Adoption Notice: Implementation of Refund Provision of the Adoptive Family Relief Act in the DRC

On October 16, 2015, President Obama signed the Adoptive Family Relief Act (Public Law 114-70) which amends section 221(c) of the Immigration and Nationality Act to allow immigrant visa fees to be waived or refunded under certain circumstances for children legally adopted by a U.S. citizen or children coming to the United States to be adopted by a U.S. citizen who has legal custody of the child for purposes of emigration and adoption in the United States.

In accordance with this law, children adopted by or in the custody of U.S. citizens and issued a U.S. immigrant visa in the Democratic Republic of the Congo, on or after March 27, 2013, based on a full and final adoption or grant of custody for purposes of adoption in the United States, may have the child's visa renewal or replacement fees waived, and if such fees already have been paid, may receive a refund of such fees upon request if:

- the child was unable to use the original immigrant visa during the period of its validity as a direct result of extraordinary circumstances, including the denial of an exit permit; and
- such inability was attributable to factors beyond the control of the adopting parent or parents.

Procedure for requesting a refund: If you already paid a fee to renew a visa issued on or after March 27, 2013, and these criteria apply to you, you may request a refund as follows:

1) Complete the Adoptive Family Relief Act Refund Application (DS-7781) which can be found here.

2) Send your completed refund application form to KinshasaAdoptions@state.gov. Please write "Visa Refund Request" in the subject line of your email to help us track and process these requests.

If the Department approves your refund request, you will receive a refund check by mail directly from the U.S. Department of the Treasury after the U.S. Department of State's Bureau of the Comptroller and Global Financial Services processes the refund request. If you have any questions about this process, please do not hesitate to ask us at ExitPermitSuspensionDRC@state.gov.