be provisionally approved only if the child will leave the United States after the provisional approval and apply for a visa abroad before the final approval of the Form I–800.

(5) Except as specified in 8 CFR 204.312(e)(2)(i) with respect to a new Form I–800 filed with a new Form I–800A to reflect a change in marital status, the petitioner files the Form I–800:

(i) Before the approval of a Form I–800A, or

(ii) After the denial of a Form I–800A; or

(iii) After the expiration of the approval of a Form I–800A;

(6) The petitioner is barred by 8 CFR 204.307(c) from filing the Form I–800.

§ 204.310 Filing requirements for Form I–800A.

(a) Completing and filing the Form. A United States citizen seeking to be determined eligible and suitable as the adoptive parent of a Convention adoptee must:

(1) Complete Form I–800A, including a Form I–800A Supplement 1 for each additional adult member of the household, in accordance with the instructions that accompany the Form I–800A.

(2) Sign the Form I–800A personally. One spouse cannot sign for the other, even under a power of attorney or similar agency arrangement.

(3) File the Form I–800A with the USCIS office that has jurisdiction under 8 CFR 204.308(a) to adjudicate the Form I–800A, together with:

(i) The fee specified in 8 CFR 103.7(b)(1) for the filing of Form I–800A;

(ii) The additional biometrics information collection fee required under 8 CFR 103.7(b)(1) for the applicant and each additional adult member of the household;

(iii) Evidence that the applicant is a United States citizen, as set forth in 8 CFR 204.308(a), or, in the case of a married applicant, evidence either that both spouses are citizens or, if only one spouse is a United States citizen, evidence of that person’s citizenship and evidence that the other spouse, if he or she lives in the United States, is either a non-citizen United States national or an alien who holds a lawful status under U.S. immigration law.

(iv) A copy of the current marriage certificate, unless the applicant is not married;

(v) If the applicant has been married previously, a death certificate or divorce or dissolution decree to establish the legal termination of all previous marriages, regardless of current marital status;
§ 204.311 Convention adoption home study requirements.

(a) Purpose. For immigration purposes, a home study is a process for screening and preparing an applicant who is interested in adopting a child from a Convention country.

(b) Preparer. Only an individual or entity defined under 8 CFR 204.301 as a home study preparer for Convention cases may complete a home study for a Convention adoption. In addition, the individual or entity must be authorized to complete adoption home studies under the law of the jurisdiction in which the home study is conducted.

(c) Study requirements. The home study must:

(1) Be tailored to the particular situation of the applicant and to the specific Convention country in which the applicant intends to seek a child for adoption. For example, an applicant who has previously adopted children will require different preparation than an applicant who has no adopted children. A home study may address the applicant’s suitability to adopt in more than one Convention country, but if the home study does so, the home study must separately assess the applicant’s suitability as to each specific Convention country.

(2) If there are any additional adult members of the household, identify each of them by name, alien registration number (if the individual has one), and date of birth.

(3) Include an interview by the preparer of any additional adult member of the household and an assessment of

…remaining text