

USCIS InfoSheet



Intercountry Adoptions: Guatemala

Keeping Required USCIS Documents Valid for Transition Cases

The below information is applicable to intercountry adoption cases in Guatemala that meet the following criteria: 1) the case is grandfathered under U.S. immigration law, and 2) the Government of Guatemala agreed to continue processing the case. *Please Note:* no new adoption cases can be initiated in Guatemala at this time. See the U.S. Department of State website for more information:

<http://adoption.state.gov/news/guatemala.html>

I. General Information: Validity

1. Fingerprint clearances are valid for 15 months.
2. Form I-600A approval is valid for 18 months.
3. An extension of Form I-600A approval is valid for an additional 18 months from the date of the initial expiration date. Therefore, you have 36 months of continuous approval.
4. It is your responsibility to know when your fingerprint clearances and/or Form I-600A approval will expire and to take necessary steps to keep them current.

II. General Information: Extension of Form I-600A Approval

Once your Form I-600A is approved, it is valid for 18 months. You may request a *one-time*, no-fee extension of your Form I-600A approval by sending a written request to the USCIS field office that originally approved your Form I-600A. The request must include:

1. Specific language requesting a one-time, no-fee extension of your Form I-600A approval;
2. A copy of your current valid Form I-600A approval notice (Form I-171H or Form I-797C); *and*
3. An updated home study. An updated home study must meet all of the requirements of your initial home study as if you are essentially starting the process from the beginning—an addendum attached to the initial home study is not sufficient.

USCIS must receive your extension request *before* your Form I-600A approval notice expires, but no earlier than 90 days before your Form I-600A approval expires. Please see the “If...Then” chart below.

III. General Information: Grandfathered Form I-600A - Second filing

Generally, a Form I-600A application may not be filed after April 1, 2008, for the adoption of a child from a Hague Convention country. However, prospective adoptive parents who filed their original Form I-600A application prior to April 1, 2008, and were granted an extension of their Form I-600A approval may be allowed to file a second “grandfathered” Form I-600A application after April 1, 2008 with the fee to give you more time to complete the process in Guatemala and to submit the Form I-600.

III. Grandfathered Form I-600A: Second filing (cont.)

USCIS will consider a second Form I-600A filed after April 1, 2008, to be “grandfathered” only if you meet the following criteria:

1. You filed your *original* Form I-600A prior to April 1, 2008;
2. You timely requested and received an extension of your Form I-600A approval;
3. You file your second Form I-600A *before* your approval extension expires; *AND*
4. You have not yet filed the allowable number of Form I-600 petitions (i.e. If you were approved to adopt two children, then you cannot qualify for a second grandfathered Form I-600A if you already filed two Form I-600 petitions for two children.)

Again, we must receive the properly filed second Form I-600A application *before* your current extension expires, but no earlier than 90 days before it will expire. If your second Form I-600A is approved, it is valid for 18 months from your previous extension’s expiration date. You may request a *one-time*, no-fee extension of this “grandfathered” Form I-600A. Please see the “If...Then” chart below.

IF...	THEN...
Your Form I-600A approval (i.e. I-171H or I-797C) was valid at the time you submitted your Form I-600 petition with initial documents to USCIS Guatemala City	You do not need to extend your Form I-600A approval* or file a second “grandfathered” Form I-600A application. However, USCIS may require updated fingerprint clearances before we issue a final decision on your Form I-600. * <i>Note:</i> While your Form I-600A approval must only be valid when you submit your Form I-600 petition to USCIS Guatemala City, it is your choice whether to extend the validity of your Form I-600A approval (i.e. perhaps you are approved to adopt more children than your active case in Guatemala City.)
You have not submitted your Form I-600 petition to USCIS Guatemala City	You <u>must</u> keep your Form I-600A approval valid until you submit your Form I-600. Please see information above regarding extension requests and second Form I-600A filings.
Your <i>original</i> Form I-600A approval (i.e. I-171H or I-797C) will expire before you will submit your Form I-600 petition with initial documents to USCIS Guatemala City	You may request an extension* of your Form I-600A approval from the USCIS field office that approved your Form I-600A application. Please see above for more information regarding extensions. * We must receive your extension request <i>before</i> your Form I-600A approval notice expires, but no earlier than 90 days before it expires.
Your Form I-600A approval <i>extension</i> will expire before you will submit your Form I-600 petition with initial documents to USCIS Guatemala City	You may be able to file a second Form I-600A application* with the fee and all required supporting documentation. Please see below for more information regarding qualifying for a second Form I-600A filing. * We must receive your second Form I-600A application before your Form I-600A approval extension expires, but no earlier than 90 days before it expires.

Sample Timeline: Grandfathered Form I-600A, Application for Advanced Processing of Orphan Petition

<i>DATE</i>	<i>ACTION</i>	<i>EXPIRATION DATE</i>
January 1, 2007	You filed your original Form I-600A with USCIS	
February 1, 2007	USCIS approved your Form I-600A for the adoption of two children	<i>Expiration date:</i> August 1, 2008
July 1, 2008	You filed an extension request for your Form I-600A approval <i>before</i> your approval expired (on August 1, 2008), but no more than 90 days before it expires.	
July 15, 2008	USCIS approved your extension request – extending your original approval for another 18 months. <i>Note:</i> the additional 18 months does <u>not</u> begin the day that USCIS granted the extension request; instead it begins the day your original Form I-600A approval expired.	<i>New expiration date:</i> February 1, 2010
December 1, 2009	You realize that February 1, 2010, is approaching and you have not submitted your Form I-600 petition to Guatemala City. You begin updating necessary adoption documents.	
January 1, 2010	You file a second Form I-600A <i>before</i> your February 1, 2010, expiration date (but no more than 90 days before Feb. 1, 2010) to maintain your Form I-600A approval. <ul style="list-style-type: none"> • This second Form I-600A must be accompanied by all supporting documentation required for a new Form I-600A including the filing fee. • Please include a copy of your original Form I-600A receipt notice, acknowledgement notice, approval notice etc. • Since you were approved to adopt two children, you must also include a statement, signed under penalty of perjury, indicating that you have not already filed two Form I-600 petitions based on the original approval for two children. 	
February 15, 2010	USCIS approves your second Form I-600A for the adoption of two children. <ul style="list-style-type: none"> • The approval period begins February 1, 2010, and is valid for 18 months. • You may also request a one-time, no fee extension of this approval provided you make the request <i>prior</i> to August 1, 2011 (but no more than 90 days before August 1, 2011). 	<i>Expiration date:</i> August 1, 2011