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11

12 S.A.; J.A.; A.B.; R.C., on behalf of himself and  
as Guardian Ad Litem for J.C., a minor child;  
13 M.C.; D.D.; G.E., on behalf of himself and as  
Guardian Ad Litem for B.E., a minor child; J.F.  
14 on behalf of himself and as Guardian Ad Litem  
for H.F. and A.F., minor children, on behalf of  
15 themselves and on behalf of a class of all  
similarly situated individuals, and CASA,

16 Plaintiffs,

17 v.

18 DONALD J. TRUMP, in his official capacity as  
President of the United States; U.S.  
19 DEPARTMENT OF HOMELAND  
SECURITY; U.S. CITIZENSHIP AND  
20 IMMIGRATION SERVICES; U.S.  
DEPARTMENT OF STATE; KEVIN K.  
21 McALEENAN, in his capacity as Acting  
Secretary of Homeland Security; MICHAEL R.  
22 POMPEO, in his official capacity as Secretary  
of State; KENNETH T. CUCCINELLI, II, in  
23 his official capacity as Acting Director of U.S.  
Citizenship and Immigration Services; UNITED  
24 STATES OF AMERICA,

25 Defendants.  
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Case No. 18-CV-03539 LB

**DEFENDANTS' NINTH QUARTERLY REPORT**

Honorable Laurel Beeler

1 Pursuant to the parties' Binding Memorandum of Agreement of April 11, 2019 (ECF 90), the  
2 Court's order of April 12, 2019 (ECF 91), and the Stipulated Final Judgment and Order for Permanent  
3 Injunction (ECF 99), Defendants submit their Ninth Quarterly Report, attached hereto, regarding the  
4 CAM Parole Program.

5  
6 DATED: June 30, 2021

Respectfully submitted,

7 STEPHANIE M. HINDS  
Acting United States Attorney

8 /s/ Wendy M. Garbers  
9 WENDY M. GARBERS  
Assistant United States Attorney

## **CAM Parole Status Report (July 1, 2021)**

Pursuant to paragraph 9 of the April 12, 2019, Memorandum of Agreement (MOA), USCIS submits this “ninth quarterly report” of its implementation progress. Unless otherwise noted, the information in this report is current as of June 18, 2021.

### **Reopening of the CAM Refugee and Parole Program**

On March 10, 2021 the Departments of State and Homeland Security announced that the Central American Minors (CAM) Refugee and Parole program would be restarted and improved. The reopened CAM program will include both refugee and parole components.

The State Department’s Bureau of Population, Refugees, and Migration (PRM) and DHS’s U.S. Citizenship and Immigration Services (USCIS) have begun to process Phase One cases, which include cases where a CAM Affidavit of Relationship (AOR) had previously been filed but the applicants had not been interviewed.

In Phase Two new applications will be accepted using expanded eligibility criteria. Per a June 15, 2021 joint statement by Secretaries Blinken and Mayorkas, petitioner eligibility will now be extended from parents to include legal guardians who are lawfully present in the United States pursuant to any of the following qualifying categories: permanent resident status; temporary protected status; parole; deferred action; deferred enforced departure; or withholding of removal. In addition, this expansion of petitioner eligibility will now include U.S.-based parents or legal guardians who have a pending asylum application or a pending U visa application petition filed before May 15, 2021. An updated CAM AOR will need to be approved by the Office of Management and Budget (OMB) prior to its use for acceptance of new applications.

Under the reopened CAM program individuals who had previously been paroled into the United States via the CAM program are eligible to apply for re-parole under the reopened CAM program criteria.

### **Impact of Coronavirus on CAM Processing**

Most coronavirus disease (COVID-19) related restrictions in El Salvador, Guatemala, and Honduras have been eased. Daily flights to the United States are operating regularly in all three countries.

Per Centers for Disease Control (CDC) requirements, travelers to the United States, including CAM beneficiaries, must undergo COVID-19 testing. The International Organization for Migration (IOM) has agreements with authorized laboratories in the three countries to perform COVID-19 antigen tests for CAM beneficiaries 48 hours prior to departure. Those who report COVID-19 symptoms to IOM or test positive for COVID-19 face delays in medical examinations or travel to the United States.

El Salvador does not have a curfew and has reopened its economy, with no limitation on travel. In El Salvador, there are two panel physicians available for CAM beneficiaries, with 50 appointments available per week. Each panel physician allows for five appointments per day and 25 beneficiaries per week.

The Guatemalan government does not have a national curfew but maintains location-specific restrictions on freedom of movement and activities based on a tiered health alert system. Authorities may request those who travel internally to declare the nature of their travel, and present any documentation related to their itinerary. For interdepartmental travel, only public transportation vehicles that have received authorization from the Ministry of Health and the Ministry of Communications, and that operate at 50 percent maximum occupancy, are permitted to operate. Three panel physicians are available for a total of 50 medical examinations per week.

As of June 11, 2021, the Government of Honduras maintains a curfew in place for the entire country from 10:00 p.m. to 5:00 a.m. Additional movement restrictions continue to exist in the department of Olancho, with movements allowed based the last number of the individual's identification document. Intercity and interstate travel restrictions continue and the validity and emission of safe passage letters continues to be suspended. Two panel physicians are available for a total of 40 medical examinations per week.

The U.S. Embassies in El Salvador and Guatemala continue with limited on-site work, though the local USCIS field offices are not yet open to the public. In El Salvador locally employed staff (LES) work in the office on a full-time basis five days a week. Direct hire USCIS staff in El Salvador are also working from the office on a full-time basis, five days a week. USCIS staff in El Salvador are generally not limited in their ability to work on CAM Parole cases, aside from an inability to conduct re-interviews and limitations on biometrics collection.

At the U.S. Embassy in Guatemala personnel are encouraged to continue telework whenever possible. Offices are instructed to limit personnel on-site, taking into consideration social distancing and private offices. The Embassy observes alternating schedules and LES are limited to two days per week in the office on an as needed basis. They are not allowed to work a full eight hour workday in the office.

Cases that are pending biometrics collection or a re-interview are currently limited in their ability to be processed due to COVID-19 restrictions. A limited number of CAM refugee cases are being interviewed remotely from the United States using video teleconferencing (VTEL) technology, which requires some in-person biometrics collection by Field Office Directors (FODs). USCIS is using this biometric collection for refugee cases to also collect biometrics for a limited number of CAM parole cases when possible and hopes to continue this in the future. These applicants are hosted at the Resettlement Support Center (RSC) offices.

IOM Operations staff continue to telework and are electronically processing already completed medical exams. IOM staff may also go to the office or assist with parolee departures on an as-needed basis, such as for airport assistance for beneficiaries on the day of departure. There is currently no projected date for their return to work in their offices. Additionally, the parole medical assistants visit the office two times per month to archive physical medical files.

## **Assumptions**

As noted previously in the USCIS operational compliance plan, USCIS will leverage IOM's expertise and resources as it did when the CAM Parole program was previously operating. The submitted timeline represented the *fastest* estimated process assuming all external parties met the estimated milestones but will be updated as more information becomes available. The estimated timeline was also based on previous CAM parole adjudications, and 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.

<b>Compliance Plan filed on April 18, 2019</b>			<b>Status updates for July 1, 2021 Parole Status Report*</b> <i>*Unless otherwise noted, information current as of June 18, 2021</i>	
<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.	<p>Completed – prior notes below:</p> <p>On May 30, 2019, USCIS issued Requests For Evidence of lawful presence to family members (to 17 parents, representing 28 cases) without a record of current qualifying lawful presence, requesting evidence of lawful presence.</p> <p>As of September 23, 2019, USCIS had attempted to contact all 17 remaining parents via phone (and email, when available) in addition to the mailed RFEs. Of the 17 parents contacted by RFE, phone, and email, when available, 3 submitted proof of lawful status and 1 additional parent was verified by USCIS when the beneficiary appeared to receive information on his medical exams. Additional attempts have been made to confirm lawful presence.. Two qualifying parents responded and continued to be eligible for the program and six have not responded and their cases remain pending. Two cases have been administratively closed because the qualifying parents were living in El</p>

				Salvador. One case was administratively closed as the child had traveled to the United States outside of the program.
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 <a href="https://www.uscis.gov/humanitarian/humanitarian-parole/central-american-minors-cam-information-parole-applicants">https://www.uscis.gov/humanitarian/humanitarian-parole/central-american-minors-cam-information-parole-applicants</a>  USCIS also developed and posted on June 18 an online-self-check eligibility tool so that petitioners and beneficiaries could instantly find out if their case is part of the settlement.

<p>USCIS will establish mechanism to accept updated contact information for family members in the United States and their beneficiaries, including an email address.</p>	<p>June 3, 2019 - TBD</p>		<p>Completed on May 28, 2019.</p>	<p>Completed - Prior notes below:</p> <p>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.</p>
<p>USCIS will begin notifying qualifying family members in the United States of the court order and continued case processing</p>	<p>June 3, 2019 - TBD</p>	<p>Timeframe includes drafting of notice, AR-11 verification of addresses, and printing and mailing.</p>	<p>Completed on May 31, 2019.</p>	<p>Completed - Prior notes below:</p> <p>In May 2019, USCIS searched AR-11 holdings to ensure that USCIS had the latest addresses of record associated with CAM participants.</p> <p>On May 31, 2019, USCIS completed mailing all notices to qualifying family members in the United States.</p> <p>As of August 23, 2019, USCIS had received 301 notices, representing 190 petitioners, that USPS returned as undeliverable. Of the 190 petitioners, USCIS contacted 153 by phone and/or email.</p> <p>IOM now oversees notifications and returns undeliverable notices to USCIS.</p>

USCIS will re-establish a contract with IOM for in-country assistance	Discussions have begun – TBD	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	Completed on September 25, 2019.	Completed - Prior notes below:  In anticipation of the finalization of the contract, USCIS was in communication with IOM to update them on what steps in the process have been completed thus far and how the agency has communicated with the applicants. USCIS also tracked information for each beneficiary, including when they received their medicals and whether they will need to be interviewed. Now that the contract is signed, this information has been provided to IOM.
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 - Prior notes below:  USCIS and Department of State held discussions with panel physicians about how many CAM applicants they can process. At the time the panel physicians in El Salvador, Guatemala and Honduras would be able to accept up to 10 CAM applicants a day.
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.	While the completion of the IOM contract was pending, USCIS began the process of notifying beneficiaries in Guatemala and El Salvador, since the agency has offices in these countries. A total of 431 notices were hand-delivered to the beneficiaries in person at the overseas USCIS

				<p>offices. These applicants were also given instructions for scheduling their medical exams. IOM has delivered a total of 1,596 letters since they signed the Statement of Work on September 26, 2019. As of June 18, 2021, a total of 2,027 beneficiaries have been notified by USCIS and IOM.</p>
<p>USCIS will schedule biometrics appointments when necessary.</p>	TBD	<p>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 program; instead, their fingerprints on file will be re-run for checks.</p>	<p>Currently on hold due to pandemic-related closures.</p>	<p>As of June 24, 2021, there are 21 open cases that require biometrics.</p> <p>Since June 13, 2019, USCIS scheduled biometrics appointments in El Salvador, Honduras and Guatemala.</p>
<p>USCIS will begin appointments to collect biometrics if necessary</p>	<p>Estimated July 29, 2019</p>		<p>Currently on hold due to pandemic-related closures.</p>	<p>Since June 21, 2019, USCIS has been taking required fingerprints. As of June 23, 2021, USCIS still cannot conduct biometrics appointments at the San Salvador or Guatemala City field offices due to the pandemic closures.</p> <p>A limited number of CAM refugee cases are being interviewed remotely from the United States using video teleconferencing (VTEL) technology. This process still requires some in-person biometrics collection by Field Office Directors (FODs). USCIS is</p>

				using this biometric collection for refugee cases to also collect biometrics for a limited number of CAM parole cases when possible and hopes to continue this in the future. These applicants are hosted at the Resettlement Support Center (RSC) 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 1,522 applicants for payment of their medical exams as of June 18, 2021. 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 1,776 completed medical exams as of June 28, 2021. The first medical exam results were received on July 29, 2019.
USCIS and IOM will begin to schedule interviews with USCIS as needed, depending	Estimated September 9, 2019.	Depending on any new information resulting from medical exams or security checks, a new interview may be	Conducting interviews is currently on hold due to pandemic-related closures.	As of June 23, 2021, USCIS has identified 142 cases that will require re-interviews. Of those, 44 re-interviews

on any new information.		scheduled for individual beneficiaries.		have already been completed and 98 are pending re-interview. As of June 23, 2021 USCIS, is currently still unable to conduct in person CAM Parole re-interviews in all three CAM countries due to the pandemic restrictions. VTEL re-interviews cannot be conducted for CAM Parole cases as the RSC can only assist with refugee cases based on their funding from the Department of State.
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.
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	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	In process.	USCIS will complete security checks upon notification of the applicant's travel date and 48 hours prior to issuance of the I-512L.

States still has lawful presence before issuing the travel document.		issuing the I-512L travel document.		USCIS has cleared 1,573 cases for travel as of June 28, 2021.
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 has printed a total of 1,421 travel documents as of June 28, 2021 (excluding the named plaintiffs).
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 1,393 travel documents to IOM as of June 25, 2021.
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 1,393 applicants on their travel day as of June 25, 2021. IOM counsels, houses and escorts applicants to the airport on their designated date of travel.  1,393 applicants have traveled to the United States as of June 25, 2021.