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November 17, 2017

Acting Secretary Elaine Duke
U.S. Department of Homeland Security
3801 Nebraska Ave. NW
Washington, D.C. 20528

Secretary of State Rex Tillerson
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Secretary Duke and Secretary Tillerson:

On behalf of the U.S. Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) and Catholic Relief Services (CRS), we write to express our deep concern regarding the November 9th announcement of termination of the Central American Minors (CAM) Program. The CAM program has been vital to help ensure necessary protection for youth whose lives are at grave risk in the Northern Triangle of Central America (El Salvador, Honduras, and Guatemala). Based on our experience and knowledge, terminating the CAM program endangers the lives of children seeking safety from violence and persecution. We strongly urge you to reconsider this decision and fully re-operationalize the program; we otherwise risk abdicating our responsibility to protect the lives of youth in dire humanitarian need. At a minimum, we urge you to: (1) provide a 30-day period to allow parents who are in the process of completing new applications time to file; (2) revert to the 90-day window for submission of case corrections; (3) commit to processing and interviewing all pending CAM applications for those already in the pipeline; (4) ensure USCIS exercises its discretion to consider Requests for Review (RFRs) submitted after the 90-day deadline; (5) revise requirements so that applicants are not required to submit RFRs in person; and (6) provide stakeholder engagement and outreach on the cancellation of the CAM program.

While the Catholic Church recognizes governments' right to control their borders and enforce immigration laws, we hold a strong and pervasive pastoral interest in the welfare and humane treatment of migrant children. As Pope Francis has said: "Among migrants, children constitute the most vulnerable group, because as they face the life ahead of them, they are invisible and voiceless."¹ USCCB/MRS works to support vulnerable youth and their families in part through the CAM program. USCCB/MRS and its network have supported more than 1,200 parents in filing Affidavits of Relationship (AORs) for their children in-country, a preliminary step in filing a CAM application.

CRS, the international relief and development agency of the U.S. Catholic community, has served the Northern Triangle populations for decades, working with communities to find solutions to break the cycles of poverty and violence. Supported by U.S. government and private funding, CRS works with youth and those in agriculture to improve education, economic output, and overall opportunity so communities and families can thrive and grow rather than be forced to attempt the hazardous journey north. CRS-supported programs

¹ Pope Francis, *2017 World Day of Migrants and Refugees Message* (September 8, 2016), https://w2.vatican.va/content/francesco/en/messages/migration/documents/papa-francesco_20160908_world-migrants-day-2017.html.

like Youth Pathways in El Salvador and Honduras have reached 7,000 young people across the region, transitioning 80% of participants back to school, to a new job, or to start an entrepreneurial venture.

Through this work, we know firsthand the ongoing instability, violence, and displacement in the Northern Triangle. Furthermore, USCCB/MRS staff recently visited the Northern Triangle, observing the dangerous conditions to which young people are subjected. In its trip report, "[Temporary Protected Status: A Vital Piece of the Central American Protection and Prosperity Puzzle](#)," USCCB/MRS discusses the increase in family-targeted violence..

Given this violence, legal avenues for children to access protection are essential. The U.S. bishops and CRS have supported the CAM Program because it provides a life-saving measure for vulnerable youth from the Northern Triangle to apply for refugee status and possible resettlement in the United States. As you know, the CAM program has provided over 1,600 children with protection through refugee status and nearly 1,500 children with protection through humanitarian parole.

For children like Marco,² the program provided vital protection. Marco was only a toddler when his mother left for the United States. He was living with his grandmother in Honduras when, at 8 years old, the local gang began to target and abuse him. After being hospitalized for days due to a particularly severe beating by gang members, he and his grandmother fled to seek safety in another part of Honduras. Despite their best efforts, the gang tracked them down and kidnapped Marco. After his mother paid a substantial ransom, the gang released him. Unfortunately, however, the gang continued to torment Marco, even killing someone in front of him. Through the CAM program, Marco was finally able to escape this persecution and reunify with his mother in the United States as a refugee. Marco continues to suffer from nightmares but is adjusting well with the help of counseling. He is now in the fourth grade, where he enjoys and excels in his schoolwork.

Unfortunately, stories like these are all-too common. Terminating the CAM program will neither protect such children nor help our government regulate migration. With a shared desire to reduce forced migration and provide opportunity to youth and communities alike, we must continue to provide avenues to legal protection for youth who fear for their lives. Consequently, we urge you to reconsider your decision to terminate the CAM program. This small but important program is a critical aspect of the overall strategy to reduce violence and create opportunity in the region over the longer term.

We also request additional administrative measures to assist our network while we attempt to serve parents of CAM applicants. Specifically, we respectfully request that you:

- (1) **Provide more time and notice than the 24-hour window that was given on November 8, 2017, for submission of new CAM applications.** Such a narrow window will prevent many parents who are already in the process of completing AORs, from being able to timely file. While USCCB/MRS filed 49 new AORs before the deadline, we estimate that approximately 50 to 70 parents,³ in the process of completing applications, were unable to file due to this rapid deadline. These are parents that are anxiously waiting and trying to find a legal avenue to reunify with their children who are suffering violence in their home countries. We recommend a minimum of a 30-day window to allow these parents to finish their applications and timely file.

² Marco was served by a USCCB/MRS affiliate. His name has been changed to protect client confidentiality.

³ Please note that this number is an initial estimate only. We are working to confirm with affiliates and will have a more accurate data to share with you next week.

- (2) **Revert to the previous 90-day period, from the new 15-day period, for submission of corrected cases.** Such a short time frame for submission of corrected case requests is highly concerning. In the past, we have seen approximately 10-15% of cases resulting in requests for correction, but we expect this percentage to significantly increase due to limitations in review resulting from the 24-hour deadline for submission of new cases. Compiling a corrected case submission is a lengthy process that requires coordination with both our affiliates and impacted parents. Given that applicants have only one chance to submit a corrected case file before rejection, it is important that we have time to work with parents and affiliates to gather complete information and perform a thorough review. We know that this cannot be accomplished in 15-days, and we urge you to revert to the 90-day window for submissions.
- (3) **Commit to processing and interviewing all cases of individuals with pending CAM applications.** We are very concerned with the November 15th announcement that DHS will stop interviewing CAM cases on January 31, 2018. There are thousands of pending CAM cases that are still awaiting DHS decisions. Families with such pending cases have already submitted to blood and identification testing, paid fees associated with the process, and expended extensive time and resources to proceed with the CAM application. To deny them the opportunity to finish these cases would be cruel and arbitrary.
- (4) **Ensure USCIS exercises its discretion to consider RFRs submitted after the 90-day deadline.** USCIS generally requires RFRs to be submitted within 90 days of the recipient receiving the notice of ineligibility. In these cases, the individuals being informed of ineligibility are minors outside of the United States, many of whom previously received conditional parole approval. Legal aid providers face challenges in representing minors, coordinating with parents and guardians in the United States and minors in Central America, compiling legal arguments in complex gang-related refugee claims, obtaining supporting evidence and documents, and obtaining case notes through the FOIA process. For this reason, we request that late-submitted RFRs be considered.
- (5) **Revise requirements so that applicants are not required to submit RFRs in person.** Currently USCIS accepts RFRs over email but also requires them to be submitted in-person by the minors in Central America. This requires, in many instances, that children take significant personal risk, travel long distances, and print out sensitive personal information. As the information is already submitted via email, this burden imposes unnecessary danger on child applicants and contributes to administrative inefficiency.
- (6) **Provide stakeholder engagement and outreach on the cancellation of the CAM program.** We remind you that the CAM program was administered by refugee resettlement programs, not immigration legal service programs. Through our work with our resettlement network we know that not all of the resettlement offices handling CAM cases have extensive experience working and engaging with DHS. Due to termination of the CAM Parole program in August and the subsequent overall CAM program termination notice on November 8th, we have been inundated with questions. We urge you to conduct a national stakeholder engagement call for CAM AOR service providers, on which DHS and State Department staff are present and available to answer questions. We feel such an engagement would be administratively helpful in providing direct information to those who are dealing with this situation.

The Church looks forward to continued partnership with the U.S. government to work throughout the region to improve local human security and promote a robust respect for human rights. We also urge the Administration, in collaboration with UNHCR and civil society stakeholders, to work together to assure future access to U.S. resettlement for children and families forced to flee Central America, whether through a

continued CAM program or through other mechanisms. We thank you for your consideration and would appreciate an opportunity to meet with you to further discuss these concerns and recommendations.

Sincerely,



Mr. Bill Canny
Executive Director Migration and Refugee Services
United States Conference of Catholic Bishops



Mr. Sean Callahan
President/CEO
Catholic Relief Services

CC: L. Francis Cissna, Director, U.S. Citizenship and Immigration Services
Simon Henshaw, Acting Assistant Secretary, Bureau of Population, Refugees, and Migration



**U.S. Citizenship
and Immigration
Services**

March 23, 2018

Mr. William Canny
Executive Director
Migration and Refugee Services
Office of the Executive Director
3211 4th Street, NE
Washington, DC 20017

Dear Mr. Canny:

Thank you for your November 17, 2017 letter to the Department of Homeland Security (DHS). Secretary Nielsen asked that I respond on her behalf.

In your letter, you asked for several actions to be taken in conjunction with the DHS's termination of the Central American Minors (CAM) program. Your letter specifically addresses new CAM refugee applications, CAM refugee case corrections, pending CAM refugee applications, CAM refugee Request for Review (RFR) applications, and stakeholder engagement.

The Proposed Refugee Admissions for Fiscal Year (FY) 2018 report to Congress outlined that the CAM program would be phased out in FY 2018, as the vast majority of individuals accessing the program were not found to be eligible for refugee resettlement. The U.S. Department of State announced they would not accept any new applications to the CAM refugee program after November 9, 2017. U.S. Citizenship and Immigration Services (USCIS) conducted interviews of CAM applicants until January 31, 2018, as part of the final phase-out of the CAM refugee program.

CAM refugee applicants who received a USCIS interview by the January 31, 2018 deadline will have their cases processed to completion. The Resettlement Support Centers (RSC) will notify applicants who received an interview with USCIS of the status or final decision of their case. Individuals with pending applications who have not been interviewed by January 31, 2018, will receive a notice with further instructions.

In addition, CAM applicants who have been denied refugee status will be counseled on the RFR process. These applicants will have 90 days to submit an RFR. If the RFR is not submitted within 90 days, the applicant must provide an explanation for the late submission. The RFRs may be mailed or delivered directly to USCIS or the RSC. The RFR process will not be available to those who have not had a USCIS interview. Please see the following website for additional information: <https://www.uscis.gov/humanitarian/refugees-asylum/refugees/request-review-tip-sheet>.

Mr. William Canny

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USCIS and the U.S. Department of State will continue refugee processing in Central America through a Protection Transfer Arrangement with the Government of Costa Rica, the United Nations High Commissioner for Refugees (UNHCR), and the International Organization for Migration (IOM). UNHCR and IOM will refer vulnerable Salvadoran, Honduran, and Guatemalan applicants, and they will transfer applicants who qualify for protection to Costa Rica, where they will be interviewed by USCIS and considered for resettlement to the United States. In some situations, the U.S. Refugee Admissions Program may decide to process UNHCR-identified cases in one of the three countries.

Thank you again for your letter and interest in this important issue. Mr. Callahan will receive a separate, identical response. Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,



L. Francis Cissna
Director