



KNOW YOUR RIGHTS:

CAM FAMILY MEMBERS ARRIVING AT U.S. AIRPORTS

The International Refugee Assistance Project (IRAP) provides free legal help to refugees and displaced people. IRAP is not part of the U.S. government or IOM. This guide provides general information for family members in the Central American Minors (CAM) parole program arriving to the United States for the first time. It is not meant as legal advice for individual applications.

This information was revised in April 2020. Requirements may change.

IRAP prepared this document so that family members in the Central American Minors (CAM) Parole program arriving in the United States know what to expect at the airport, what rights they have in the unlikely case that they are detained at the airport or encounter other problems, and what to do after entering the United States. **The final two pages of this document are two copies of an important letter to present to immigration officials (CBP) upon arrival at a U.S. airport.**

Before You Travel

- Come up with a plan for contacting someone in the United States – your U.S. point of contact – as soon as possible after you land in the United States so that at least one person will know if you have any problems at the airport. This person can be a family member or a friend.
 - Give the person your flight information, including the date, time, and airport where you will arrive.
 - Decide how you will contact the person. Will you call them using your cell phone? Will they be waiting for you at the airport?
 - Discuss with them an emergency plan for how they will respond if you are detained: Should they tell your story in the media? Should they ask for help from elected officials? Should they try to find a lawyer to file a case in court?
- Take a picture using your phone of the I-512L document you receive from IOM.
- Pack these documents with you in your carry-on luggage and not in your checked baggage:

- Your travel documents, including passport, national ID card, I-512L travel document, and unopened travel packet
- The contact information for your U.S. point of contact
- This know-your-rights document
- **If the traveler is a minor child, be sure to have the following:**
 - Travel authorization document from U.S. parent
 - Original and copy of child's birth certificate
 - Copy of U.S. parent's passport and national ID card from country of origin (even if expired)
 - Copy of other parent's passport and national ID card from country of origin (if other parent is living and whereabouts are known)

You can find more information about requirements for minor child travelers at www.menoresCAM.com or by calling the CAM Hotline: 917-410-7546.

Arriving in the United States

When you first land in the United States, try to get in touch with your point of contact if it is possible. If you cannot send a message because you do not yet have phone service, try connecting to the airport's WiFi to send a WhatsApp message or a text. Once you reach the immigration and customs area, you will generally not be allowed to use your cell phone.

After getting off the plane, you will get in line for the primary inspection point. At the primary inspection point, give the officer your travel documents. Also give the officer one copy of the IRAP document attached to this guide if you want to make sure that you are allowed into the United States and you fear return to your country. This document is a letter to CBP that requests 1) two years of parole and 2) the right to ask for asylum in the unlikely case that CBP does not accept your parole documents and seeks to deport you (see more about this below).

You may be asked questions about your travel documents, like why you are visiting the country and who you will be staying with. ANSWER QUESTIONS TRUTHFULLY.

You will be fingerprinted and photographed. The United States claims the right to inspect all property you bring in to determine whether you should be allowed into the country. This means that officers might ask to look at the files, videos, or photos that are stored on your electronic devices like cell phones and laptops and might

even ask to keep the devices for a longer inspection. Although you can refuse to give them your devices or passwords, if you do you may not be allowed to enter the United States.

At this point, the officers may decide to take you to secondary inspection for more questions. If you are taken to secondary inspection, you will be brought to another room. You have the right to access food, water, a space for prayer, and the bathroom while you are waiting. You should tell the officers if you need access to medications. If you are waiting in secondary screening for over two hours, you can ask to be allowed to call your U.S. point person.

When it is your turn to talk to the officer in secondary inspection, provide another copy of the IRAP document attached to this guide if you want to make sure that you are allowed into the United States and you fear return to your country.

DO NOT SIGN ANY DOCUMENTS THAT YOU DO NOT UNDERSTAND. You have the right to request an interpreter if you have difficulty communicating in English.

Please contact your U.S. point person as soon as you have been released from inspection so that they know whether you have cleared inspection or if you are being detained.

If It Appears That You Will Be Denied Entry: Claiming Asylum

If you are denied entry into the United States and you fear harm if you are returned to your country, you may have the right to apply for asylum in the United States.

Claiming asylum means claiming that you meet the definition of a refugee after you have arrived in the United States. A refugee is someone who has a fear of persecution or has suffered past persecution due to race, religion, nationality, membership in a particular social group, or political opinion. If you are traveling with your family members, you can include your spouse and children on your asylum application.

If it appears likely that you will be denied entry and you want to stay in the United States to claim asylum, show the officer the IRAP letter again and tell the officer that you are afraid of returning to your country and that you have

a right to a “credible fear interview” where you can show that you have a significant possibility of eligibility for asylum. You can claim asylum even if you were previously denied refugee status in the CAM program.

Once you have said that you are afraid of returning to your home country, you cannot be deported from the country. You will be either held at the airport or taken to another detention facility until the credible fear interview takes place. Reach out to your U.S. point person if you have not already and ask them to find you an attorney and to contact the CAM Hotline (917-410-7546).

The credible fear interview may be in-person or it may happen over the phone. You have the right to bring an attorney with you to your in-person interview or to have an attorney participate on the phone in your telephonic interview.

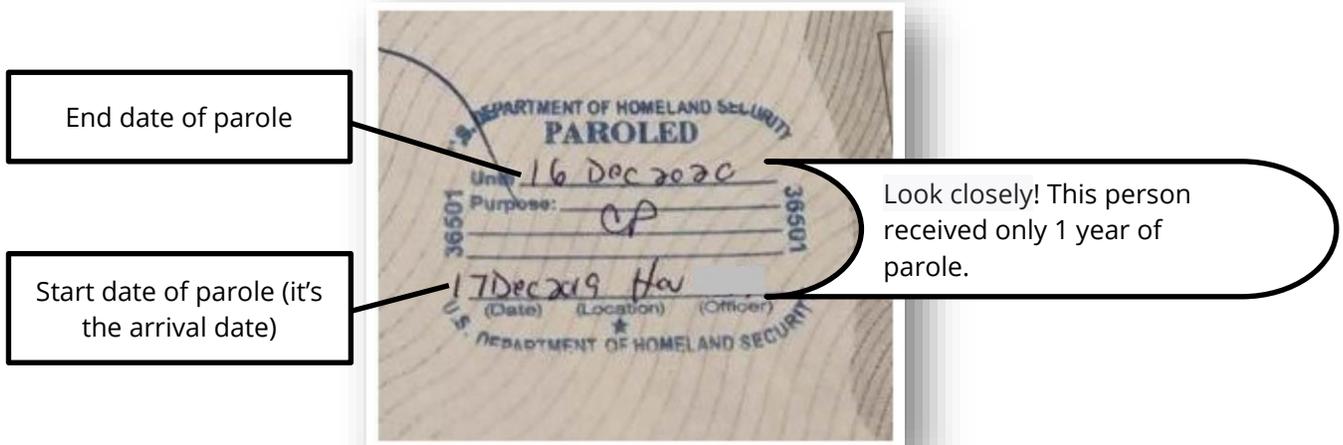
If you pass the credible fear interview, you can apply for asylum before an immigration judge. While you apply for asylum, you may continue to be held in detention. You could ask for release from detention through parole. Under the current policy, people who have passed the credible fear interview may be released on parole if they establish their identity, that they will come to their immigration hearings, and that they are not a danger to the community. If you learn that you have not passed the credible fear interview, speak to your attorney as soon as possible about your options.

As Soon As Possible After Arrival

As soon as possible after getting to the United States, check to see whether the immigration officer has given you TWO YEARS OF PAROLE. The immigration officers at the airport will stamp your passport or I-512L document with the start date and end date of your parole.

In nearly all cases, the immigration officer will grant you TWO YEARS OF PAROLE. However, due to a government error, family members who entered the United States before January 28, 2020 were granted only one year of parole.

Here's an example of the stamp:



If you entered the United States before January 28, 2020 and you were given one year of parole, the government says it has now fixed the error in its electronic system, which means that all parolees affected by the error have been given two years of parole from the date they entered the United States. If you were affected by the error, you should receive a letter from the government explaining what happened and there is nothing more you need to do. If you have any questions, contact the CAM Hotline (917-410-7546).

CAM parolees who entered the U.S. on or after January 28, 2020 should be granted 2 years of parole in nearly all cases. If you entered the United States on or after January 28, 2020 and you were given less than two years of parole, contact the CAM Hotline (917-410-7546) as soon as possible.

Since parole is only a temporary permission to be present in the United States, it is very important that you see an immigration attorney in your area immediately. An immigration attorney can assist you with applying for work authorization (known as an Employment Authorization Document), which you should do immediately if you want to work in the United States. It is also important that you see an attorney immediately because there are certain deadlines for immigration relief and the lawyer can help you figure out whether you can apply for permanent status in the United States or other immigration relief. The Department of Justice Pro Bono Resource Guide (<https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>) and Immi.org website (<https://www.immi.org/es>) can help you find an attorney in your area.



TO: U.S. Customs & Border Protection,
Department of Homeland Security ("DHS")
FROM: International Refugee Assistance Project
DATE: February 1, 2020
RE: Rights of Central American Minor Program

Parolees

If you are inspecting a Guatemalan, Honduran, or El Salvadoran national arriving as a parolee through the Central American Minors ("CAM") program, DHS U.S. Citizenship and Immigration Service ("USCIS") has **authorized two years of parole** for this individual on their Form I-512L as a result of the settlement agreement in the federal court case *S.A. v. Trump*, 3:18-cv-03539-LB (N.D. Cal.). **The settlement requires CBP to follow its pre-January 2017 policy to grant parole for a two-year period to CAM beneficiaries.**

In addition, by issuing Form I-512L USCIS has recognized that this person is at risk of harm in their home country.¹ If you are now considering denying the individual's entry into the United States, the individual requests the following by presenting this document:

- **Referral to a credible fear interview.** This person fears persecution in their home country as documented in their CAM application and intends to apply for asylum if you do not admit them to the United States under the CAM Parole program. They will not withdraw their CAM application nor will they voluntarily agree to return to their home country without first consulting a lawyer. **You cannot deport this person or their family from the United States without referring them to a credible fear interview.**²
- **Access to an attorney.** The individual seeks to speak with U.S. persons who are waiting their arrival so that they can contact a lawyer.

¹ Before issuing Form I-512L, USCIS determined that: this individual has a biological parent or spouse lawfully residing in the United States, the U.S. tie has committed to financially support them, this individual is at risk of harm in their home country and has cleared all vetting, among other requirements. See U.S. Department of State, In-Country Refugee/Parole Program for Minors, available at <https://2009-2017.state.gov/j/prm/releases/factsheets/2014/234067.htm>

² INA, §235(b)(1)(A)(ii) (prohibiting the officer from removing individuals who "indicate[] either an intention to apply for asylum under section 208 or a fear of persecution") (emphasis added).



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