

Congress of the United States

Washington, DC 20515

June 28, 2024

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
2801 Nebraska Avenue, NW
Washington, DC 20528

The Honorable Ur Jaddou
Director
U.S. Citizenship and Immigration Services
5900 Capital Gateway Drive
Camp Springs, MD 20746

Dear Secretary Mayorkas and Director Jaddou:

We write to urge the Department of Homeland Security (DHS) to issue a policy directive ensuring that vulnerable children seeking protection through the Central American Minors (CAM) program have access to counsel – at no expense to the government – during their interviews with U.S. Citizenship and Immigration Services (USCIS). We applaud the Biden administration for reopening and strengthening the CAM program. However, DHS’s prohibition on access to counsel during CAM program interviews limits children’s ability to meaningfully access protection and inhibits the program’s potential to ease pressure at the U.S. southern border.

The CAM program allows certain Central American children and, in some cases, their family members to resettle in the United States. This creates a safe and lawful pathway for children to reunite with family members in the United States. By helping eliminate the need for impacted children to make a dangerous journey to the U.S. southern border in pursuit of safety, the CAM program reduces the strain on U.S. border operations. The program also combats labor exploitation by helping ensure that children arrive with lawful status and are reunified with their parents.

In February 2021, President Biden issued an Executive Order that directed DHS to consider policy changes enabling access to counsel during refugee interviews.¹ Yet more than three years later, the Department continues to bar the presence of attorneys during CAM program interviews despite children’s particular vulnerabilities. Children’s age and developmental stage, communication and comprehension barriers, and discomfort around strangers all can constitute obstacles to navigating the CAM program interview process. Many children are unable to understand that they are participating in an interview to obtain refugee status, much less the legal significance of issues discussed during the interview or the importance of fully articulating a protection claim. These challenges can contribute to adjudications that fail to account for information pertinent to full and fair consideration of refugee status, thereby increasing refugee denial rates.

Access to counsel during CAM program interviews would strengthen the fairness and efficiency of the program. Attorneys would help foster children’s confidence during what is frequently a frightening experience, ease children’s reservations about sharing traumatic details of events central to their protection claims, enhance understanding of interview protocols, and clarify

¹ See Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration, Exec. Order 14,013, 86 FR 8839 §4(g)(iii).

issues and points of confusion that may arise. In this way, the presence of attorneys would promote adjudicators' efficient acquisition of information vital to rendering fair decisions, streamline interviews, and enhance the efficacy of the program.

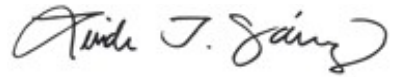
Permitting children to have an attorney represent them during their interview is a straightforward, practical measure to ensure a more orderly, secure immigration system. Without further delay, USCIS should issue a policy directive outlining how attorneys may access and fully represent children during their CAM program interviews before USCIS. To the extent USCIS already has begun developing a policy directive, please share updates regarding the content and timing for its issuance.

We thank you for your past actions to strengthen the CAM program and look forward to your prompt response on this matter.

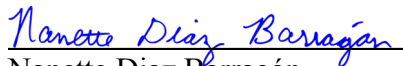
Sincerely,



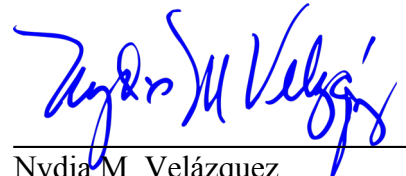
Delia C. Ramirez
Member of Congress



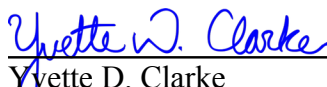
Linda T. Sánchez
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Nanette Diaz Barragán
Member of Congress



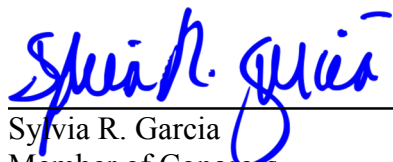
Nydia M. Velázquez
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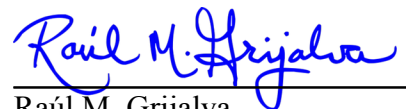
Yvette D. Clarke
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Jesús G. "Chuy" García
Member of Congress



Sylvia R. García
Member of Congress



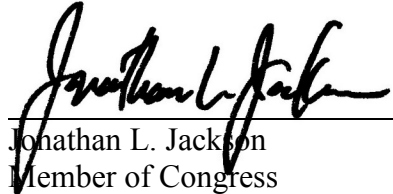
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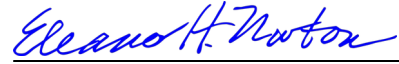
Joaquin Castro
Member of Congress



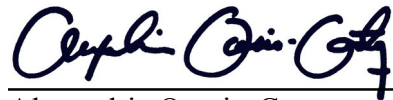
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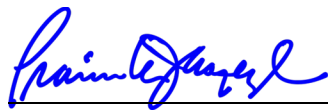
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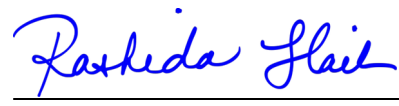
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Pramila Jayapal
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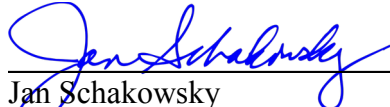
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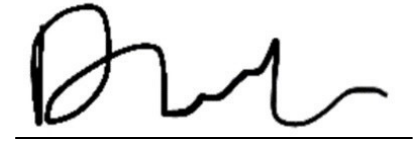
Jan Schakowsky
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Cori Bush
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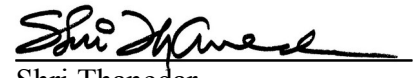
Greg Casar
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Dan Goldman
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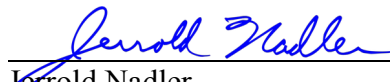
Shri Thanedar
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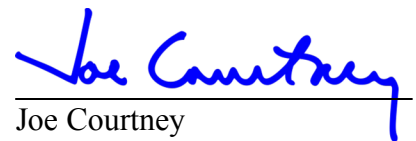
Grace F. Napolitano
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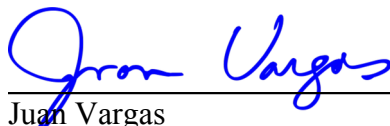
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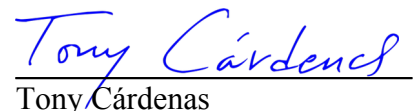
Jerrold Nadler
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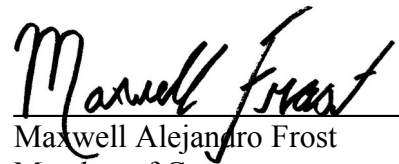
Juan Vargas
Member of Congress



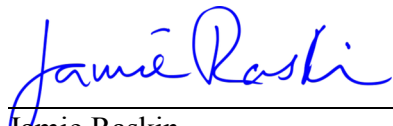
Tony Cárdenas
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André Carson
Member of Congress



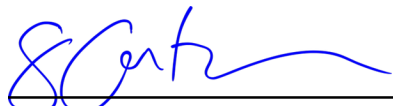
Maxwell Alejandro Frost
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Jamie Raskin
Member of Congress



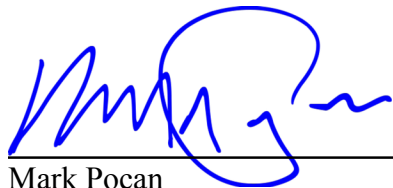
Katie Porter
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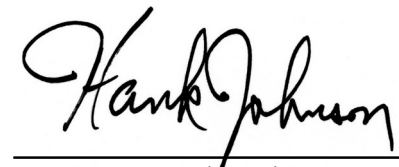
Sean Casten
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Henry C. "Hank" Johnson, Jr.
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