

OFFICE OF REFUGEE RESETTLEMENT

An Office of the Administration for Children & Families

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State Letter 15-01

In-Country Refugee/Parole Program for Children in El Salvador, Guatemala, and Honduras with Parents Lawfully Present in the United States – Eligibility for ORR Benefits and Services

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Categories: Cash and Medical Assistance (CMA), Unaccompanied Children's Services

Topics: Refugee Cash Assistance (RCA), Refugee Medical Assistance (RMA), Unaccompanied Alien Children (UAC)

Types: State Letter

TO: STATE REFUGEE COORDINATORS
NATIONAL VOLUNTARY AGENCIES
OTHER INTERESTED PARTIES

FROM: Eskinder Negash, Director
Office of Refugee Resettlement

SUBJECT: In-Country Refugee/Parole Program for Children in El Salvador, Guatemala, and Honduras with Parents Lawfully Present in the United States – Eligibility for ORR Benefits and Services

Purpose

The purpose of this letter is to notify stakeholders of the In-Country Refugee/Parole Program for Children in El Salvador, Guatemala, and Honduras with Parents Lawfully Present in the United States, referred to as the Central American Minors Program or CAM program, and to explain the eligibility for ORR benefits and services of children entering the U.S. under the Program.

The CAM Program

The Program began on December 01, 2014. The CAM Program is an in-country refugee/parole program of the U.S. Department of State (DOS) and the U.S. Department of Homeland Security (DHS) only in El Salvador, Guatemala, and Honduras to provide a safe, legal, and orderly alternative to the dangerous journey that some children are currently undertaking to the United States. The CAM program permits certain parents from one of these three countries who are lawfully present in the United States to request to bring their children to the United States as refugees via the U.S. Refugee Admissions Program. There is a DNA testing component to the application. Children determined not eligible for refugee admission but still at risk of harm may be considered for parole on a case-by-case basis through the CAM Program. Travel costs of children who come to the U.S. through the CAM Program will not be paid or reimbursed by the U.S. government.

For more information about the CAM Program please see the **attachment** to this ORR State Letter and these links:

<http://www.state.gov/j/prm/releases/factsheets/2014/234067.htm> (<http://www.state.gov/j/prm/releases/factsheets/2014/234067.htm>)

<http://www.wrapsnet.org/CAMProgram/tabid/420/Default.aspx> (<http://www.wrapsnet.org/CAMProgram/tabid/420/Default.aspx>)

<http://www.state.gov/r/pa/prs/ps/2014/12/234655.htm> (<http://www.state.gov/r/pa/prs/ps/2014/12/234655.htm>)

Parents in the U.S. seeking to apply through the CAM Program for their children residing in one of the three countries identified above should be referred to a VOLAG Local Affiliate. Please see the second link above for a Reception and Placement (R&P) Resettlement Affiliate Directory.

Eligibility for ORR Benefits and Services of Minors Who Enter the U.S. through the CAM Program

CAM Refugees

Minors who enter the U.S. through the CAM Program as refugees are eligible for ORR benefits and services to the same extent as any other child with refugee status. Applications for ORR benefits and services by minors processed through the CAM program should be treated the same as an application for benefits by other refugees. Minors processed through the CAM Program as refugees are not entitled to any extraordinary or additional refugee benefits or services from ORR beyond those benefits available to any eligible refugee child.

Note that the parents of children admitted to the U.S. as refugees through the CAM Program are not required to execute an Affidavit of Support for the child.

CAM Parolees

Minors who enter the U.S. through the CAM Program as parolees are not eligible for ORR benefits and services. After a five year waiting period they may potentially be eligible for mainstream federal benefits such as TANF, regular Medicaid, CHIP, or SNAP.

Note that the parents of children admitted to the U.S. as parolees through the CAM Program are required to execute an I-134 Affidavit of Support as part of the application.

If you have any questions about this ORR State Letter, please contact Thomas Pabst at:

Email: Thomas.Pabst@acf.hhs.gov

Phone: (202) 401-5398

ATTACHMENT

December 1, 2014

PROGRAM ANNOUNCEMENT 2015-02

From: Lawrence E. Bartlett, Director, Office of Admissions
Bureau of Population, Refugees (PRM), and Migration, State Department

To: Reception & Placement Agencies and Resettlement Support Centers

Subject: Establishment of In-Country Processing in El Salvador, Guatemala, and Honduras

PRM and USCIS are pleased to announce a new in-country refugee and parole program for unmarried children under the age of 21 in El Salvador, Guatemala and Honduras. This Central American Minors (CAMs) program will launch on December 1, 2014, when a new form will be available for completion. Further details on qualifying parents¹ and children are below. After access is granted, applicants must meet the same criteria as all other refugee applicants in order to be found eligible for resettlement to the United States (i.e. meet the refugee definition and be otherwise admissible). Applicants who receive access to the program, but are found ineligible for refugee status will be considered on a case-by-case basis for parole into the United States.

¹ Note that DS-7699 uses the term "qualifying parent" to describe what we have typically called the "anchor parent" within the USRAP. We have therefore used that term throughout this program announcement.

Required elements to this program include:

a) **A CAM Affidavit of Relationship (CAM-AOR) (Form DS 7699):** The CAM AOR will be posted on the www.wrapsnet.org (<http://www.wrapsnet.org>) website, and will not be available for use by the general public. The Cerenade software program is required to complete the form and can be downloaded for free at: www.cerenade.com/controls/fillerupdate (<http://www.cerenade.com/controls/fillerupdate>).

This AOR is intended for use by Resettlement Agencies, the Refugee Processing Center (RPC), Resettlement Support Centers (RSCs), and USCIS for case creation, processing, and adjudication. There are penalties for willfully reporting false information on the form. The CAM AOR must originate from a qualifying parent in the U.S., and must be submitted to the RPC via a Resettlement Agency that holds a current cooperative agreement with PRM to assist in the reception and placement of refugees in the U.S. Please note that we will not accept the P-3 AOR (DS 7656) for this program.

b) **Qualifying parent:** Must be at least 18 years of age and be lawfully present in one of the following seven categories at the time of filing:

- Permanent Resident Status, or
- Temporary Protected Status, or
- Parole, or
- Deferred Action for Childhood Arrivals (DACA), or
- Deferred Action (non-DACA), or
- Deferred Enforced Departure, or
- Withholding of Removal.

c) **Qualifying Child (QCH):** must be

- the child of the anchor per the Immigration and Nationality Act (biological, step, or legally adopted), and
- unmarried and under the age of 21, and
- a national of El Salvador, Guatemala, or Honduras, and
- residing in his or her country of nationality.

d) **Other family members:**

- Unmarried children under the age of 21 of the QCH can be included as derivatives.
- A parent of the QCH can be included as an add-on if:
 - He/she is part of the same household and economic unit as the QCH, and
 - He/she was legally married to the anchor at the time the anchor filed the CAM-AOR, and
 - He/she continues to be legally married to the anchor.

e) **DNA Testing:** DNA relationship testing will occur between the parent in the United States and his/her biological children. Upon notification from a PRM-funded RSC, the parent must commence DNA testing at an American Association of Blood Banks (AABB)-accredited DNA testing site.

f) **DNA Testing Costs:** The parent in the United States will bear the initial costs of DNA testing and will be reimbursed for testing costs **ONLY** if **ALL** claimed and tested biological relationships are confirmed by DNA test results. PRM will work with IOM to manage the reimbursement process. Subject to available funds, parents will be reimbursed for the exact amount paid, as reported by the lab on its test result report.

If an applicant is found by USCIS to be ineligible for refugee status, but wishes to be considered for parole, the applicant will be subject to the following additional requirements:

g) **Form I-134, Affidavit of Support:** In order for the applicant(s) to be considered for parole, a sponsor will need to submit a Form I-134, Affidavit of Support, with supporting documentation to USCIS on behalf of each applicant to ensure that someone has committed to financially support the applicant should he or she be paroled into the U.S. under this program.

h) **Medical Clearance and Costs:** All applicants for parole will be required to obtain and pay for a medical clearance.

i) **Travel Arrangements and Costs:** An individual authorized parole must book his or her travel through an approved USCIS process and pay for the flight to the United States.

In coming days, PRM will forward a set of frequently asked questions (FAQs) and answers. They contain important additional information about the aforementioned topics. Please read through them carefully in order to fully understand this program, particularly how it differs from the current P-3 program.

PRM and USCIS conducted training on the new CAMs AOR program on November 25, 2014 for the Resettlement Agencies. We expect that those who attended this training will take responsibility for training staff in their affiliate networks. Materials from these training sessions will be provided to the Resettlement Agencies for their use.

PRM will begin accepting AORs for the CAMs program on December 1, 2014. All AORs must be vetted by Resettlement Agency headquarters prior to submission to the RPC.

Please contact PRM Program Officer Sean Hantak (HantakSR@state.gov) for questions.