

September 21, 2022

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
301 7th Street SW
Washington, DC 20520

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

RE: Central American Minors (CAM) Refugee and Parole Program

President Biden, Secretary Mayorkas, Secretary Blinken,

On the one-year anniversary of the restart and expansion of the Central American Minors (CAM) Refugee and Parole Program, the undersigned immigrant and refugee rights organizations write to request that your administration immediately strengthen the program so that it can deliver on its promise as a pathway to safety and family reunification.

Unless prompt action is taken, the program will dramatically fail to meet its potential. Since the expansion of the CAM Program one year ago, out of all the newly eligible families only a few hundred have been able to apply. And as far as we are aware, not one has reunited through the CAM Program this year. Thousands of families that first applied to CAM five or more years ago continue to wait. Thus, we urge the administration to take the following steps to bolster the CAM Program:

First, the administration must increase awareness of and meaningful access to the program among eligible families.

By expanding eligibility for the CAM Program, the administration made the program, on paper, more accessible to historically excluded groups. However, without broad outreach or a significant investment in the organizations authorized to file CAM applications, most newly eligible families will remain unaware of the opportunity and unable to apply. To this end, PRM should fund refugee resettlement agencies on the front-end for filing CAM applications, instead of the current model which only reimburses resettlement agencies after applicants arrive in the United States and only then for those who arrive as refugees rather than parolees. PRM must also announce, as soon as possible, its selection of additional organizations authorized and funded to

support the CAM process through actions such as filing CAM applications, conducting community outreach campaigns, and creating CAM educational materials in multiple languages, including Indigenous languages. These expansions would increase public confidence in the administration's commitment to the renewed CAM program.

Further, PRM and USCIS should issue clarifying guidance on the expanded eligibility criteria. Specifically, parents and guardians with pending asylum applications and U visa petitions can now apply under the CAM Program to reunite with their children. However, it is unclear what happens to those CAM applications when the parent or guardian's benefit is approved, denied, closed, or pending on appeal. We urge the administration to ensure that CAM applicants remain eligible for resettlement or parole in each of these instances.

Finally, PRM should eliminate financial and bureaucratic obstacles to the CAM application process. For example, PRM no longer requires families to pay for DNA testing, but there are widespread reports of families still being required by medical labs to pay upfront for DNA testing. PRM must ensure that parents are not impeded from applying for CAM because of fees associated with DNA collection or otherwise. It should also consider that DNA testing only be required where interviews raise concern about the guardian-child relationship.

Second, the administration must improve the transparency and efficiency of case processing, to increase trust in the process, safety for applicants, and to ensure prompt case completion.

Resettlement agencies, applicants, and legal representatives alike lack visibility into individual case actions and standard processing times under the CAM Program. To remedy this, PRM and USCIS should create a case status check platform for CAM cases. USCIS and PRM should also publish regularly updated data on the program's outcomes and hold stakeholder engagement meetings throughout the year to increase awareness of and transparency in the CAM Program.

The current processing times between various steps in the CAM process are extremely lengthy and endanger applicants. Because the CAM Program entails in-country refugee processing where applicants routinely experience persecution while waiting for the government to adjudicate their cases, the administration should ensure cases are completed in six months or less. To further speed up the process, USCIS and PRM should invest additional staffing resources and should aim to streamline the various requirements for applicants. This could include expanding staffing to expedite confirmation of the relationship between family members applying for CAM at the beginning of the process or conducting DNA testing of the children at IOM pre-screening locations. Further, USCIS should increase circuit rides and use video technology to conduct additional interviews and facilitate interviews with children in remote areas.

Ensuring safety of children applicants should be of utmost importance. The administration should create safe shelter protocols, publish guidance on how highly vulnerable applicants can request expedited processing, and implement the above recommendations to reduce unnecessary long-distance travel. To protect applicants in imminent danger, with serious medical conditions, or with particularly complex refugee claims, USCIS should authorize case by case immediate parole (without waiting for a refugee interview) into the United States.

Third, the administration must ensure that children have access to counsel in and fair adjudication of refugee interviews.

We urge the administration to guarantee access to legal orientation and counsel for all children filing applications and participating in CAM interviews. As the government has recognized and even mandated in other contexts, access to counsel for children, including in non-adversarial settings, is instrumental in ensuring due process and the accurate and complete articulation of refugee claims, especially where the applicant has experienced significant trauma. Particularly vulnerable children should have access to an independent Child Advocate to submit best interests determinations on their behalf consistent with the goals of the TVPRA. As it stands, legal counsel for qualifying parents or guardians lack any visibility on the child's case and do not have an ability to prepare for or attend CAM interviews.

Further, the administration should publish particular social group (PSG) regulations which would facilitate proper adjudication of refugee claims common among Central American applicants.¹

Fourth, the administration must improve access to services for families reunified through parole.

Children who enter the United States as parolees through the CAM Program, unlike those who enter as refugees, must pay for their own medical exams. They are also not eligible for travel loans to pay for their flight to the United States and have no access to resettlement agency services. The administration, working with Congress, should pursue creative solutions to fund parolees' expenses and provide systematic legal and social support following their arrival in the United States. Finally, USCIS should streamline and ease the "re-parole" process for parolees to renew or extend the duration of their parole.

In conclusion, irrespective of improvements to CAM, the administration must continue to take steps to ensure robust asylum processing at the border for children fleeing violence. The CAM program should not inhibit or interfere with the rights of children to seek refuge and protection at

¹ Find additional analysis on the promulgation of regulations relating to particular social group in joint recommendations on this issue. Submitted on May 6, 2021. <https://www.tahirih.org/wp-content/uploads/2021/05/USCIS-EOIR-PSG-Rule-letter-5.6.21.pdf>

the border. Thank you for your commitment to family reunification and protection for Central American children and youth. We look forward to partnering with you on these improvements.

Sincerely,

African Human Rights Coalition
Al OtroLado
American Friends Service Committee
American Immigration Lawyers
Association
Asylum Seeker Advocacy Project
(ASAP)
Bethany Christian Services
Catholic Charities Archdiocese of
Boston
Catholic Charities Community Services,
Archdiocese of New York
Catholic Charities of Long Island
Catholic Legal Immigration Network,
Inc.
Center for Gender & Refugee Studies
Central American Legal Assistance
Central American Refugee Center
("CARECEN-NY")
Central American Resource Center of
Northern CA - CARECEN SF
Chicago Religious Leadership Network
on Latin America, CRLN
Church World Service
CIMITRA
Coalición de Derechos Humanos
Coalition for Humane Immigrant Rights
(CHIRLA)
Columbia Law School Immigrants'
Rights Clinic
Comunidad Maya Pixan Ixim
Communities United for Status &
Protection (CUSP)
Community Asylum Seekers Project

Community Legal Services in East Palo
Alto
Community Refugee & Immigration
Services
Congregation of Our Lady of Charity of
the Good Shepherd, U.S. Provinces
Cooperative Baptist Fellowship
Disciples Immigration Legal Counsel
Disciples Refugee & Immigration
Ministries
Doctors for Camp Closure
ECDC
El Calvario Immigrant Advocacy Center
Envision Freedom Fund
Evangelical Lutheran Church in America
Fellowship Southwest
First Focus on Children
Freedom Network USA
Haitian Bridge Alliance
HIAS
HIAS Pennsylvania
Human Rights First
Immigrant Justice Corps
Immigrant Legal Advocacy Project
Immigrant Legal Center of Boulder
County
Immigration Hub
Instituto para las Mujeres en la
Migración (IMUMI)
Interfaith Refugee and Immigration
Service
Interfaith Welcome Coalition - San
Antonio
International Institute of Los Angeles
International Mayan League

International Refugee Assistance Project (IRAP)
International Rescue Committee
Jewish Family & Community Services - East Bay
Just Neighbors
Justice Action Center
Justice in Motion
Kids in Need of Defense (KIND)
La Raza Community Resource Center
Latin America Working Group (LAWG)
Law Office of Helen Lawrence
Legal Aid Justice Center
Los Angeles Center for Law and Justice
Lutheran Immigration and Refugee Service
Lutheran Social Services of the National Capital Area (LSSNCA)
Maryknoll Office for Global Concerns
Migrant Center for Human Rights
Multnomah Friends Meeting
Muslim Advocates
National Advocacy Center of the Sisters of the Good Shepherd
National Immigrant Justice Center
National Immigration Forum
Network in Solidarity with the People of Guatemala
New Mexico Immigrant Law Center (NMILC)
New York Immigration Coalition
Oasis Legal Services

Open Immigration Legal Services
Oregon Interfaith Movement for Immigrant Justice
Presbyterian Church (USA)
Project Lifeline
Public Counsel
Race Matters
Radio Poder 98.3 FM KTUP
RAICES
Refugee Congress
Refugee Council USA
Refugee Services of Texas
Refugees International
Rocky Mountain Immigrant Advocacy Network
Save the Children
Tahirih Justice Center
The Episcopal Church
The Center for Victims of Torture
U.S. Committee for Refugees and Immigrants (USCRI)
Unitarian Universalist Service Committee
Virginia Coalition for Immigrant Rights
Virginia Coalition of Latino Organizations
Voice for Refugee Action Fund
Washington Office on Latin America
Welcome House Raleigh
Witness at the Border
Young Center for Immigrant Children's Rights