

Fact Sheet

Jan. 18, 2010

SECRETARY NAPOLITANO ANNOUNCES HUMANITARIAN PAROLE POLICY FOR CERTAIN HAITIAN ORPHANS

On Jan. 18, Department of Homeland Security (DHS) Secretary Janet Napolitano, in coordination with the U.S. Department of State (DOS), today announced a humanitarian parole policy allowing orphaned children from Haiti to enter the United States temporarily on an individual basis to ensure that they receive the care they need—as part of the U.S. government’s ongoing support of international recovery efforts after last week’s earthquake.

DHS and DOS are working together to issue travel documents (either immigrant visas or humanitarian parole authorizations) for children who fall into the two categories described below. Once these children are cleared to travel, the U.S. Embassy in Port au Prince will facilitate their evacuation to the United States so they may be united with their American adoptive parents.

Under applicable laws, unaccompanied minors entering the country without a parent or legal guardian will be turned over to the Department of Health and Human Services (HHS) Office of Refugee Resettlement.

All cases will be evaluated by U.S. Citizenship and Immigration Services (USCIS). Depending on their circumstances, and information available some children will receive immigrant visas with permanent immigration status and will require no further processing. Those who enter under humanitarian parole status will need to have their immigration status resolved after arrival.

Eligibility for Humanitarian Parole

Category 1

Children who have been legally confirmed as orphans eligible for intercountry adoption by the Government of Haiti, were in the process of being adopted by Americans prior to Jan. 12, 2010 and meet the below criteria.

Required Criteria

- Evidence of **availability for adoption**, which **MUST** include at least one of the following:
 - Full and final Haitian adoption decree
 - Government of Haiti Custody grant to prospective adoptive parents for emigration and adoption
 - Secondary evidence in lieu of the above.

- Evidence of **suitability for adoption**, which **MUST** include at least one of the following:

- Notice of Approval of Form I-600A, *Application for Advance Processing of an Orphan Petition*
- Current FBI Fingerprints and background security check clearances
- Physical custody in Haiti plus a security background check

Category 2

Children who have been identified by an adoption service provider or facilitator as eligible for intercountry adoption, were matched to prospective American adoptive parents prior to Jan. 12, 2010 and meet the below criteria.

Required Criteria

- Significant evidence of a **relationship between the prospective adoptive parents and the child** AND of the parents' **intention to complete the adoption**, which could include the following:
 - Proof of travel by the prospective adoptive parents to Haiti to visit the child
 - Photos of the child and prospective adoptive parents together
 - An Adoption Service Provider "Acceptance of Referral" letter signed by the prospective adoptive parents
 - Documentary evidence that the prospective adoptive parents initiated the adoption process prior to Jan. 12, 2010 with intent to adopt the child (filed Form I-600A, *Application for Advance Processing of an Orphan Petition*, and/or Form I-600, *Petition to Classify an Orphan as an Immediate Relative*, completed a home study, located an ASP to work with in Haiti, etc.)
- Evidence of the child's **availability for adoption**, which could be the following:
 - IBESR (Haitian Adoption Authority) approval
 - Documentation of legal relinquishment or award of custody to the Haitian orphanage
 - Secondary evidence in lieu of the above
- Evidence of **suitability for adoption**, which MUST include at least one of the following:
 - Notice of Approval of Form I-600A, *Application for Advance Processing of an Orphan Petition*; OR
 - Current FBI Fingerprints and background security check clearances

Other Orphaned or Separated Children

Given the severity of the disaster in Haiti, we understand that there are additional children that have been orphaned and/or separated from relatives and may also be in varying stages of the adoption process. DHS and the U.S. Department of State continue to evaluate additional eligibility criteria and will provide additional information as soon as it is available.

USCIS encourages U.S. citizens with pending adoption cases in Haiti to send us detailed information about their cases to HaitianAdoptions@dhs.gov.

Please visit the USCIS website at www.uscis.gov and the U.S. Department of State website at www.adoption.state.gov for more information and updates.

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