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

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.

Case No. 18-CV-03539 LB

**DEFENDANTS' ELEVENTH 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 Eleventh Quarterly Report, attached hereto, regarding the
4 CAM Parole Program.

5
6 DATED: January 3, 2022

Respectfully submitted,

7 STEPHANIE M. HINDS
8 United States Attorney

9 /s/ Wendy M. Garbers
10 WENDY M. GARBERS
11 *Assistant United States Attorney*

CAM Parole Status Report (January 1, 2022)

Pursuant to paragraph 9 of the April 12, 2019, Memorandum of Agreement (MOA), USCIS submits this “eleventh quarterly report” of its implementation progress. Unless otherwise noted, the information in this report is current as of December 3, 2021.

Changes to CAM processing under this MOA

As mentioned in the previous report, USCIS has increased the length of the initial parole period to three years for both new cases being authorized under the reopened CAM program and for the cases remaining to be processed under this settlement agreement. The three-year parole period is described in the USCIS CAM website and on the fact sheet distributed to applicants referred for additional processing for possible parole into the United States. The fact sheet and website also explain that CAM parolees may apply for re-parole and that those requests will be considered under the same criteria of the CAM program.

CAM Parole Contract Lapse

USCIS had a contract with the International Organization for Migration (IOM) so that they could assist with certain aspects of CAM parole processing. The most recent contract expired November 25, 2021. Due to the expansion of services associated with restarting and expanding the overall CAM refugee and parole program in March 2021 and June 2021, the contract costs increased significantly. Although USCIS began the procurement process prior to the expiration of the contract, the significantly increased costs triggered requirements for additional processes and levels of review, leading to a delay in finalizing the new contract. Due to these delays the CAM contract with IOM has lapsed without the new contract in place. IOM has temporarily stopped work on facilitating case processing for CAM parole cases as of November 26, 2021 while contract review occurs at USCIS and at IOM. On December 22, 2021 IOM completed their review of the contract and provided a new version to USCIS. As of December 27, 2021 USCIS is completing additional review of the updated contract and anticipates that it will be finalized shortly.

Impact of Coronavirus on CAM Processing

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 viral tests for CAM beneficiaries taken within one calendar day of travel. 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 does not have limitations on travel. However, the Salvadoran Ministry of Health can place municipalities under special quarantine with limited or no prior notice when a high number of COVID-19 cases is detected. 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.

Guatemala does not have a curfew and does not have limitations on travel. The Guatemalan government maintains location-specific restrictions on freedom of movement and activities based on a tiered health alert system. Public transportation vehicles authorized to operate by the government are functioning at 50 percent maximum occupancy. This includes transportation for interdepartmental travel.

The Government of Honduras suspended its national curfew as of October 1, 2021. Individuals remaining out after 10pm are required to carry their COVID-19 vaccination card documenting proof of vaccination.

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. The USCIS office in El Salvador can conduct CAM parole re-interviews at their office.

At the U.S. Embassy in Guatemala personnel are encouraged to continue telework whenever possible. 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 Wednesdays and Thursdays for three hours each day; a limited number of interview appointments are also available on Tuesdays and Thursdays. CAM re-interviews can be conducted at the consular window using the privacy booth on Tuesdays or Thursdays in the afternoon. The Embassy has also limited the number of individuals allowed in the shared waiting area.

The USCIS office in El Salvador is able to conduct re-interviews and biometric collection in their office. The USCIS office in Guatemala City has been able to request that refugee case adjudicators assist with a limited number of CAM parole re-interviews at RSC facilities.

Prior to the temporary lapse in the contract, IOM Operations staff continued to telework and electronically process already completed medical exams. Aside from the contract lapse, 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.

Compliance Plan filed on April 18, 2019			Status updates January 1, 2022 Parole Status Report* <i>*Unless otherwise noted, information current as of December 3, 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 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 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. The panel physicians in El Salvador, Guatemala and Honduras will be able to accept up to 10 CAM applicants a day. There are currently 5 panel physicians in El Salvador, 4 in Guatemala, and 3 in Honduras.
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	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

		have the necessary staffing in place.)		these countries. A total of 431 notices were hand-delivered to the beneficiaries in person at the overseas USCIS offices. These applicants were also given instructions for scheduling their medical exams. IOM has delivered a total of 1,611 letters since they signed the Statement of Work on September 26, 2019. As of December 3, 2021, a total of 2,042 beneficiaries have been notified by USCIS and IOM.
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 program; instead, their fingerprints on file will be re-run for checks.	In process.	As of December 15, 2021 there are five cases that require biometrics collection. An additional group of cases will age into requiring biometrics in February 2022.
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, with some limitations on appointments based on COVID-19.
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	In process.	In July 2019, USCIS began providing applicants with the option to schedule medical exams and pay the panel physician directly. 431 applicants

		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.		had been given an instruction sheet by USCIS on how to schedule their own appointments. IOM has now assumed this task. IOM has contacted 1,611 applicants for payment of their medical exams as of December 3, 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 1,848 completed medical exams as of December 22, 2021.
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. Please see pg. 2 and the pg. 8 biometrics updates for additional information.	As of December 15, 2021 USCIS has 61 CAM parole cases pending re-interview. USCIS San Salvador is now able to conduct in person CAM Parole re-interviews. USCIS Guatemala City is able to conduct in person CAM parole re-interviews at its office. While USCIS does not have an office in Honduras, USCIS has been able to conduct some in person CAM re-interviews there when a TDY refugee team is in the country conducting refugee interviews.

<p>USCIS will begin to review eligibility for CAM parole on a case by case basis, assuming all information has been submitted.</p>	<p>Estimated September 10, 2019.</p>	<p>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.</p>	<p>In process.</p>	<p>USCIS is actively reviewing cases for eligibility on an ongoing basis.</p>
<p>USCIS will inform Customs and Border Protection that its officers will begin to see CAM parolees at ports of entry</p>	<p>Estimated September 10, 2019</p>	<p>Disseminate memo to CBP regarding CAM parolee travel and expected timeframe for travel</p>	<p>Completed on October 11, 2019.</p>	<p>Completed - Prior notes below:</p> <p>USCIS sent the memo to CBP on October 11, 2019.</p> <p>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.</p>
<p>IOM will collect money for plane tickets.</p>	<p>Estimated beginning October 14, 2019.</p>	<p>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.</p>	<p>In process</p>	<p>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.</p>
<p>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.</p>	<p>Estimated beginning October 17, 2019.</p>	<p>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.</p>	<p>In process.</p>	<p>USCIS will complete security checks upon notification of the applicant's travel date and 48 hours prior to issuance of the I-512L.</p> <p>USCIS has cleared 1,637 cases for travel as of December 22, 2021.</p>

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 1,575 travel documents to IOM as of December 22, 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 1,568 applicants on their travel day as of December 3, 2021. IOM counsels, houses and escorts applicants to the airport on their designated date of travel. 1,568 applicants have traveled to the United States as of December 3, 2021.