



## **Frequently Asked Questions on:**

- **The expansion of the Central American Minors (CAM) Refugee/Parole Program,**
- **The expansion of in-country refugee screening for El Salvador, Guatemala and Honduras, and**
- **The establishment of a protection transfer arrangement between Costa Rica and UNHCR for refugees in need of “immediate protection.”**

In July 2016, the Obama Administration announced new initiatives to improve protection for refugees and vulnerable individuals in El Salvador, Guatemala, and Honduras. Many details of the announced changes are still forthcoming. None of the proposed changes appear to benefit any asylum seekers who are already in the United States or who come to our southern border seeking protection.

### ***What does the plan include?***

1. **In-Country Refugee Referral:** Establishment of an in-country refugee referral program allowing vulnerable individuals in El Salvador, Honduras, or Guatemala to be considered for refugee protection after being screened by the U.S. government in their home countries.
2. **Temporary Protection in Costa Rica:** Pursuant to a Protection Transfer Arrangement (PTA) between Costa Rica, the U.N. High Commissioner for Refugees (UNHCR), and the International Organization for Migration (IOM), a maximum of 200 applicants at a time who are “most in need of immediate protection” will be transferred to Costa Rica temporarily while their cases are processed.
3. **Central American Minors program (CAM) expansion:** The CAM program will be expanded to allow additional categories of individuals, who are related to the CAM-qualifying child or to the U.S.-based lawfully present parent of the CAM-qualifying child, to be considered for resettlement to the United States with the CAM-qualifying child.

### ***How will the in-country referral process work?***

It is anticipated that U.S. embassies and UNHCR will work with local NGOs to identify vulnerable individuals in those countries to be considered for resettlement. The U.S. government will then “pre-

screen” these applicants in their home countries to identify which individuals likely qualify as refugees under U.S. law.

Individuals identified as “most in need of immediate protection” will be transferred to Costa Rica, where they will undergo refugee processing before being resettled to the U.S. or another country. All other applicants must remain in their home countries throughout the remaining refugee screening process and while they undergo security and background checks, before being resettled to the United States or another country.

***How will the initiative in Costa Rica work?***

Costa Rica has agreed to host up to 200 individuals at a time. As a result only a tiny fraction of the thousands of children and adults who are in immediate danger and have suffered persecution will be transferred to Costa Rica for more urgent, temporary protection. Only those in need of urgent protection can be transferred to Costa Rica, and it remains unclear how those “most in need of immediate protection” will be identified. Finally, it is important to note that this transfer arrangement does not apply to individuals who flee to Costa Rica on their own.

***What is the capacity of the new in-country referral process?***

In describing the new process to stakeholders, the government did not specify how many individuals might be helped through this process or what the capacity of the program will be.

***How can individuals who believe they meet the refugee criteria access the in-country referral process?***

It remains to be seen how individuals can bring themselves to the attention of the U.S. government, UNHCR, or local NGOs for consideration. Typically in-country refugee referral programs allow individuals to come forward and begin the application process. AILA anticipates that the U.S. government and UNHCR will provide more information about this process. AILA will continue to update its members as more information becomes available.

***How does the existing CAM Program work?***

CAM is an in-country refugee processing program launched in December 2014 designed to protect vulnerable children in the Northern Triangle. CAM allows parents who are *lawfully present in the U.S.* to request a refugee resettlement interview for their unmarried children under the age of 21 who are still in the Northern Triangle. To initiate the process, lawfully present parents in the U.S. must make an appointment with a designated resettlement agency and work with the agency to file Form DS-769. The child’s other parent may be added to the petition and considered under the program, if that parent is living with the child in the Northern Triangle and is married to the U.S.-based parent. For more information, see the State Department and U.S. Citizenship and Immigration Services [pages](#) on the CAM Program.

***How will the CAM Program be expanded?***

The CAM program will be expanded to allow additional categories of individuals, who are related to the CAM-qualifying child or to the U.S.-based lawfully present parent of the CAM-qualifying child, to be considered for resettlement to the United States with the CAM-qualifying child. The categories are:

- Siblings of a qualified child, defined as sons and daughters of the U.S.-based lawfully present parent who are over the age of 21.
- The in-country biological parent of a qualified child whether or not married to the U.S.-based lawfully present parent.
- Caregivers of a qualified child who are related to the U.S.-based lawfully present parent.

***Who is a “caregiver”?***

In its public announcement of the new programs, DHS indicated that the caregiver relationship will be assessed during the interview on a case-by-case basis, based on the nature of the care that the individual provided to the child. DHS has not provided a definition for “relative” but has stated that aunts, uncles and grandparents would be considered relatives.

***Will shortcuts in the refugee screening process be taken as a result of these new initiatives?***

No. Rigorous security screenings by DHS, federal law enforcement agencies, and multiple intelligence agencies will be conducted for each applicant. Applications will be thoroughly vetted and all applicants will undergo a series of biometric and investigatory background checks, including collection and analysis of personal data, fingerprints, photographs, and other background information, all of which is checked against government databases.

***How will Mexico help?***

The administration also announced that after meeting with President Obama last week, Mexican President Peña Nieto agreed to increase the state of Mexico's capacity to process asylum seekers and that Mexico's asylum program would expand in parallel to the new initiatives described above. No further details were given.

***For more information please see:***

<http://www.aila.org/infonet/dhs-initiatives-ca-migration-challenges>

<http://www.aila.org/infonet/dos-initiatives-ca-migration-challenges>

<http://www.aila.org/infonet/wh-press-call-on-central-american-refugee-processi>