

FROM CONTROL TO CRISIS

Changing Trends and Policies Reshaping U.S.-Mexico Border Enforcement



By Randy Capps, Doris Meissner, Ariel G. Ruiz Soto,
Jessica Bolter, and Sarah Pierce

FROM CONTROL TO CRISIS

Changing Trends and Policies Reshaping U.S.-Mexico Border Enforcement

By Randy Capps, Doris Meissner, Ariel G. Ruiz Soto,
Jessica Bolter, and Sarah Pierce

August 2019

Acknowledgments

This report is part of a new, multiyear Migration Policy Institute (MPI) initiative, Rethinking U.S. Immigration Policy. The initiative aims to generate a big-picture, evidence-driven vision of the role immigration can and should play in America's future. It will provide research, analysis, and policy ideas and proposals—both administrative and legislative—that reflect new realities and needs for immigration to continue to be a comparative advantage for the United States as a society.

Historically, across-the-aisle cooperation and consensus-building have been essential for immigration policymaking and legislation to succeed. MPI is committed to re-energizing such bipartisanship in shaping and advancing feasible solutions for a system that is widely acknowledged as being broken.

This report lays out the challenges new forms of migrant flows represent for effectiveness in U.S.-Mexico border enforcement. The authors' proposals represent a rethinking of how border enforcement has been seen and carried out for almost 40 years. MPI policy experts working on the Rethinking Initiative are engaged in similar work on topics across the spectrum of immigration system issues, from employment-based immigration to humanitarian admissions to the values and principles that should guide future immigration policymaking.

The authors wish to thank their MPI colleagues for contributing to a work environment of continual learning, curiosity, and testing of ideas. They owe special thanks to MPI's communications team, including Michelle Mittelstadt, whose advice and support in shaping large writing projects is unparalleled.

Finally, for generous support for MPI and the Rethinking Initiative, the authors are deeply grateful to the Ford Foundation, the Open Society Foundations, the Carnegie Corporation of New York, Unbound Philanthropy, and the 21st Century International Ladies' Garment Workers' Union (ILGWU) Heritage Fund.

© 2019 Migration Policy Institute.
All Rights Reserved.

Cover Design and Layout: Sara Staedicke, MPI
Photo: Mani Albrecht/U.S. Customs and Border Protection

No part of this publication may be reproduced or transmitted in any form by any means, electronic or mechanical, including photocopy, or any information storage and retrieval system, without permission from the Migration Policy Institute. A full-text PDF of this document is available for free download from www.migrationpolicy.org.

Information for reproducing excerpts from this publication can be found at www.migrationpolicy.org/about/copyright-policy. Inquiries can also be directed to communications@migrationpolicy.org.

Suggested citation: Capps, Randy, Doris Meissner, Ariel G. Ruiz Soto, Jessica Bolter, and Sarah Pierce. 2019. *From Control to Crisis: Changing Trends and Policies Reshaping U.S.-Mexico Border Enforcement*. Washington, DC: Migration Policy Institute.



Table of Contents

- Executive Summary..... 1**
- I. Overview: From Control to Crisis 4**
- II. The Southwest Border Story:An Evolution 7**
 - A. Recent Trends in Apprehensions8
 - B. Changing Origins and Characteristics of Apprehended Migrants..... 10
- III. Migration Push Factors in Central America 13**
 - A. High Population Growth Rates..... 13
 - B. Low Per-Capita Incomes and Wages..... 14
 - C. Climate Change and Drought..... 15
 - D. Violence and Insecurity 17
 - E. Corruption and Political Instability 18
 - F. The Combination of Push Factors 18
- IV. Pull Factors in the United States..... 19**
 - A. Familial or Other Connections 19
 - B. U.S. Policies that Permit Extended Stays and Attempted Policy Shifts20
 - C. A Strong U.S. Job Market.....25
- V. Factors Governing Transit through Mexico..... 26**
- VI. Policy Recommendations and Final Thoughts 34**
 - Final Thoughts39
- Works Cited 40**
- About the Authors 51**



Executive Summary

The migration and humanitarian crisis at the U.S.-Mexico border that has overwhelmed border enforcement operations in recent months and resulted in unsafe, precarious conditions for would-be migrants, including children, represents a remarkable turnaround in the U.S. border-security picture over a very short period of time. The Border Patrol carried out 133,000 apprehensions in May 2019—the single highest monthly total since March 2006 and more than triple the number recorded in May 2018. Although apprehensions dropped somewhat in June 2019, they are still likely to approach the 1 million mark by the end of the fiscal year—more than double the annual total in fiscal year (FY) 2018 and triple the total the year before that.

In its efforts to deter the flows, the Trump administration has employed sweeping and largely unprecedented measures that have transformed border enforcement in many ways. Perhaps most visibly for the public, the White House has pressed Congress to provide money to build a border wall, sparking a record partial federal government shutdown when funding was not provided and later declaring a national emergency to move funds around for wall construction.

While collectively this succession of punitive enforcement-oriented actions is unprecedented in scope, paradoxically it has made the situation at the border worse.

Beyond the symbolic importance of the wall, the administration has assigned several thousand active-duty military and National Guard troops to the Southwest border; narrowed access to the asylum system through a range of actions; returned migrants to Mexico to await the outcome of their U.S. asylum hearings; continued to separate families despite having rescinded an earlier policy sparking family separation; detained children for prolonged periods in severely overcrowded facilities not designed for them; cut off aid to El Salvador, Guatemala, and Honduras for not reducing emigration; and—most recently—threatened tariffs against Mexico to force greater enforcement of its border with Guatemala and against Guatemala unless it acceded to a safe third-country agreement that will result in the return of Salvadorans and Hondurans arriving at the U.S.-Mexico border.

While collectively this succession of punitive enforcement-oriented actions is unprecedented in scope, paradoxically it has made the situation at the border worse. That is because the border enforcement strategies, resources, and policy responses being deployed today were designed for fundamentally different flows than have been witnessed in recent years. With the exception of 2015, flows from Central America have outpaced those from Mexico every year since 2014, and are comprised largely of families and unaccompanied children seeking asylum in the United States, rather than young, male adults in search of work—as was the reality going back to the early 1970s.

In FY 2008, more than 90 percent of those apprehended at the border were Mexican. During the first nine months of FY 2019, Guatemalans, Hondurans, and Salvadorans represented 74 percent of apprehensions, with 66 percent composed of families traveling together or children making the journey alone. U.S. Customs and Border Protection (CBP) and the other Department of Homeland Security (DHS) and Health and Human Services (HHS) agencies whose missions support border enforcement have been slow to grasp the implications of the changing flows for their roles and capabilities, although these trends have been evident and growing for some time now.

This report provides data and information on the changed characteristics of migration reaching the U.S.-Mexico border, which has—especially in recent months—entirely eclipsed the near-historic low in



apprehensions that were celebrated just two years ago as a sign of border security successes. The report concludes that addressing the crisis now gripping the U.S.-Mexico border calls for a transformation of a different kind than the one engineered by the administration. Instead, there is an urgent need to re-envision border enforcement given the characteristics of today's mixed flows, comprised of people legitimately seeking humanitarian relief but also economic migrants and those seeking to reunify with relatives already in the United States. Migration from the Northern Triangle countries of Central America, and indeed potentially from other parts of the hemisphere and world regions, constitute today's major and longer-term challenge to management and security of the U.S.-Mexico border.

These new realities call for conceptualizing border enforcement as not only a function of what takes place at the geographic border with Mexico, but also addressing the systems, infrastructure, and regional cooperation that must be built and implemented in concert to affect the characteristics and drivers of newer flows. A smart, effective rethinking of border enforcement must include the following four critical elements:

1. **Timely, fair asylum processing.** Rather than narrowing eligibility and access to asylum processing, new strategies and investment of resources that enable the asylum system to handle its escalating caseload represent the first-order need. Families are being released into the country pending their asylum and removal hearings, with court dates years away because of massive backlogs. Extended stays in the United States while asylum claims are pending and the infrequent deportation of migrants whose cases are denied function as core pull factors for continued large-scale flows. Yet the administration has not taken meaningful steps to decide cases expeditiously.

It is possible, and the United States has historically been able, to permit asylum seekers to apply for protection and uphold migrant rights while managing flows and protecting U.S. security. When asylum cases are decided through timely, fair processing—granting protection where needed and resulting in return where not—deterrence will follow.

2. **Supervised release pending asylum decisions.** To ensure appearance for asylum interviews, court dates, and removal requirements, U.S. authorities should put into place robust case-management systems as an alternative to prohibitively costly and emotionally damaging longer-term detention. Prolonged detention is inhumane, expensive, and unworkable, especially with the current numbers. Supervised release is cost effective and considerably less likely to result in lasting psychological harm than detention.

Pilot supervision programs have shown compliance rates of 99 percent, costing \$38 per family per day, a fraction of the cost of detention (\$319 per individual family member per day). It is challenging to scale up such programs. However, it is no more so than obtaining detention space for large numbers and it is decidedly more humane, while also establishing appearance for asylum interviews and removal hearings that are required to achieve the twin goals of protection and deterrence.

3. **Reconfiguring U.S. Customs and Border Protection strategies and operations.** While CBP's enforcement model was demonstrating significant success in thwarting illegal immigration of Mexicans, a fundamentally new operational model must be developed and implemented to address today's mixed flows, largely of families and unaccompanied children. Just as deterrence through prevention in the 1990s and consequence delivery in the 2000s represented new enforcement regimes, mixed-flow enforcement calls for analogous changes in the strategies, infrastructure, and culture of CBP and other agencies that support it.

Traditional border enforcement to prevent illegal activity of many types must certainly continue. But new responses and re-engineering to address the sharply changed border reality are also required.



Processing should allow for an interagency presence of the key federal agencies with front-line responsibilities for asylum seekers and unauthorized migrants. In addition to CBP, they are U.S. Immigration and Customs Enforcement (ICE), the asylum division in U.S. Citizenship and Immigration Services (USCIS), the immigration court functions that reside in the Department of Justice (DOJ), and the Office of Refugee Resettlement (ORR) in HHS. Interagency operations with a one-border mission should be established to enable standardized procedures, smooth handoffs among partner agencies, and accurate recordkeeping that have eluded officials and agencies, often with dire results for individuals and cases that fall through the cracks.

In particular, the capacity of Border Patrol stations and other reception facilities at and near the border must be significantly expanded and upgraded to ensure the proper initial processing and referrals of families and unaccompanied minors. Such facilities must have adequate medical staff and Border Patrol agents must be trained to spot and handle health emergencies and other care issues, which are more likely among vulnerable populations such as children who have traveled long distances, often under grueling circumstances.

4. *Regional cooperation in migration management and in tackling root causes of migration.*

Mexico and the United States have shared interests in managing migration within the region to be safe, legal, and orderly as well as to reduce migration pressures from nearby countries over the longer term. The June 7, 2019 agreement reached by the U.S. and Mexican governments to avert U.S. tariffs includes important policy areas for heightened cooperation, such as strengthened enforcement of Mexico's border with Guatemala; combating smuggling and criminal activity that enables unlawful flows; and asylum, temporary visa, and work programs in Mexico which its government has committed to support with new policies and resources.

However, Mexico lacks the capacity and institutional readiness to sustain the levels of effort that the United States is demanding in reducing migration from Central America. The United States should support expanding Mexico's capacity to process asylum and other humanitarian claims, and developing long-term, work-oriented immigration programs, alongside enforcement efforts that build professionalism and bilateral and regional cooperation.

Imposing safe third-country agreements, as the administration is attempting with its prohibition on U.S. asylum for migrants who have crossed Mexico and other countries on the way north and its recently announced agreement with Guatemala, is destined to fail. Instead, the United States should work with Mexico, the UN High Commissioner for Refugees (UNHCR), and countries such as Canada to establish regional processing programs that build the capacity to adjudicate growing numbers of asylum cases from the region closer to their source and accept for admission as refugees those with valid claims.

To reduce migration pressures, it is essential to U.S. interests to restore aid and foreign assistance programs, cut recently by the U.S. government, that strengthen citizen security, combat violence, improve living standards, and mitigate drought and climate change in Central America.

These recommendations are based on analyses in the report that respond to these questions:

- (1) Why is Central American migration peaking now?
- (2) Why is it predominantly Guatemalans and Hondurans?
- (3) Why are so many traveling together in families, instead of alone as adults or unaccompanied children?

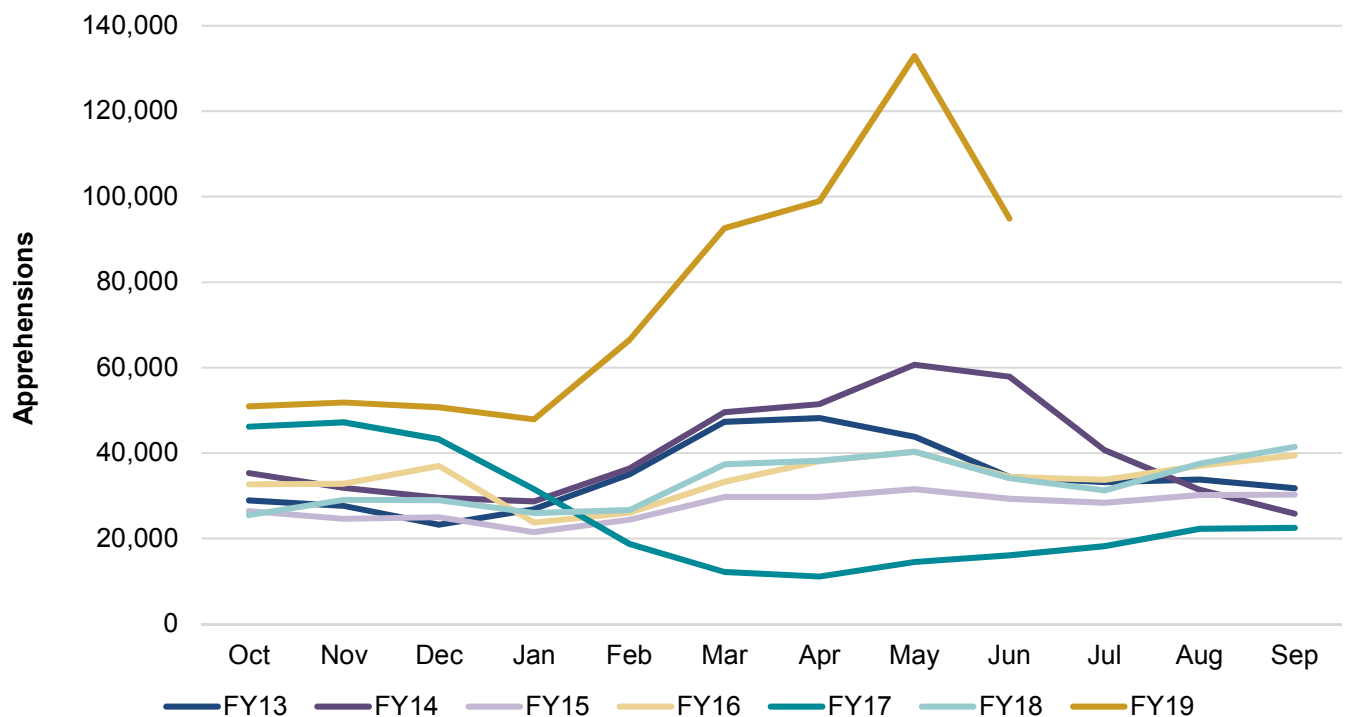
The discussion of these topics outlines the ways in which changing demographic and economic conditions, drought, violence, and political corruption are intertwined as drivers of emigration. At the same time, this combination of factors has largely been in place for some time. Three sets of pull factors—familial/network, U.S. policies, and jobs—may be the more prevailing reasons why so many Central Americans are leaving now and why they are traveling together in families, instead of separately as adults or unaccompanied children as occurred earlier.



I. Overview: From Control to Crisis

The U.S. Border Patrol carried out 133,000 apprehensions in May 2019—the highest in more than a decade and one of four months hovering near or exceeding 100,000 apprehensions so far this fiscal year—signaling an unprecedented migration and humanitarian crisis at the U.S.-Mexico border.¹ Although June apprehensions dropped 29 percent to 95,000, they were still well more than twice their level at the same time last year (see Figure 1).² Apprehensions are on pace to approach 1 million by the end of the fiscal year, which is more than a doubling of crossings compared with 2018 and more than a tripling from 2017.

Figure 1. Monthly Southwest Border Apprehensions, FY 2012-19*



* The fiscal 2019 numbers are for the first nine months of the fiscal year, from October 2018 through June 2019.

Sources: U.S. Border Patrol, "Total Illegal Alien Apprehensions by Month," accessed April 10, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-monthly-apps-sector-area-fy2018.pdf; U.S. Customs and Border Protection (CBP), "Southwest Border Migration FY 2019," updated July 10, 2019, www.cbp.gov/newsroom/stats/sw-border-migration.

- 1 In May 2019, an additional 11,000 migrants arriving at official ports of entry along the U.S.-Mexico border were denied legal admission into the United States and thereby deemed "inadmissible." Unlike apprehensions between ports of entry, most of these inadmissible migrants are Mexican, not Central American, and their numbers are not rising; they have remained in a relatively narrow range of 8,000 to 13,000 per month since August 2017. Most likely this is because U.S. border inspectors have been "metering" asylum seekers by accepting only limited numbers of them each day. Metering has resulted in the creation of informal waiting lists to present at official ports of entry for asylum, with at least 18,000 migrants waiting in Mexican cities along the U.S.-Mexico border alone in early May 2019. See U.S. Customs and Border Protection (CBP), "Southwest Border Migration FY 2019," updated July 10, 2019, www.cbp.gov/newsroom/stats/sw-border-migration; CBP, "Southwest Border Migration FY 2017," updated December 15, 2017, www.cbp.gov/newsroom/stats/sw-border-migration-fy2017; CBP, "Southwest Border Migration FY 2018," updated November 9, 2018, www.cbp.gov/newsroom/stats/sw-border-migration-fy-2018; Stephanie Leutert, "What 'Metering' Really Looks Like in South Texas," Lawfare, July 17, 2019, www.lawfareblog.com/what-metering-really-looks-south-texas.
- 2 CBP, "Southwest Border Migration FY 2019;" CBP, "Southwest Border Migration FY 2018."



This sharp rise in illegal immigration is a remarkable turnaround in the border security picture in a short period. As recently as FY 2017, with full implementation of staffing, barriers, technology, and the use of consequences for illegal entry such as rapid formal removal and federal prison time, Southwest border apprehensions reached historic lows. From a peak 1.6 million apprehensions in FY 2000, the numbers had fallen to 304,000 by FY 2017—the lowest since 1971.³

At the same time, sweeping policy changes have been put into place during the first two and a half years of the Trump administration that would have been unimagined heretofore. Thousands of active-duty military troops and National Guard members have been dispatched to the border, as well as 400 Transportation Security Agency (TSA) agents⁴ and other personnel from the Department of Homeland Security (DHS).⁵ With Congress refusing to provide the border wall funding demanded by the White House, the United States was plunged into a 35-day partial federal government shutdown—the longest in history.⁶ President Trump's declaration of a national emergency at the border⁷ has diverted billions of dollars from defense and other programs to build a wall that few believe represents a necessary border-control investment. And citing their inability to reduce migration flows, the president halted foreign aid to El Salvador, Guatemala, and Honduras at a time when programs designed to combat violence and gangs in those countries have begun to show results.⁸

*This sharp rise in illegal immigration is a remarkable turnaround
in the border security picture in a short period.*

Thousands of children were separated from their families as the result of zero-tolerance prosecution policies for migrants crossing the border illegally during a period in spring 2018.⁹ And such separations have continued since in more than 900 cases as of July 2019 as the result of children arriving with a relative who is not a parent or guardian, or the parent being flagged for fraud, a communicable disease, past criminal history, or posing a danger to the “welfare of the child.”¹⁰

- 3 U.S. Border Patrol, “United States Border Patrol: Nationwide Illegal Alien Apprehensions Fiscal Years 1925 – 2018,” accessed July 21, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-apps-fy1925-fy2018.pdf.
- 4 Greg Jaffe, Missy Ryan, and Nick Miroff, “Pentagon Set to Expand Military Role along Southern Border,” *Washington Post*, April 26, 2019, www.washingtonpost.com/world/national-security/pentagon-set-to-expand-military-role-along-southern-border/2019/04/26/f2b04666-682a-11e9-82ba-fcfeff232e8f_story.html?utm_term=.839446ed89fd.
- 5 For instance, in the middle of July 2019, U.S. Citizenship and Immigration Services (USCIS) leadership asked their employees to volunteer for administrative work in U.S. Immigration and Customs Enforcement (ICE) offices across the country, including to assist in border processing. See Hamed Aleaziz, “Civil Servants Who Process Immigration Applications Are Being Asked to Help ICE Instead,” *BuzzFeed News*, July 17, 2019, www.buzzfeednews.com/article/hamedaleaziz/uscis-immigration-applications-backlog-ice.
- 6 Michael Collins, Eliza Collins, David Jackson, John Fritze, and Maureen Groppe, “Trump Signs Measure to Temporarily Reopen Government, Setting Up New Battle Over Border Wall,” *USA Today*, January 27, 2019, www.usatoday.com/story/news/politics/2019/01/25/shutdown-senate-leaders-talk-flight-delays-reported-airports/2676022002/.
- 7 White House, “Presidential Proclamation on Declaring a National Emergency Concerning the Southern Border of the United States,” February 15, 2019, www.whitehouse.gov/presidential-actions/presidential-proclamation-declaring-national-emergency-concerning-southern-border-united-states/.
- 8 Lesley Wroughton and Patricia Zengerle, “As Promised, Trump Slashes Aid to Central America Over Migrants,” *Reuters*, June 17, 2019, www.reuters.com/article/us-usa-immigration-trump/as-promised-trump-slashes-aid-to-central-america-over-migrants-idUSKCN1TI2C7.
- 9 Lomi Kriel and Dug Begley, “Trump Administration Still Separating Hundreds of Migrant Children at the Border Through Often Questionable Claims of Danger,” *Houston Chronicle*, June 22, 2019, www.houstonchronicle.com/news/houston-texas/houston/article/Trump-administration-still-separating-hundreds-of-14029494.php.
- 10 Maria Sacchetti, “U.S. Has Taken Nearly 1,000 Child Migrants from Their Parents since Judge Ordered Stop to Border Separations,” *Washington Post*, July 30, 2019, www.washingtonpost.com/immigration/aclu-us-has-taken-nearly-1000-child-migrants-from-their-parents-since-judge-ordered-stop-to-border-separations/2019/07/30/bde452d8-b2d5-11e9-8949-5f36ff92706e_story.html?utm_term=.4f4279a6dc6c; Testimony of Carla Provost, Border Patrol Chief, CBP, before the House Judiciary Committee, *Oversight of the Trump Administration's Family Separation Policy*, 116th Cong., 1st sess., February 26, 2019, <https://judiciary.house.gov/legislation/hearings/oversight-trump-administration-s-family-separation-policy>.



Eligibility grounds for granting asylum have been narrowed by largely disqualifying circumstances typical of cases of those from Central America, such as gang or domestic violence, or viewing family as a recognizable social group when considering endangerment.¹¹ While DHS instructs asylum seekers to make their claims at ports of entry instead of entering the country illegally and then requesting protection,¹² it rolled out a “metering” program that limits asylum claims at each official crossing to tiny numbers daily, causing backups of thousands of people in Mexico at major crossing points.¹³ A recent program—the Migration Protection Protocols (MPP), informally known as Remain in Mexico—requires asylum seekers to wait in Mexico, under uncertain living and safety conditions, for months or more as they await decisions in their U.S. asylum or removal cases.¹⁴

Hundreds of families and children, including infants, have been held in severely overcrowded Border Patrol stations—sometimes for long periods without access to medical care or basic amenities such as toothbrushes and soap—because of inadequate processing capacity and facilities.¹⁵ Emergency tent cities for holding thousands of families and unaccompanied minors are being erected at several high-crossing border sites. And perhaps most stunningly, at least seven children have died in U.S. custody, the result of one of a number of factors, including arriving sick from the arduous journey, overcrowded and unhygienic conditions in detention, and lack of necessary or appropriate medical care.¹⁶

More recently, the president threatened to impose steep tariffs against Mexico, charging it with not doing enough to stop the flows. At the final hour, he pulled back, citing an agreement with Mexico that will be closely monitored in the weeks ahead to gauge its effect on reducing flows.¹⁷ The administration also announced it would not accept asylum seekers at the U.S. border who had failed to apply for and been denied asylum in Mexico or another country through which they traveled, a measure that has been stopped by a court injunction.¹⁸ Finally, the administration negotiated a safe third-country agreement with Guatemala, subject to approval by its Congress.¹⁹

- 11 Sarah Pierce, *Immigration-Related Policy Changes in the First Two Years of the Trump Administration* (Washington, DC: Migration Policy Institute, 2019), www.migrationpolicy.org/research/immigration-policy-changes-two-years-trump-administration; Richard Gonzales, “Barr Changes Asylum Rules, Limits Family Endangerment Claims,” National Public Radio, July 29, 2019, www.npr.org/2019/07/29/746448090/barr-changes-asylum-rules-limits-family-endangerment-claims.
- 12 “Transcript: Homeland Security Secretary Kirstjen Nielsen’s Full Interview With NPR,” National Public Radio (NPR), May 10, 2018, www.npr.org/2018/05/10/610113364/transcript-homeland-security-secretary-kirstjen-nielsens-full-interview-with-npr.
- 13 Leutert, “What ‘Metering’ Really Looks Like in South Texas.”
- 14 Department of Homeland Security (DHS), “Migrant Protection Protocols,” last updated January 24, 2019, www.dhs.gov/news/2019/01/24/migrant-protection-protocols.
- 15 Caitlin Dickerson, “Hundreds of Migrant Children Are Moved Out of an Overcrowded Border Station,” *New York Times*, June 24, 2019, www.nytimes.com/2019/06/24/us/border-migrant-children-detention-soap.html. Congress in June 2019 appropriated an additional \$4.6 billion to shore up CBP processing facilities, pay for Border Patrol agent overtime and transportation, and increase the capacity of the U.S. Department of Health and Human Services (HHS) to provide long-term shelter for unaccompanied migrant children. See *Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act*, Public Law 116-26, 116th Cong., 1st sess., www.congress.gov/bill/116th-congress/house-bill/3401/text.
- 16 Nicole Acevedo, “Why Are Migrant Children Dying in U.S. Custody?” NBC News, May 29, 2019, www.nbcnews.com/news/latino/why-are-migrant-children-dying-u-s-custody-n1010316.
- 17 On June 7, the United States and Mexico signed a joint declaration addressing the humanitarian and security crisis at the border. In that declaration, Mexico committed to deploy its National Guard to stop migrants, act to dismantle smuggling and trafficking organizations, and authorize the entrance of asylum seekers and migrants the United States returns to Mexico under the Migrant Protection Protocols. Both countries committed to share information and coordinate efforts; they also recognized the need for a plan to address development and security in Central America. The two governments agreed to review the results of these measures after 90 days and take additional actions at that time if necessary. See U.S. Department of State, “U.S.-Mexico Joint Declaration” (Media note, June 7, 2019), www.state.gov/u-s-mexico-joint-declaration/.
- 18 Executive Office for Immigration Review (EOIR), “Asylum Eligibility and Procedural Modifications,” *Federal Register* 84, no. 136 (July 16, 2019): 33829-845, www.federalregister.gov/documents/2019/07/16/2019-15246/asylum-eligibility-and-procedural-modifications; *East Bay Sanctuary Covenant et al. v. William Barr et al.*, No. 19-cv-04073-JST, Preliminary injunction (U.S. District Court, Northern District of California, July 24, 2019), www.courtlistener.com/recap/gov.uscourts.cand.344869/gov.uscourts.cand.344869.42.0.pdf.
- 19 Kirk Semple, “The U.S. and Guatemala Reached an Asylum Deal: Here’s What It Means,” *New York Times*, July 28, 2019, www.nytimes.com/2019/07/28/world/americas/guatemala-safe-third-asylum.html.



These measures collectively constitute a massive reshaping of border enforcement policies and practices. Paradoxically, this transformation has only deepened the crisis. The rapid succession of increasingly punitive measures offered as quick fixes has had the opposite of the intended effect. Instead of deterring flows, these measures seem to have signaled—through messages carried by smuggling networks and information from families and friends already in the United States—that now is the time to migrate, lest conditions continue to become even more difficult. In the words of a smuggler at the Guatemala-Mexico border, “Trump gave an opportunity for the entire world to get into the U.S.”²⁰

And as arrivals have surged to levels unseen in years, border enforcement and asylum systems have been overwhelmed. Families are being released into the country pending their immigration hearings, when the hearing dates are years away. These practices help explain why more than half of apprehended migrants during the first nine months of fiscal year (FY) 2019 have migrated in families.²¹

The rapid succession of increasingly punitive measures offered as quick fixes has had the opposite of the intended effect.

Managing this new flow while protecting both U.S. security and the rights and well-being of migrants requires recognizing and addressing the full range of factors that have generated this migration. That challenge must be met with a different kind of transformation in border enforcement. Current flows are fundamentally different from those for which today’s border enforcement was designed. Responding effectively calls for substantially different policy solutions and strategies, infrastructure, and capabilities.

This report provides data and information on the changing characteristics of migrants arriving at the U.S.-Mexico border and the challenges they pose for effective border management and enforcement going forward. It analyzes how the flows differ from those of prior peaks in 2000 and 2005, the push factors in Central America, the pull factors in the United States, and developments that affect transit through Mexico.

II. The Southwest Border Story: An Evolution

Today’s Southwest border enforcement strategies, staffing, infrastructure, and technology originated in the 1990s and have continued into the 2000s with strong bipartisan support—especially in the aftermath of 9/11—from administrations and Congresses under the leadership of both political parties. The result has been a sustained build-up and modernization of border enforcement that has demonstrated remarkable improvements in border control and effectiveness. For example, the Border Patrol’s detection rate of illegal crossers increased from 63 percent in 2006 to 89 percent in 2017, while the apprehension rate rose from 38 percent to 65 percent.²²

Since the last peak in apprehensions in 2005, the Border Patrol has increasingly imposed what it terms consequences, such as criminal prosecution and possible federal prison sentences for illegal entry or re-entry and expedited removal, which allows for rapid deportation of apprehended migrants without

20 Emily Green, “A Migrant-Smuggling ‘Coyote’ Told Us Trump’s Policies Have Been Great for Business,” Vice News, June 20, 2019, https://news.vice.com/en_us/article/zmpkz8/a-migrant-smuggling-coyote-told-us-trumps-policies-have-been-great-for-business.

21 CBP, “Southwest Border Migration FY 2019.”

22 DHS, *Department of Homeland Security Border Security Metrics Report* (Washington, DC: DHS, 2019), 20, 10, www.dhs.gov/sites/default/files/publications/ndaa_border_metrics_report_fy_2018_0_0.pdf.



the opportunity to appear before an immigration judge.²³ Implementing such consequences significantly reduced the annual recidivism rate—the share of individuals re-apprehended during the same year—from 29 percent in FY 2007 to 14 percent in FY 2014.²⁴ These consequences also helped substantially reduce illegal crossings.

Gains such as these are dramatic and significant, though they have not been widely recognized by Congress or the general public as a success story. The reduced illegal crossings reflect the convergence of a number of factors, especially economic growth and reduced fertility rates in Mexico. At the same time, the Great Recession and sizeable border enforcement investments and successes have played an essential role.²⁵

The successes have rested on two important propositions: enforcement was designed to deter a Mexican flow of primarily single young males seeking work in the United States, and the Border Patrol has been adept at adjusting its use of resources, tactics, and technology to respond to changing trends and border crossing patterns of migrants seeking to evade detection and apprehension. In both cases, these propositions no longer hold.

Beginning in 2012, the numbers of unaccompanied minors and families with children from the Northern Triangle countries of El Salvador, Guatemala, and Honduras jumped sharply. By FY 2014, apprehensions of non-Mexican migrants outnumbered those from Mexico for the first time.²⁶ From FY 2016 through FY 2019 to date, Central American flows have overwhelmingly been families and unaccompanied children seeking safety from widespread violence and gang activity, as well as from joblessness and poverty. These families and unaccompanied children do not generally attempt to evade Border Patrol agents, but instead actively seek them out to turn themselves in and apply for asylum.

U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and other federal agencies have been slow to grasp the implications of these changes for their enforcement posture and capabilities, although the changing trends have been evident for some time.

A. Recent Trends in Apprehensions

On a month-by-month basis, U.S.-Mexico border apprehensions for the first nine months of FY 2019 have greatly exceeded those in the past five years (see Figure 1 earlier). Moreover, the seasonal trend—characterized by rising apprehensions in the spring and early summer, with falling apprehensions in the late summer, fall, and winter—has been stronger this year than in any of the past five, with an unusually high peak of 133,000 apprehensions in May.

Two lower peaks in apprehensions over the past five years have been harbingers of today's migration. One occurred in 2014 and corresponded with the beginning of the rise in apprehensions of families and unaccompanied minors from Central America. Another peak in early FY 2017 (October 2016 through January 2017) occurred at the end of the 2016 election cycle and just after it, as migrants apparently rushed to enter the United States before Trump took office. A trough in apprehensions followed during spring and summer of 2017—the opposite of the usual seasonal pattern whereby apprehensions rise in the spring. This lull, described as the “Trump effect,” corresponded with announcements of stricter immigration policies during the early months of the new administration. But as the border wall, asylum

23 Randy Capps, Faye Hipsman, and Doris Meissner, *Advances in U.S.-Mexico Border Enforcement: A Review of the Consequence Delivery System* (Washington, DC: Migration Policy Institute, 2017), 2, www.migrationpolicy.org/research/advances-us-mexico-border-enforcement-review-consequence-delivery-system.

24 Capps, Hipsman, and Meissner, *Advances in U.S.-Mexico Border Enforcement*.

25 Apprehensions of Mexican migrants, however, have not rebounded significantly in more recent years as the U.S. economy improved, suggesting that demographic and economic changes in Mexico have had an enduring impact on migration push factors there.

26 CBP, *CBP Border Security Report* (Washington, DC: CBP, 2016), 1, www.cbp.gov/sites/default/files/assets/documents/2018-Mar/CBP-fy2016-border-security-report.pdf.

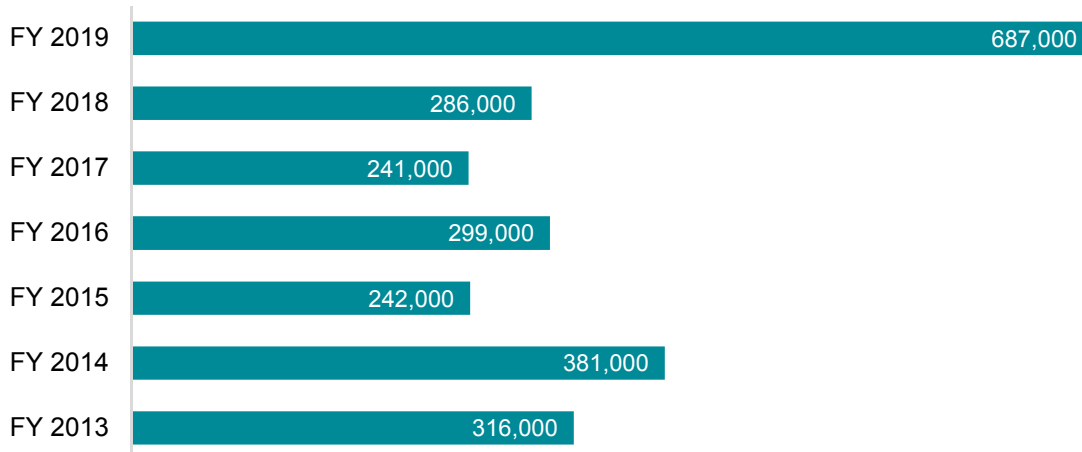


ban, and other new border and interior enforcement initiatives were constrained by litigation, pushback by so-called sanctuary jurisdictions, and Congress' unwillingness to provide significant new resources, the wait-and-see uncertainty waned. Apprehensions began to rise again by early 2018.

In response, the Justice Department in April 2018 announced a “zero-tolerance” policy. Prosecution of parents for illegal entry²⁷ resulted in separation from their children, who cannot be held in criminal facilities and were, therefore, taken into the custody of the Office of Refugee Resettlement (ORR), which is responsible for the care of unaccompanied minors. Apprehensions fell slightly that spring and early summer, reaching a low point in July 2018. But the public uproar over family separations led the president to rescind the policy in June 2018.²⁸ Since then, apprehensions have risen dramatically, with especially rapid increases during March, April, and May 2019.

There were 688,000 border apprehensions during the first nine months of FY 2019—more than double the number for the same period every year since FY 2014 (see Figure 2). The migration agreement the U.S. and Mexican governments adopted in June 2019 resulted in significant increases in Mexico's enforcement of its southern border with Guatemala, and a corresponding 29 percent drop in U.S. apprehensions during that month. Nonetheless, with three months to go, there were nearly 700,000 apprehensions for the year, making it likely that apprehensions will approach 1 million—a level not seen since FY 2006 (1.1 million).²⁹

Figure 2. Southwest Border Apprehensions During First Nine Months of Fiscal Year, FY 2013-19



Sources: CBP, “Southwest Border Migration FY 2019;” U.S. Border Patrol, “Total Illegal Alien Apprehensions by Month.”

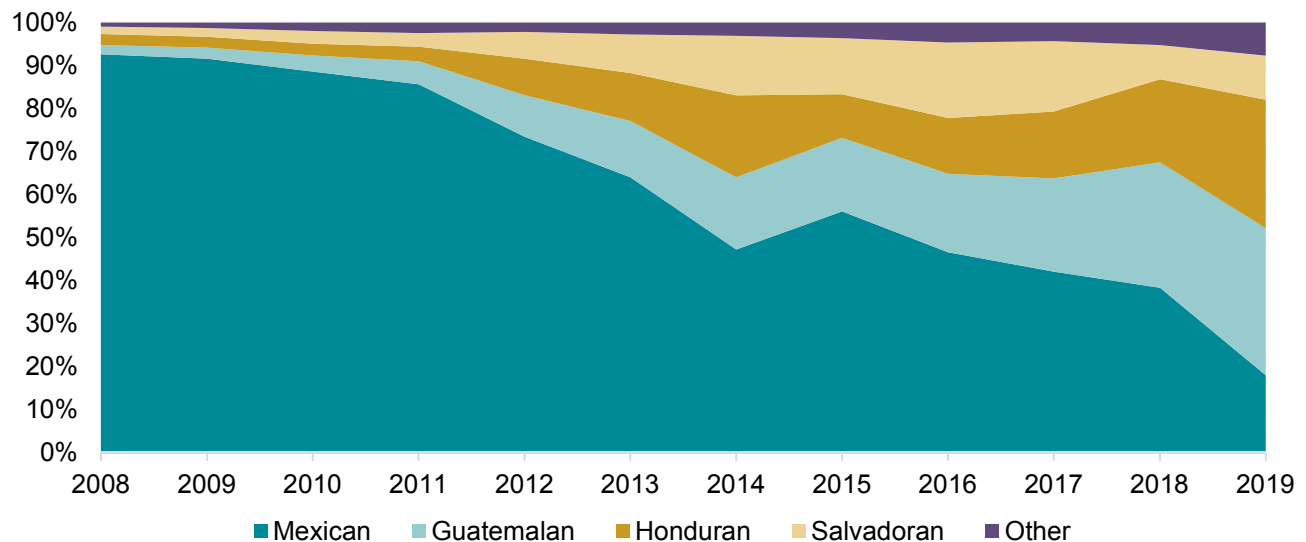
- 27 Memorandum from Jeff Sessions, Attorney General, U.S. Department of Justice (DOJ), to Federal Prosecutors along the Southwest Border, *Zero-Tolerance for Offenses Under 8 U.S.C. § 1325(a)*, April 6, 2018, www.justice.gov/opa/press-release/file/1049751/download; DOJ, “Attorney General Sessions Delivers Remarks Discussing the Immigration Enforcement Actions of the Trump Administration” (news release, May 7, 2018), www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-discussing-immigration-enforcement-actions.
- 28 Donald J. Trump, “Affording Congress an Opportunity to Address Family Separation,” Executive Order 13841 of June 20, 2018, *Federal Register* vol. 38, no. 122 (June 25, 2018): 29435-436, www.govinfo.gov/content/pkg/FR-2018-06-25/html/2018-13696.htm.
- 29 U.S. Border Patrol, “Southwest Border Sectors: Total Illegal Alien Apprehensions by Fiscal Year (Oct. 1st through Sept. 30th),” accessed May 15, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-southwest-border-sector-apps-fy1960-fy2018.pdf.

B. Changing Origins and Characteristics of Apprehended Migrants

In FY 2008, more than 90 percent of those apprehended were Mexicans. By the first nine months of FY 2019, nationals of the three Northern Triangle countries of Central America comprised 74 percent of apprehensions (see Figure 3).³⁰

For the past two years, Guatemalans and Hondurans have made up a rising share of all apprehensions, while Mexican and Salvadoran shares have fallen. The Salvadoran share peaked at 18 percent in FY 2016 but fell to 10 percent during the first nine months of FY 2019, when 34 percent of apprehensions were of Guatemalans, 30 percent were of Hondurans, and 18 percent of Mexicans.³¹

Figure 3. Citizenship of Migrants Apprehended at Southwest Border, FY 2008-19*



* The fiscal 2019 numbers are for the first nine months of the fiscal year, from October 2018 through June 2019.

Sources: Department of Homeland Security (DHS), *Border Security Metrics Report* (Washington, DC: DHS, 2018), 46, www.dhs.gov/sites/default/files/publications/18_0718_PLCY_FY2017-Border-Security-Metrics-Report.pdf; CBP, "U.S. Border Patrol Nationwide Apprehensions by Citizenship and Sector in FY2017," 31, "U.S. Border Patrol Nationwide Apprehensions by Citizenship and Sector in FY2018," 34, accessed March 29, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/BP%20Apps%20by%20Sector%20and%20Citizenship%20FY07-FY18.pdf; CBP, "Southwest Border Migration FY 2019."

In FY 2012, families traveling together and children traveling alone comprised just 10 percent of Southwest border apprehensions (see Figure 4).³² Their share rose to 66 percent during the first nine months of FY 2019,³³ almost entirely accounting for the recent increase in apprehensions.

Unaccompanied children have been a relatively constant share of apprehensions—fluctuating between 7 percent and 15 percent during this eight-year period—and falling slightly to 9 percent thus far during the current fiscal year.³⁴ In absolute numbers, the peak in unaccompanied child apprehensions was 69,000 in FY 2014; with 64,000 child apprehensions during the first nine months in FY 2019, this year's total is

30 CBP, "U.S. Border Patrol Southwest Border Apprehensions by Sector, Fiscal Year 2019."

31 DHS, *Border Security Metrics Report*, 46; CBP, "U.S. Border Patrol Southwest Border Apprehensions by Sector, Fiscal Year 2019."

32 CBP, "United States Border Patrol Southwest Family Unit Subject and Unaccompanied Alien Children Apprehensions, Fiscal Year 2016," updated October 18, 2016, www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children/fy-2016.

33 CBP, "Southwest Border Migration FY 2019."

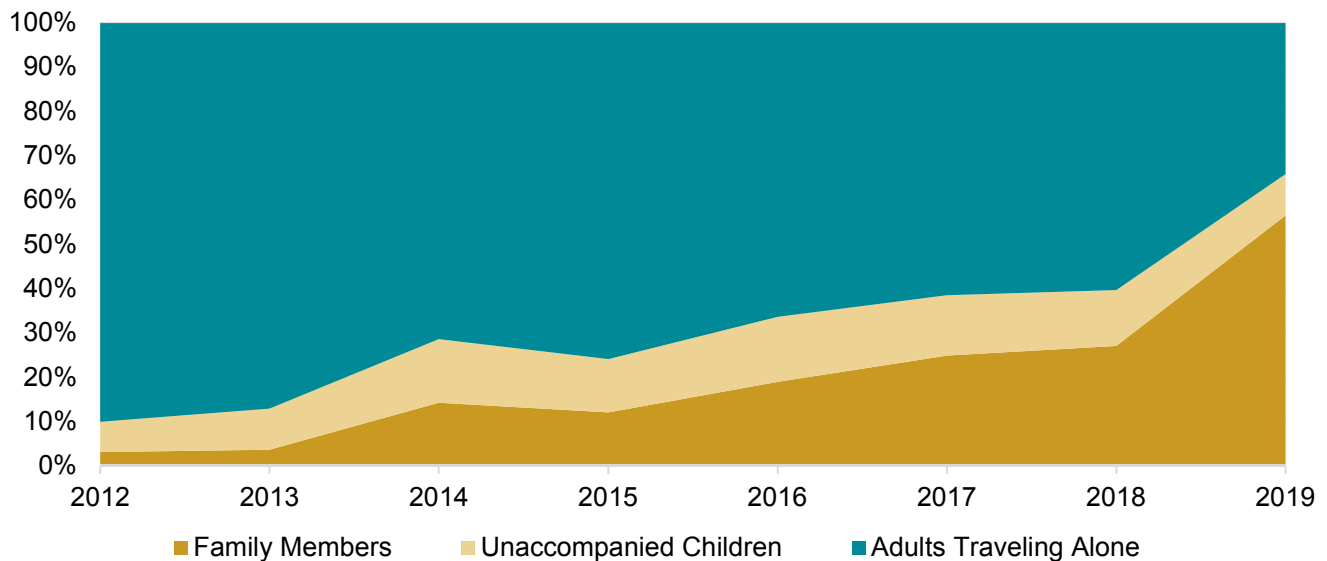
34 U.S. Border Patrol, "Total Unaccompanied Alien Children (0-17 Years Old) Apprehensions by Month," accessed April 10, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-monthly-uacs-sector-fy2010-fy2018.pdf; U.S. Border Patrol, "Total Illegal Alien Apprehensions by Month," accessed April 10, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-monthly-apps-sector-area-fy2018.pdf; CBP, "Southwest Border Migration FY 2019."



expected to eclipse that prior peak.³⁵ There were 234,000 apprehensions of individual adults during the first nine months of FY 2019, running just below the total of 239,000 for all of FY 2018, but significantly below totals significantly exceeding 300,000 during FYs 2012 through 2014.³⁶

By contrast, the number of family units (adults or children traveling together as families) apprehended in the first nine months of this fiscal year (390,000) is already almost four times the number for all of last year (107,000) and more than five times the number in FY 2014 (68,000) when unaccompanied child apprehensions peaked.³⁷ In FY 2012 there were just 11,000 family unit apprehensions.³⁸

Figure 4. Southwest Border Apprehensions by Category, FY 2012-19*



* The fiscal 2019 numbers are for the first nine months of the fiscal year, from October 2018 through June 2019.

Sources: U.S. Border Patrol, "Total Illegal Alien Apprehensions by Month," U.S. Border Patrol, "Total Unaccompanied Alien Children (0-17 Years Old) Apprehensions By Month," accessed April 10, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-monthly-uacs-sector-fy2010-fy2018.pdf; CBP, "United States Border Patrol Southwest Family Unit Subject and Unaccompanied Alien Children Apprehensions Fiscal Year 2016," updated October 18, 2016, www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children/fy-2016; U.S. Border Patrol, "Total Family Unit* Apprehensions by Month," accessed April 10, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-monthly-family-units-sector-fy13-fy18.pdf; CBP, "U.S. Border Patrol Southwest Border Apprehensions by Sector Fiscal Year 2019," updated July 10, 2019, www.cbp.gov/newsroom/stats/sw-border-migration/usbp-sw-border-apprehensions.

Over the past two years, the increase in family member apprehensions has been driven primarily by Guatemalans and Hondurans. In FY 2015-17, they together comprised about 60 percent of apprehended family members. Their share rose to 82 percent during the first nine months of FY 2019 (see Figure 5). During these months, 319,000 family members from Guatemala and Honduras were apprehended, representing 46 percent of the 688,000 total Southwest border apprehensions—including adults, families, and children.³⁹

35 U.S. Border Patrol, "Total Unaccompanied Alien Children (0-17 Years Old) Apprehensions by Month," CBP, "Southwest Border Migration FY 2019."

36 CBP, "Southwest Border Migration FY 2019;" authors' calculations based on U.S. Border Patrol, "Total Unaccompanied Alien Children (0-17 Years Old) Apprehensions by Month;" U.S. Border Patrol, "Total Illegal Alien Apprehensions by Month;" U.S. Border Patrol, "Total Family Unit* Apprehensions by Month," accessed April 10, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-monthly-family-units-sector-fy13-fy18.pdf.

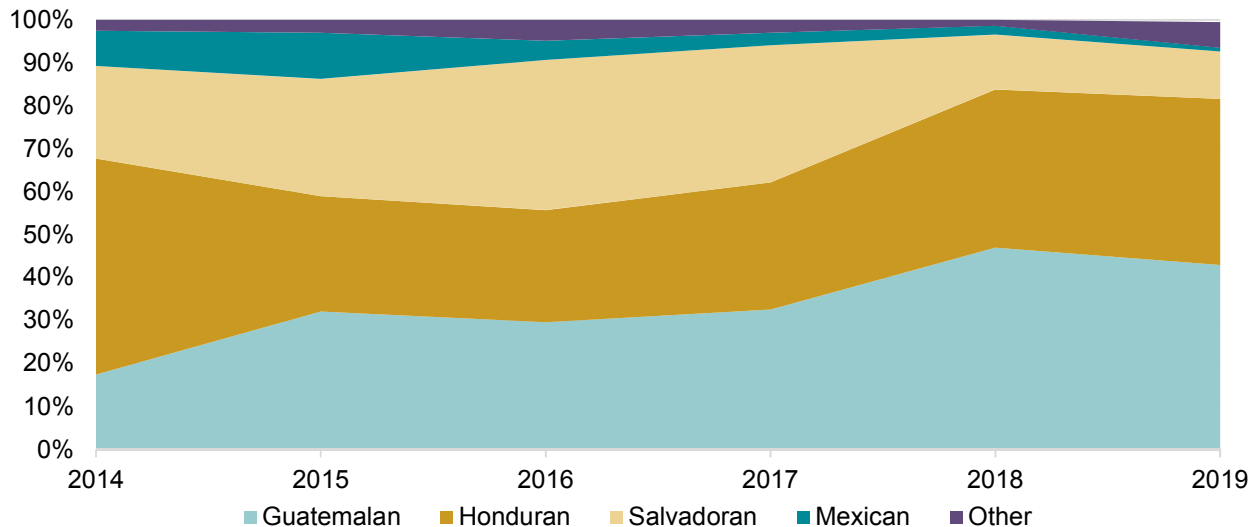
37 CBP, "Southwest Border Migration FY 2019;" U.S. Border Patrol, "Total Family Unit* Apprehensions by Month."

38 CBP, "United States Border Patrol Southwest Family Unit Subject and Unaccompanied Alien Children Apprehensions, Fiscal Year 2016."

39 CBP, "Southwest Border Migration FY 2019;" CBP, "U.S. Border Patrol Southwest Border Apprehensions by Sector Fiscal Year 2019."

The numbers of Salvadoran and Mexican family members apprehended fell between FY 2016-18. However, Salvadoran family unit apprehensions rebounded during the first nine months of FY 2019 and are already more than 60 percent above their prior peak in FY 2016.

Figure 5. Southwest Border Family Unit Apprehensions by Citizenship, FY 2014-19*



* The fiscal 2019 numbers are for the first nine months of the fiscal year, from October 2018 through June 2019.

Sources: U.S. Border Patrol, "Southwest Border Sectors: Family Unit* and Unaccompanied Alien Children (0-17) apprehensions FY 14 compared to FY 13," accessed April 10, 2019, www.cbp.gov/sites/default/files/documents/BP%20Southwest%20Border%20Family%20Units%20and%20UAC%20Apps%20FY13%20-%20FY14.pdf; CBP, "United States Border Patrol Southwest Family Unit Subject and Unaccompanied Alien Children Apprehensions Fiscal Year 2016;" CBP, "U.S. Border Patrol Southwest Border Apprehensions by Sector Fiscal Year 2019," updated July 10, 2019, www.cbp.gov/newsroom/stats/sw-border-migration/usbp-sw-border-apprehensions.

In sum, the current picture of the flows is that of predominantly Guatemalan and Honduran families. These flows have entirely eclipsed near-historic lows, recorded just two years ago, in total Southwest border apprehensions.

These recent trends raise important questions about the current activity at the U.S.-Mexico border:

- (1) Why is the Central American migration flow peaking now?
- (1) Why is it predominantly Guatemalans and Hondurans?
- (1) Why are so many traveling together in families, instead of alone as adults or unaccompanied children?

The answers to these questions lie in understanding the push factors that have compelled migrants to leave Central America, pull factors that entice people to come to the United States, and transit developments that affect the crossing through Mexico to the United States. All help explain the rapidly increasing migration, especially U.S. policies allowing families to be released inside the country pending the conclusion of immigration court hearings that are years away. These factors will be taken in turn in the following three sections of the report.



III. Migration Push Factors in Central America

A combination of demographic, economic, climate, security, and political factors are pushing migrants to leave Central America—particularly Guatemala and Honduras. While there has been much attention paid to poverty, crime, and insecurity in the region, overarching demographic factors are equally, if not more, important in explaining migration trends. Among the three Northern Triangle countries, Guatemala has a much larger population: its 17 million citizens are equivalent to more than the populations of Honduras and El Salvador combined (16 million). Guatemala accounts for just over half the population of the region (53 percent) and a similar share (52 percent) of Northern Triangle migrants apprehended at the U.S.-Mexico border in the first nine months of FY 2019. Honduras accounts for 28 percent of the region's population but 34 percent of apprehended migrants, while El Salvador has 20 percent of the population but 14 percent of intercepted migrants. Thus, in the most recent flow, Honduras is overrepresented relative to its population, while El Salvador is underrepresented, and Guatemala is proportionately represented.

A combination of demographic, economic, climate, security, and political factors are pushing migrants to leave Central America.

A. High Population Growth Rates

Rapidly increasing populations are setting the stage for increasing migration flows from Guatemala and Honduras in the future. Compared with El Salvador, Guatemala and Honduras have higher population growth rates—measured by natural increase (births minus deaths, without accounting for migration), higher fertility rates, and populations more likely to skew under age 15 (see Table 1). Guatemala's population has risen by about 4.6 million people since 2000, while the Honduran population has increased about 27 million; by contrast, El Salvador's population has grown by about 400,000 during this period.⁴⁰ In slowing population growth, declining fertility, and a population less likely to be under age 15, El Salvador looks more like Mexico and less like Guatemala and Honduras.

As Mexico's fertility and population growth declined over the past two decades, the numbers of Mexican migrants fell dramatically. By most estimates the Mexican-born population living in the United States has decreased over the past decade, as return migration exceeded immigration.⁴¹ In the case of El Salvador, the number of unauthorized migrants apprehended at the U.S.-Mexico border declined in 2017 and 2018, after peaking in 2016. Because Guatemala and Honduras have younger and more rapidly growing populations, barring other mitigating circumstances, they are likely to contribute more migrants in the future.

40 In 2000, the populations of the three countries were: Guatemala (12.6 million), Honduras (6.3 million), and El Salvador (6.1 million). See Central Intelligence Agency (CIA), "Guatemala," *World Factbook 2000*, www.oodaloop.com/documents/Legacy/CIA/factbook/geos/gt.html; CIA, "Honduras," *World Factbook 2000*, www.oodaloop.com/documents/Legacy/CIA/factbook/geos/ho.html; CIA, "El Salvador," *World Factbook 2000*, www.oodaloop.com/documents/Legacy/CIA/factbook/geos/es.html.

41 The total Mexican-born population living in the United States, as measured in the U.S. Census Bureau's American Community Survey (ACS) fell by about 500,000 between 2007 and 2016, while the estimated unauthorized population, according to Pew Research Center calculations, fell about 1.5 million. See Migration Policy Institute (MPI) Data Hub, "Countries of Birth for U.S. Immigrants, 1960-Present," accessed March 31, 2019, www.migrationpolicy.org/programs/data-hub/charts/immigrants-countries-birth-over-time; Ana Gonzalez-Barrera and Jens Manuel Krogstad, "What We Know About Illegal Immigration from Mexico," Pew Research Center Fact Tank blog, December 3, 2018, www.pewresearch.org/fact-tank/2018/12/03/what-we-know-about-illegal-immigration-from-mexico/.

Table 1. Demographic Indicators for Mexico and Northern Triangle Countries

	Population in 2018 ^a (millions)	Rate of natural increase (% per year) ^b	Total fertility rate (births per woman) ^c	Share of population < age 15 (2018) (%)
Guatemala	17.2	1.9	2.8	40
Honduras	9	1.7	2.5	34
El Salvador	6.5	1.3	2.3	28
Mexico	130.8	1.3	2.2	27

^a Population according to most recent census, official estimate, or analysis by regional organizations, Population Reference Bureau, UN Population Division, or International Programs of the U.S. Census Bureau.

^b Birth rate minus the death rate, representing population growth excluding migration.

^c Average number of children a woman is expected to have during childbearing years (15 to 49).

Source: Population Reference Bureau (PRB), “2018 World Population Data Sheet,” accessed March 31, 2019, www.prb.org/wp-content/uploads/2018/08/2018_WPDS.pdf.

B. Low Per-Capita Incomes and Wages

All three Northern Triangle countries have much lower incomes and higher poverty rates than the United States or Mexico. Honduras is the poorest of the three, with a 2017 per capita income below \$5,000, or less than one-tenth of U.S. per capita income (\$60,000).⁴² Guatemala and El Salvador have somewhat higher per capita incomes of about \$8,000, but still less than half the \$18,000 in Mexico and about one-eighth that in the United States. Approximately 31 percent of Salvadorans, 49 percent of Guatemalans, and 50 percent of Hondurans have incomes below \$5.50 per day.⁴³ In a survey of about 30,000 deportees from the United States to the Northern Triangle over the 2009-17 period, Guatemalans reported they earned 13 times as much in the United States as in their home country, while Hondurans reported earning 14 times as much.⁴⁴

Salvadorans are more likely to live in cities than Guatemalans or Hondurans; their urban population share is similar to Mexico’s. Urbanization is considered a measure of development, and urban dwellers tend to have higher incomes; have better access to education, health care, and other public services; and be less susceptible to droughts and other climate vulnerabilities than rural residents of developing countries. Nonetheless, economic conditions in all three countries provide strong incentives for migration—including to Mexico.

42 Population Reference Bureau (PRB), “2018 World Population Data Sheet,” accessed March 31, 2019, www.prb.org/wp-content/uploads/2018/08/2018_WPDS.pdf.

43 Peter Meyer, “U.S. Strategy for Engagement in Central America: An Overview” (In Focus 10731, Congressional Research Service, Washington, DC, January 3, 2019), <https://fas.org/sgp/crs/row/IF10371.pdf>.

44 Based on average hourly wages reported by respondents taking part in the Colegio de la Frontera Norte (COLEF) survey of migrants on Mexico’s southern border (Encuesta sobre Migración en la Frontera de México, EMIF-Sur), “deported from U.S.” module, 2009 through 2017. Wage data were not obtained from deportees to El Salvador. See Bryan Roberts et al., *Northern Triangle Migrant Flow Study: Final Report* (Los Angeles and Alexandria, VA: National Center of Risk and Economic Analysis of Terrorism Events, University of Southern California, and Institute for Defense Analysis, September 30, 2018), pages A-1 to A-8, https://create.usc.edu/sites/default/files/northern_triangle_migrant_report.pdf.

**Table 2. Economic Indicators for Mexico and Northern Triangle Countries**

	Gross National Income per capita 2017 ^a	Urban Share of Population ^b (%)
Guatemala	\$8,000	51
Honduras	\$4,630	54
El Salvador	\$7,540	70
Mexico	\$17,740	73

^a Gross national income in purchasing power parity divided by mid-year population.

^b Percent of total population living in areas termed “urban by that country or the UN.

Source: Population Reference Bureau, “2018 World Population Data Sheet.”

C. Climate Change and Drought

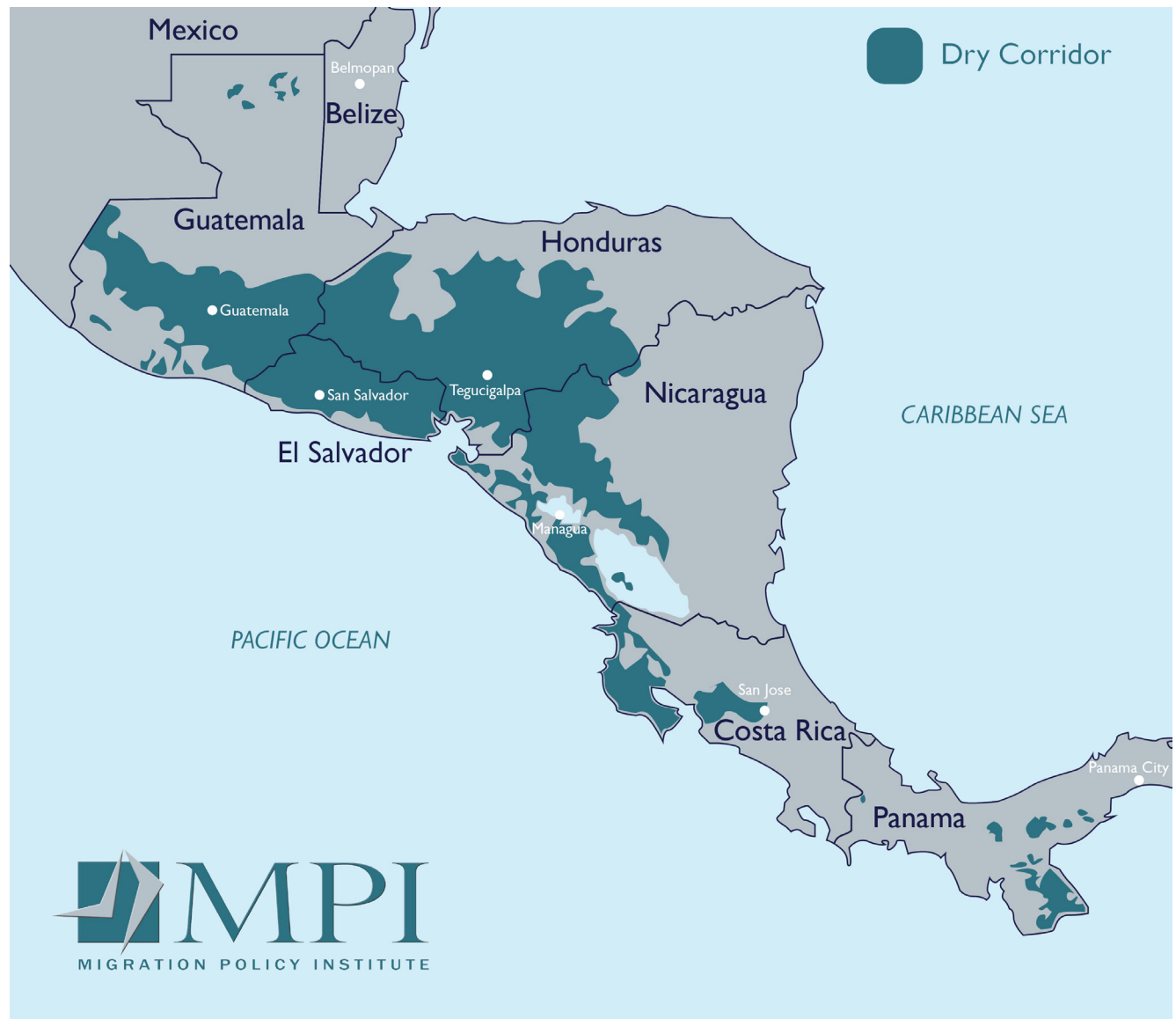
A years-long drought has intensified economic difficulties in Central America and may help explain why so many people are seeking to emigrate now. Since 2014, millions of people living in the “Dry Corridor,” which includes key sections of El Salvador, Guatemala, and Honduras have experienced extreme drought, with many farmers losing entire harvests and stocks of seeds for the coming years.⁴⁵ The drought was most severe in 2014-15. This corresponds with the beginnings of the current flow to the United States from Central America. Arid conditions subsided somewhat in 2016-17, but the drought’s severity increased again during 2018, as Central American apprehensions at the U.S.-Mexico border accelerated toward record levels.

A years-long drought has intensified economic difficulties in Central America and may help explain why so many people are seeking to emigrate now.

An estimated 4.1 million people in Honduras, 1.3 million in Guatemala, and 500,000 in El Salvador live in the Dry Corridor—suggesting that Hondurans may be most vulnerable to its effects.⁴⁶ (See Figure 6.) During summer 2018, El Salvador and Honduras declared drought emergencies, and Honduras lost an estimated 82 percent of its maize and bean crops.

45 Anna-Catherine Brigida, “Nearly 60% of Migrants from Guatemala’s Dry Corridor Cited Climate Change and Food Security as Their Reason for Leaving,” Univision, May 16, 2018, <https://catholicclimatemovement.global/nearly-60-of-migrants-from-guatemalas-dry-corridor-cited-climate-change-and-food-security-as-their-reason-for-leaving/>; Food and Agriculture Organization of the United Nations (FAO), “Chronology of the Dry Corridor: The Impetus for Resilience in Central America,” *Agronoticias: Agriculture News from Latin America and the Caribbean*, January 6, 2017, www.fao.org/in-action/agronoticias/detail/en/c/1024539/.

46 World Food Program (WFP), *Seguridad Alimentaria Y Emigración*, September 2017, 22, <https://docs.wfp.org/api/documents/WFP-0000019630/download/>.

Figure 6. Central America and the Dry Corridor

Source: Food and Agriculture Organization of the United Nations (FAO), “Dry Corridor – Situation Report June 2016,” www.fao.org/emergencies/resources/documents/resources-detail/en/c/422097/.

With drought-induced loss of staple foods across the region, many families that subsist on agriculture do not have enough to eat or sell, and the cost of food is rising, generating widespread food insecurity.⁴⁷ Levels of food insecurity appear to be highest in Guatemala, where an estimated 47 percent of children under age 5 are chronically malnourished; they are also significant in Honduras and El Salvador, where 23 percent and 14 percent of young children, respectively, are malnourished.⁴⁸ Additionally, a global drop in the price of coffee, one of the region’s main cash crops for export, has led to lower wages for small farmers and agricultural workers—especially in Guatemala.⁴⁹

47 FAO, “FAO and WFP Concerned about the Impact of Drought on the Most Vulnerable in Central America,” FAO Regional Office for Latin America and the Caribbean, August 23, 2018, www.fao.org/americas/noticias/ver/en/c/1150344/.

48 WFP, *Seguridad Alimentaria Y Emigración*, 22.

49 Kevin Sieff, “The Migration Problem Is a Coffee Problem,” *Washington Post*, June 11, 2019, www.washingtonpost.com/world/2019/06/11/falling-coffee-prices-drive-guatemalan-migration-united-states/.



In a 2017 survey of 120 households with members who had emigrated from one of the three countries during the three prior years,⁵⁰ Guatemalans were the most likely to report loss of agricultural production as a primary reason for migrating. Hondurans were more likely to report lack of work opportunities, while the most important reason for emigration expressed by Salvadorans was violence and insecurity.⁵¹

Thus, while more people are experiencing severe drought in Honduras, its intensity may have more of an impact in Guatemala, where food insecurity is higher. The numbers affected appear to be substantially lower in El Salvador, which has the highest urbanization rate—and hence the lowest dependency on subsistence agriculture—among the three countries.

D. Violence and Insecurity

While all three Northern Triangle countries have among the highest murder rates in the world, violence has been higher and a more important driver of migration in El Salvador in recent years. In 2018, homicide rates were 51 per 100,000 in El Salvador, 41 per 100,000 in Honduras, and 22 per 100,000 in Guatemala.⁵² Since 2015, homicide rates fell in all three countries, improving the most in El Salvador.⁵³ Public-opinion surveys suggest that crime victimization rose in Honduras and remained constant in El Salvador and Guatemala from 2014 to 2017.⁵⁴ But the share of the population who felt their neighborhoods were unsafe fell slightly in El Salvador from 2014 to 2016 while increasing in Guatemala and Honduras.⁵⁵ The share reporting gang activity in their neighborhoods was constant in El Salvador but rising in the other two countries.⁵⁶

The drop in homicides in El Salvador has been attributed to cooperation among government officials and civil-society organizations in selected local communities with high violence rates. U.S. development assistance has helped support these efforts.⁵⁷ Thus while violence remains an important driver of emigration from El Salvador, recent improvements there may have reduced incentives to migrate somewhat. The Trump administration's cuts to foreign aid for the region may jeopardize these gains in citizen security, particularly in El Salvador, and could thereby spur further migration.

50 WFP, *Seguridad Alimentaria Y Emigración*, 27.

51 WFP, *Seguridad Alimentaria Y Emigración*, 51.

52 Policía Nacional Civil, "Por Estas Razones Están Bajando Los Homicidios," accessed July 26, 2019, www.pnc.gob.sv/portal/page/portal/informativo/servicios/guia/descargables/presentacion%20HOMICIDIO%20compressed.pdf; Instituto Universitario en Democracia, Paz y Seguridad, "Muertes por Homicidio: Enero a Diciembre 2018," accessed July 26, 2019, <https://iudpas.unah.edu.hn/dmsdocument/7663-infografico-datos-preliminares-homicidios-enero-a-diciembre-2018>; Ana Lucía Gonzáles, "Tasa de Homicidios Continúa con Tendencia a la Baja," *El Periódico*, January 13, 2019, <https://elperiodico.com.gt/nacion/2019/01/13/tasa-de-homicidios-continua-con-tendencia-a-la-baja/>.

53 From 2015 to 2018, El Salvador's homicide rate fell from 105 per 100,000 residents to 51 per 100,000, while the rate in Honduras fell from 57 to 41 per 100,000, and that for Guatemala fell from 29 to 22 per 100,000. See Meyer, "U.S. Strategy for Engagement in Central America," World Bank, "Intentional Homicides (Per 100,000 People), UN Office on Drugs and Crime's International Homicide Statistics database," accessed July 26, 2019, <https://data.worldbank.org/indicator/VC.IHR.PSRC.P5>.

54 Data were obtained from 43,000 interviews conducted based on national sample designs in 29 countries, from early 2016 through spring 2017. The share of respondents reporting crime victimization in 2016-17 were similar across the three Northern Triangle countries: 24 percent in Guatemala, 23 percent in El Salvador, and 22 percent in Honduras. Mexico had the third-highest rate among the countries surveyed (31 percent), after Venezuela and Peru. See Mollie J. Cohen, Noam Lupu, and Elizabeth J. Zechmeister, *The Political Culture of Democracy in the Americas, 2016/17: A Comparative Study of Democracy and Governance* (Washington, DC and Nashville: U.S. Agency for International Development and Vanderbilt University, Latin American Public Opinion Project [LAPOP], 2017), xxvii, 73, www.vanderbilt.edu/lapop/ab2016/AB2016-17_Comparative_Report_English_V2_FINAL_090117_W.pdf.

55 The share of LAPOP survey respondents feeling somewhat or very unsafe, thinking of the possibility of assault or robbery in their neighborhood, fell from 46 percent in 2014 to 37 percent in 2016 in El Salvador, while rising from 40 percent to 49 percent in Guatemala and from 34 percent to 43 percent in Honduras. See Roberts et al., *Northern Triangle Migrant Flow Study*, 24.

56 The share of LAPOP survey respondents reporting some or a lot of gang activity in their neighborhoods was 40 percent in El Salvador in 2016, little changed from 39 percent in 2014. But shares reporting gang activity rose in Guatemala from 31 percent to 36 percent and in Honduras from 19 percent to 23 percent. See Roberts et al., *Northern Triangle Migrant Flow Study*, 24.

57 Based on conversations between MPI researchers and U.S. government officials with experience in the region.



E. *Corruption and Political Instability*

All three countries face longstanding corruption and governance challenges. With support from the United States and international organizations, the attorneys general of the three countries have launched initiatives to investigate and prosecute high-level corruption. But political leaders have pushed back against these efforts in Guatemala and Honduras.⁵⁸

In Guatemala over the past ten years, the U.N.-sponsored International Commission Against Impunity in Guatemala (CICIG) has charged and assisted the General Prosecutor's Office in prosecuting more than 200 current and former government officials, including two recent presidents, with corruption. President Jimmy Morales, while initially supportive of CICIG, refused to extend its current agreement, which expires in September 2019, and has prohibited some investigators from remaining in or re-entering the country.⁵⁹

All three countries face longstanding corruption and governance challenges.

In Honduras, President Juan Orlando Hernández was re-elected in a disputed election in 2017, and members of his administration have been accused of facilitating drug trafficking.⁶⁰ The Mission Against Corruption and Impunity in Honduras (MACCIH) has presented information to the Honduran Supreme Court about alleged misuse of government funds by 38 government officials, including the president, for diverting public funds to his first campaign in 2013.⁶¹

By contrast, El Salvador's 2019 election may offer opportunities to pursue prosecution of corruption. Newly elected President Nayib Bukele is the first in 30 years who is not from one of the country's two dominant parties associated with the brutal civil war in the 1980s. He campaigned as a populist, vowing to overthrow elite dominance of the government. On election night he appeared with a former general prosecutor of Guatemala, who had prosecuted the president and vice president there in 2015. He has promised to set up an anti-corruption mission similar to CICIG or MACCIH.⁶²

F. *The Combination of Push Factors*

Demographics, economics, drought, violence, and political corruption are largely intertwined as drivers of emigration from the Northern Triangle countries. Surveys show that migrants leave for combinations of these reasons, rather than a single one. For instance, in two recent surveys by the International Organization for Migration (IOM) of migrant caravans traveling through Mexico, a mostly Honduran group said they left out of concerns about violence and insecurity and in search of better opportunities and living conditions—in roughly equal proportion. In one of the surveys, a near-majority cited both violence/insecurity and better opportunities/living conditions as reasons for migrating. In this survey, half said they could not return to their country; of these, 77 percent stated their lives would

58 Meyer, "U.S. Strategy for Engagement in Central America."

59 Congressional Research Service (CRS), "Guatemalan President's Dispute with the U.N. Commission against Impunity (CICIG)," CRS Insight, updated March 5, 2019, <https://fas.org/sgp/crs/row/IN11029.pdf>.

60 James Bargent, Ronna Rísquez, and Kelly Grant, "Corruption and Impunity Allegations Seed Doubts for Second Term of Honduras President," InSight Crime, January 26, 2018, www.insightcrime.org/news/analysis/corruption-and-impunity-allegations-seed-doubts-for-second-term-of-honduras-president/.

61 Parker Asmann, "Honduras Anti-Corruption Probe Implicates President, Opposition," InSight Crime, June 15, 2018, www.insightcrime.org/news/analysis/honduras-anti-corruption-probe-implicates-president-opposition/.

62 Charles T. Call, "The Significance of Nayib Bukele's Surprising Election as President of El Salvador," Brookings Institution Order from Chaos blog post, February 5, 2019, www.brookings.edu/blog/order-from-chaos/2019/02/05/the-significance-of-nayib-bukeles-surprising-election-as-president-of-el-salvador/.



be in danger if they returned. Two-thirds of survey respondents reported prior migration within their country, before leaving entirely, due to violence and insecurity.⁶³

The high birth rates and rising populations of Guatemala and Honduras create the conditions for long-run increases in emigration from those countries, while low incomes, deep poverty, and high levels of violence represent persistent push factors in all three countries. The immediate reason to leave may be associated with the severe drought, which is particularly acute in Guatemala and Honduras, as well as political instability and corruption in those two countries. Improvements in control of violence in El Salvador alongside a recent election that may be giving the population hope that politics can change and corruption can be combatted, may be reducing short-term migration pressures there, while the country's lower birth rate and population growth portend slower emigration in the future.

Push factors alone do not explain why growing numbers of Central Americans are leaving now.

Still, this combination of factors has largely been in place for some time. Push factors alone do not explain why growing numbers of Central Americans are leaving now and why they are traveling together in families, instead of separately as adults and children following earlier patterns. Indeed, factors within the United States that stoke migration are also at play, as the next section explores.

IV. Pull Factors in the United States

Three sets of pull factors—familial/network, U.S. policies, and jobs—are important additional reasons why so many Central Americans have traveled to the United States and are arriving now in record numbers.

A. Familial or Other Connections

Family and network ties are powerful pull factors drawing migrants to the United States. Family members and friends provide would-be migrants with essential information about the migration process, job opportunities, living conditions, and integration in the United States. They often also provide housing, financial, or other forms of support once migrants arrive, and sometimes help arrange and pay smuggling fees.

Significant levels of illegal immigration from Central America date back to the 1980s, when people fled protracted civil wars in the region. El Salvador has the largest and most well-established community in the United States: 1.4 million nationals (both authorized and unauthorized) in 2017, equivalent to 22 percent of the country's total population (6.5 million).⁶⁴

63 International Organization for Migration (IOM), "Flow Monitoring Survey: Tijuana, Baja California, Mexico, December, 2018," accessed April 11, 2019, https://rosanjose.iom.int/site/sites/default/files/Reportes/DTM_TIJUANA-english-%2024Jan2019.pdf; IOM, "Flow Monitoring Survey: Suchiate, Chiapas, Mexico, January, 2019," accessed April 11, 2019, <https://rosanjose.iom.int/site/en/flow-monitoring-survey-suchiate-chiapas-january-25-30-2019>.

64 MPI Data Hub, "State Immigration Profiles: United States—Demographics and Social," accessed July 21, 2019, www.migrationpolicy.org/data/state-profiles/state/demographics/US#top; PRB, "2018 World Population Data Sheet."



For Guatemala and Honduras, the numbers are smaller but still significant: 960,000 (5.6 percent of the country's population) and 660,000 (7.3 percent) live in the United States, respectively.⁶⁵ In a 2017 survey of nearly 2,000 migrants deported from the United States to Central America, more than 80 percent of Guatemalans, about 90 percent of Hondurans, and nearly 99 percent of Salvadorans reported having family members or friends in the United States.⁶⁶

During the earlier 2014 peak, the Border Patrol apprehended just as many unaccompanied children as family members. These children were coming to join parents or other relatives already in the United States. This was particularly true for Salvadorans, who have the largest diaspora of the three countries. But as the Central American flow has grown, the supply of parents already here may be dwindling. One result has been a major shift away from traveling alone toward traveling together as families—mainly Guatemalans and Hondurans.

B. U.S. Policies that Permit Extended Stays and Attempted Policy Shifts

The last several U.S. administrations have found it challenging to establish policies that balance border control and deterrence with legal and international obligations to protect vulnerable migrants, such as children and asylum seekers. Policies that address the process of applying for and obtaining asylum as well as those governing detention and removal of children loom large in the ongoing border crisis. U.S. border security and immigration policies are almost certainly providing incentives for children and families to migrate.

I. Border Enforcement Constraints with Families and Unaccompanied Children

Enforcement strategies that have substantially deterred the migration of adults—such as expedited removal and criminal prosecution for illegal entry—cannot be used with unaccompanied children or families traveling together. Yet even as apprehensions of families and unaccompanied minors have risen steadily and then dramatically in recent years, CBP, ICE, and other federal agencies have failed to develop new strategies that successfully manage the dual demands of border control and humanitarian protection.

By law, unaccompanied minors from countries other than Mexico and Canada are not subject to expedited removal. Instead, these children have the right to a hearing before an immigration judge as provided under the *Trafficking Victims' Protection Reauthorization Act* (TVPRA).⁶⁷

Enacted in 2008, TVPRA requires the Border Patrol to refer unaccompanied children to ORR, which maintains custody of these minors while attempting to locate parents, relatives, or other potential sponsors. In most cases, ORR finds parents already present in the United States or other sponsors within weeks or a few months.⁶⁸

Once released to sponsors, children are permitted to apply to U.S. Citizenship and Immigration Services (USCIS) for asylum or to the U.S. immigration court system for other forms of deportation relief. The court system, however, is massively overburdened, with a years-long backlog of 946,000 cases as of

65 These totals are taken from the Census Bureau's 2017 ACS, the most recent available at this writing, and may significantly undercount Central American migrants, many of whom are unauthorized. See MPI Data Hub, "Countries of Birth for U.S. Immigrants, 1960-Present."

66 EMIF-Sur data cited in Roberts et al., *Northern Triangle Migrant Flow Study*, 56.

67 William Wilberforce *Trafficking Victims Protection Reauthorization Act of 2008*, Public Law 110-457, § 235(a)(5)(D), § 235 (c) (5), 110th Cong., 2nd sess., www.congress.gov/110/plaws/publ457/PLAW-110publ457.pdf.

68 In FY 2018, 90 percent of discharged unaccompanied children were released to sponsors. See DHS and HHS, "Proposed Rule: Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children," *Federal Register*, *Federal Register* vol. 83, no. 174 (September 7, 2018): 45486-534, www.federalregister.gov/documents/2018/09/07/2018-19052/apprehension-processing-care-and-custody-of-alien-minors-and-unaccompanied-alien-children.



June 2019.⁶⁹ As of September 2017, 44 percent of unaccompanied children apprehended during FY 2014 still had not completed their immigration court proceedings. An additional 26 percent had been ordered removed by an immigration judge but had not been deported—either because they did not know about the removal order, missed the immigration court date, or failed to comply with the terms of their deportation. Just 3 percent of unaccompanied children apprehended in FY 2014 had been deported by September 2017.⁷⁰

The fact that so few children are actually deported is a key pull factor for such migration. Reducing the immigration court backlog so that minors' asylum cases can be decided in a timely fashion—months, not years—is critical to addressing this issue. Otherwise, the choice is between failing to deport almost all children or deporting them without adequately assessing their eligibility for asylum or other humanitarian protection, thereby possibly sending them back in harm's way. Returning young people to possibly violent, uncertain conditions then calls, in turn, for cooperating with their home countries and communities on reception and reintegration initiatives that can bolster the safety of returning migrants, both unaccompanied children and family units.

The fact that so few children are actually deported is a key pull factor for such migration.

2. Detention and Custody Limitations

Legal requirements and limited detention capacity have also constrained the options for deterring the migration of families. While ORR operates a shelter system for unaccompanied children (and those deemed unaccompanied after separation from a parent or other adult traveling with them), there is no parallel system for families. In March 2019, ICE was detaining about 2,000 adults and children together in three family facilities,⁷¹ but it was transitioning one of those facilities—Karnes County, Texas—to adult-only detention, leaving capacity to detain only about 2,500 family members at any given time, though these are not being filled to their capacity.⁷²

Beyond not having the capacity to detain sizeable numbers of families, the government also is not permitted to detain families with children beyond 20 days. The *Flores* consent decree, a 1997 settlement to a class-action lawsuit against the federal government for the way it had detained unaccompanied children, requires the government to hold these minors in facilities that meet state standards for the care of children and encourages holding them in the least restrictive setting possible.⁷³ Under the decree, unaccompanied children should be transferred by immigration authorities to such licensed facilities within 72 hours.

69 Transactional Records Access Clearinghouse (TRAC), "Immigration Court Backlog Tool," accessed July 26, 2019, https://trac.syr.edu/phptools/immigration/court_backlog/.

70 DHS, *2014 Southwest Border Encounters: Three-Year Cohort Outcomes Analysis* (Washington, DC: DHS, 2018), 4-6, www.dhs.gov/sites/default/files/publications/18_0918_DHS_Cohort_Outcomes_Report.pdf.

71 Government Accountability Office (GAO), *Immigration Detention: Opportunities Exist to Improve Cost Estimates* (Washington, DC: GAO, 2018), 18, www.gao.gov/assets/700/691330.pdf.

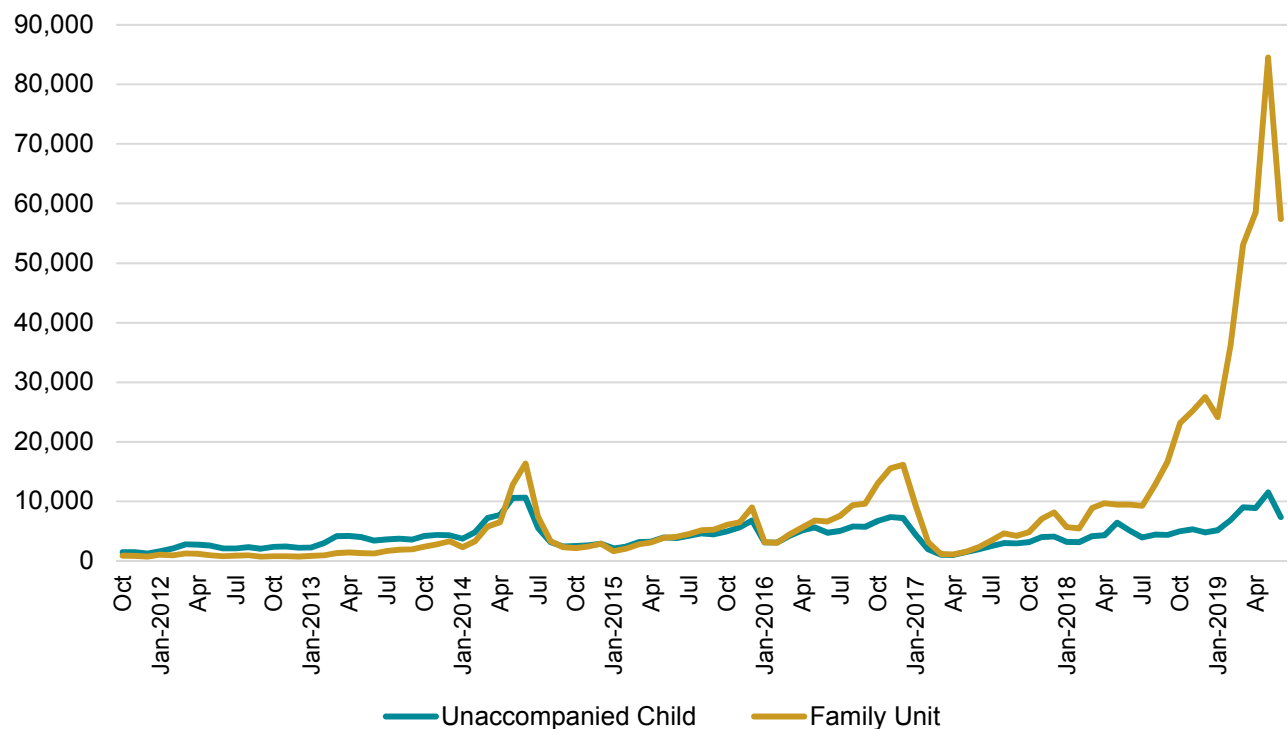
72 Nick Miroff and Maria Sachetti, "U.S. Weighs Plan to Phase Out Family Detention at Texas Facility, Despite Migration Surge," *Washington Post*, March 14, 2019, www.washingtonpost.com/immigration/us-weighs-plan-to-phase-out-family-detention-at-texas-facility-despite-migration-surge/2019/03/14/c240cf6a-467d-11e9-aaf8-4512a6fe3439_story.html; Dan Frosch and Alicia A. Caldwell, "As Border Crisis Worsens, a Detention Center Designed for Children Has None," *Wall Street Journal*, July 5, 2019, www.wsj.com/articles/as-border-crisis-worsens-a-detention-center-designed-for-children-has-none-11562319003.

73 *Jenny Lisette Flores et al. v. Janet Reno et al.*, No. CV 85-4544-RJK(Px), Stipulated Settlement Agreement (U.S. District Court, Central District of California, 1997), https://cliniclegal.org/sites/default/files/attachments/flores_v_reno_settlement_agreement_1.pdf.



In July 2015, a federal district court judge ruled that the standards set out in the *Flores* decree and subsequent litigation applied to all children apprehended, even if in families.⁷⁴ In a subsequent ruling, in August 2015, the same judge ruled that families should not be held in unlicensed facilities for longer than 20 days.⁷⁵ Because there are no state-licensed facilities for family detention, 20 days has become the overall limit for holding families in immigration detention. As a result, families are generally released into the United States—for months or years—pending their immigration court hearings. Since the July 2015 court decision, family unit apprehensions have exceeded unaccompanied child apprehensions almost every month, with large gaps in months with peak flows (see Figure 7).

Figure 7. Monthly Southwest Border Apprehensions of Unaccompanied Children and Family Units, FY 2012-19*



* The fiscal 2019 numbers are for the first nine months of the fiscal year, from October 2018 through June 2019. Sources: CBP, "Southwest Border Migration FY 2019;" U.S. Border Patrol, "Total Unaccompanied Alien Children (0-17 Years Old) Apprehensions By Month;" U.S. Border Patrol, "Total Family Unit* Apprehensions by Month;" CBP, "United States Border Patrol Southwest Family Unit Subject and Unaccompanied Alien Children Apprehensions Fiscal Year 2016;" U.S. Border Patrol, "Total Illegal Alien Apprehensions by Month."

It takes much longer than 20 days to adjudicate most asylum claims, and many families—like unaccompanied children—have unresolved asylum cases years after they were first apprehended. Of the 68,000 family members apprehended in FY 2014, just 10 percent had been returned by the end of FY 2017, and only 3 percent had been granted asylum or another form of relief.⁷⁶ Forty-two percent still had pending court cases, and 33 percent had final removal orders but hadn't yet been deported—indicating the difficulties of finding and deporting people who are not detained or in supervised release programs. An additional 12 percent could not be tracked between DHS and the immigration courts, meaning that their cases may have slipped through the cracks.

74 *Jenny L. Flores et al. v. Jeh Johnson et al.*, No. 2:85-cv-04544-DMG-AGR (U.S. District Court, Central District of California, July 24, 2015), <https://graphics8.nytimes.com/packages/pdf/us/FloresRuling.pdf>.

75 *Jenny L. Flores et al. v. Loretta E. Lynch et al.*, No. 2:85-cv-04544-DMG-AGR (U.S. District Court, Central District of California, August 21, 2015), www.aila.org/File/Related/14111359p.pdf.

76 DHS, *2014 Southwest Border Encounters*, 6.



3. Attempts to Change Family and Unaccompanied Child Policies

The Trump administration has responded to the challenges presented by the recent flows of children and families through a variety of policy proposals, many of which have been dismissed by Congress, blocked by federal courts, or discontinued due to public outcry.

In particular, the administration has repeatedly attempted to narrow access to the asylum system and called upon Congress to eliminate the requirements of the TVPRA and the *Flores* decree, which administration officials deride as “loopholes,” to allow detention for longer periods in a more flexible range of conditions.⁷⁷ The stop-start nature of these policies has generated uncertainty about the consequences of being apprehended at the border and the likelihood that families and children will remain in the United States. This uncertainty seems to have generated incentives for more children and families to come before the door closes and the U.S. government settles on enduring policies that will withstand legal challenges.

In September 2018, the administration proposed a regulation that would allow for indefinite detention of families. If finalized, the rule would be subject to review by the federal judge overseeing compliance with the *Flores* decree.⁷⁸ Without congressional action or the judge’s approval, ICE is unlikely to gain the authority to detain children for longer than 20 days or to expand family detention beyond a handful of facilities.

ORR in 2018 began fingerprinting all members in households attempting to sponsor an unaccompanied child. The information was shared with ICE, which then located, detained, and deported at least 170 parents and other potential sponsors.⁷⁹ The arrests and fingerprinting deterred many would-be sponsors from coming forward. As a result, the number of unaccompanied children in ORR custody swelled to 15,000 by the end of 2018, up from 7,600 in January 2018.⁸⁰

As ORR-contracted shelters swiftly became overtaxed and the average days children spent in custody surged upwards, the administration rolled back the fingerprinting policy for other household members, limiting it to the individual sponsor.⁸¹ Congress subsequently restricted DHS from using appropriated funds to enforce immigration laws against potential sponsors based on information it receives from ORR, and ORR later restricted the policy further to only fingerprinting parents when potential danger to the child is indicated.⁸²

In its most visible, controversial response to family migration, the administration at times separated apprehended families to deter future migration. Starting with a small pilot program in El Paso during summer and fall 2017, the Border Patrol referred parents and other adult relatives to U.S. Attorneys’ offices for prosecution for illegal entry or re-entry—federal crimes that can carry lengthy prison

77 Testimony of Kevin McAleenan, Acting Homeland Security Secretary, before the Senate Judiciary Committee, *Border Security*, 116th Cong., 1st sess., June 11, 2019, www.c-span.org/video/?461582-1/acting-dhs-secretary-kevin-mcaleenan-testifies-border-security.

78 DHS and HHS, “Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children.”

79 Geneva Sands, “ICE Arrested 170 Potential Sponsors of Unaccompanied Migrant Children,” CNN, December 10, 2018, www.cnn.com/2018/12/10/politics/ice-potential-sponsors-arrests/index.html.

80 Office of Refugee Resettlement (ORR), “In Care Statistics,” April 10, 2019, www.acf.hhs.gov/orr/resource/xgdfg569.

81 Miriam Jordan, “Thousands of Migrant Children Could Be Released After Sponsor Policy Change,” *New York Times*, December 18, 2018, www.nytimes.com/2018/12/18/us/migrant-children-release-policy.html; Robert Moore, “Thousands of Migrant Children Could Be Released with Trump’s Major Policy Reversal,” *Texas Monthly*, December 18, 2018, www.texasmonthly.com/news/trump-fingerprint-policy-change-reduce-migrant-children-detention-tornillo.

82 *Consolidated Appropriations Act, 2019*, Public Law 116-6, 116th Cong., 1st sess., www.congress.gov/116/bills/hjres31/BILLS-116hjres31enr.pdf; Testimony of Commander Jonathan White, Deputy Director for Children’s Programs, HHS Office of Assistant Secretary for Preparedness and Response, before the U.S. Senate Committee on Homeland Security and Governmental Affairs, *Unprecedented Migration at the U.S. Southern Border: Perspectives from the Frontline*, 116th Cong., 1st sess., April 9, 2019, www.hsgac.senate.gov/hearings/unprecedented-migration-at-the-us-southern-border-perspectives-from-the-frontline.



sentences. The children were reclassified as unaccompanied and referred to ORR to be kept in contracted shelters and potentially reunified with other relatives in the United States.⁸³

In April 2018, the administration began separating families across the entire Southwest border as part of a zero-tolerance policy to prosecute all apprehended adults for illegal entry, within resource constraints.⁸⁴ ORR identified more than 2,700 children in custody who had been separated from their parents while the policy was in effect, though the U.S. Department of Health and Human Services (HHS) Inspector General reported that thousands more may have been separated.⁸⁵ A huge national and international public outcry ensued over reports of children as young as infancy being taken into custody, parents unable to locate children and being deported without them, and minors kept in poor conditions in ORR facilities.⁸⁶

Less than two months after the zero-tolerance policy was implemented and amid ongoing legal challenges, President Trump in June 2018 issued an executive order rescinding it for families,⁸⁷ thereby returning to a policy of releasing families into the United States pending their immigration court hearings.⁸⁸ Shortly thereafter, on June 26, a U.S. district court ordered the government to stop separating families in most cases and to reunify separated children in ORR custody at that time with their parents.⁸⁹

In another effort to reduce family arrivals, the administration attempted to ban them from applying for asylum unless the claim was made at an official port of entry. In November 2018, the administration published a presidential proclamation and an interim final regulation prohibiting asylum applications by anyone apprehended by the Border Patrol between ports of entry.⁹⁰ The regulation was quickly enjoined by a federal judge, who found the ban was contrary to U.S. laws and international treaties.⁹¹

During 2019, the U.S. government has been sending some arriving migrants back to Mexico while their asylum cases, or other cases in U.S. immigration courts, are pending. The Migration Protection Protocols (MPP, or Remain in Mexico) initially implemented in January 2019 at the San Ysidro port of entry in

83 Lisa Riordan Seville and Hannah Rappleye, “Trump Admin Ran ‘Pilot Program’ for Separating Migrant Families in 2017,” NBC News, June 29, 2018, www.nbcnews.com/storyline/immigration-border-crisis/trump-admin-ran-pilot-program-separating-migrant-families-2017-n887616.

84 Jeff Sessions, *Zero-Tolerance for Offenses Under 8 U.S.C. § 1325(a)*; DOJ, “Attorney General Sessions Delivers Remarks Discussing the Immigration Enforcement Actions of the Trump Administration.”

85 HHS Office of Inspector General, *Separated Children Placed in Office of Refugee Resettlement Care* (Washington, DC: HHS, 2019), <https://oig.hhs.gov/oei/reports/oei-BL-18-00511.pdf>.

86 HHS, *Separated Children Placed in Office of Refugee Resettlement Care*; Julia Ainsley, “Trump Admin Lost Track of Parents of 38 Young Migrant Children,” NBC News, July 6, 2018, www.nbcnews.com/politics/immigration/trump-admin-asks-more-time-reunite-kids-parents-separated-border-n889301; Sarah Stillman, “An Asylum Seeker’s Quest to Get Her Toddler Back,” *The New Yorker*, January 29, 2019, www.newyorker.com/news/news-desk/an-asylum-seekers-quest-to-get-her-toddler-back; Kristine Phillips, “America Is Better Than This: What a Doctor Saw in a Texas Shelter for Migrant Children,” *Washington Post*, June 16, 2018, www.washingtonpost.com/news/post-nation/wp/2018/06/16/america-is-better-than-this-what-a-doctor-saw-in-a-texas-shelter-for-migrant-children/.

87 Trump, “Affording Congress an Opportunity to Address Family Separation.”

88 Between June 2018, when the executive order officially ending family separation was issued, and June 29, 2019, 911 children were separated from their parents. See Sacchetti, “U.S. Has Taken Nearly 1,000 Child Migrants from Their Parents since Judge Ordered Stop to Border Separations.”

89 *Ms. L v. ICE*, No. 18cv0428 DMS (MDD), order granting plaintiffs’ motion for classwide preliminary injunction (U.S. District Court, Southern District of California, June 26, 2018), www.aclu.org/sites/default/files/field_document/83_order_granting_pi.pdf.

90 Donald J. Trump, “Addressing Mass Migration through the Southern Border of the United States,” Proclamation 9822 of November 9, 2018, *Federal Register* vol. 83, no. 211 (November 15, 2019): 57661-664, www.federalregister.gov/documents/2018/11/15/2018-25117/addressing-mass-migration-through-the-southern-border-of-the-united-states; DHS and DOJ, “Interim Final Rule: Aliens Subject to a Bar on Entry under Certain Presidential Proclamations; Procedures for Protection Claims,” *Federal Register* vol. 83, no. 218 (November 9, 2018): 55934-953, www.federalregister.gov/documents/2018/11/09/2018-24594/aliens-subject-to-a-bar-on-entry-under-certain-presidential-proclamations-procedures-for-protection.

91 Miriam Jordan, “Federal Judge Blocks Trump’s Proclamation Targeting Some Asylum Seekers,” *New York Times*, November 20, 2018, www.nytimes.com/2018/11/20/us/judge-denies-trump-asylum-policy.html; *East Bay Sanctuary Covenant et al. v. Trump et al.*, Case No. 18-cv-06810-JST, order granting temporary restraining order (U.S. District Court, Northern District of California, November 19, 2018), www.aclu.org/sites/default/files/field_document/tro_granted_-_ebsc_v_trump_0.pdf.



San Diego has been significantly expanded in terms of affected nationalities and locations where it is deployed. Nearly 20,000 asylum seekers were returned to Mexico from late January through mid-July.⁹²

The Remain in Mexico policy has substantial logistical challenges, given that it requires maintaining communication between U.S. courts and ICE with migrants who are in Mexico, transportation back and forth for court hearings, and access to U.S. immigration lawyers who may not be licensed to practice in Mexico. It may also create great hardships for migrants who are potentially exposed to poor living conditions, extortion, and gang violence in some of the most dangerous cities in Mexico.⁹³ MPP was enjoined by a federal court in April 2019, but an appeals court stayed the injunction, and the program has remained in effect pending resolution of the litigation.⁹⁴

4. U.S. Policy Shifts

Nearly all of the administration's attempts to overhaul asylum, detention, and enforcement policies have been either delayed or stopped by the courts, public pressure, or inaction by Congress. At the same time, the core pull factors remain intact: Extended stays in the United States while asylum claims are pending and low levels of deportation of those cases that are denied. Combined with the start-stop nature of recent policies, these factors can be expected to continue feeding the urgency to migrate. The signals to would-be migrants and smuggling organizations have been clear: Come to the United States now, before the government finds a way to stop you. It remains to be seen whether the new agreement with Mexico and its scaled-up enforcement posture, along with other recent efforts in the region detailed elsewhere in this report, change the picture.

Nearly all of the administration's attempts to overhaul asylum, detention, and enforcement policies have been either delayed or stopped by the courts, public pressure, or inaction by Congress.

C. A Strong U.S. Job Market

Today's economy provides a strong magnet for labor migrants. The U.S. unemployment rate has been at or below 4 percent for 16 months (since March 2018)—the lowest level in more than a decade and near record lows over several decades.⁹⁵ As of May 2019, 12 states had unemployment rates at or

92 DHS, "Migrant Protection Protocols" (press release, January 24, 2019), www.dhs.gov/news/2019/01/24/migrant-protection-protocols; Mexican National Institute of Migration (INM), "Internaciones en México de Extranjeros Solicitantes de Asilo en EU," July 12, 2019, www.gob.mx/inm/documentos/internaciones-en-mexico-de-extranjeros-solicitantes-de-asilo-en-eu?idiom=es.

93 For example, Tijuana—which has been receiving asylum seekers returned from San Diego Sector—had the highest homicide rate of any major city in the world (138 per 100,000) in 2018. See Tyche Hendricks, "In Tijuana, Police Grapple with World's Worst Homicide Rate," KQED California Report, March 27, 2019, www.kqed.org/news/11735361/in-tijuana-police-grapple-with-worlds-worst-homicide-rate. In Nuevo Laredo, to which the Migrant Protection Protocols (MPP, more commonly referred to as Remain in Mexico) were expanded in mid-July 2019, migrants are in danger of kidnapping if they walk outside. The U.S. State Department warns travelers not to venture into Tamaulipas state, where Nuevo Laredo is located, because of limited government ability to control violence. See Kirk Semple, "Migrants in Mexico Face Kidnappings and Violence While Awaiting Immigration Hearings in U.S.," *New York Times*, July 12, 2019, www.nytimes.com/2019/07/12/world/americas/mexico-migrants.html.

94 *Innovation Law Lab et al. v. Kirstjen Nielsen et al.*, No. 19-cv-00807-RS (U.S. District Court, Northern District of California, April 8, 2019), www.courtlistener.com/docket/14560345/73/innovation-law-lab-v-nielsen; *Innovation Law Lab et al. v. Kirstjen Nielsen et al.*, No. 19-cv-00807 (U.S. Court of Appeals for the Ninth Circuit, May 7, 2019), <http://cdn.ca9.uscourts.gov/datastore/general/2019/05/07/19-15716%20opinion.pdf>.

95 National Conference of State Legislatures (NCSL), "National Unemployment Rate at 3.7 Percent through June 2019," National Employment Monthly Update, June 7, 2019, www.ncsl.org/research/labor-and-employment/national-employment-monthly-update.aspx.



below 3 percent, a sign of very tight labor markets.⁹⁶ Between June 2018 and June 2019, unemployment rates fell in all major industries and classes of workers except mining, transportation and utilities, professional and business services, and government workers. Unemployment was above average but fell substantially in agriculture, construction, and leisure and hospitality—three of the industries that employ the highest shares of unauthorized and low-skilled immigrants. Unemployment was below average and fell in manufacturing, another common industry for these immigrant workers.⁹⁷ Nationwide, the number of unemployed persons fell below the number of job openings in March 2018 and has stayed there since, with 7.3 million job openings as of May 2019.⁹⁸

Both prior peaks in Southwest border apprehensions (2000 and 2005) occurred during surging U.S. labor markets shortly before major economic recessions (2001 and 2008-09). But during these peaks, Mexicans predominated among unauthorized migrants. Unauthorized Mexican migration has not rebounded significantly despite the improved U.S. economy, suggesting that slowing population growth and an improving economy in Mexico have led to a structural decline in push factors there.

A strong U.S. labor market offers opportunities to quickly earn money to pay off debts (including to smugglers), support households unable to afford food or other necessities, or purchase or upgrade properties. The very tight U.S. labor market—without legal avenues for the necessary number of visas to meet certain labor market needs—may help explain why so many migrants are coming now, especially from Guatemala where economic conditions have become increasingly difficult in traditionally high out-migration regions.

V. Factors Governing Transit through Mexico

The strong push and pull factors in Central America and the United States aside, record numbers of Central Americans would not be reaching the U.S.-Mexico border if they could not successfully transit Mexico. This point has been made increasingly forcefully by President Trump. With the decade-high apprehension numbers in May 2019, that frustration boiled over, with Trump threatening to impose escalating tariffs unless Mexico took steps to dramatically reduce transit migration. At the last moment, the president provisionally withdrew his tariff threat after Mexico signed an agreement that was announced on June 7, 2019.⁹⁹ In July, the administration announced that asylum seekers will not be accepted at the U.S. border if they have traveled through and not been denied asylum in Mexico or another country.¹⁰⁰ That policy was almost immediately blocked by a federal court.¹⁰¹

Record numbers of Central Americans would not be reaching the U.S.-Mexico border if they could not successfully transit Mexico.

96 These states were Hawaii and Idaho (2.8 percent), Iowa (2.4 percent), Massachusetts and Nebraska (3.0 percent), New Hampshire (2.4 percent), North Dakota (2.3 percent), South Dakota and Utah (2.9 percent), Vermont (2.1 percent), Virginia (3.0 percent), and Wisconsin (2.8 percent). See NCSL, “May Unemployment Numbers: Lower in Six States, Higher in Two,” State Unemployment Rates, July 5, 2019, www.ncsl.org/research/labor-and-employment/state-unemployment-update.aspx.

97 U.S. Bureau of Labor Statistics (BLS), “Table A-14. Unemployed Persons by Industry and Class of Worker; Not Seasonally Adjusted,” Economic News Release, last updated July 5, 2019, www.bls.gov/news.release/empsit.t14.htm.

98 BLS, “Number of Unemployed Persons Per Job Opening, Seasonally Adjusted,” accessed July 21, 2019, www.bls.gov/charts/job-openings-and-labor-turnover/unemp-per-job-opening.htm; BLS, “Job Openings and Labor Turnover Survey,” accessed July 21, 2019, <https://data.bls.gov/timeseries/JTS00000000JOL>.

99 U.S. Department of State, “U.S.-Mexico Joint Declaration.”

100 EOIR, “Asylum Eligibility and Procedural Modifications.”

101 *East Bay Sanctuary Covenant et al. v. William Barr et al.*, Preliminary injunction, July 24, 2019.



The key provisions of the June agreement are threefold:

First, Mexico pledged to strengthen migration controls at the Mexico-Guatemala border and in the interior by deploying 6,000 officers of the newly created National Guard and military to buttress existing efforts by the National Immigration Institute (INM). The agreement's enforcement provisions also call for stepped-up cooperation by both governments to dismantle human-smuggling networks.

Second, Mexico agreed to accept significantly more asylum seekers returned by the United States under MPP. Intended to discourage asylum applications, MPP was initially implemented in the El Paso and San Diego Border Patrol sectors—and major ports within them—but has since been expanded to include ports in other sectors including Laredo and Brownsville. Expanding the program may raise the numbers of migrants who must remain in Mexican border communities, for months or more, until their U.S. asylum hearings are adjudicated. When the agreement was signed in early June, about 8,000 migrants had been returned to Mexico under MPP. By mid-July that number had reached nearly 20,000.¹⁰²

Third, both countries also committed to addressing root causes of migration through development investment in the Northern Triangle by coordinating efforts with regional and international partners.

These efforts by Mexico and the United States are not sustainable over the long term and do not address the deeper structural and policy challenges the Central American flows embody.

In a side agreement that initially remained confidential, the two countries agreed to consider negotiating a safe third-country agreement if the measures outlined above did not significantly slow flows within 45 days of the announcement.¹⁰³ Under a safe third-country agreement, Mexico would accept the return of all migrants who transit its territory seeking to apply for U.S. asylum and would process their claim for Mexican asylum, consistent with the international principle that those fleeing danger are to apply for protection in the first, nearest safe country they reach after fleeing their own. However, the side agreement language is vague, and Mexico continues to oppose the idea of a safe third-country agreement.¹⁰⁴

Mexico's implementation of the first two core provisions in the June 7 agreement appear to be interrupting unauthorized flows, offering both governments a reprieve from growing tensions over migration matters. Between May and June, Mexico increased deportations by 34 percent and apprehensions at the U.S.-Mexico border dropped by 29 percent.¹⁰⁵ Moreover, by the end of the agreement's 45-day evaluation period, average daily apprehensions at the U.S.-Mexico border declined by 36 percent, according to Mexico's foreign minister.¹⁰⁶ Mexico agreed to continue migration enforcement at current levels for a second evaluation in another 45 days.

However, these efforts by Mexico and the United States are not sustainable over the long term and do not address the deeper structural and policy challenges the Central American flows embody. Addressing

¹⁰² INM, "Internaciones en México de Extranjeros Solicitantes de Asilo en EU."

¹⁰³ Reuters, "Mexico Says to Consider 'Safe Third Country' Status If Migration Does Not Slow," Reuters, June 10, 2019, www.reuters.com/article/us-usa-trade-mexico-ebarrard/mexico-says-to-consider-safe-third-country-status-if-migration-does-not-slow-idUSKCN1TB2E5.

¹⁰⁴ Jannet López Ponce, "México No Aceptará Ser Tercer País Seguro," Milenio, July 22, 2019, www.milenio.com/politica/mexico-aceptara-tercer-seguro-admitimos-negociacion-ebarrard.

¹⁰⁵ Secretaría de Gobernación (SEGOB), "Boletín Mensual de Estadísticas Migratorias, 2011–19," accessed July 31, 2019, www.politicamigratoria.gob.mx/es/SEGOB/Boletines_Estadisticos.

¹⁰⁶ Deutsche Welle, "México Reporta Reducción de un Tercio en el Flujo Migratorio Hacia EE. UU," Deutsche Welle, July 22, 2019, www.dw.com/es/m%C3%A9xico-reporta-reducci%C3%B3n-de-un-tercio-en-el-flujo-migratorio-hacia-ee-uu/a-49706374.

resource and structural weaknesses in both countries' immigration and asylum systems requires a clear bilateral strategy over the long term based on a principle of shared responsibility.¹⁰⁷ The two governments also need to fulfill their commitment to investing in long-term development initiatives in Central America by targeting local conditions and larger structural issues that drive migration, as well as implement mechanisms to evaluate assistance programs.¹⁰⁸ Yet, the suspension of U.S. aid to the region ordered by Trump in the spring remains in place, hampering the success of ongoing development efforts.

Before Mexico's recent implementation of stronger migration controls, traveling through the country was reported to be easier than in prior periods because: (1) migrant caravans offer a less expensive alternative than paying smugglers; (2) smugglers' response to the competition from caravans has been to lower prices and offer safer transit options; (3) the new Mexican administration initially responded to the caravans by facilitating access to visas for temporary legal status in Mexico, which migrants often use to transit to the United States; and (4) the administration's rhetoric and ideas about Central American migrants have stressed humanitarian treatment more than that of preceding ones, even as its policies have become increasingly enforcement-minded.

I. Migrant Caravans

In what marked the beginning of a new phenomenon, starting in April 2018 large groups of migrants assembled in Central America and traveled through Mexico together. Although smaller caravans had been organized since 2010, the numbers for the 2018 caravans were far larger and attracted substantial media attention in the United States and Mexico.¹⁰⁹ An April 2018 caravan, "Stations of the Cross," was one of several that have historically been organized around the Easter season. This caravan, which numbered 1,500 as it left Central America, dwindled in size as it crossed Mexico and resulted in about 400 asylum applications at the U.S. border in the San Diego area.¹¹⁰

In November 2018, a much larger caravan of more than 7,000 mostly Honduran migrants crossed Mexico, attracting intense, protracted media coverage around the world. Mexican authorities and civil-society actors provided food, shelter, medicine, and other support for this caravan in southern Mexico, Mexico City, and the northern border cities of Tijuana and Mexicali.¹¹¹

Caravans bring safety, security, and support for migrants on their journeys through Mexico. With wider visibility and international attention, migrants traveling in caravans were able to find safer routes northward as compared to traveling through more dangerous rural areas. Caravans also provided easier access—at least for most of the journey—to lower-income migrants who were otherwise unable to afford smugglers' fees and the bribes that corrupt officials commonly extort.

The caravans represent a small share of the recent migrant flow. But they created a new form of competition for smuggling networks, which had dominated the routes and paid the cartels, government officials, and others who controlled the Mexican territory through which migrants passed. Smugglers responded by adjusting their prices and services, offering reduced rates for those traveling in larger

107 For a more in-depth review of the current working relationship between the United States and Mexico on migration management, see Andrew Selee, "Mexico's Migration Dilemmas: The Border Crisis South of the Border," *Foreign Affairs*, July 8, 2019, www.foreignaffairs.com/articles/mexico/2019-07-08/mexicos-migration-dilemmas. For additional details of these recommendations, see Andrew Selee, Silvia E. Giorguli-Saucedo, Claudia Masferrer, and Ariel G. Ruiz Soto, "Strategic Solutions for the United States and Mexico to Manage the Migration Crisis," MPI commentary, July 17, 2019, www.migrationpolicy.org/news/strategic-solutions-united-states-and-mexico-manage-migration-crisis.

108 State Department, "U.S.-Mexico Joint Declaration."

109 EFE, "Caravana de Migrantes Centroamericanos Llega a su Destino, Ciudad de México," EFE, April 10, 2018, www.efc.com/efe/usa/mexico/caravana-de-migrantes-centroamericanos-llega-a-su-destino-ciudad-mexico/50000100-3578722.

110 Miriam Jordan, "This Isn't the First Migrant Caravan to Approach the U.S. What Happened to the Last One?," *New York Times*, October 23, 2018, www.nytimes.com/2018/10/23/us/migrant-caravan-border.html.

111 BBC News, "Migrant Caravan: What Is It and Why Does It Matter?" BBC News, November 26, 2018, www.bbc.com/news/world-latin-america-45951782.



groups, along with quicker and safer “all-inclusive packages” that include hotel payments and bus or taxi service across Mexico to the U.S. border.¹¹²

Anecdotal reports suggest that smugglers have also recently offered cheaper rates for families with children. Smugglers of adult migrants must pay networks of spotters, guides, guards, and drivers to get them across the border without being apprehended and into vehicles or safe houses in the United States. These operational conditions place people in their networks at risk when they cross the border with migrants.

But families with children typically present themselves to customs officers at ports of entry or to Border Patrol agents between ports of entry in order to apply for asylum. This makes smuggling families cheaper and less risky for the smugglers, as well as for the migrants in their care. According to some reports, smugglers have charged single adults between \$7,000 and \$10,000 to get into the United States, while the fee for an adult and child traveling together is between \$2,000 and \$6,000.¹¹³

Migrants have been able to choose among smugglers and packages that range in price, safety, and length of the trip.¹¹⁴ In some cases, smugglers are organizing bus groups that move quickly along Mexican highways, stopping only for food, fuel, and bathroom breaks.¹¹⁵ These new smuggling options, in combination with caravans, offer a greater range of safer and more affordable opportunities to get to the United States than were available in the past.

Like the caravans, the innovations in smuggling strategies provide migrants safety in numbers. The Border Patrol has reported that large groups of migrants (the government’s term for groups of 100 or more) are arriving at the border more frequently. From October 2018 through July 2019, 203 large groups were encountered after crossing the border, up from 13 during all of FY 2018.¹¹⁶ These large groups overwhelm the Border Patrol’s processing and detention capability, often resulting in faster release from U.S. custody and quicker arrival at the final U.S. destination. It is unclear whether increased immigration enforcement in Mexico is stunting the trend: no large groups were encountered in the first two weeks of July, but several have been intercepted since then.¹¹⁷

2. Changing Mexican Policies

The Mexican migration enforcement system has developed in stages since the early 2000s, but was consolidated in 2014 with the implementation of the Southern Border Program (Programa Frontera

¹¹² Victoria A. Greenfield et al., *Human Smuggling and Associated Revenues: What Do or Can We Know About Routes from Central America to the United States?* (Santa Monica, CA: RAND Corporation, Homeland Security Operational Analysis Center, 2019), 15-17, www.rand.org/content/dam/rand/pubs/research_reports/RR2800/RR2852/RAND_RR2852.pdf.

¹¹³ Jay Root, “How One Migrant Family Got Caught Between Smugglers, the Cartel and Trump’s Zero-Tolerance Policy,” *Texas Tribune*, March 7, 2019, www.texastribune.org/2019/03/07/migration-us-border-generating-billions-smugglers/; John Daniel Davidson, “The Border Crisis Is a Money-Making Machine for Smugglers,” *The Federalist*, April 4, 2019, <https://thefederalist.com/2019/04/04/border-crisis-money-making-machine-smugglers/>.

¹¹⁴ In one case, a Guatemalan migrant was offered a choice among smugglers charging \$3,000, \$4,000, and \$6,000. He chose the most expensive smuggler because she offered the safest route. He and his daughter made it from Guatemala to the midwestern United States in less than a week and said they never felt endangered. Based on correspondence with a documentary filmmaker in Guatemala.

¹¹⁵ Nick Miroff, “‘The Conveyor Belt’: U.S. Officials Say Massive Smuggling Effort Is Speeding Immigrants to — and Across — the Southern Border,” *Washington Post*, March 15, 2019, www.washingtonpost.com/national/the-conveyor-belt-us-officials-say-massive-smuggling-effort-is-speeding-immigrants-to--and-across--the-southern-border/2019/03/15/940bf860-4022-11e9-a0d3-1210e58a94cf_story.html?utm_term=.182ecb9deb16.

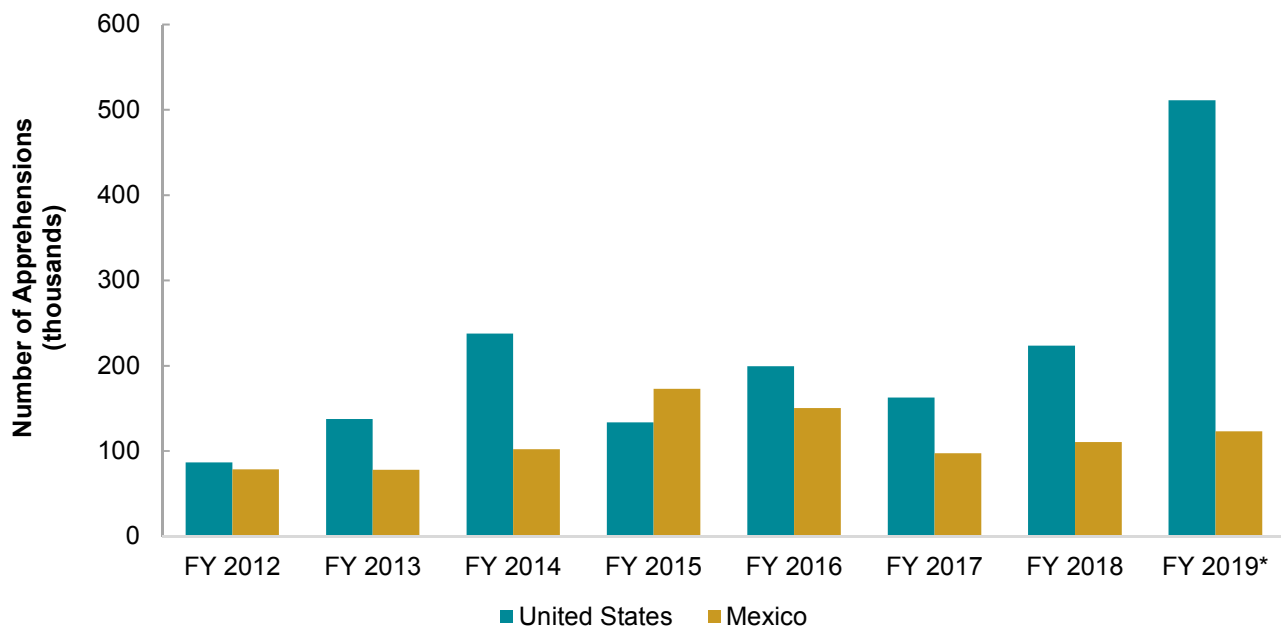
¹¹⁶ CBP, “CBP Releases March Statistics for Southwest Border Migration” (press release, April 9, 2019), www.cbp.gov/newsroom/national-media-release/cbp-releases-march-statistics-southwest-border-migration; Testimony of Carla Provost, Chief of U.S. Border Patrol, before the House Committee on Appropriations, Subcommittee on Homeland Security, *U.S. Customs and Border Protection - Border Patrol Oversight Hearing*, 116th Cong., 1st sess., July 24, 2019, <https://appropriations.house.gov/events/hearings/us-customs-and-border-protection-border-patrol-oversight-hearing>.

¹¹⁷ Testimony of Kevin McAleenan, Acting Secretary of Homeland Security, before the House Oversight and Reform Committee, *The Trump Administration’s Child Separation Policy: Substantiated Allegations of Mistreatment*, 116th Cong., 1st sess., July 18, 2019, <https://oversight.house.gov/legislation/hearings/with-the-acting-secretary-of-homeland-security-kevin-k-mcaleenan>; Testimony of Carla Provost, *U.S. Customs and Border Protection - Border Patrol Oversight Hearing*.

Sur)—a response to the initial large increase in Central American unaccompanied children seeking asylum in the United States.¹¹⁸ An enforcement landmark in U.S.-Mexico cooperation in regional migration management, the program strengthened checkpoints and patrols in Mexico's southern states, primarily Chiapas, which lies immediately north of the Guatemalan border.¹¹⁹

As a result, Mexican apprehensions of Northern Triangle migrants reached a peak of 173,000 in FY 2015, surpassing the 134,000 apprehensions by U.S. immigration authorities (see Figure 8). Since FY 2016, U.S. authorities have apprehended more Northern Triangle migrants than have Mexican authorities (though Mexico has deported more of these migrants than has the United States, as will be discussed below). Although Mexican apprehensions of Northern Triangle migrants have declined since FY 2015, they remain higher than levels prior to the implementation of the Southern Border Program.

Figure 8. U.S. and Mexican Apprehensions of Northern Triangle Migrants, FY 2012-19



*U.S. and Mexican figures for FY 2019 cover October 2018 through June 2019. Mexico's apprehension data are reported by calendar year but have been rearranged to represent the U.S. fiscal year for comparison purposes.

Sources: DHS, *Border Security Metrics Report*; CBP, "U.S. Border Patrol Nationwide Apprehensions by Citizenship and Sector in FY2017;" CBP, "U.S. Border Patrol Nationwide Apprehensions by Citizenship and Sector in FY2018;" CBP, "Southwest Border Migration FY 2019;" Secretaría de Gobernación, (SEGOB), "Boletín Mensual de Estadísticas Migratorias, 2011–19," accessed July 22, 2019, www.politicamigratoria.gob.mx/es/SEGOB/Boletines_Estadisticos.

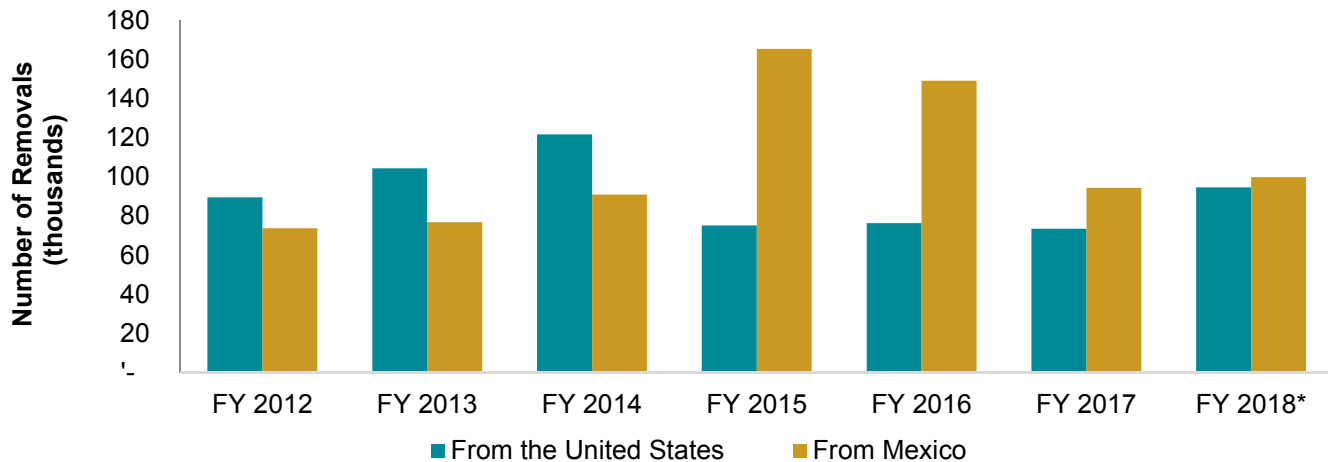
Perhaps more significantly, Mexican authorities have removed more Northern Triangle migrants than U.S. authorities in every year since FY 2015. At the same time, removals from Mexico, as with apprehensions, have declined from their peaks in FY 2015 and 2016 (see Figure 9).

118 Observatorio de Legislación y Política Migratoria, "¿Qué es el Programa Frontera Sur?" Boletín No. 1, Febrero 2016, <https://observatoriocolef.org/wp-content/uploads/2016/06/BOLET%C3%8DN-1-Alejandra-Casta%C3%B1eda.pdf>. See also, Luis Alfredo Arriola Vega, *Policy Adrift: Mexico's Southern Border Program* (Houston: Rice University, Baker Institute, Mexico Center, 2017), www.bakerinstitute.org/media/files/files/fa7ac127/MEX-pub-FronteraSur-062317.pdf.

119 James Fredrick, "Mexico Deploys a Formidable Deportation Force Near Its Own Southern Border," NPR, May 7, 2018, www.npr.org/sections/parallels/2018/05/07/607700928/mexico-deploys-a-formidable-deportation-force-near-its-own-southern-border.



Figure 9. Removals from the United States and Mexico to Northern Triangle Countries, FY 2012-18



*Pending the publication of consolidated removal data by the Department of Homeland Security (DHS) for FY 2018, MPI has approximated U.S. removals for that period based on data provided by U.S. Immigration and Customs Enforcement (ICE), which include a small number of returns and do not include the removals carried out by CBP. Mexico's removal data are reported by calendar year but have been rearranged to represent the U.S. fiscal year (FY) for comparison purposes. Figures for FY 2012 through FY 2017 do not include U.S. "returns," which are considered voluntary requests by migrants to be returned, as opposed to removals, which are compulsory orders by U.S. immigration authorities.

Sources: MPI calculations using data from U.S. Department of Homeland Security (DHS), *Yearbook of Immigration Statistics*, 2017, updated April 9, 2019, www.dhs.gov/immigration-statistics/yearbook/2017; ICE, *Fiscal Year 2018 ICE Enforcement and Removal Operations Report* (Washington, DC: ICE, 2018), www.ice.gov/doclib/about/offices/ero/pdf/eroFY2018Report.pdf; Secretaría de Gobernación (SEGOB), "Boletín Mensual de Estadísticas Migratorias, 2011–19."

Between December 2018, when President Andrés Manuel López Obrador took office, and February 2019, apprehensions and removals were lower than during the same period under former President Enrique Peña Nieto.¹²⁰ This reflects López Obrador's aspiration to bring to his office a humanitarian approach to migration that is decidedly different from that of his predecessor. Yet, the rapid increase in U.S.-Mexico border crossings in spring 2019 increased political pressure on Mexico, culminating with the Trump administration's tariff threats in June. As a result, migration enforcement by Mexican authorities rose dramatically. In June 2019, Mexican authorities detained more than 31,000 migrants—more than three times the number in June 2018—and deported approximately 19,000.¹²¹ Apprehensions in Mexico more than doubled from 32,000 in the first quarter of 2019 to 76,000 in the second quarter.¹²²

The López Obrador administration has shifted ... from providing legal pathways to an enforcement-first approach.

Facing significant U.S. pressure and growing anti-immigrant sentiment among the Mexican public, the López Obrador administration has shifted its migration policy focus from providing legal pathways to an enforcement-first approach. López Obrador has expressed sympathy for the well-being and motivations of Central Americans transiting Mexico; promised to help integrate them into Mexican society and the

¹²⁰ Mexican deportations of Central American migrants were 16 percent lower from December 2018 through February 2019 when compared with the same three months a year earlier. See SEGOB, "Boletín Mensual de Estadísticas Migratorias, 2011–19," accessed April 11, 2019, www.politicamigratoria.gob.mx/es/SEGOB/Boletines_Estadisticos.

¹²¹ SEGOB, "Boletín Mensual de Estadísticas Migratorias, 2011–19," accessed July 31, 2019, www.politicamigratoria.gob.mx/es/SEGOB/Boletines_Estadisticos.

¹²² Santiago Pérez and Catherine Lucey, "Trump Praises Mexico Amid Record Detention of Migrants," *Wall Street Journal*, July 1, 2019, www.wsj.com/articles/mexico-detains-record-number-of-migrants-following-deal-with-u-s-11562017847.



economy through asylum and work permits; and proposed a sweeping regional development strategy to raise living standards in Southern Mexico and the Northern Triangle.¹²³ However, significant investment in escalating enforcement across the country has overshadowed policy efforts to fulfill the administration's humanitarian approach to conducting migration policy.

Mexico's migration law provides several possible mechanisms for migrants to obtain legal status and stay in the country temporarily or permanently. These mechanisms began to be used and emphasized in new ways in response to the Central American flows. They include:

- As a signatory of the 1984 Cartagena Declaration on Refugees, Mexico provides asylum and complementary protection to migrants under broader eligibility criteria than the United States, including fleeing generalized violence or internal conflicts, among other reasons.¹²⁴ As Central American flows through Mexico have increased, so have the numbers of asylum petitions. While still relatively low compared to those in the United States, asylum requests in Mexico have increased exponentially, growing from about 1,000 petitions in 2013 to nearly 30,000 in 2018. More than 31,000 petitions had been filed in the first half of 2019 and officials project 80,000 petitions will be filed by the end of the year.¹²⁵ In a matter of weeks, the high volume of asylum applications overwhelmed Mexico's tiny asylum agency and resulted in long adjudication delays. To the extent that migrants might have been persuaded to seek asylum in Mexico rather than transiting to the United States, applicants are reported to have largely become frustrated, with many abandoning their applications and trying to reach the United States.¹²⁶
- Temporary humanitarian permits can be issued for one year to document, screen, and protect migrants presenting themselves to Mexican authorities. The Mexican government issued about 11,000 such permits in January alone, when it became overwhelmed by large numbers arriving at the Mexico-Guatemala border and stopped issuing permits there. Instead, migrants are required to apply from within their own countries.¹²⁷ Believing that the permits may have encouraged more caravans to form, the Mexican government began in April to issue them more selectively, primarily to vulnerable migrants and excluding a larger share of those traveling in caravans.¹²⁸
- Mexico also provides regional visitor visas that allow migrants restricted travel in the southern states of Campeche, Chiapas, Quintana Roo, and Tabasco, but prohibit employment. Originally only available to citizens of Guatemala and Belize, the Interior Ministry in April 2019 expanded eligibility to citizens from El Salvador and Honduras. The regional visas are intended to provide documents to migrants deemed ineligible for temporary humanitarian visas.¹²⁹

123 Maya Averbuch and Mary Beth Sheridan, "Threatened by Trump, Exhausted by Caravans, Mexico Withdraws Red Carpet," *Washington Post*, April 5, 2019, www.washingtonpost.com/world/the_americas/threatened-by-trump-exhausted-by-caravans-mexico-withdraws-red-carpet/2019/04/05/20f1fb76-5630-11e9-aa83-504f086bf5d6_story.html?utm_term=.3cc21e603fb2.

124 *Ley Sobre Refugiados, Protección Complementaria y Asilo Político*, enacted January 27, 2011 and reformed October 30, 2014, www.gob.mx/cms/uploads/attachment/file/211049/08_Ley_sobre_Refugiados_Proteccion_Complementaria_y_Asilo_Politico.pdf.

125 SEGOB, "Estadísticas de la Coordinación General de la Comisión Mexicana de Ayuda a Refugiados," accessed July 25, 2019, www.gob.mx/cms/uploads/attachment/file/474982/INFORME PRESIDENCIA.pdf.

126 Patrick Timmons, "Restrictive Mexican Visas Keep Central American Migrants Away from U.S. Border," United Press International, May 9, 2019, www.upi.com/Top_News/World-News/2019/05/09/Restrictive-Mexican-visas-keep-Central-American-migrants-away-from-US-border/9151557326110/.

127 SEGOB, "Boletín Mensual de Estadísticas Migratorias, 2019," accessed May 16, 2019, www.politicamigratoria.gob.mx/es/SEGOB/Boletines_Estadisticos. Despite ending the process at the Mexico-Guatemala border, the government continued to issue humanitarian visas in the interior; see SEGOB, "Entrega de Tarjetas por Razones Humanitarias," updated February 8, 2019, www.gob.mx/inm/articulos/entrega-de-tarjetas-por-razones-humanitarias?idiom=es.

128 Secretaría de Relaciones Exteriores (SRE), "Refrenda Gobierno de México Política Migratoria, de Brindar Ayuda Humanitaria," updated April 23, 2019, www.gob.mx/sre/prensa/refrenda-gobierno-de-mexico-politica-migratoria-de-brindar-ayuda-humanitaria?idiom=es; Jose Cortez, "Tempers Fray in Mexico as New Controls Frustrate U.S.-Bound Migrant Caravan," Reuters, April 3, 2019, www.reuters.com/article/us-usa-immigration-mexico-caravan/tempers-fray-in-mexico-as-new-controls-frustrate-us-bound-migrant-caravan-idUSKCN1RF2U1.

129 SEGOB, "Acuerdo Por El Que Se Reforman los Lineamientos para Trámites y Procedimientos Migratorios," updated April 23, 2019, www.dof.gob.mx/nota_detalle.php?codigo=5558294&fecha=23/04/2019; SRE, "Refrenda Gobierno de México Política Migratoria, de Brindar Ayuda Humanitaria."



- Similar to the regional visitor visa, Mexico provides border worker visas to Guatemalan and Belizean citizens and their families who seek temporary employment in southern Mexico. Employment authorization is valid for one year, renewable, and restricted to the same southern states as the regional visitor visa.¹³⁰ Between FY 2016 and FY 2018, Mexican authorities issued approximately 40,000 border worker visas, with most beneficiaries coming from Guatemala and working in low-skilled agricultural employment.¹³¹ To reduce illegal immigration and contribute to development in southern Mexico, the López Obrador administration has suggested widening the eligibility of the border worker visa or establishing a new visa, to include citizens from El Salvador and Honduras.

These measures provide a broad range of policy tools and responses for effective migration management by Mexico, as well as in working with the United States. However, there is a wide gap between the aspirations and principles regarding migration and migrants that López Obrador has advanced and the capacity and resources of the Mexican government to implement them. Significant investments will be needed to build and professionalize the INM if border control and visa policy programs are to succeed. And the asylum system must be scaled up dramatically—tripling or quadrupling its current budget of approximately \$1.3 million—to permit adjudicating the numbers of current and potential cases.¹³²

Given these circumstances, entering into a safe third-country agreement would be highly premature in its actual implementation. Mexico can neither assure the safety nor asylum case processing upon which such agreements rest. Moreover, the large numbers of migrants staying in southern Mexico to stage their trips and in northern Mexico waiting to enter the United States are inevitably placing economic and social stresses on local communities there, and some local authorities have blocked recent groups of migrants from entering their cities at all.¹³³

Given these circumstances, entering into a safe third-country agreement would be highly premature.

At the same time, the López Obrador administration has acceded to U.S. demands on migration. Mexico is strengthening checkpoints in Southern Mexico to intercept flows.¹³⁴ In addition, through the MPP program, Mexico is allowing thousands of asylum seekers to wait in Mexico for the resolution of their U.S. cases, despite growing shortfalls in shelter capacity and other necessary social supports in its northern regions.

As migrant flows and U.S. pressure increase, Mexican public perception of migrants has become less favorable and support for migration enforcement more popular. Nearly two-thirds of Mexicans believe migrants are taking away jobs and benefits from them, while one-fifth believe migrants strengthen the country through their work and abilities.¹³⁵ More than half of Mexicans said migrants should be prohibited from illegally entering Mexico and should be deported; despite that, less than half approved of the U.S.-Mexico agreement signed on June 7.¹³⁶

130 SEGOB, “Tarjeta de Visitante Trabajador Fronterizo,” accessed April 12, 2019, www.gob.mx/tramites/ficha/tarjeta-de-visitante-trabajador-fronterizo/INM275.

131 SEGOB, “Boletín Mensual de Estadísticas Migratorias, 2015–18,” accessed April 11, 2019,

132 Selee, Giorguli-Saucedo, Masferrer, and Ruiz Soto, “Strategic Solutions for the United States and Mexico to Manage the Migration Crisis.”

133 Averbuch and Sheridan, “Mexico Withdraws Red Carpet.”

134 Averbuch and Sheridan, “Mexico Withdraws Red Carpet.”

135 Kevin Sieff and Scott Clement, “Unauthorized Immigrants Face Public Backlash in Mexico, Survey Finds,” *Washington Post*, July 17, 2019, www.washingtonpost.com/world/the_americas/unauthorized-immigrants-face-public-backlash-in-mexico-survey-finds/2019/07/16/f7fc5d12-a75e-11e9-a3a6-ab670962db05_story.html?utm_term=.01c9ffc31331.

136 Sieff and Clement, “Unauthorized Immigrants Face Public Backlash in Mexico, Survey Finds,” *El Universal*, “Repunta en México Rechazo a Migrantes: Encuesta,” *El Universal*, June 6, 2019, www.eluniversal.com.mx/nacion/mexicanos-quieren-que-se-impida-paso-de-migrantes.



Thus, Mexico is coping with contradictory pressures in its commitment to protect the human rights of Central American migrants while also attempting to stem their northward flow. On the one hand, the United States is applying unprecedented pressure on Mexico to tighten its southern border, interdict migrants inside the country, and accept U.S.-bound asylum seekers. On the other, Mexico continues to face significant capacity limitations in its immigration enforcement and asylum systems, alongside resource constraints and very real concerns about the security and rights of migrants on the ground in Mexican communities. At the same time, the United States has not offered nor has Mexico requested substantial resources to assist it in bolstering enforcement activities, build out a large-scale asylum system, or host substantial numbers of migrants for extended periods.¹³⁷

These countervailing pressures make it unlikely that Mexico can sustain the measures it has agreed to for any lasting period.¹³⁸ Yet, the ingredients exist for truly productive cooperation and shared responsibility in advancing regional responses to a serious regional challenge if the two countries collaboratively establish more permanent solutions through careful policymaking and institution building.

VI. Policy Recommendations and Final Thoughts

There is an urgent need to rethink and re-engineer U.S. border enforcement given the pressures of today's mixed flows of humanitarian and economic migrants, which present far different realities and policy exigencies than those that revolved around the earlier, less complex flows of single, adult Mexican migrants. Migration from Central America, and indeed potentially from other parts of the hemisphere and regions of the world, constitute today's major and longer-term challenge to U.S.-Mexico border security and border management.¹³⁹

There is an urgent need to rethink and re-engineer U.S. border enforcement given the pressures of today's mixed flows of humanitarian and economic migrants.

While effective border control had succeeded in substantially reducing flows of Mexicans by the early 2010s through a combination of sound law enforcement strategies supported by sizeable, sustained investments in staffing, technology, infrastructure, and facilities, these gains have been superseded by the new realities of rapidly increasing and more complex flows from Central America and other regions. These new realities call for re-envisioning border enforcement to encompass not only what takes place at the geographic border with Mexico, but also developing the policies, systems, changes in infrastructure, and regional cooperation that must be built and act in concert to affect the characteristics and drivers of newer flows. Thus, rethinking border enforcement should conceive of border enforcement as including the following four critical elements:

137 Although it has not requested U.S. financial assistance to strengthen its migration enforcement and asylum systems, the López Obrador administration has repeatedly asked the Trump administration to invest in development assistance intended to address the root causes of migration in southern Mexico and in Guatemala, El Salvador, and Honduras. See Luis Alonso Lugo, "Mexico Asks US to Hasten \$5.8 Billion Aid to Central America," Associated Press, May 24, 2019, www.apnews.com/b57693f0926a464aa6316bcf65811056.

138 Selee, "Mexico's Migration Dilemmas."

139 During the first nine months of FY 2019, there were 53,000 apprehensions of migrants from countries other than Mexico, El Salvador, Guatemala, or Honduras. This was up from 20,000 such apprehensions in all of FY 2018 and less than 10,000 annually before FY 2013. See U.S. Border Patrol, "U.S. Border Patrol Nationwide Apprehensions by Citizenship and Sector," accessed July 24, 2019, www.cbp.gov/sites/default/files/assets/documents/2019-Mar/BP%20Apps%20by%20Sector%20and%20Citizenship%20FY07-FY18.pdf; CBP, "U.S. Border Patrol Southwest Border Apprehensions by Sector Fiscal Year 2019."



1. **Timely, fair asylum processing.** Today's first-order need is new strategies, supported by investing the necessary resources to implement them, that enable the U.S. asylum system to handle massive increases in its caseload, rather than narrowing eligibility and access to asylum processing.

A timely, fair asylum system is essential to effective border enforcement just as it is to providing protection to vulnerable individuals. However, the current system takes too long to decide whether migrants qualify for asylum or other forms of protection, resulting in periods of up to several years during which they have quasi-legal status—lacking any official, lasting legal status but also not removable. The years-long gap between apprehension and resolution of court cases also raises the risk that U.S. authorities lose track of families and other asylum seekers.

For those whose cases are ultimately denied, only a small proportion are actually returned to their countries. Indeed, just one-third of families apprehended in FY 2014 and subsequently ordered removed by immigration courts had left the United States by the end of FY 2017.¹⁴⁰ Of those apprehended in FY 2017, just 1.5 percent had been returned to their countries of origin.¹⁴¹ Such circumstances serve as powerful incentives to migrate given the endemic push factors in Central American countries.

As an immediate measure, MPI has proposed using U.S. Citizenship and Immigration Services (USCIS) asylum officers to fully decide border asylum cases, with asylum officer decisions referred to immigration courts only upon appeal. This would take some pressure off the overburdened immigration court system. In a nonadversarial setting, USCIS officers, who already adjudicate the initial credible-fear stage of the border asylum process, could adjudicate asylum cases more rapidly than immigration judges, with the goal of deciding family and child cases within months, instead of years.¹⁴²

Still, substantial investments must be made in staffing and infrastructure of the asylum system overall.¹⁴³ For example, a different or expanded footprint of asylum offices may be needed. Immigration court caseload management should be reworked to perhaps create a separate division of the immigration courts for border asylum cases and locate courts where access to interpreters and legal representation—the best avenue to fairness and efficiencies in the adjudication of cases—can be maximized and video and teleconference hearings can be minimized.

Congress and the administration must both protect individuals fleeing violence and persecution by enabling asylum claims to be decided in a timely, fair way, while deterring future flows by deporting those without valid asylum claims. These twin missions can only be achieved with significant new investments and revamped procedures that enable fair processing within months, not years. The longer that cases are not decided and applicants remain in the country, the more difficult it is for those eligible for asylum to establish new lives and for those who are ineligible to be returned, especially when they are families.

2. **Supervised release pending asylum decisions.** U.S. authorities should put into place robust case-management systems to ensure appearance for asylum interviews, court dates, and removal requirements as the alternative to the prohibitive costs and emotional damage of prolonged detention.

¹⁴⁰ DHS, *2014 Southwest Border Encounters*, 6.

¹⁴¹ Prepared testimony of Kevin McAleenan, Acting Secretary of Homeland Security, before the House Oversight and Reform Committee, *The Trump Administration's Child Separation Policy: Substantiated Allegations of Mistreatment*, 116th Cong., 1st sess., July 18, 2019, <https://docs.house.gov/meetings/GO/G000/20190718/109813/HHRG-116-G000-Wstate-McAleenanK-20190718.pdf>.

¹⁴² See Doris Meissner, Faye Hipsman, and T. Alexander Aleinikoff, *The U.S. Asylum System in Crisis: Charting a Way Forward* (Washington, DC: MPI, 2018), www.migrationpolicy.org/research/us-asylum-system-crisis-charting-way-forward

¹⁴³ Meissner, Hipsman, and Aleinikoff, *The U.S. Asylum System in Crisis*.



Supervised release is cost-effective and considerably less likely to result in lasting psychological harm than detention.¹⁴⁴ Ankle bracelets, the most commonly used alternative to detention, are far cheaper : \$4.50 per day versus \$134 per day to detain an adult immigrant and \$319 per day per individual in family detention.¹⁴⁵ At the same time, successful reforms of the asylum system—as outlined above—would reduce the time periods required to monitor and track families, resulting in further efficiencies, especially in delivering protection quickly to those who are eligible.

But monitoring devices alone are insufficient to track applicants over extended periods. A robust system and network for monitoring and supervision would need to be built. ICE has experimented in the past with several such forms of supervision—in some cases accompanied by ankle bracelets—to track people.¹⁴⁶ The most widely known of these is the Family Case Management Program (FCMP), an ICE program specifically for Central American families. It was piloted at the end of the Obama administration and under consideration to be redesigned but terminated by ICE early in the Trump administration. More recently, DHS officials have said the program is again under consideration.¹⁴⁷

The key element of FCMP's success was intensive supervision: a combination of ICE office visits, contractor office visits, home visits, and telephone check-ins to develop rapport with families, monitor their ongoing needs, and ensure compliance with immigration court dates. Case managers also helped families understand the immigration court process, update their court dates, and obtain transportation to and from hearings. With this intensive supervision, the program achieved a 99 percent compliance rate, costing \$38 per day per family, a fraction of the cost of detention.¹⁴⁸

Scaling up such programs requires fostering community-based monitoring networks and case-management programs with legal representation to create the capacity and relationships to handle tens of thousands of family members apprehended by the Border Patrol each month. Albeit challenging, it is no more so than obtaining detention space for such large numbers and it is decidedly more humane, at considerably less expense, while building in appearance for asylum interviews and removal hearings that are required to achieve both protection of migrants with valid asylum claims and deterrence of those without valid claims.

3. Reconfiguring U.S. Customs and Border Protection strategies and operations. A fundamentally new operational model designed to process mixed flows, largely of families, must be developed and implemented. Just as deterrence through prevention in the 1990s and consequence enforcement in the 2000s represented new enforcement paradigms, mixed-flow enforcement calls for analogous changes in the strategies, infrastructure, and culture of front-line border management agencies.

144 Wendy Troxel and Douglas Ligor, "Sleep Deprivation Could Do Long-Term Damage to Migrant Children," *Dallas Morning News*, July 21, 2019, www.dallasnews.com/opinion/commentary/2019/07/21/sleep-deprivation-could-long-term-damage-migrant-children.

145 DHS, "Immigration and Customs Enforcement Budget Overview: Fiscal Year 2018 Congressional Justification," 180, 128, accessed April 7, 2019, www.dhs.gov/sites/default/files/publications/CF0/17_0524_U.S._Immigration_and_Customs_Enforcement.pdf.

146 American Immigration Lawyers Association (AILA), Lutheran Immigration and Refugee Service (LIRS), National Immigration Justice Center (NIJC), and Women's Refugee Commission (WRC), "The Real Alternatives to Detention," accessed April 7, 2019, www.immigrantjustice.org/sites/default/files/content-type/research-item/documents/2018-06/The%20Real%20Alternatives%20to%20Detention%20FINAL%2006.17.pdf.

147 Frank Bajak, "ICE Shuttles Detention Alternative for Asylum-Seekers" ABC News, June 9, 2017, <http://abcnews.go.com/Politics/wireStory/ice-shuttles-detention-alternate-asylum-seekers-47931693>; Testimony of Kevin McAleenan, *The Trump Administration's Child Separation Policy*.

148 The Family Case Management Program was operated by GeoCare—a unit of an ICE detention contractor—and subcontractors during FY 2015-17. The program served more than 2,000 apprehended family members in five cities and offered wraparound services such as counseling and other trauma support, enrollment of children in school, orientation to immigration legal services, and referral to services to help meet basic needs in the community. See GeoCare, *Family Case Management Program: September 21, 2015-June 20, 2017* (unpublished summary report, undated).



Traditional border enforcement to prevent illegal activity of many kinds must certainly continue. But new responses and re-engineering are also required.

Significantly expanded reception facilities and capacity at and near the border for processing and referring families and unaccompanied minors must be stood up. They must include adequate medical staff and Border Patrol training to spot and handle health emergencies. Many migrants, especially younger children, are exhausted, dehydrated, or traumatized by long, often dangerous journeys. Port of entry facilities must also allow for receiving asylum requests.

Processing should be done in interagency settings with representation from all the key federal agencies with front-line responsibilities for asylum seekers and unauthorized migrants. In addition to CBP, they are ICE, USCIS' asylum division, the immigration court functions that reside in the Department of Justice, and the Office of Refugee Resettlement in HHS. Interagency operations with a one-border mission should be established to enable standardized procedures, smooth handoffs among partner agencies, and accurate record-keeping that have eluded officials and agencies, often with dire results for individuals and cases that fall through the cracks and litigation as the only recourse for administrative failings.

CBP has tested agency co-location processing on a limited basis. It also recently announced a new personnel position called Border Patrol Processing Coordinator to provide administrative support to Border Patrol officers in intake and processing individuals who are apprehended.¹⁴⁹ These are steps in the right direction.

However, U.S.-Mexico border enforcement has been conceived, resourced, and driven almost entirely by decades of illegal immigration from Mexico. The new challenge of mixed flows that began now more than five years ago represents a paradigm shift that must be reflected in CBP operations to a far greater degree than has been demonstrated to date.

4. *Regional cooperation in migration management and in tackling root causes.* Mexico and the United States have shared interests in managing migration within the region to be safe, legal, and orderly as well as to reduce migration pressures from nearby countries. There are three areas where policies of shared responsibility can have important near-term impacts.

- ***Managing and controlling flows at Mexico's southern border with Guatemala and through its territory to the United States.*** In the recent past, the U.S. government has supplied financial and technical support to Mexico to better staff the southern border and operate checkpoints in southern states such as Chiapas, where Mexico has recently turned back substantial numbers of U.S.-bound migrants and is now, under the U.S.-Mexico agreement, returning significantly higher numbers.
- ***Combating smuggling and criminal activity that facilitate irregular migrant flows.*** Improving citizen security and reducing corruption are central elements of Mexican President López Obrador's agenda. Through the *Merida* initiative, the two countries have for years shared intelligence and cooperated to combat narcotics, gun smuggling, and human trafficking. It will also be important to win support from state and local governments within Mexico, particularly those along the northern border with the United States, in anti-smuggling efforts.
- ***Longer-term work opportunities and settlement of Central American migrants.*** Mexico grants one-year, renewable, work visas to Guatemalans and Belizeans and is considering expanding eligibility to Salvadorans and Hondurans. These programs mostly

¹⁴⁹ CBP, "U.S. Border Patrol Creates New Position to Support Border Patrol Agents" (media release, May 28, 2019), www.cbp.gov/newsroom/national-media-release/us-border-patrol-creates-new-position-support-border-patrol-agents.



offer low-skilled employment in southern Mexico, where the economy is weakest. However, there are more openings in a broader range of sectors in northern Mexico. The government recently announced, for example, that it would provide 40,000 jobs for Central American migrants in maquiladoras in northern Mexico.

In all of these cases, the need and the policy commitments that have been made significantly outweigh Mexico's capacity and institutional readiness for the levels of effort that are required. Nor has the U.S. sought to foster a meaningful partnership, turning instead to holding Mexico responsible for taking on burdens it is ill-equipped to handle at this time under threat of tariffs. Instead, the U.S. should support—with the assistance of international organizations—expanding Mexico's ability and capacity to process asylum and other humanitarian claims, and developing long-term, work-oriented, immigration programs, alongside enforcement efforts that build professionalism and bilateral and regional cooperation. Over time, protection and employment in Mexico for Central Americans would reduce the northward flow to the United States in humane, lasting ways.

The further extension of shared responsibility must address citizen security and opportunity in Northern Triangle countries. Beginning with restoring aid and foreign assistance programs, improving living standards and reducing violence in Central America are essential for reducing migration pressures. Over the course of a few decades, Mexico has evolved from the primary source of U.S. unauthorized migration to a potential partner in managing migration. Despite its continuing governance challenges, Mexico has made a demographic transition—to a lower birth rate and an older population—alongside economic gains that have reduced emigration pressures. The long-term U.S. strategy should be to work with Central American governments, international organizations, and other partners in the region to assist El Salvador, Guatemala and Honduras in making similar transitions.

The further extension of shared responsibility must address citizen security and opportunity in Northern Triangle countries.

There are some encouraging signs. In El Salvador, birth rates and other population dynamics are similar to those in Mexico. Governance has improved, with a recent national election resulting in an incoming administration that departs in philosophy from past battles. Dozens of municipalities have implemented successful initiatives to combat corruption, crime and violence, resulting in a steep reduction in the nationwide murder rate. Unauthorized migration from El Salvador to the United States, which once kept pace with migration from Guatemala and Honduras, is now much lower.

While El Salvador remains vulnerable with high poverty, income inequality, uneven security, and high rates of violence, support for improved governance, security, and economic development appear to be paying dividends. The United States should therefore redouble, not cut back its efforts.

Guatemala and Honduras face deeper challenges. They have higher birth rates and younger populations. The ongoing drought threatens agricultural production and basic survival in large rural regions. In both, national leaders are at loggerheads with anti-corruption investigations. Still, there have been improvements in reducing violence in these countries, and organizations there are experimenting with local-level development initiatives that could improve living standards. The time horizon for change is longer than in El Salvador, but the United States, Mexico and other partners must commit to staying the course.

Against this backdrop, imposing safe third-country agreements is unreasonable, dangerous, and destined to fail. Instead, the United States should work with Mexico and the United Nations refugee agency (UNHCR) to establish regional processing programs that build the capacity to adjudicate growing



numbers of asylum cases from the region closer to their source countries and accept for admission as refugees those with valid claims. Essential to the success of such an effort would be agreement by the United States, along with other countries such as Canada and Panama, for example, to accept a share of the cases.

Regional processing would allow those at risk to seek help without the dangers of long journeys north. It would take time to change long-established patterns and incentives currently in place. But it brings with it the promise of protection in acute cases and institution-building and cooperation within the region. They are foundational for building the policies, systems, and institutions needed to achieve durable solutions that can ultimately reduce Central American migrant flows.

Current policies that are unilateral, unworkable, and cannot withstand judicial scrutiny have generated chaos at the border and are encouraging others to get in before the door closes.

Final Thoughts

The current border enforcement crisis is too severe and its foundations too deep for any single, immediate solution. The Trump administration's quest for largely unprecedented, enforcement-only silver bullets—be they separating families, threats to close the border, detaining migrant families, denying access to asylum, pressuring unsafe countries to accept safe third-country agreements, cutting off foreign aid—have nearly all failed to overcome substantial legal, moral, and practical obstacles.

Absent a coherent approach with short-, medium-, and long-term solutions that are commensurate with the complexities of the problems that must be addressed, current policies that are unilateral, unworkable, and cannot withstand judicial scrutiny have generated chaos at the border and are encouraging others to get in before the door closes. U.S. policymakers should build a consensus around a multipronged strategy that addresses hard questions about the goals and procedures of the U.S. asylum system, changes to border enforcement infrastructure and operational strategies, cooperation on migration and security between the United States and Mexico, and long-term citizen security and development efforts in the region.

Such a strategy can only be established and implemented through meaningful partnerships with neighboring nations and among key actors across the political spectrum domestically. In addition to restoring order and humane enforcement conditions at the border, the United States must be prepared to be flexible in the face of potentially changing trends in the nature of the flows seeking entry. At the same time, today's migration challenge ultimately demands improvements in conditions in Central America that make staying at home a viable choice. The United States should do all it can to support meeting that longer-term goal.



Works Cited

- Acevedo, Nicole. 2019. Why Are Migrant Children Dying in U.S. Custody? NBC News, May 29, 2019. www.nbcnews.com/news/latino/why-are-migrant-children-dying-u-s-custody-n1010316.
- Ainsley, Julia. 2018. Trump Admin Lost Track of Parents of 38 Young Migrant Children. NBC News, July 6, 2018. www.nbcnews.com/politics/immigration/trump-admin-asks-more-time-reunite-kids-parents-separated-border-n889301.
- Aleaziz, Hamed. 2019. Immigration Judges Are Railing Against a Plan to Replace Court Interpreters with Videos. BuzzFeed News, July 12, 2019. www.buzzfeednews.com/article/hamedaleaziz/immigration-judges-court-interpreters-videos.
- . 2019. Civil Servants Who Process Immigration Applications Are Being Asked to Help ICE Instead. BuzzFeed News, July 17, 2019. www.buzzfeednews.com/article/hamedaleaziz/uscis-immigration-applications-backlog-ice.
- American Immigration Lawyers Association, Lutheran Immigration and Refugee Service, National Immigration Justice Center, and Women's Refugee Commission. N.d. *The Real Alternatives to Detention*. Accessed April 7, 2019. www.immigrantjustice.org/sites/default/files/content-type/research-item/documents/2018-06/The%20Real%20Alternatives%20to%20Detention%20FINAL%2006.17.pdf.
- Arriola Vega, Luis Alfredo. 2017. *Policy Adrift: Mexico's Southern Border Program*. Houston: Rice University, Baker Institute, Mexico Center. www.bakerinstitute.org/media/files/files/fa7ac127/MEX-pub-Frontera-Sur-062317.pdf.
- Asmann, Parker. 2018. Honduras Anti-Corruption Probe Implicates President, Opposition. InSight Crime, June 15, 2018. www.insightcrime.org/news/analysis/honduras-anti-corruption-probe-implicates-president-opposition/.
- Averbuch, Maya and Mary Beth Sheridan. 2019. Threatened by Trump, Exhausted by Caravans, Mexico Withdraws Red Carpet. *Washington Post*, April 5, 2019. www.washingtonpost.com/world/the_americas/threatened-by-trump-exhausted-by-caravans-mexico-withdraws-red-carpet/2019/04/05/20f1fb76-5630-11e9-aa83-504f086bf5d6_story.html?utm_term=.3cc21e603fb2.
- Bajak, Frank. 2017. ICE Shuttters Detention Alternative for Asylum-Seekers. ABC News, June 9, 2017. <http://abc-news.go.com/Politics/wireStory/ice-shuttters-detention-alternate-asylum-seekers-47931693>.
- Bargent, James, Ronna Rísquez, and Kelly Grant. 2018. Corruption and Impunity Allegations Seed Doubts for Second Term of Honduras President. InSight Crime, January 26, 2018. www.insightcrime.org/news/analysis/corruption-and-impunity-allegations-seed-doubts-for-second-term-of-honduras-president/.
- BBC News. 2018. Migrant Caravan: What Is It and Why Does It Matter? BBC News, November 26, 2018. www.bbc.com/news/world-latin-america-45951782.
- Brigida, Anna-Catherine. 2018. Nearly 60% of Migrants from Guatemala's Dry Corridor Cited Climate Change and Food Security as Their Reason for Leaving. Univision, May 16, 2018. <https://catholicclimatemovement.global/nearly-60-of-migrants-from-guatemalas-dry-corridor-cited-climate-change-and-food-security-as-their-reason-for-leaving/>.
- Call, Charles T. 2019. The Significance of Nayib Bukele's Surprising Election as President of El Salvador. Brookings Institution Order from Chaos blog post, February 5, 2019. www.brookings.edu/blog/order-from-chaos/2019/02/05/the-significance-of-nayib-bukeles-surprising-election-as-president-of-el-salvador/.



- Capps, Randy, Faye Hipsman, and Doris Meissner. 2017. *Advances in U.S.-Mexico Border Enforcement: A Review of the Consequence Delivery System*. Washington, DC: Migration Policy Institute. www.migrationpolicy.org/research/advances-us-mexico-border-enforcement-review-consequence-delivery-system.
- Central Intelligence Agency (CIA). 2000. El Salvador, *World Factbook 2000*. www.oodaloop.com/documents/Legacy/CIA/factbook/geos/es.html.
- . 2000. Guatemala, *World Factbook 2000*. www.oodaloop.com/documents/Legacy/CIA/factbook/geos/gt.html.
- . 2000. Honduras, *World Factbook 2000*. www.oodaloop.com/documents/Legacy/CIA/factbook/geos/ho.html.
- Cohen, Mollie J., Noam Lupu, and Elizabeth J. Zechmeister. 2017. *The Political Culture of Democracy in the Americas, 2016/17: A Comparative Study of Democracy and Governance*. Washington, DC and Nashville: U.S. Agency for International Development and Vanderbilt University, Latin American Public Opinion Project. www.vanderbilt.edu/lapop/ab2016/AB2016-17_Comparative_Report_English_V2_FINAL_090117_W.pdf.
- Collins, Michael, Eliza Collins, David Jackson, John Fritze, and Maureen Groppe. 2019. Trump Signs Measure to Temporarily Reopen Government, Setting Up New Battle over Border Wall. *USA Today*, January 27, 2019. www.usatoday.com/story/news/politics/2019/01/25/shutdown-senate-leaders-talk-flight-delays-report-ed-airports/2676022002/.
- Congressional Research Service. 2019. Guatemalan President's Dispute with the U.N. Commission against Impunity (CICIG). CRS Insight, updated March 5, 2019. <https://fas.org/sgp/crs/row/IN11029.pdf>.
- Consolidated Appropriations Act, 2019*. 2019. Public Law 116-6, 116th Cong., 1st sess. www.congress.gov/116/bills/hjres31/BILLS-116hjres31enr.pdf.
- Cortez, Jose. 2019. Tempers Fray in Mexico as New Controls Frustrate U.S.-Bound Migrant Caravan. Reuters, April 3, 2019. www.reuters.com/article/us-usa-immigration-mexico-caravan/tempers-fray-in-mexico-as-new-controls-frustrate-us-bound-migrant-caravan-idUSKCN1RF2U1.
- Davidson, John Daniel. 2019. The Border Crisis Is a Money-Making Machine for Smugglers. *The Federalist*, April 4, 2019. <https://thefederalist.com/2019/04/04/border-crisis-money-making-machine-smugglers/>.
- Deutsche Welle. 2019. México Reporta Reducción de un Tercio en el Flujo Migratorio Hacia EE. UU. Deutsche Welle, July 22, 2019. www.dw.com/es/m%C3%A9xico-reporta-reducci%C3%B3n-de-un-tercio-en-el-flujo-migratorio-hacia-ee-uu/a-49706374.
- Dickerson, Caitlin. 2019. Hundreds of Migrant Children Are Moved Out of an Overcrowded Border Station. *New York Times*, June 24, 2019. www.nytimes.com/2019/06/24/us/border-migrant-children-detention-soap.html.
- East Bay Sanctuary Covenant et al. v. Trump et al.* 2018. No. 18-cv-06810-JST. Order granting temporary restraining order, U.S. District Court, Northern District of California, November 19, 2018. www.aclu.org/sites/default/files/field_document/tro_granted_-_ebsc_v_trump_0.pdf.
- East Bay Sanctuary Covenant et al. v. William Barr et al.* 2019. No. 19-cv-04073-JST. Preliminary injunction, U.S. District Court, Northern District of California, July 24, 2019. www.courtlistener.com/recap/gov.uscourts.cand.344869/gov.uscourts.cand.344869.42.0.pdf.
- EFE. 2018. Caravana de Migrantes Centroamericanos Llega a su Destino, Ciudad de México. EFE, April 10, 2018. www.efc.com/efe/usa/mexico/caravana-de-migrantes-centroamericanos-llega-a-su-destino-ciudad-mexico/50000100-3578722.



- El Universal*. 2019. Repunta en México Rechazo a Migrantes: Encuesta. *El Universal*, June 6, 2019. www.eluniversal.com.mx/nacion/mexicanos-quieren-que-se-impida-paso-de-migrantes.
- Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act*. 2019. Public Law 116-26, 116th Cong., 1st sess. www.congress.gov/bill/116th-congress/house-bill/3401/text.
- Executive Office for Immigration Review. 2019. Asylum Eligibility and Procedural Modifications. *Federal Register* 84 (136): 33829-845. www.federalregister.gov/documents/2019/07/16/2019-15246/asylum-eligibility-and-procedural-modifications.
- Food and Agriculture Organization of the United Nations (FAO). 2016. Dry Corridor – Situation Report June 2016. www.fao.org/emergencies/resources/documents/resources-detail/en/c/422097/.
- . 2017. Chronology of the Dry Corridor: The Impetus for Resilience in Central America. *Agronoticias: Agriculture News from Latin America and the Caribbean*, January 6, 2017. www.fao.org/in-action/agronoticias/detail/en/c/1024539/.
- . 2018. FAO and WFP Concerned about the Impact of Drought on the Most Vulnerable in Central America. FAO Regional Office for Latin America and the Caribbean, August 23, 2018. www.fao.org/americas/noticias/ver/en/c/1150344/.
- Fredrick, James. 2018. Mexico Deploys a Formidable Deportation Force Near Its Own Southern Border. National Public Radio (NPR), May 7, 2018. www.npr.org/sections/parallels/2018/05/07/607700928/mexico-deploys-a-formidable-deportation-force-near-its-own-southern-border.
- Frosch, Dan and Alicia A. Caldwell. 2019. As Border Crisis Worsens, a Detention Center Designed for Children Has None. *Wall Street Journal*, July 5, 2019. www.wsj.com/articles/as-border-crisis-worsens-a-detention-center-designed-for-children-has-none-11562319003.
- GeoCare. N.d. Family Case Management Program: September 21, 2015-June 20, 2017. Unpublished summary report.
- González, Ana Lucía. 2019. Tasa de Homicidios Continúa con Tendencia a la Baja. *El Periódico*, January 13, 2019. <https://elperiodico.com.gt/nacion/2019/01/13/tasa-de-homicidios-continua-con-tendencia-a-la-baja/>.
- Gonzales, Richard. 2019. Barr Changes Asylum Rules, Limits Family Endangerment Claims. NPR, July 29, 2019. www.npr.org/2019/07/29/746448090/barr-changes-asylum-rules-limits-family-endangerment-claims.
- Gonzalez-Barrera, Ana and Jens Manuel Krogstad. 2018. What We Know About Illegal Immigration from Mexico. Pew Research Center Fact Tank blog, December 3, 2018. www.pewresearch.org/fact-tank/2018/12/03/what-we-know-about-illegal-immigration-from-mexico/.
- Government Accountability Office (GAO). 2018. *Immigration Detention: Opportunities Exist to Improve Cost Estimates*. Washington, DC: GAO. www.gao.gov/assets/700/691330.pdf.
- Green, Emily. 2019. A Migrant-Smuggling “Coyote” Told Us Trump’s Policies Have Been Great for Business. Vice News, June 20, 2019. https://news.vice.com/en_us/article/zmpkz8/a-migrant-smuggling-coyote-told-us-trumps-policies-have-been-great-for-business.
- Greenfield, Victoria, A. Blas Nuñez-Neto, Ian Mitch, Joseph C. Chang, and Etienne Rosas. 2019. *Human Smuggling and Associated Revenues: What Do or Can We Know About Routes from Central America to the United States?* Santa Monica, CA: RAND Corporation, Homeland Security Operational Analysis Center. www.rand.org/content/dam/rand/pubs/research_reports/RR2800/RR2852/RAND_RR2852.pdf.



- Hendricks, Tyche. 2019. In Tijuana, Police Grapple with World's Worst Homicide Rate. KQED California Report, March 27, 2019. www.kqed.org/news/11735361/in-tijuana-police-grapple-with-worlds-worst-homicide-rate.
- Innovation Law Lab et al. v. Kirstjen Nielsen et al.* 2019. No. 19-cv-00807-RS. U.S. District Court, Northern District of California, April 8, 2019. www.courtlistener.com/docket/14560345/73/innovation-law-lab-v-nielsen.
- . 2019. No. 19-cv-00807. U.S. Court of Appeals for the Ninth Circuit, May 7, 2019. <http://cdn.ca9.uscourts.gov/datastore/general/2019/05/07/19-15716%20opinion.pdf>.
- Instituto Universitario en Democracia. N.d. Paz y Seguridad, Muertes por Homicidio: Enero a Diciembre 2018. Accessed July 26, 2019. <https://iudpas.unah.edu.hk/dmsdocument/7663-infografico-datos-preliminares-homicidios-enero-a-diciembre-2018>.
- International Organization for Migration. N.d. Flow Monitoring Survey: Tijuana, Baja California, Mexico, December 2018. Accessed April 11, 2019. https://rosanjose.iom.int/site/sites/default/files/Reportes/DTM_TIJUANA-english-%2024Jan2019.pdf.
- . N.d. Flow Monitoring Survey: Suchiate, Chiapas, Mexico, January 2019. Accessed April 11, 2019. <https://rosanjose.iom.int/site/en/flow-monitoring-survey-suchiate-chiapas-january-25-30-2019>.
- Jaffe, Greg, Missy Ryan, and Nick Miroff. 2019. Pentagon Set to Expand Military Role along Southern Border. *Washington Post*, April 26, 2019. www.washingtonpost.com/world/national-security/pentagon-set-to-expand-military-role-along-southern-border/2019/04/26/f2b04666-682a-11e9-82ba-fcfeff232e8f_story.html?utm_term=.839446ed89fd.
- Jenny Lisette Flores et al. v. Janet Reno et al.* 1997. No. CV 85-4544-RJK(Px). Stipulated settlement agreement, U.S. District Court, Central District of California. https://cliniclegal.org/sites/default/files/attachments/flores_v_reno_settlement_agreement_1.pdf.
- Jenny L. Flores et al. v. Jeh Johnson et al.* 2015. No. 2:85-cv-04544-DMG-AGR. U.S. District Court, Central District of California, July 24, 2015. <https://graphics8.nytimes.com/packages/pdf/us/FloresRuling.pdf>.
- Jenny L. Flores et al. v. Loretta E. Lynch et al.* 2015. No. 2:85-cv-04544-DMG-AGR. U.S. District Court, Central District of California, August 21, 2015. www.aila.org/File/Related/14111359p.pdf.
- Jordan, Miriam. 2018. This Isn't the First Migrant Caravan to Approach the U.S. What Happened to the Last One? *New York Times*, October 23, 2018. www.nytimes.com/2018/10/23/us/migrant-caravan-border.html.
- . 2018. Federal Judge Blocks Trump's Proclamation Targeting Some Asylum Seekers. *New York Times*, November 20, 2018. www.nytimes.com/2018/11/20/us/judge-denies-trump-asylum-policy.html.
- . 2018. Thousands of Migrant Children Could Be Released After Sponsor Policy Change. *New York Times*, December 18, 2018. www.nytimes.com/2018/12/18/us/migrant-children-release-policy.html.
- Jordan, Miriam and Caitlin Dickerson. 2019. U.S. Continues to Separate Migrant Families Despite Rollback of Policy. *New York Times*, March 9, 2019. www.nytimes.com/2019/03/09/us/migrant-family-separations-border.html.
- Leutert, Stephanie. 2019. What "Metering" Really Looks Like in South Texas. *Lawfare*, July 17, 2019. www.lawfare-blog.com/what-metering-really-looks-south-texas.
- Ley Sobre Refugiados, Protección Complementaria y Asilo Político.* 2011. Enacted January 27, 2011 and reformed October 30, 2014. www.gob.mx/cms/uploads/attachment/file/211049/08_Ley_sobre_Refugiados_Proteccion_Complementaria_y_Asilo_Politico.pdf.



- López Ponce, Jannet. 2019. México No Aceptará Ser Tercer País Seguro. Milenio, July 22, 2019. www.milenio.com/politica/mexico-aceptara-tercer-seguro-admitimos-negociacion-ebrard.
- Lugo, Luis Alonso. 2019. Mexico Asks US to Hasten \$5.8 Billion Aid to Central America. Associated Press, May 24, 2019. www.apnews.com/b57693f0926a464aa6316bcf65811056.
- McAleenan, Kevin. 2019. Testimony of Acting Homeland Security Secretary before the Senate Judiciary Committee. *Border Security*, 116th Cong., 1st sess., June 11, 2019. www.c-span.org/video/?461582-1/acting-dhs-secretary-kevin-mcaleenan-testifies-border-security.
- . 2019. Testimony of Acting Secretary of Homeland Security before the House Oversight and Reform Committee. *The Trump Administration's Child Separation Policy: Substantiated Allegations of Mistreatment*, 116th Cong., 1st sess., July 18, 2019. <https://oversight.house.gov/legislation/hearings/with-the-acting-secretary-of-homeland-security-kevin-k-mcaleenan>.
- . 2019. Prepared testimony of Acting Secretary of Homeland Security before the House Oversight and Reform Committee. *The Trump Administration's Child Separation Policy: Substantiated Allegations of Mistreatment*, 116th Cong., 1st sess., July 18, 2019. <https://docs.house.gov/meetings/GO/G000/20190718/109813/HHRG-116-G000-Wstate-McAleenanK-20190718.pdf>.
- Meissner, Doris, Faye Hipsman, and T. Alexander Aleinikoff. 2018. *The U.S. Asylum System in Crisis: Charting a Way Forward*. Washington, DC: Migration Policy Institute. www.migrationpolicy.org/research/us-asylum-system-crisis-charting-way-forward.
- Mexican National Institute of Migration (INM). 2019. Internaciones en México de Extranjeros Solicitantes de Asilo en EU. July 12, 2019. www.gob.mx/inm/documentos/internaciones-en-mexico-de-extranjeros-solicitantes-de-asilo-en-eu?idiom=es.
- Meyer, Peter. 2019. U.S. Strategy for Engagement in Central America: An Overview. In Focus 10731, Congressional Research Service, Washington, DC, January 3, 2019. <https://fas.org/sgp/crs/row/IF10371.pdf>.
- Migration Policy Institute (MPI) Data Hub. N.d. Countries of Birth for U.S. Immigrants, 1960-Present. Accessed March 31, 2019. www.migrationpolicy.org/programs/data-hub/charts/immigrants-countries-birth-over-time.
- . N.d. State Immigration Profiles: United States—Demographics and Social. Accessed July 21, 2019. www.migrationpolicy.org/data/state-profiles/state/demographics/US#top.
- Miroff, Nick. 2019. “The Conveyor Belt”: U.S. Officials Say Massive Smuggling Effort Is Speeding Immigrants to — and Across — the Southern Border. *Washington Post*, March 15, 2019. www.washingtonpost.com/national/the-conveyor-belt-us-officials-say-massive-smuggling-effort-is-speeding-immigrants-to--and-across--the-southern-border/2019/03/15/940bf860-4022-11e9-a0d3-1210e58a94cf_story.html?utm_term=.182ecb9deb16.
- Miroff, Nick and Maria Sacchetti. 2019. U.S. Weighs Plan to Phase Out Family Detention at Texas Facility, Despite Migration Surge. *Washington Post*, March 14, 2019. www.washingtonpost.com/immigration/us-weighs-plan-to-phase-out-family-detention-at-texas-facility-despite-migration-surge/2019/03/14/c240cf6a-467d-11e9-aaf8-4512a6fe3439_story.html.
- Moore, Robert. 2018. Thousands of Migrant Children Could Be Released with Trump's Major Policy Reversal. *Texas Monthly*, December 18, 2018. www.texasmonthly.com/news/trump-fingerprint-policy-change-reduce-migrant-children-detention-tornillo.



- Ms. L v. ICE*. 2018. No. 18cv0428 DMS (MDD). Order granting plaintiffs' motion for classwide preliminary injunction, U.S. District Court, Southern District of California, June 26, 2018. www.aclu.org/sites/default/files/field_document/83_order_granting_pi.pdf.
- National Conference of State Legislatures (NCSL). 2019. National Unemployment Rate at 3.7 Percent through June 2019. National Employment Monthly Update, June 7, 2019. www.ncsl.org/research/labor-and-employment/national-employment-monthly-update.aspx.
- . 2019. May Unemployment Numbers: Lower in Six States, Higher in Two. State Unemployment Rates, July 5, 2019. www.ncsl.org/research/labor-and-employment/state-unemployment-update.aspx.
- NPR. 2018. Transcript: Homeland Security Secretary Kirstjen Nielsen's Full Interview With NPR. NPR, May 10, 2018. www.npr.org/2018/05/10/610113364/transcript-homeland-security-secretary-kirstjen-nielsens-full-interview-with-npr.
- Observatorio de Legislación y Política Migratoria. 2016. ¿Qué es el Programa Frontera Sur? Boletín No. 1, Febrero 2016. <https://observatoriocolef.org/wp-content/uploads/2016/06/BOLET%C3%8DN-1-Alejandra-Casta%C3%B1eda.pdf>.
- Pérez, Santiago and Catherine Lucey. 2019. Trump Praises Mexico Amid Record Detention of Migrants. *Wall Street Journal*, July 1, 2019. www.wsj.com/articles/mexico-detains-record-number-of-migrants-following-deal-with-u-s-11562017847.
- Phillips, Kristine. 2018. "America Is Better Than This": What a Doctor Saw in a Texas Shelter for Migrant Children. *Washington Post*, June 16, 2018. www.washingtonpost.com/news/post-nation/wp/2018/06/16/america-is-better-than-this-what-a-doctor-saw-in-a-texas-shelter-for-migrant-children/.
- Pierce, Sarah. 2019. *Immigration-Related Policy Changes in the First Two Years of the Trump Administration*. Washington, DC: MPI. www.migrationpolicy.org/research/immigration-policy-changes-two-years-trump-administration.
- Policía Nacional Civil. N.d. Por Estas Razones Están Bajando Los Homicidios. Enero 2019. Accessed July 26, 2019. www.pnc.gob.sv/portal/page/portal/informativo/servicios/guia/descargables/presentacion%20HOMICIDIO%20compressed.pdf.
- Population Reference Bureau. N.d. 2018 World Population Data Sheet. Accessed March 31, 2019. www.prb.org/wp-content/uploads/2018/08/2018_WPDS.pdf.
- Provost, Carla. 2019. Testimony of Border Patrol Chief, CBP, before the House Judiciary Committee. *Oversight of the Trump Administration's Family Separation Policy*, 116th Cong., 1st sess., February 26, 2019. <https://judiciary.house.gov/legislation/hearings/oversight-trump-administration-s-family-separation-policy>.
- . 2019. Testimony of Chief of U.S. Border Patrol, before the House Committee on Appropriations, Subcommittee on Homeland Security, *U.S. Customs and Border Protection - Border Patrol Oversight Hearing*, 116th Cong., 1st sess., July 24, 2019. <https://appropriations.house.gov/events/hearings/us-customs-and-border-protection-border-patrol-oversight-hearing>.
- Reuters. 2019. Mexico Says to Consider "Safe Third Country" Status If Migration Does Not Slow. Reuters, June 10, 2019. www.reuters.com/article/us-usa-trade-mexico-ebrard/mexico-says-to-consider-safe-third-country-status-if-migration-does-not-slow-idUSKCN1TB2E5.
- . 2019. Trump Administration Plans to Divert \$40 Million in Aid to Venezuela's Opposition. Reuters, July 16, 2019. www.reuters.com/article/us-venezuela-politics-usa-aid/trump-administration-plans-to-divert-40-million-in-aid-to-venezuelas-opposition-idUSKCN1UB2X0.



- Riordan Seville, Lisa and Hannah Rappleye. 2018. Trump Admin Ran “Pilot Program” for Separating Migrant Families in 2017. NBC News, June 29, 2018. www.nbcnews.com/storyline/immigration-border-crisis/trump-admin-ran-pilot-program-separating-migrant-families-2017-n887616.
- Roberts, Bryan, Sarah Burns, Amelia DiAngelo, Jonathan Eyer, Ann Song Lee, Maggie Li, Brian Rieksts, Detlof von Winterfeldt, and John E. Whitley. 2018. *Northern Triangle Migrant Flow Study: Final Report*. Los Angeles and Alexandria, VA: National Center of Risk and Economic Analysis of Terrorism Events, University of Southern California, and Institute for Defense Analysis. https://create.usc.edu/sites/default/files/northern_triangle_migrant_report.pdf.
- Root, Jay. 2019. How One Migrant Family Got Caught Between Smugglers, the Cartel and Trump’s Zero-Tolerance Policy. Texas Tribune, March 7, 2019. www.texastribune.org/2019/03/07/migration-us-border-generating-billions-smugglers/.
- Sacchetti, Maria. 2019. U.S. Has Taken Nearly 1,000 Child Migrants from Their Parents since Judge Ordered Stop to Border Separations. *Washington Post*, July 30, 2019. www.washingtonpost.com/immigration/aclu-us-has-taken-nearly-1000-child-migrants-from-their-parents-since-judge-ordered-stop-to-border-separations/2019/07/30/bde452d8-b2d5-11e9-8949-5f36ff92706e_story.html?utm_term=.4f4279a6dc6c.
- Sands, Geneva. 2018. ICE Arrested 170 Potential Sponsors of Unaccompanied Migrant Children. CNN, December 10, 2018. www.cnn.com/2018/12/10/politics/ice-potential-sponsors-arrests/index.html.
- Secretaría de Gobernación. 2019. Acuerdo Por El Que Se Reforman los Lineamientos para Trámites y Procedimientos Migratorios. Updated April 23, 2019. www.dof.gob.mx/nota_detalle.php?codigo=5558294&fecha=23/04/2019.
- . 2019. Entrega de Tarjetas por Razones Humanitarias. Updated February 8, 2019. www.gob.mx/inm/articulos/entrega-de-tarjetas-por-razones-humanitarias?idiom=es.
- . N.d. Boletín Mensual de Estadísticas Migratorias, 2011–19. Accessed April 11, 2019. www.politicamigratoria.gob.mx/es/SEGOB/Boletines_Estadisticos.
- . N.d. Boletín Mensual de Estadísticas Migratorias, 2015–18. Accessed April 11, 2019. www.politicamigratoria.gob.mx/es/SEGOB/Boletines_Estadisticos.
- . N.d. Boletín Mensual de Estadísticas Migratorias, 2019. Accessed May 16, 2019. www.politicamigratoria.gob.mx/es/SEGOB/Boletines_Estadisticos.
- . N.d. Estadísticas de la Coordinación General de la Comisión Mexicana de Ayuda a Refugiados. Accessed July 25, 2019. www.gob.mx/cms/uploads/attachment/file/474982/INFORME PRESIDENCIA.pdf.
- . N.d. Tarjeta de Visitante Trabajador Fronterizo. Accessed April 12, 2019. www.gob.mx/tramites/ficha/tarjeta-de-visitante-trabajador-fronterizo/INM275.
- Secretaría de Relaciones Exteriores (SRE). 2019. Refrenda Gobierno de México Política Migratoria, de Brindar Ayuda Humanitaria. Updated April 23, 2019. www.gob.mx/sre/prensa/refrenda-gobierno-de-mexico-politica-migratoria-de-brindar-ayuda-humanitaria?idiom=es.
- Selee, Andrew. 2019. Mexico’s Migration Dilemmas: The Border Crisis South of the Border. *Foreign Affairs*, July 8, 2019. www.foreignaffairs.com/articles/mexico/2019-07-08/mexicos-migration-dilemmas.
- Selee, Andrew, Silvia E. Giorguli-Saucedo, Claudia Masferrer, and Ariel G. Ruiz Soto. 2019. *Strategic Solutions for the United States and Mexico to Manage the Migration Crisis*. MPI commentary, July 17, 2019. www.migrationpolicy.org/news/strategic-solutions-united-states-and-mexico-manage-migration-crisis.



- Semple, Kirk. 2019. Migrants in Mexico Face Kidnappings and Violence While Awaiting Immigration Hearings in U.S. *New York Times*, July 12, 2019. www.nytimes.com/2019/07/12/world/americas/mexico-migrants.html.
- . 2019. The U.S. and Guatemala Reached an Asylum Deal: Here's What It Means. *New York Times*, July 28, 2019. www.nytimes.com/2019/07/28/world/americas/guatemala-safe-third-asylum.html.
- Sessions, Jeff. 2018. Memorandum from the Attorney General, U.S. Department of Justice, to Federal Prosecutors along the Southwest Border. *Zero-Tolerance for Offenses Under 8 U.S.C. § 1325(a)*. April 6, 2018. www.justice.gov/opa/press-release/file/1049751/download.
- Sieff, Kevin, 2019. "The Migration Problem Is a Coffee Problem." *Washington Post*, June 11, 2019. www.washingtonpost.com/world/2019/06/11/falling-coffee-prices-drive-guatemalan-migration-united-states/.
- Sieff, Kevin and Scott Clement. 2019. Unauthorized Immigrants Face Public Backlash in Mexico, Survey Finds. *Washington Post*, July 17, 2019. www.washingtonpost.com/world/the_americas/unauthorized-immigrants-face-public-backlash-in-mexico-survey-finds/2019/07/16/f7fc5d12-a75e-11e9-a3a6-ab-670962db05_story.html?utm_term=.01c9ffc31331.
- Stillman, Sarah. 2019. An Asylum Seeker's Quest to Get Her Toddler Back. *The New Yorker*, January 29, 2019. www.newyorker.com/news/news-desk/an-asylum-seekers-quest-to-get-her-toddler-back.
- Timmons, Patrick. 2019. Restrictive Mexican Visas Keep Central American Migrants Away from U.S. Border. United Press International, May 9, 2019. www.upi.com/Top_News/World-News/2019/05/09/Restrictive-Mexican-visas-keep-Central-American-migrants-away-from-US-border/9151557326110/.
- Transactional Records Access Clearinghouse (TRAC). N.d. Immigration Court Backlog Tool. Accessed July 26, 2019. https://trac.syr.edu/phptools/immigration/court_backlog/.
- Troxel, Wendy and Douglas Ligor. 2019. Sleep Deprivation Could Do Long-Term Damage to Migrant Children. *Dallas Morning News*, July 21, 2019. www.dallasnews.com/opinion/commentary/2019/07/21/sleep-deprivation-could-long-term-damage-migrant-children.
- Trump, Donald J. 2018. Proclamation 9822 of November 9, 2018: Addressing Mass Migration through the Southern Border of the United States. *Federal Register* vol. 83 (221): 57661-664. www.federalregister.gov/documents/2018/11/15/2018-25117/addressing-mass-migration-through-the-southern-border-of-the-united-states.
- . 2018. Executive Order 13841 of June 20, 2018: Affording Congress an Opportunity to Address Family Separation. *Federal Register* vol. 38 (122): 29435-436. www.govinfo.gov/content/pkg/FR-2018-06-25/html/2018-13696.htm.
- U.S. Border Patrol. N.d. Southwest Border Sectors: Total Illegal Alien Apprehensions by Fiscal Year (Oct. 1st through Sept. 30th). Accessed May 15, 2019. www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-southwest-border-sector-apps-fy1960-fy2018.pdf.
- . N.d. Total Family Unit* Apprehensions by Month. Accessed April 10, 2019. www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-monthly-family-units-sector-fy13-fy18.pdf.
- . N.d. Total Illegal Alien Apprehensions by Month. Accessed April 10, 2019. www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-monthly-apps-sector-area-fy2018.pdf.
- . N.d. Total Unaccompanied Alien Children (0-17 Years Old) Apprehensions by Month. Accessed April 10, 2019. www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-monthly-uacs-sector-fy2010-fy2018.pdf.



- . N.d. United States Border Patrol: Nationwide Illegal Alien Apprehensions Fiscal Years 1925 – 2018. Accessed July 21, 2019. www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-total-apps-fy1925-fy2018.pdf.
- . N.d. U.S. Border Patrol Nationwide Apprehensions by Citizenship and Sector. Accessed July 24, 2019. www.cbp.gov/sites/default/files/assets/documents/2019-Mar/BP%20Apps%20by%20Sector%20and%20Citizenship%20FY07-FY18.pdf.
- U.S. Bureau of Labor Statistics. N.d. Job Openings and Labor Turnover Survey. Accessed July 21, 2019. <https://data.bls.gov/timeseries/JTS00000000JOL>.
- . N.d. Number of Unemployed Persons Per Job Opening, Seasonally Adjusted. Accessed July 21, 2019. www.bls.gov/charts/job-openings-and-labor-turnover/unemp-per-job-opening.htm.
- . 2019. Table A-14. Unemployed Persons by Industry and Class of Worker, Not Seasonally Adjusted. Economic News Release. Updated July 5, 2019. www.bls.gov/news.release/empsit.t14.htm.
- U.S. Customs and Border Protection (CBP). 2016. *CBP Border Security Report*. Washington, DC: CBP. www.cbp.gov/sites/default/files/assets/documents/2018-Mar/CBP-fy2016-border-security-report.pdf.
- . 2016. United States Border Patrol Southwest Family Unit Subject and Unaccompanied Alien Children Apprehensions, Fiscal Year 2016. Updated October 18, 2016. www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children/fy-2016.
- . 2017. Southwest Border Migration FY 2017. Updated December 15, 2017. www.cbp.gov/newsroom/stats/sw-border-migration-fy2017.
- . 2018. Southwest Border Migration FY 2018. Updated November 9, 2018. www.cbp.gov/newsroom/stats/sw-border-migration/fy-2018.
- . 2019. CBP Releases March Statistics for Southwest Border Migration. Press release, April 9, 2019. www.cbp.gov/newsroom/national-media-release/cbp-releases-march-statistics-southwest-border-migration.
- . 2019. U.S. Border Patrol Creates New Position to Support Border Patrol Agents. Media release, May 28, 2019. www.cbp.gov/newsroom/national-media-release/us-border-patrol-creates-new-position-support-border-patrol-agents.
- . 2019. Southwest Border Migration FY 2019. Updated July 10, 2019. www.cbp.gov/newsroom/stats/sw-border-migration.
- . 2019. U.S. Border Patrol Southwest Border Apprehensions by Sector, Fiscal Year 2019. Updated July 10, 2019. www.cbp.gov/newsroom/stats/sw-border-migration/usbp-sw-border-apprehensions.
- U.S. Department of Health and Human Services (HHS), Office of Inspector General. 2019. Separated Children Placed in Office of Refugee Resettlement Care. Washington, DC: HHS, Office of Inspector General. <https://oig.hhs.gov/oei/reports/oei-BL-18-00511.pdf>.
- U.S. Department of Health and Human Services, Office of Refugee Resettlement. 2019. In Care Statistics. April 10, 2019. www.acf.hhs.gov/orr/resource/xgdfg569.
- U.S. Department of Homeland Security (DHS). 2018. *2014 Southwest Border Encounters: Three-Year Cohort Outcomes Analysis*. Washington, DC: DHS. www.dhs.gov/sites/default/files/publications/18_0918_DHS_Cohort_Outcomes_Report.pdf.



- . 2019. *Department of Homeland Security Border Security Metrics Report*. Washington, DC: DHS. www.dhs.gov/sites/default/files/publications/ndaa_border_metrics_report_fy_2018_0_0.pdf.
- . 2019. Migrant Protection Protocols. Press release, January 24, 2019. www.dhs.gov/news/2019/01/24/migrant-protection-protocols.
- . 2019. Migrant Protection Protocols. Last updated January 24, 2019. www.dhs.gov/news/2019/01/24/migrant-protection-protocols.
- . 2019. *Yearbook of Immigration Statistics, 2017*. Updated April 9, 2019. www.dhs.gov/immigration-statistics/yearbook/2017.
- . N.d. Immigration and Customs Enforcement Budget Overview: Fiscal Year 2018 Congressional Justification. Accessed April 7, 2019. www.dhs.gov/sites/default/files/publications/CFO/17_0524_U.S._Immigration_and_Customs_Enforcement.pdf.
- U.S. Department of Homeland Security and U.S. Department of Health and Human Services. 2018. Proposed Rule: Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children. *Federal Register* vol. 83 (174): 45486-534. www.federalregister.gov/documents/2018/09/07/2018-19052/apprehension-processing-care-and-custody-of-alien-minors-and-unaccompanied-alien-children.
- U.S. Department of Homeland Security and U.S. Department of Justice. 2018. Interim Final Rule: Aliens Subject to a Bar on Entry under Certain Presidential Proclamations; Procedures for Protection Claims. *Federal Register* vol. 83 (218): 55934-953. www.federalregister.gov/documents/2018/11/09/2018-24594/aliens-subject-to-a-bar-on-entry-under-certain-presidential-proclamations-procedures-for-protection.
- U.S. Department of Justice. 2018. Attorney General Sessions Delivers Remarks Discussing the Immigration Enforcement Actions of the Trump Administration. News release, May 7, 2018. www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-discussing-immigration-enforcement-actions.
- U.S. Department of State. 2019. U.S.-Mexico Joint Declaration, Media note, June 7, 2019. www.state.gov/u-s-mexico-joint-declaration/.
- U.S. Immigration and Customs Enforcement (ICE). 2018. *Fiscal Year 2018 ICE Enforcement and Removal Operations Report*. Washington, DC: ICE. www.ice.gov/doclib/about/offices/ero/pdf/eroFY2018Report.pdf.
- White House. 2019. Presidential Proclamation on Declaring a National Emergency Concerning the Southern Border of the United States. February 15, 2019. www.whitehouse.gov/presidential-actions/presidential-proclamation-declaring-national-emergency-concerning-southern-border-united-states/.
- White, Jonathan. 2019. Testimony of Deputy Director for Children's Programs, HHS Office of Assistant Secretary for Preparedness and Response, before the U.S. Senate Committee on Homeland Security and Governmental Affairs. *Unprecedented Migration at the U.S. Southern Border: Perspectives from the Frontline*, 116th Cong., 1st sess., April 9, 2019. www.hsgac.senate.gov/hearings/unprecedented-migration-at-the-us-southern-border-perspectives-from-the-frontline.
- William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008. 2008. Public Law 110-457, § 235(a)(5)(D), § 235 (c)(5), 110th Cong., 2nd sess. www.congress.gov/110/plaws/publ457/PLAW-110publ457.pdf.
- World Bank. N.d. Intentional Homicides (Per 100,000 People), UN Office on Drugs and Crime's International Homicide Statistics database. Accessed July 26, 2019. <https://data.worldbank.org/indicator/VC.IHR.PSRC.P5>.



World Food Program (WFP). 2017. Seguridad Alimentaria Y Emigración. September 2017. <https://docs.wfp.org/api/documents/WFP-0000019630/download/>.

Wroughton, Lesley and Patricia Zengerle. 2019. As Promised, Trump Slashes Aid to Central America Over Migrants. Reuters, June 17, 2019. www.reuters.com/article/us-usa-immigration-trump/as-promised-trump-slashes-aid-to-central-america-over-migrants-idUSKCN1TI2C7.



About the Authors



Randy Capps is Director of Research for U.S. Programs at the Migration Policy Institute (MPI). His areas of expertise include immigration trends, the unauthorized population, immigrants in the U.S. labor force, the children of immigrants and their well-being, and immigrant health-care and public benefits access and use.

Dr. Capps, a demographer, has published widely on immigrant integration at the state and local level, including profiles of immigrant populations in Arkansas, Connecticut, and Maryland, as well as Los Angeles, Washington, DC, Louisville, KY, and Napa County, CA. He also has examined the impact of the detention and deportation of immigrant parents on children.

Prior to joining MPI, Dr. Capps was a researcher in the Immigration Studies Program at the Urban Institute (1993-96, and 2000-08).

He received his PhD in sociology from the University of Texas in 1999 and his master of public affairs degree, also from the University of Texas, in 1992.

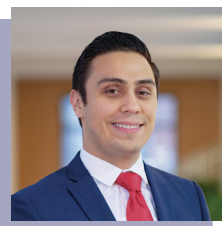


Doris Meissner, former Commissioner of the U.S. Immigration and Naturalization Service (INS), is a Senior Fellow at MPI, where she directs the Institute's U.S. immigration policy work.

Her responsibilities focus in particular on the role of immigration in America's future and on administering the nation's immigration laws, systems, and government agencies. Her work and expertise also include immigration and politics, immigration enforcement, border control, cooperation with other countries, and immigration and national security. She has authored and coauthored numerous reports, articles, and op-eds and is frequently quoted in the media. She served as Director of MPI's Independent Task Force on Immigration and America's Future, a bipartisan group of distinguished leaders. The group's report and recommendations address how to harness the advantages of immigration for a 21st century economy and society.

From 1993–2000, she served in the Clinton administration as Commissioner of the INS, then a bureau in the U.S. Department of Justice. Her accomplishments included reforming the nation's asylum system; creating new strategies for managing U.S. borders; improving naturalization and other services for immigrants; shaping new responses to migration and humanitarian emergencies; strengthening cooperation and joint initiatives with Mexico, Canada, and other countries; and managing growth that doubled the agency's personnel and tripled its budget.

She first joined the Justice Department in 1973 as a White House Fellow and Special Assistant to the Attorney General. She served in various senior policy posts until 1981, when she became Acting Commissioner of the INS and then Executive Associate Commissioner, the third-ranking post in the agency. In 1986, she joined the Carnegie Endowment for International Peace as a Senior Associate. Ms. Meissner created the Endowment's Immigration Policy Project, which evolved into the Migration Policy Institute in 2001.



Ariel G. Ruiz Soto is an Associate Policy Analyst at MPI, where he provides quantitative research support across MPI programs. He also manages MPI's internship program.

His research focuses on the impact of U.S. immigration policies on immigrants' experiences of socioeconomic integration across varying geographical and political contexts. More recently, Mr. Ruiz Soto has analyzed methodological approaches to estimate sociodemographic trends of the unauthorized immigrant population in the United States. His research has been published in *Latino Studies* and in *Crossing the United States-Mexico Border: Policies, Dynamics, and Consequences of Mexican Migration to the United States* (University of Texas Press).

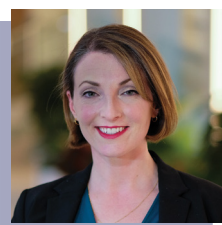
Mr. Ruiz Soto holds a master's degree from the University of Chicago's School of Social Service Administration with an emphasis on immigration policy and service provision, and a bachelor's degree in sociology from Whitman College.



Jessica Bolter is an Associate Policy Analyst with the U.S. Immigration Policy Program at MPI. Her research focuses on migration patterns at the U.S.-Mexico border, immigration enforcement, and asylum and refugee issues. She also works across programs on Latin American migration policy, particularly on regional responses to Venezuelan migration.

She has interned with MPI, the Capital Area Immigrants' Rights Coalition, the Ohio Commission on Hispanic and Latino Affairs, and the Center for Democracy in the Americas.

Ms. Bolter holds a bachelor's degree in American studies and Spanish area studies from Kenyon College, where she focused on relations between the United States and Latin America.



Sarah Pierce is a Policy Analyst for the U.S. Immigration Policy Program at MPI. Her research expertise includes U.S. legal immigration processes and actors, the employment-based immigration system, and unaccompanied child migrants.

Prior to joining MPI, Ms. Pierce practiced immigration law with a Chicago-based law firm, practicing before the immigration court, Board of Immigration Appeals, U.S. Citizenship and Immigration Services (USCIS), and U.S. consulate offices abroad. Her common areas of practice included family- and employment-based immigration, such as nonimmigrant visas; waivers of inadmissibility; and employment-based permanent residency petitions. Ms. Pierce has also worked for and volunteered with a number of nonprofit organizations and government entities, including Human Rights Watch, the National Immigrant Justice Center, and the U.S. Department of Labor.

Ms. Pierce holds a master of arts in international affairs from the George Washington University, with a focus on migration and development. Her master's research included travel to El Salvador and the United Arab Emirates, and work on remittances, outmigration policies, and the relationship between labor rights and remittances. She also holds a J.D. from the University of Iowa College of Law and a B.A. from Grinnell College.



The Migration Policy Institute is a nonprofit, nonpartisan think tank dedicated to the study of the movement of people worldwide. MPI provides analysis, development, and evaluation of migration and refugee policies at the local, national, and international levels. It aims to meet the rising demand for pragmatic and thoughtful responses to the challenges and opportunities that large-scale migration, whether voluntary or forced, presents to communities and institutions in an increasingly integrated world.

www.migrationpolicy.org

1400 16th Street NW
Suite 300
Washington, DC 20036

Tel: 001 202-266-1940
Fax: 001 202-266-1900

