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## India

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### Notice: Only U.S. Citizens may File a Form I-800A or Form I-800

This is an update to our notice dated [March 6, 2014](#) announcing that India opened online registration for Non-resident Indian (NRI) prospective adoptive parents seeking to adopt Indian children not classified as special needs. The Indian Central Adoption Resource Authority (CARA) continues to accept online registrations from Enlisted Foreign Adoption Agencies (EFAAs) on behalf of individuals who have NRI status for this expanded group of eligible children (see CARA's January 1, 2014, announcement) and who are completing a Hague Convention adoption. This notice seeks to clarify which NRIs are eligible to pursue an adoption under the Hague Convention adoption process.

#### **U.S. Citizen NRI Prospective Adoptive Parents**

Only U.S. citizens may file the necessary U.S. immigration forms ([Form I-800A](#) *Application for Determination of Suitability to Adopt a Child from Convention Country* and [Form I-800](#) , *Petition to Classify Convention Adoptee as Immediate Relative*) to adopt an Indian child not classified as special needs under the Hague Convention adoption process. If both NRI spouses are U.S. citizens either spouse may serve as the primary applicant/petitioner.

#### **Non-U.S. Citizen NRI Prospective Adoptive Parents**

A NRI living in the U.S. as a permanent resident and who is married to a U.S. citizen (whether NRI or not), may also adopt an Indian child not classified as special needs under the Convention adoption process. However, only the U.S. citizen spouse may file the Form I-800A/I-800 as the primary applicant/petitioner.

If both prospective adoptive parents are NRIs and U.S. lawful permanent residents or non-immigrant visa holders, please refer to our information on [Adoptions by Non-U.S. Citizens Living in the United States](#).

If you have any questions regarding this notice, please do not hesitate to contact us by phone at 1-888-407-4747 or e-mail us at [adoption@state.gov](mailto:adoption@state.gov).