply with Hague Adoption Convention standards. Vietnam also ratified the Hague Adoption Convention and the Convention entered into force for Vietnam on Feb. 1, 2012. In the U.S., Hague Convention adoptions are processed on USCIS Forms I-800A and I-800.

Before the U.S. and Vietnam ratified the Hague Adoption Convention, Vietnamese intercountry adoption cases were processed on USCIS Forms I-600A, *Application for Advance Processing of Orphan Petition*, and I-600, *Petition to Classify Orphan as an Immediate Relative*

. These intercountry adoptions took place under a bilateral agreement between the U.S. and Vietnam that expired Sept. 1, 2008. On Oct. 16, 2008, USCIS announced the U.S. and Vietnam would not resume new adoption cases until both countries signed either a new bilateral agreement or Vietnam acceded to and complied with the Hague Adoption Convention. See the Oct. 16, 2008, [USCIS Update](#) [2] and [Frequently Asked Questions](#) [3] for more information.

USCIS will promptly advise the public when DOS determines Vietnam can meet its obligations to the Hague Adoption Convention, which will allow USCIS to process Forms I-800 for adoptions from Vietnam.

For more information on USCIS and its programs, please visit www.uscis.gov [4] or follow us on Twitter ([@uscis](#) [5]), YouTube ([/uscis](#) [6]) and the USCIS blog [The Beacon](#) [7].

Green Card:

[Adoption](#) [8]

Agency:

[USCIS](#) [9]

Source URL (retrieved on 10 Jul 2020 - 04:38): <https://immigration.com/news/adoption/uscis-announces-it-cannot-resume-processing-adoptions-vietnam>

Links:

[1] <https://immigration.com/news/adoption/uscis-announces-it-cannot-resume-processing-adoptions-vietnam>

[2]

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=fa81be340e10d1>

[3]

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=a805be340e10d1>

[4] <http://www.uscis.gov/>

[5] <http://twitter.com/uscis>

[6] <http://www.youtube.com/user/uscis>

[7] <http://blog.uscis.gov/>

[8] <https://immigration.com/greencard/green-card/adoption>

[9] <https://immigration.com/agencies/agency/dhs/uscis>