

## **In-Country Refugee/Parole Processing for Minors in Honduras, El Salvador, and Guatemala (*Central American Minors – CAM*)**

### **Frequently Asked Questions**

#### **Q: What is the purpose of the Central American Minors (CAMs) Program?**

This family reunification program aims to deter children from El Salvador, Guatemala, and Honduras from undertaking a risky journey in an attempt to be reunited with a parent residing in the U.S. This program provides a legal means of family reunification for qualified individuals.

#### **Q: Who can start the application? What is a “qualifying parent”?**

The parent initiating the application is the “qualifying parent”. This can be any individual who is at least 18 years old and is lawfully present in the United States in one of the following seven categories:

- Permanent Resident Status, or
- Temporary Protected Status, or
- Parolee, or
- Deferred Action for Childhood Arrivals (DACA), or
- Deferred Action (non-DACA), or
- Deferred Enforced Departure, or
- Withholding of Removal

#### **Q: Does the period of parole or any of the other categories have to be valid for a certain period of time?**

Parolees and persons granted deferred action must have been issued parole or deferred action for a minimum of one year. For all categories, the qualifying parent’s lawful presence or status must be valid and unexpired at the time he or she files the Form DS-7699 *Affidavit of Relationship*.

#### **Q: How does one apply to this program?**

A qualifying parent initiates the application process in the U.S. by completing a form, DS-7699, with the help of a designated resettlement agency funded by the U.S. Department of State.

#### **Q. Is there a fee associated with accessing the program?**

There is no fee to initiate this process or to apply for refugee status and it is prohibited for anyone to charge a fee for completion of the form. Additionally, no fee must be paid for consideration for parole under this program, if refugee status is denied.

**Q: What is the name of the form to file for CAMs?**

Form **DS-7699** *Affidavit of Relationship (AOR) for Minors Who Are Nationals of El Salvador, Guatemala, and Honduras.*

**Q: Can a U.S. citizen file a DS-7699?**

No. American citizens can petition for relatives via consular mechanisms and visas.

**Q: Why are refugees or asylees unable to file the DS-7699?**

Refugees and asylees are eligible to apply for spouses and unmarried children through the Form I-730, Refugee/Asylee Relative Petition, and those from designated countries may also apply for relatives through the P-3 Family Reunification Program, if their relatives have fled to another country.

**Q: For whom is the DS-7699 intended? Whom does this program serve?**

The CAM program is intended to serve children who meet the following criteria:

- A **child of the qualifying parent** as defined in the INA (biological child, step child, or legally adopted child); AND
- **Unmarried and under the age of 21**; AND
- A national of **Guatemala, El Salvador, or Honduras**; AND
- Residing in his or her country of nationality.

**Q: Are children in the United States eligible to be listed on the DS-7699?**

No

**Q: Is there a minimum age for a qualifying child?**

No. A parent, guardian, or trusted adult may be present at interviews to provide testimony for a child who is unable to speak for him/herself.

**Q: What if the qualifying child has a parent in El Salvador, Guatemala, or Honduras?**

This program is primarily aimed at minors, but the second parent can be included as a relative on the DS-7699 if:

- He/she is part of the same household and economic unit as the qualifying child, **and**
- He/she is legally married to the qualifying parent in the United States at the time the qualifying parent filed the DS-7699, **and**
- He/she continues to be legally married to the qualifying parent.

The parent would have to establish an independent refugee claim to be granted refugee status.

**Q: How do you submit the DS-7699?**

You must contact a Department of State-funded resettlement agency to make an appointment to complete the form with the agency's assistance.

**Q: How do I find the nearest resettlement agency? Where are they?**

Resettlement agencies are located in more than 180 communities across the U.S. For a complete listing by state, please go to the website [www.wrapsnet.org](http://www.wrapsnet.org) and search under the "CAM Program" tab under the heading "R&P Resettlement Affiliate Directory" for the document listing locations by state and city.

The direct link is:

<http://www.wrapsnet.org/Portals/1/Affiliate%20Directory%20Posting/FY%202014%20Affiliate%20Directory/Public%20Affiliate%20Directory1.pdf>

**Q: Why do I have to complete the DS-7699 with the help of a resettlement agency? Why can't I access and complete it on my own via the internet?**

The DS-7699 is a controlled form which will be relayed electronically to the State Department for further processing. Due to the complex nature of the program, resettlement agencies offer expertise in completing the form for the intended beneficiaries. If your child is granted refugee status, the resettlement agency will also assist you and your child after the child's arrival in the United States.

**Q: What are the requirements for completing this form?**

When you make an appointment with a resettlement agency to complete the form, that agency will inform you about any required information you should bring to the appointment. At a minimum, you will need to provide:

- Proof of identity, and
- Documentation that proves the qualifying parent is lawfully present in the U.S. under one of the seven categories listed above, and
- A current passport size photo of your child.

**Q: What if the qualifying parent moves or otherwise changes his or her address after filing the DS-7699?**

The qualifying parent should ask the resettlement agency which assisted him/her in completing the form initially to fill out a change-of-address form, which will be relayed to the State Department.

**Q: How long does the application process take?**

The refugee resettlement process takes 9-12 months on average. Given that this is a newly implemented program, processing times are estimates.

**Q: After the DS-7699 is submitted, what happens?**

The State Department relays the form to the International Organization for Migration (IOM) in El Salvador, Guatemala, or Honduras, which will contact the qualifying child and/or family member(s) for further processing. Department of Homeland Security (DHS) officials will interview eligible family members to determine who will be admitted as a refugee or offered parole to the U.S. Those granted refugee status will undergo a medical exam and cultural orientation, and IOM will assist with travel arrangements to the city where the qualifying parent in the U.S. resides.

**Q. Who may be considered for admission to the United States as a refugee?**

Under United States law, an individual may be considered for admission to the United States as a refugee if he or she:

- Is located outside of the United States
- Is of special humanitarian concern to the United States
- Demonstrates that he or she was persecuted or fears persecution due to race, religion, nationality, political opinion, or membership in a particular social group
- Is not firmly resettled in another country
- Is admissible to the United States

A refugee does not include anyone who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

For the legal definition of refugee, see section 101(a)(42) of the Immigration and Nationality Act (INA).

Eligibility for refugee status is determined on a case-by-case basis through an in-person interview with a specially-trained DHS officer.

**Q: What about those individuals to whom DHS does not grant refugee status?**

Certain individuals to whom DHS does not grant refugee status may be given the option of parole, which is a mechanism to allow someone who is otherwise inadmissible to come to the U.S. for urgent humanitarian reasons or significant public benefit.

**Q: What are the requirements for being offered parole?**

If an applicant is found by USCIS to be ineligible for refugee status, but wishes to be considered for parole, the applicant will be subject to the following additional requirements:

- 1) **Medical Clearance and Costs:** All applicants for parole will be required to obtain and pay for a medical clearance.

- 2) **Travel Arrangements and Costs:** An individual authorized parole must book his or her travel through an approved USCIS process and pay for the flight to the United States.

**Q: What is the difference between refugee status and parole?**

Individuals granted parole are permitted to remain in the United States for the duration of the authorized parole period, to attend school, and to apply for work authorization.

Refugees are eligible for a travel loan, but parolees must book and pay for their own flight to the United States. In addition, those granted refugee status will receive resettlement assistance once in the United States. Parolees are not eligible for resettlement assistance in the United States.

**Q: What are the immigration benefits of refugee and parole status?**

Refugees must adjust status to permanent residence after one year and may apply for citizenship after five years. Parole is temporary and does not confer any permanent immigration status or a pathway to a permanent status. Parolees under this program will generally be authorized parole for a period of two years after which they may apply for re-parole.

**DNA Testing Requirement and Costs**

**Q: Who will be required to provide DNA to gain access to the CAM Program?**

The State Department requires DNA testing between the qualifying parent in the United States and each of his or her biological children listed in the DS-7699.

**Q: Why is DNA testing required for access to this program?**

In order to ensure that the CAM Program reunites true families, DNA testing is required to verify that relationships stated on the form are genuine, biological ones.

**Q: Is DNA testing required for adoptive children?**

In certain cases, adopted children can be claimed on the DS-7699; requisite documentation should be brought to the meeting with the resettlement agency to complete the DS-7699. DNA testing is not required for children adopted in El Salvador, Guatemala, or Honduras.

**Q: Who pays for the cost of DNA testing?**

The qualifying parent in the U.S. who is submitting the DS-7699 must pay the cost of DNA testing for each of his/her claimed biological child relationships. The Department of State will reimburse the costs of the tests if all of the claimed biological relationships are supported by DNA evidence. Reimbursement will only be made for the costs of the initial DNA testing required by Department of State for access to the CAM Program. The

cost of DNA testing conducted to support a Request for Review of a USCIS denial will not be reimbursed by the U.S. Government, even if all relationships are supported by the DNA results.

**Q: Will the qualifying parent be reimbursed if the DNA tests for all claimed biological relationships are positive but the case is later denied by USCIS (DHS)?**

Yes

**Q: What if a qualifying parent cannot afford DNA kits for the entire family? Can they submit a few at a time? Can the lab forward kits separately?**

All DNA testing kits must be purchased at the same time and every applicant required to provide a DNA sample should be ready to be DNA tested at the same time. You will be notified to begin DNA testing via a letter from the Resettlement Agency where you completed your application.

**Q: Will DNA be required for all qualifying parents and children or will it be random?**

DNA testing will be required for all qualifying parent's claimed biological children.

**Q: Will DNA testing be required only for certain nationalities?**

No, the DNA testing requirement applies to all nationalities applying to the CAM Program.

**Q: Which labs in the U.S. and overseas are authorized to perform the DNA testing?**

Any accredited AABB lab. This list can be found on the AABB website:

<http://www.aabb.org/SA/FACILITIES/Pages/RTestAccrFac.aspx>

**Q: How long will DNA test results be valid?**

Indefinitely.

**Q: Who will be notified of DNA results?**

The qualifying parent will receive the DNA results directly from the lab. A copy of the results will also be sent to the State Department for further processing of the case.