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## Haiti

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### Alert: Update on Haitian Intercountry Adoption Procedures and Important Cautionary Notes

The Department of State (Department) and the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) wish to advise U.S. prospective adoptive parents (PAPs), adoptive parents, and adoption service providers (ASPs) of new information provided by the Haitian Central Authority, *L'Institut du Bien-Etre Social et de Recherches* (IBESR) during our trip to Port-au-Prince February 2-5, 2016. Discussions focused primarily on adoptions processed under the *Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption* (Convention), which entered into force in Haiti on April 1, 2014.

The Department and USCIS will be conducting a number of calls and meetings to exchange information regarding the areas outlined below. Specific audiences are invited to [participate in the calls](#). A separate invitation will be issued to interested Congressional offices.

**Transition cases:** USCIS will publish additional guidance on the options available to families who qualify as a transition case but do not receive a match from IBESR or are not able to file their Form I-600 petition before the April 1, 2016, deadline. USCIS and the Department continue to have discussions with IBESR on how these cases may proceed. Additional guidance will be posted on the [USCIS website](#) when available.

**Processing Convention adoptions:** The Department, USCIS, and IBESR clarified a number of procedural components related to processing Convention adoptions. ASPs and PAPs are strongly encouraged to read the significantly updated guidance now available on the Department's updated page on adopting from Haiti. The Department and USCIS particularly wish to emphasize the following components:

*New procedures:* IBESR indicated it is in the process of developing new procedures (i.e. regulations) regarding intercountry adoption case processing. The procedures may be finalized as early as March 2016 and will be implemented immediately upon finalization. The Department will update the information available on our new page on [adopting from Haiti](#) as soon as we receive a copy of the new procedures.

*Cases with prior contact and/or out-of-order adoptions:* IBESR has agreed to review cases with known [prior contact issues and/or out-of-order adoptions](#) on a case by case basis. U.S. prospective adoptive parents who filed a Form I-800A application with USCIS for Haiti, but have not yet filed their Form I-800 petition, and who are aware they have prior contact or out-of-order issues with their Convention cases, are strongly encouraged to include a Privacy Act waiver with their I-800 petition. This will authorize the U.S. Government to inform IBESR of their case. Please know that USCIS, as well as all parties involved, give utmost consideration to protecting your privacy and information at all times.

Suggested template language to give USCIS permission to provide your case information to IBESR:

I, [name of prospective adoptive parent(s)], authorize USCIS to provide my name and limited case specifics pertaining to the adoption of [name of child], to the *L'Institut du Bien-Etre Social et de Recherches* (IBESR) so that the above referenced Form I-800 adoption petition may be considered to proceed in accordance with the new Hague Adoption Convention procedures. I certify under penalty of perjury that I am who I represent myself to be.

*Prohibition on informal matches by orphanage directors:* Under Haiti's 2013 adoption law, IBESR has exclusive authority to propose a match between a child and prospective adoptive parents. However, IBESR may take into consideration recommendations by orphanage directors in certain

situations, such as those outlined in the Department's updated page on [adopting from Haiti](#). ASPs and PAPs are cautioned that IBESR is not obligated to accept or move forward with any recommendations proposed by orphanage directors.

*Prohibition on informal matches by ASPs:* IBESR clarified that, as part of its authorization of [ASPs](#), authorized ASPs are prohibited from proposing matches between children and PAPs. Any cases presented to IBESR for consideration by an ASP may not result in an official match. In addition, IBESR cautions that any pressure exerted by PAPs or their ASPs regarding such informal matches may result in a proposed match being denied.

*Moving children before and after adoption:* Haitian procedures prohibit adoptive parents and ASPs from moving Haitian children out of the crèches/orphanages in which they were residing (when first presented to IBESR to be found eligible for adoption) before the completion of the intercountry adoption process. Adoptive parents and ASPs may only move children out of the orphanage once IBESR issues the exit letter at the end of the Convention adoption process, after the U.S. immigrant visa is issued. Moving a child out of an orphanage before then may result in the denial of the exit letter.

**ASP authorizations expiring in September 2016:** PAPs and ASPs are reminded that the [18 U.S. ASPs'](#) authorizations to operate in Haiti will expire in September 2016. IBESR intends to issue a call for new applications in April 2016 and will authorize no more than 18 U.S. ASPs for the next two years. The Department will publish further information as it becomes available.

**Quota warning:** IBESR instituted a quota on intercountry adoptions in 2014 and has indicated that the quota will be strictly enforced with Convention adoptions as of October 1, 2016. Under the quota, each U.S. ASP will be allowed to propose a maximum of one dossier/application to adopt from Haiti per month (for a non-special needs or non-relative adoption) and a maximum of 10 additional dossiers/applications to adopt from Haiti per year for families seeking to adopt relatives or children with special needs. This means each ASP may propose a maximum of 22 dossiers/families each fiscal year. The Department and USCIS caution PAPs who have already submitted or are planning to submit Form I-800A applications seeking to adopt from Haiti that the quota may result in delays of months or longer in dossiers/applications being submitted to IBESR.

For further information regarding this notice, please contact the Department's Office of Children's Issues via email at [Adoption@state.gov](mailto:Adoption@state.gov). For Convention case specific inquiries, please contact the U.S. Embassy Port-au-Prince Adoption Unit at [PAPadoptions@state.gov](mailto:PAPadoptions@state.gov) or the USCIS National Benefits Center at [NBC.Hague@uscis.dhs.gov](mailto:NBC.Hague@uscis.dhs.gov). For case specific inquiries involving transition cases, you may also contact the USCIS Field Office in Port-au-Prince at [Haiti.USCIS@uscis.dhs.gov](mailto:Haiti.USCIS@uscis.dhs.gov). Please continue to monitor our website for updates on adoptions in Haiti.