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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 S.A., et al.,

12 Plaintiffs,

13 v.

14 JOSEPH R. BIDEN, in his official capacity as
President of the United States, et al.,

15 Defendants.

Case No. 18-CV-03539 LB

**DEFENDANTS' FIFTEENTH QUARTERLY
REPORT**

Honorable Laurel Beeler

17 Pursuant to the parties' Binding Memorandum of Agreement of April 11, 2019 (ECF No. 90),
18 the Court's Order of April 12, 2019 (ECF No. 91), and the Stipulated Final Judgment and Order for
19 Permanent Injunction (ECF No. 99), Defendants submit their Fifteenth Quarterly Report, attached
20 hereto, regarding the CAM Parole Program.

21 DATE: December 27, 2022

Respectfully submitted,

22 STEPHANIE M. HINDS
United States Attorney

23 /s/ Michelle Lo
24 MICHELLE LO
25 Assistant United States Attorney

CAM Parole Status Report (January 1, 2023)

Pursuant to paragraph 9 of the April 12, 2019, Memorandum of Agreement (MOA), USCIS submits this “fifteenth quarterly report” of its implementation progress. Unless otherwise noted, the information in this report is current as of December 5, 2022.

Continuing Impact of Coronavirus on CAM Processing

El Salvador, Guatemala, and Honduras do not have curfews and do not have limitations on travel. In El Salvador, IOM is scheduling 20-30 beneficiaries per week for medicals and each beneficiary needs to have a COVID test 48 hours before the medical screening. The COVID tests are being scheduled from Monday to Saturday, and the panel sites can medically screen beneficiaries from Monday to Friday. If an individual tests positive for COVID or has flu-like symptoms, that individual will have to delay their medical screening. Currently, El Salvador is experiencing an uptick in COVID and flu cases, which has led to the cancellation of medical screenings.

The U.S. Embassy in El Salvador allows for all field office staff to work on-site. The U.S. Embassy in Guatemala allows work in person. Both local USCIS field offices are open to the public by appointment only.

In El Salvador, locally employed staff (LES) and direct hire USCIS staff work in the office on a full-time basis five days a week. The USCIS office in El Salvador can conduct CAM re-interviews and biometrics collection at the embassy. All necessary biometrics for a variety of USCIS beneficiaries are conducted at the service window and CAM parole re-interviews are conducted in the space formerly used as the DHS waiting room.

At the U.S. Embassy in Guatemala, staff are working in the Embassy in person on a full-time basis, though episodic telework is available. The USCIS office in Guatemala City is conducting biometrics at their office but with limited capacity. Appointments are available for biometrics for a variety of USCIS beneficiaries, not only CAM parole, on Friday mornings for up to 15 applicants. CAM re-interviews can be conducted at the consular window using the privacy booth on Tuesdays, Wednesdays, or Thursdays in the afternoon. The USCIS office in Guatemala City may also request that refugee application adjudicators assist with a limited number of CAM parole re-interviews at RSC facilities.

Some IOM staff are working from home in El Salvador, Guatemala, and Honduras. The field staff and other staff members that have direct interaction with the beneficiaries come to the office regularly. The CAM medical staff come to the office weekly to prepare reports that are given to the beneficiaries before departure. All other staff members are working from home. There is no projected date for return to the office.

Assumptions

The submitted timeline represented the *fastest* estimated process based on historic information assuming all external parties met the estimated milestones but will be updated as more information becomes available. The estimated timeline does not account for unforeseen circumstances, such as the closures due to the COVID-19 pandemic.

Timeline Updates

Steps: Estimated timelines are approximate and may shift depending on unforeseen factors as well as those noted above.

Further to paragraph 8 of the MOA, USCIS notes the following progress on the Compliance Plan. For reference, USCIS has reproduced the tasks, estimated timeline and comments from the Compliance Plan, and provided a status update and date of completion on each tasking.

| Compliance Plan filed on April 18, 2019 | | | Status updates January 1, 2023 Parole Status Report* <i>*Unless otherwise noted, information current as of December 5, 2022</i> | |
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| <i>Task</i> | <i>Estimated Completion Timeline</i> | <i>Comments</i> | <i>Actual Completion Date</i> | <i>Comments</i> |
| USCIS will verify lawful status of all qualifying family members in the United States | March 21 - April 8, 2019 | Completed initial verification for approximately 1,670 qualifying family members in the United States | Completed on May 20, 2019. | Completed. |
| USCIS will update automated security checks for all beneficiaries | March 25 - April 12, 2019 | Completed initial security checks for approximately 2,700 individuals; does not include resolution of adverse information. | Completed on April 23, 2019. | Completed - Prior notes below: Additional checks will be conducted during later stages of processing. |
| USCIS will update automated security checks for all qualifying family members in the United States | April 15-23, 2019 | Approximately 1,670 qualifying family members in the United States | Completed on April 23, 2019. | Completed - Prior notes below: Additional checks will be conducted during processing. |
| USCIS will post updated materials to the USCIS website, as necessary about court order and ongoing compliance | May 6, 2019 – TBD, ongoing as necessary | Basic information about court order can be posted by May 6. More information about case processing to be posted as notification to impacted family members is sent. | Completed. See status update for dates of completion. | Completed - Prior notes below: On May 21, 2019, USCIS posted basic information about the court order to the USCIS website in English and Spanish. On June 18, 2019, USCIS posted further information about the settlement and permanent injunction online in English and Spanish. See https://www.uscis.gov/humanitarian/humanitarian-parole/central-american-minors-cam-information-parole-applicants USCIS also developed and posted on June 18 an online-self-check eligibility tool so that lawfully present parents and beneficiaries could instantly find out if their case is part of the settlement. |

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| USCIS will establish mechanism to accept updated contact information for family members in the United States and their beneficiaries, including an email address. | June 3, 2019 - TBD | | Completed on May 28, 2019. | Completed - Prior notes below: There is a CAM-dedicated email address attached to the program notices and available online. USCIS has received and timely responded to inquiries through this email address since the notices were mailed in late May 2019, including updated contact information for impacted individuals and many other questions related to the CAM program. |
| USCIS will begin notifying qualifying family members in the United States of the court order and continued case processing | June 3, 2019 - TBD | Timeframe includes drafting of notice, AR-11 verification of addresses, and printing and mailing. | Completed on May 31, 2019. | Completed. |
| USCIS will re-establish a contract with IOM for in-country assistance | Discussions have begun -September 25, 2019. | A new or updated contract and procurement package will need to be cleared by DHS and IOM; for reference, standing up CAM initially took several months of negotiation with IOM and this timeframe may be shorter | Initially completed on September 25, 2019. New Statement of Work contract signed between IOM and USCIS on Jan. 20, 2022. | Completed. |
| Department of State and USCIS will re-negotiate with consulate and panel physicians to determine how many CAM applicants can be processed each month. | Estimated early July 2019. | Under the program as previously constituted, the Embassy negotiated for panel physicians to accept as many as 5 per day (25 per week per physician.) | Completed on June 28, 2019. | Completed. |

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| IOM will begin notifying beneficiaries abroad of continued case processing; | Estimated July 15, 2019, assuming completion of prior steps. | Actual timeframe is dependent on how much time IOM might need to build up staffing abroad. (Current estimate allows IOM only one month following the finalized contract to ensure they have the necessary staffing in place.) | In process. | <p>As of December 5, 2022, a total of 2,088 beneficiaries have been notified by USCIS and IOM. This means that these individuals attended a notification session in which IOM informed the individuals of the next steps to continue the parole process.</p> <p>In addition, 559 beneficiaries or their family members were contacted by IOM about the possibility of continuing case processing but did not attend a notification session or continue processing for various reasons, including the beneficiary having already traveled to the United States or gotten married. 45 cases within this category have instead been processed or are being processed as refugees.</p> <p>Furthermore, requests were made in 182 individual cases to withdraw from CAM processing. Of note, this is lower than the number from the last quarterly report. Two individuals who had previously withdrawn have come forward expressing interest in continuing with the program.</p> <p>Individuals who did not continue processing, individuals who are being processed as refugees, and withdrawn cases have had their parole cases administratively closed. However, if the beneficiary or lawfully present parent asks for their case to be reopened to continue processing in the future and is eligible, they may, as long as CAM processing is continuing.</p> |
| USCIS will schedule biometrics appointments when necessary. | TBD | Fingerprints will be collected by USCIS for any beneficiaries who turned 14 years old following the CAM Parole program termination. Fingerprints do not need to be collected again for conditional parolees who already had them collected prior to termination of | In process. | As of December 5, 2022, there is one case that requires biometrics collection. There are no limitations regarding the completion of biometrics. As USCIS learns of cases requiring biometrics, the cases are scheduled accordingly. |

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| | | program; instead, their fingerprints on file will be re-run for checks. | | |
| USCIS will begin appointments to collect biometrics if necessary. | Estimated July 29, 2019 | | In process. | Since June 21, 2019, USCIS has been taking required fingerprints. USCIS San Salvador and Guatemala City are able to collect biometrics in their offices. |
| IOM will begin to collect money and schedule new medical exams for all beneficiaries | Estimated August 26, 2019. | Actual timeframe depends on the family's ability to produce the money for the fee and the limited availability of physicians. There are five panel physicians in El Salvador, where the vast majority of beneficiaries will seek a new medical exam. There are four in Guatemala and three in Honduras. Last time, it took approximately one month for IOM NY to collect payment from parents in the United States. | In process. | In July 2019, USCIS began providing applicants with the option to schedule medical exams and pay the panel physician directly. 431 applicants had been given an instruction sheet by USCIS on how to schedule their own appointments. IOM has now assumed this task. IOM has contacted 1,769 applicants for payment of their medical exams as of December 5, 2022. This number includes individuals who have been contacted for payment, whose medical payment has been completed, and those with medical payments pending. |
| USCIS will begin to receive submitted medical exams, required for all beneficiaries. | Estimated September 9, 2019. | Actual timeframe of medical exam results will depend on available physicians. The results of medical exams are sent to IOM within two weeks and then the scanned report is sent to USCIS in batches. | In process. | USCIS has received 1,736 completed medical exams as of December 5, 2022. Note that this number is smaller than what was previously reported. This is due to a technical error in which our reporting tool was capturing all CAM cases, including those that were part of the restarted CAM Phase 1. This error has been fixed and the above number shows the accurate number of medical exams USCIS has received from IOM for the cases falling under this MOA. |
| USCIS and IOM will begin to schedule interviews with USCIS as needed, depending on any new information. | Estimated September 9, 2019. | Depending on any new information resulting from medical exams or security checks, a new interview may be scheduled for individual beneficiaries. | Currently there is a limited ability to conduct CAM parole reinterviews. | As of December 5, 2022 USCIS has 10 CAM parole case pending re-interview in San Salvador and none currently in Guatemala or Honduras. |

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| USCIS will begin to review eligibility for CAM parole on a case by case basis, assuming all information has been submitted. | Estimated September 10, 2019. | Case by case review can begin as soon as a beneficiary has submitted medical exams and an officer can review the relevant security checks. Actual date depends on IO office closures and restructuring. | In process. | USCIS is actively reviewing cases for eligibility on an ongoing basis. |
| USCIS will inform Customs and Border Protection that its officers will begin to see CAM parolees at ports of entry | Estimated September 10, 2019 | Disseminate memo to CBP regarding CAM parolee travel and expected timeframe for travel | Completed on October 11, 2019. | Completed - Prior notes below: USCIS sent the memo to CBP on October 11, 2019. USCIS sent an updated memo to CBP on July 12, 2021 to inform CBP that the CAM program has reopened and that the initial parole periods for all CAM parolees going forward including under this settlement will be three years. |
| IOM will collect money for plane tickets. | Estimated beginning October 14, 2019. | Following case review, USCIS notifies IOM that they can begin to arrange travel. The actual timeframe depends on the individual's ability to pay. IOM NY took usually one month to collect payment from parents in the United States. | In process | IOM collected money for travel from 98 applicants as of December 23, 2019. IOM has not collected additional money for travel as a philanthropic foundation, the Shapiro Foundation, is funding parolee travel. Parolees who had already paid for travel were issued refunds. |
| For eligible cases, USCIS will complete final security checks and re-verify that the qualifying family member in the United States still has lawful presence before issuing the travel document. | Estimated beginning October 17, 2019. | When a travel date is confirmed, USCIS conducts final checks. This must be done within a 48-hour period before issuing the I-512L travel document. | In process. | USCIS has cleared 1,663 cases for travel as of December 5, 2022. Cleared for travel means cases in which USCIS has received and reviewed the medical examination and informed IOM that the beneficiary may travel, so IOM can begin the travel booking arrangements. Note that this number is smaller than what was previously reported. This is due to a technical error in which our reporting tool was capturing all cleared CAM cases, including those that were part of restarted CAM Phase 1. This error has been fixed and the above number shows the accurate number of cases cleared for travel under this settlement. |

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| For cases with final approval, USCIS will print a travel document that is valid through the valid period of the beneficiary's medical exam. | Estimated beginning October 17, 2019. | | In process. | The first group traveled to the U.S. on October 15, 2019. |
| USCIS will provide IOM with USCIS issued travel documents, valid through the valid period of the beneficiaries' medical exams. | Estimated beginning October 18, 2019. | | In process. | USCIS has provided 1,616 travel documents to IOM as of December 5, 2022. Note that this number is smaller than what was previously reported. This is due to a technical error in which our reporting tool was capturing all travel documents printed, including those that were part of restarted CAM Phase 1. This error has been fixed and the above number shows the accurate number of travel documents provided to IOM under this settlement. |
| IOM will provide the USCIS issued travel document to the travelling beneficiaries with final approval. | Estimated beginning October 23, 2019. | Actual timeline may depend on the beneficiary's schedule and readiness to depart. In certain cases, IOM will escort beneficiaries for their travel. | In process. | IOM has provided travel documents to 1,613 applicants on their travel day as of December 5, 2022. IOM counsels, houses and escorts applicants to the airport on their designated date of travel. 1,613 applicants have traveled to the United States as of December 5, 2022. |