

MEMORANDUM FOR: Directors, Field Operations  
Director, Preclearance Operations

FROM: (b) (6), (b) (7)(C), Executive Director  
Admissibility and Passenger Programs  
Office of Field Operations

SUBJECT: Hague Adoption immigrant visa categories: IH-3 and IH-4

This memorandum is to notify all Customs and Border Protection (CBP) supervisors and officers that new immigrant visa categories for adopted children, IH-3 and IH-4, have been created. See Inspector's Field Manual (IFM), Chapter 14, for processing procedures for new immigrants.

In 2000, Congress passed the implementing legislation, the Intercountry Adoption Act (IAA), Public Law 106-279. Section 302 of the IAA enacted new section 101(b)(1)(G) of the Immigration and Nationality Act (INA). The Secretary of Homeland Security published the U.S. Citizenship and Immigration Service (USCIS) regulation implementing the Hague Adoption Convention and new section 101 (b)(1)(G) of the INA in the Federal Register on October 4, 2007, at 72 Federal Register (FR) 56832. This new regulation establishes a new subpart C to 8 CFR 204. Effective April 1, 2008, Hague adoption cases were processed on Form I-800A, Application for Determination of Suitability to Adopt a Child from a Convention Country and Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative.

The new Hague Adoption immigrant visa categories are:

IH-3 Child adopted abroad by a U.S. citizen, new arrival.  
IH-4 Child to be adopted in the U.S. by a U.S. citizen, new arrival.

In rare instances, the following visa categories can be issued when a child enters the U.S. on a humanitarian parole (e.g., medical treatment) and adjusts under Section 245 of the INA.

IH-8 Child adopted by a U.S. citizen, adjustment in U.S.  
IH-9 Child to be adopted in the U.S. by a U.S. citizen, adjustment in U.S.

Attached is a muster on the new Hague Adoption immigrant visa categories. Please ensure this information is disseminated to all ports of entry within your area of responsibility. If you have any questions or would like additional information, please contact (b) (6), (b) (7)(C) Program Manager, Admissibility and Passenger Programs, at (b) (6), (b) (7)(C).

Attachment

Muster

**Date:** August 11, 2008

**Topic:** Hague Adoption immigrant visa categories – IH-3 and IH-4

**Reference Materials:** 8 CFR 204, subpart C; Inspector’s Field Manual, Chapter 14

**Headquarters POC:** (b) (7)(C), (b) (6)

**Office:** Office of Field Operations,  
Admissibility and Passenger Programs

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