

AILA obtained two versions of a form declaration that is being given to unaccompanied children to sign. AILA has transcribed the text of each version of the form declaration below. For ease of reference, AILA has labeled them Version A and Version B.

Version A:

I hereby knowingly, voluntarily, and intelligently waive my opportunity to file any and all applications for relief or protection from removal, deportation, or exclusion under the immigration laws. I acknowledge that I do not have a fear of return to my country.

I acknowledge that I will remain detained in DHS's custody pending departure. I will provide DHS with my passport or other travel documents, or I will actively assist DHS with obtaining travel documents.

Should I fail to voluntarily comply with voluntary departure, I will agree and stipulate to prompt issuance of a final order of removal. I understand that I will not be able to remain in the United States and that my voluntary failure to comply with voluntary departure will result in a civil penalty and a ten-year bar from further relief including cancellation of removal, adjustment of status, voluntary departure, registry, or a change of nonimmigrant classification.

I acknowledge that it is a crime to enter the United States illegally and affirm that I will not attempt to do so after my departure. I understand that if I do attempt to illegally re-enter, I may be subject to detention, criminal prosecution, civil monetary penalties, and expedited removal. I further agree that, if I attempt to re-enter the United States illegally, I will repay any stipend if given to me as a condition of my voluntary departure, with the possibility of formal collection action should I fail to repay the stipend. I acknowledge that any attempt by me to re-enter the United States illegally may constitute a sufficiently adverse factor warranting denial of any application for discretionary relief or protection, including, but not limited to, asylum.

I understand the contents of this Declaration and acknowledge that it has been interpreted into my preferred language.

Version B:

ADDENDUM TO FORM 1-210 – ALIEN DECLARATION

Unaccompanied Alien Child: _____

A

I am 14 years of age or older and do not have any applications or petitions, including an asylum application, pending with U.S. Citizenship and Immigration Services or the immigration court. I hereby knowingly, voluntarily, and intelligently waive my opportunity to file any and all applications for relief or protection from removal, deportation, or exclusion under the immigration laws. I acknowledge that I do not have a fear of return to my country.

I acknowledge that I will remain in the custody of the Department of Health and Human Services, Office of Refugee Resettlement (ORR) pending departure. ORR will provide DHS with my passport or other travel documents, or ORR will actively assist DHS with obtaining travel documents necessary for my departure.

Should I fail to voluntarily comply with voluntary departure, I will agree and stipulate to prompt issuance of a final order of removal. I understand that I will not be able to remain in the United States and that my voluntary failure to comply with voluntary departure will result in a civil penalty and a ten-year bar from further relief including cancellation of removal, adjustment of status, voluntary departure, registry, or a change of nonimmigrant classification.

I acknowledge that it is a crime to enter the United States illegally and affirm that I will not attempt to do so after my departure. I understand that if I do attempt to illegally re-enter as a minor, I will be immediately referred to ORR custody and will be subject to removal proceedings. I understand that if I attempt to illegally re-enter as an adult, I will be subject to detention, criminal prosecution, civil penalties, and expedited removal. I further agree and stipulate that, if I attempt to re-enter the United States illegally, I will repay any stipend if given to me as a condition of my voluntary departure, with the possibility of formal collection action should I fail to repay the stipend. I agree and stipulate that any attempt by me to re-enter the United States illegally will constitute a sufficiently adverse factor warranting denial of any application for discretionary relief or protection, including, but not limited to, asylum.

I understand the contents of this Declaration. [, and acknowledge that it has been interpreted into my preferred language].