



U.S. Citizenship and Immigration Services

Transferring Forms I-600 Filed on Behalf of Children from the Republic of Korea from National Benefits Center to USCIS Seoul Field Office

Since **Oct. 1, 2015**, the USCIS National Benefits Center (NBC) no longer issues final approval of Forms I-600, Petition to Classify Orphan as an Immediate Relative, filed on behalf of children from the Republic of Korea (ROK). Instead, NBC will transfer cases that appear to be approvable to the USCIS Field Office in Seoul (USCIS Seoul). This internal change will not impact the processing of these cases.

How You Will Be Affected

Petitioners may continue to file Form I-600 petitions in the United States with the USCIS lockbox for processing by the NBC. Once we receive your Form I-600, the NBC will review it to ensure that it is complete and contains all required documentation, including evidence of legal custody (or guardianship) and compliance with the Intercountry Adoption Universal Accreditation Act of 2012. If necessary, the NBC will issue a Request for Evidence or Notice of Intent to Deny, and will issue a Denial notice if you fail to establish that the child qualifies for classification as an orphan.

After the NBC completes its review and processing, you will receive a Notice of Transfer letter from the NBC notifying you that the case has been sent to USCIS Seoul. This letter will explain that after you have taken the necessary steps to adopt the child in ROK, you will need to submit the following to USCIS Seoul to continue processing:

- A legible, certified copy of the Adoption Decree and Certificate of Irrevocable Judgment; and
- Evidence the single parent, or if married at least one parent, saw the child before or during the adoption proceedings or visa processing in order to obtain IR-3 visa classification for the child.

Form I-600 Processing at USCIS Seoul

Once you submit the evidence listed above, USCIS Seoul will complete the Form I-604, Determination on Child for Adoption, and make a final decision on your Form I-600 at the same time as your consular section visa screening and interview. You and your family can continue to submit the immigrant visa application and fee concurrently to the U.S. Embassy in Seoul. If USCIS approves your Form I-600 that is supported by a final adoption decree and there is evidence that at least one adoptive parent saw the child before or during the adoption proceedings, then the Form I-600 approval will support an IR-3 visa classification, rather than an IR-4 visa classification.

After you return to the United States, your child generally will be mailed a Certificate of Citizenship if he or she is:

- Issued an IR-3 visa,
- Admitted to the United States for permanent residence;
- Residing in the legal and physical custody of the U.S. citizen parent, and
- Otherwise eligible for citizenship. (See the Immigration and Nationality Act (INA) section 320.)

Fingerprinting

You will still need to ensure your fingerprint clearances related to the Form I-600 petition are current in order for USCIS Seoul to approve the petition. If you anticipate fingerprint clearances for yourself, your spouse, or any other adult members of the household will expire before the Form I-600 petition is approved by USCIS Seoul, you or the individual with expiring fingerprint clearances should request re-fingerprinting 2 months before the date the fingerprint clearance will expire. Families living in the United States must send a written request for a new fingerprint appointment in the United States to the NBC at the address in the letterhead or by email to NBC.Adoptions@dhs.gov. Families living abroad should contact the USCIS office with jurisdiction over their residence abroad. Contact information for our offices abroad is available on our website at uscis.gov.

Reason for the Change

On Aug. 5, 2012, ROK enacted the Special Adoption Act, which governs intercountry adoptions. The Special Adoption Act requires foreign nationals residing outside the country who are seeking to adopt a child from South Korea to travel to ROK to obtain a final adoption order. U.S. regulations require that final adoptions take place in compliance with the law of the child's country of origin; therefore, we will now only approve Form I-600 petitions with final adoption orders in compliance with ROK's adoption law.

Last Reviewed/Updated: 10/13/2015