



## Biden's program for migrant children doesn't go far enough

Nolan Rappaport

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Former President Barack Obama established the Central American Minors (CAM) Program in December 2014 to provide *in-country* refugee processing for children in the Northern Triangle Countries (El Salvador, Guatemala, and Honduras) as a safe, legal, and orderly alternative to them making the dangerous journey to the United States to apply for asylum.

But Obama only made the program available to Northern Triangle children who had a parent who was already physically present in the United States and had lawful status.

The Trump administration phased out the CAM program in fiscal 2018 because “the vast majority of individuals accessing the program were not eligible for refugee resettlement.”

On March 10, 2021, the Biden administration announced that it had restarted the CAM program to reunite children from the Northern Triangle countries with parents who are lawfully present in the United States. Biden also wants to save Northern Triangle children from having to make the dangerous journey to the United States in the hands of smugglers.

That’s a noble intent: The trip across the border is incredibly dangerous.

On June 15, 2021, Biden announced an expansion of the CAM program which specified that parents and legal guardians lawfully present in the United States may apply on behalf of the children — this now includes parents or legal guardians in the following legal status categories: Permanent Resident Status; Temporary Protected Status; Parole; Deferred Action; Deferred Enforced Departure; and Withholding of Removal.

According to David Bier, a research fellow at the Cato Institute, this is a great improvement over requiring children to come to the United States in the hands of smugglers; however, it remains to be seen whether it will dissuade families from sending their children here with smugglers.

Biden's CAM program may be more generous than the Obama administration's CAM program, but I think Sen. Chuck Grassley (R-Iowa) was right when he observed that illegal crossings were not reduced when the Obama administration tried this program years ago, and there's no reason to think it will have that effect now.

Moreover, Biden should know that his revised CAM program is not going to be an effective alternative to making the dangerous journey with smugglers. His administration has acknowledged that only 40 percent of the children from the Northern Triangle who were apprehended at the border this year had a parent in the United States.

I don't understand why he didn't make it available to all Northern Triangle children who have a persecution claim. He didn't have to limit the program to children who have parents or guardians in the United States.

The Immigration and Nationality Act provides that a "refugee" is a person *outside of his own country* who is unable or unwilling to return because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. But section 1101(a)(42)(B) authorizes the President, after an appropriate consultation with Congress, to specify groups for *in-country* refugee processing when it is warranted by special circumstances. For instance, in-country processing has been used in —

- Cuba for Cubans who were "members of persecuted religious minorities, human rights activists, former political prisoners, forced-labor conscripts (1965-1968), persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatment resulting from their perceived or actual political or religious beliefs or activities;" and
- In Iraq for Iraqis who worked for the U.S. government, a U.S. contractor, or a U.S.-based media organization or NGO, and their family members

Biden could use the fact that we are in the midst of a deadly COVID-19 pandemic to justify expanding the CAM program to include all Northern Triangle children who have been persecuted or have a well-founded fear of persecution.

He has warned the country that, "Even while we're making incredible progress, it remains a serious and deadly threat."

If Biden expands his CAM program to include all Northern Triangle children who have a persecution claim, the children could be vaccinated before they are allowed to come to the United States.

Also, he could arrange to bring the ones who establish eligibility for refugee resettlement to the United States. This would save them from having to make the dangerous journey to the United States in the hands of smugglers, which is supposed to be the reason for having a CAM program.