### Migrant Surge / Mass Migration

#### Synopsis

This survey of recent mass migration surge events and a review of associated research literature indicate there is a strong likelihood of future surges to the U.S. Such surges are caused by complex structural factors that render 'quick solutions' unlikely. This paper provides an overview of the "Why," "Who," and "How" of migration, including the dangers migrants encounter in their journey, an overview of the recent history of migration, examples of recent surges, and a brief overview of the roles and responsibilities of various U.S. Government agencies related to mass migration.

The literature review is grouped into two themes: (1) the 2014 Central American surge of unaccompanied children, and (2) push factors are intensifying and are likely to increase the frequency of surges.

#### Literature Review – Risk of Mass Migration Likely Increasing

#### Introduction

#### **Event Description**

Mass Migration is defined as a concentrated flow, or surge, of migrants into the United States primarily along maritime and land borders, regardless of method of entry or reason for migrating.<sup>168</sup> This assessment is inclusive of both legal and illegal (undocumented) migration attempts. It is focused on the short-term impacts to the United States in handling a surge of migrants, that is, primarily the increased resources and capabilities needed to manage a surge.<sup>169</sup> It does not attempt to assess the long-term impacts of legal or illegal immigration. This assessment also does not consider repatriation efforts even in events where repatriation and mass migration may be comingled concerns.

#### **Event Background**

#### Why People Migrate

Marc Rosenblum<sup>170</sup> and Kate Brick's 2011 study, *U.S. Immigration Policy and Mexican/Central American Migration Flows: Then and Now*, explains "why people move, who and how many people migrate, and how they choose where to go, depends on a combination of structural factors that are difficult for governments to control and on the policy environment in which migration decision making occurs."<sup>171</sup>

<sup>&</sup>lt;sup>168</sup> Methods for entry and the reasons/intent for gaining entry are discussed in the event background.

<sup>&</sup>lt;sup>169</sup> For example, maritime and land-based border patrol and search and rescue services, law enforcement and immigration courts services, and providing shelter, clothing, food, medical treatment, and other health and welfare services.

<sup>&</sup>lt;sup>170</sup> Marc R. Rosenblum also co-edited the Oxford Handbook of the Politics of International Migration published June 2012. This resource was not reviewed due to its length and the fact that the scope of the book covers more than just migration to the U.S. It is, however, a notable contribution to the literature of Mass Migration.

<sup>&</sup>lt;sup>171</sup> Rosenblum, Marc R. and Kate Brick. U.S. Immigration Policy and Mexican/Central Migration Flows: Then and Now. Washington, DC: Migration Policy Institute. 2011.

The reasons can be categorized into three structural factors:<sup>172</sup>

- Push Factors Factors in the country of origin that encourage departure. These can include limited economic opportunity, authoritarian or corrupt governments, crime, lack of education, wars, and natural disasters.
- Pull Factors Factors that attract migrants to a country include availability of jobs and associated economic opportunities for immigrants and families, including safety, limited government, and equality before the law.
- Social networks The ability to connect migrants to host-state jobs and communities. This
  occurs through providing funds and information to would-be migrants, assisting with how to
  relate to public authorities, and integration into the host-state economy. Rosenblum and Brick
  point out that with 10-20 percent of Mexicans and Central Americans now living in the U.S.,
  social networks are a particularly important factor within this region.

## The Current "Wave" of Immigration to the United States

Historically speaking, we are presently in the fourth 'great wave' of immigration. Figure 1 shows that the current immigrant<sup>173</sup> share of the U.S. population, 13.1 percent in 2013, is similar to that of the period of 1860-1920.<sup>174,175</sup> Historians consider that period to include the second and third waves of large-scale immigration. The fourth peak period began in the 1970s and continues today.<sup>176,177,178</sup>

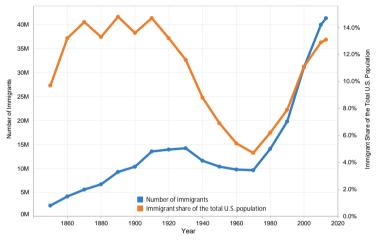


Figure 1: Migration Policy Institute (MPI) - Number of Immigrants and Percentage of the Total U.S. Population, 1850-2013

<sup>177</sup> Grieco, E. . . . (2012).

<sup>178</sup> There is some variance by scholars in the segmentation of the immigration "waves". Some group the second and third wave into one wave, while others consider them separate because of different push/pull migration factors. There is also variance in the dating of the beginning of the

 <sup>&</sup>lt;sup>172</sup> Adapted from Rosenblum and Brick (2011). P 2. Rosenblum and Brick include the following citation on this list: The classic source on pushand-pull factors, and social networks is Douglas S. Massey, Joaquin Arango, Graeme Hugo, Ali Kouaouci, Adela Pellegrino, and J. Edward Taylor, *Worlds in Motion: Understanding International Migration at the End of the Millennium* (Oxford, UK: Clarendon Press, 1998).
 <sup>173</sup> "Foreign born" and "immigrant" are used interchangeably and refer to persons with no U.S. citizenship at birth. This population includes naturalized citizens, lawful permanent residents, refugees and asylees, persons on certain temporary visas, and the unauthorized. Definition from

the Migration Policy Institute. Washington, DC. See Zong, J., & Batalova, J. (2015, February 25). Frequently Requested Statistics on Immigrants and Immigration in the United States. Retrieved March 2015, from <a href="http://migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states#Demographic, Educational, and Linguistic">http://migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states#Demographic, Educational, and Linguistic</a>

<sup>&</sup>lt;sup>174</sup> MPI Data Hub. (2013, August 14). U.S. Immigrant Population and Share Over Time, 1850-Present. Retrieved March 2015, from <u>http://www.migrationpolicy.org/programs/data-hub/charts/immigrant-population-over-time?width=1000&height=850&iframe=true</u> MPI tabulation of data from the U.S. Census Bureau's 2010 - 2013 American Community Surveys and 1970, 1990, and 2000 decennial Census data. All other data are from Campbell J. Gibson and Emily Lennon, "Historical Census Statistics on the Foreign-Born Population of the United States: 1850 to 1990" (Working Paper no. 29, U.S. Census Bureau, Washington, DC, 1999).

<sup>&</sup>lt;sup>175</sup> Grieco, E., Trevelyan, E., Larsen, L., Acosta, Y., Gambino, C., De la Cruz, P., . . . Walters, N. (2012). The Size, Place of Birth, and Geographic Distribution of the Foreign-Born Population in the United States: 1960 to 2010. *Working Paper no. 96, Population Division, U.S. Census Bureau, Washington, DC.* 

<sup>&</sup>lt;sup>176</sup> Hipsman, F., & Meissner, D. (2013, April 16). Immigration in the United States: New Economic, Social, Political Landscapes with Legislative Reform on the Horizon. Retrieved March 2015, from http://www.migrationpolicy.org/article/immigration-united-states-new-economic-social-political-landscapes-legislative-reform

In 2007, there was a decline in both legal and illegal immigration, which coincides with the 2007-2009 Great Recession. Figure 2 shows the number of people granted legal permanent residency each year and the decline that began around 2007.<sup>179</sup>

Figure 3 shows the number of illegal immigrants estimated to be in the United States with a slight decline and leveling off around 2007.<sup>180, 181</sup>

Hipsman and Meissner assert "illegal immigration is a bellwether of economic conditions, growing substantially in a strong economy with high demand for low-skilled labor (the 1990s and early 2000s). and tapering off with economic contraction (since 2008)." The decline may also be due to "heightened border enforcement, a rise in deportations, and the growing dangers associated with illegal border crossings."182 As of March 2015, most research reflects data as late as 2013, and the researchers acknowledge it is possible, even likely, that the immigration numbers will increase again as the U.S. economy recovers.

### U.S. Immigrants' Countries of Origin

Pre-decisional Draft

After the passage of the Immigration

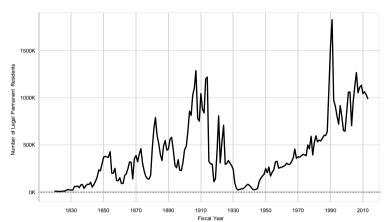
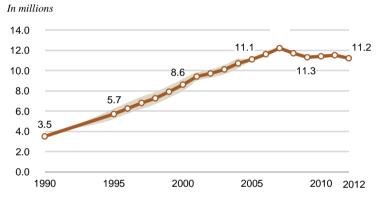


Figure 2: MPI - Annual Number of U.S. Legal Permanent Residents, FY 1820-2013



#### Figure 3: Pew Research Center - Growth in Unauthorized Immigration Has Leveled Off

and Nationality Act Amendments of 1965, there was a remarkable shift of migratory patterns.

fourth wave. Some consider it to start in 1965 at the passage of the Immigration and Nationality Act Amendments of 1965, while others date it to after 1970 when the trend of increased migration occurs.

<sup>&</sup>lt;sup>179</sup> MPI Data Hub (2013). <u>http://www.migrationpolicy.org/programs/data-hub/charts/Annual-Number-of-US-Legal-Permanent-</u>

Residents?width=1000&height=850&iframe=true Migration Policy Institute tabulations of U.S. Department of Homeland Security, Office of Immigration Statistics, Yearbook of Immigration Statistics (various years). Available at

http://www.dhs.gov/files/statistics/publications/yearbook.shtm. This chart tracks the number of people who annually are granted legal permanent residence (also known as getting a green card). Green-card holders are permitted to live and work in the country indefinitely, to join the armed forces, and to apply for U.S. citizenship after five years (three if married to a U.S. citizen). As of January 2012, an estimated 13.3 million green-card holders lived in the United States, including an estimated 8.8 million eligible to become U.S. citizens.

<sup>&</sup>lt;sup>180</sup> Source: Table A1, derived from Pew Research Center estimates for 2005-2012 based on augmented American Community Survey data from Integrated Public Use Microdata Series (IPUMS); for 1995-2004, 2000 and 1995 based on March Supplements of the Current Population Survey. Estimates for 1990 from Warren and Warren (2013).

<sup>&</sup>lt;sup>181</sup> Note: Shading surrounding line indicates low and high points of the estimated 90 percent confidence interval. Data labels are for 1990, 1995, 2000, 2005, 2007, 2009, 2011 and 2012. The 2009-2012 change is not statistically significant at 90 percent confidence interval.

<sup>&</sup>lt;sup>182</sup> Passel, J., Cohn, D., & Gonzalez-Barrera, A. (2012, April 23). Net Migration from Mexico Falls to Zero-and Perhaps Less. Retrieved March 29, 2015, from <a href="http://www.pewhispanic.org/2012/04/23/net-migration-from-mexico-falls-to-zero-and-perhaps-less/">http://www.pewhispanic.org/2012/04/23/net-migration-from-mexico-falls-to-zero-and-perhaps-less/</a>

Prior to 1960, the U.S. immigrant population consisted mostly of European immigrants settling in the U.S. Northeast and Midwest. Beginning in 1970s, it was predominantly Latin American and Asian immigrants settling in the U.S. South and West.<sup>183,184</sup>

In the 1970s there was a sharp rise in the number of Mexican-born immigrants arriving in the U.S. and by 1980, Mexico became the top originating country for U.S. immigrants.<sup>185</sup> In 2013, they accounted for 28 percent of the 41.3 million immigrants in the United States, <sup>186</sup> and they accounted for the largest share of both legal and illegal entries.<sup>187</sup> A Pew Research Center Hispanic Trends study conducted by Jeffrey Passel, D'Vera Cohn, and Ana Gonzalez-Barrera points out that in the history of the U.S., "no country has ever seen as many of its people immigrate to this country as Mexico has in the past four decades."<sup>188,189</sup> Further, the most "distinctive feature" of this wave is the "unprecedented share" (51 percent) of immigrants who have come to the U.S. illegally.<sup>190</sup>

Now after four decades of Mexico leading as the dominant country of migration origin, we may be seeing another significant shift. In 2012, the Pew Research Center's Hispanic Trends project examined census data from the U.S. and Mexico and found that immigration flows from Mexico

have declined significantly, and simultaneously that the number of Mexican-born immigrants who left the U.S. for Mexico rose. They asserted that the result is a net migration flow of zero.<sup>191</sup>

Further, in a November 2014 report, the Pew Research Center identified that "as Mexican numbers continued to drop between 2009 and 2012, unauthorized immigrant populations from South America and from a grouping of Europe and Canada held steady," and, migrants from "Asia, the Caribbean, Central America, <sup>192</sup> and the rest of the world grew slightly from 2009 to 2012".<sup>193</sup>

In October 2011, the U.S. Government began

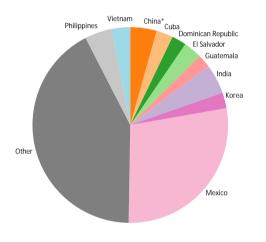


Figure 4: MPI - Top 10 Largest Immigrant Groups (2013)

<sup>191</sup> Passel, J., Cohn, D., & Gonzalez-Barrera, A. (2012, April 23).

<sup>&</sup>lt;sup>183</sup> Zong, J., & Batalova, J. (2015, February 25). Frequently Requested Statistics on Immigrants and Immigration in the United States. Retrieved March 2015, from <u>http://migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states#Demographic.</u> Educational, and Linguistic

<sup>&</sup>lt;sup>184</sup> Grieco, E. . . . (2012).

<sup>&</sup>lt;sup>185</sup> Passel, J., Cohn, D., & Gonzalez-Barrera, A. (2012, April 23). Chapter II. Migration Between the U.S. and Mexico.

<sup>&</sup>lt;sup>186</sup> Zong, J., & Batalova, J. (2015, February 25).

<sup>&</sup>lt;sup>187</sup> Hipsman, F., & Meissner, D. (2013, April 16).

<sup>&</sup>lt;sup>188</sup> Passel, J., Cohn, D., & Gonzalez-Barrera, A. (2012, April 23). Overview.

<sup>&</sup>lt;sup>189</sup> Passel, J., Cohn, D., & Gonzalez-Barrera, A. point out that when measured as a share of the immigrant population at the time, immigration waves from Germany and Ireland in the late 19th century equaled or exceeded the modern wave from Mexico.

<sup>&</sup>lt;sup>190</sup> Passel, J., Cohn, D., & Gonzalez-Barrera, A. (2012, April 23). Overview.

<sup>&</sup>lt;sup>192</sup> The increase of Central American migration is discussed in more detail in the Literature Review.

<sup>&</sup>lt;sup>193</sup> Passel, Jeffrey S. and D'Vera Cohn. (2014, November). "Unauthorized Immigrant Totals Rise in 7 States, Fall in 14: Decline in Those From Mexico Fuels Most State Decreases." Washington, D.C. Pew Research Center's Hispanic Trends Project. Retrieved March 2015, http://www.pewhispanic.org/files/2014/11/2014-11-18\_unauthorized-immigration.pdf

seeing a dramatic rise in the number of unaccompanied<sup>194</sup> and separated children from El Salvador, Guatemala, and Honduras.<sup>195</sup> Experts believe the surge is related to push factors that have intensified in recent years, including some of the highest homicide rates in the world, increasing crime and violence due to gangs, drug trafficking and organized crime, extreme poverty, and government corruption.<sup>196</sup> In the spring of 2014, a migration surge of unaccompanied minors captured the attention of the American public. This phenomenon is explored in the Literature Review section below, but it is worthwhile to point out that the increase of Central American migrants –adults, family units, and unaccompanied minors – was identified by Border Patrol statistics and recognized by researchers several years prior to 2014.

Figure 4 shows the percentages of the top ten originating countries as of 2013. After Mexico, the top countries of origin are: India, China (including Hong Kong but not Taiwan), Philippines, Vietnam, El Salvador, Cuba, Korea, Dominican Republic and Guatemala.<sup>197</sup>

#### Examples of Migrant Surges

Along the land border, some would argue the past four decades of Mexican migration have been an ever-growing 'surge' until the decline and leveling-off beginning in 2007. Most of the ebbs and flows of migration on the southern land border have primarily been related to the economic cycles in both Mexico and the U.S. The recent surge of unaccompanied minors will be discussed in the Literature Review.

Along the Southeast maritime border, Haiti and Cuba historically and currently meet the push factors criteria described above and pose a risk for mass migration into the United States.<sup>198</sup> Both countries are geographically near to the U.S. and have had an ongoing flow of undocumented migrants into the U.S. for years.

- Between 1991 and 1995 over 120,000 migrants from 23 countries were interdicted. Haitian
  migrants began increased departures after a 1991 coup in Haiti.
- In 1994, the U.S. Coast Guard (USCG) responded to three mass migrations almost simultaneously—first from Haiti, then from Cuba, and again from Haiti—rescuing and preventing over 63,000 migrants attempting to illegally entering the U.S.
- The Dominican Republic has historically been a major source country for undocumented migrants attempting to enter the U.S. crossing the Mona Passage (the body of water between

http://www.unhcrwashington.org/sites/default/files/UAC\_UNHCR\_Children on the Run\_Full Report.pdf

<sup>198</sup> Adapted from U.S. Coast Guard (2013, September 19), *Missions: Maritime Security* [electronic resource], at

<sup>&</sup>lt;sup>194</sup> The U.S. Department of Health and Human Services' (HHS) Administration for Children and Families (ACF), Office of Refugee Resettlement (ORR)<sup>194</sup> defines an unaccompanied alien child (UAC) as "one who has no lawful immigration status in the United States: has not attained 18 years of age, and with respect to whom: 1) there is no parent or legal guardian in the United States; or 2) no parent or legal guardian in the United States is available to provide care and physical custody. See http://www.acf.hhs.gov/programs/orr/resource/who-we-serve-unaccompained-alien-children

<sup>&</sup>lt;sup>195</sup> United Nations High Commissioner for Refugees (UNHCR). (2014). Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection. P 15. Retrieved from

<sup>&</sup>lt;sup>196</sup> Gootnick, D. (2015). Central America: Information on Migration of Unaccompanied Children from El Salvador, Guatemala and Honduras. *Government Accountability Office, GAO-15-362*. Retrieved March 1, 2015, from <u>http://www.gao.gov/products/GAO-15-362</u>

<sup>&</sup>lt;sup>197</sup> MPI Data Hub (2013). <u>http://www.migrationpolicy.org/programs/data-hub/charts/largest-immigrant-groups-over-time</u> Migration Policy Institute tabulation of data from the U.S. Census Bureau's 2010 and 2013 American Community Surveys, and 2000 Decennial Census. Data for 1960 to 1990 are from Campbell J. Gibson and Emily Lennon, "Historical Census Statistics on the Foreign-Born Population of the United States: 1850 to 1990" (Working Paper No. 29, U.S. Census Bureau, Washington, DC, 1999).

http://www.uscg.mil/top/missions/MaritimeSecurity.asp, and USCG Office of Law Enforcement (2014, October 31), Alien Migrant Interdiction [electronic resource], at http://www.uscg.mil/hq/cg5/cg531/AMIO/amio.asp (retrieved March 2015).

the Dominican Republic and Puerto Rico) to enter Puerto Rico. Thousands of people have taken to sea in a variety of vessels, the most common is a homemade fishing vessel known as a Yola. Most of these migrants are smuggled by highly organized gangs. From April 1, 1995 through October 1, 1997, USCG conducted Operation ABLE RESPONSE, with enhanced operations dedicated to interdicting Dominican migrants. Over 9,500 migrants were interdicted or turned back when they sighted a USCG asset.

- Haiti suffered a devastating earthquake on January 12, 2010. Its effects caused roughly 2 million people to become displaced, 3.5 million people requiring humanitarian aid, and \$7.8 billion in damages and losses—a figure that was 120 percent of Haiti's gross domestic product. Due to the lack of in-country resources, the stress on traditional United Nations (UN) Office for the Coordination of Humanitarian Affairs (OCHA) response capabilities, political instability, and the desire to reduce the risk of mass migration to the U.S., the U.S., in coordination with UN OCHA and USAID OFDA, deployed 20,000 civilian and military personnel and provided \$1 billion in humanitarian funding in part in order to prevent a mass migration into the U.S. In addition to the unstable environmental conditions, issues such as general lawlessness and disease outbreaks continue to prevail. These health, safety, and security factors can trigger a mass exodus to nearby nations, including the U.S.
- In January 2015, the USCG announced<sup>199</sup> there had been a surge of attempted maritime entries by Cubans. (Customs and Border Protection announced a similar surge at land border crossings and airports). The December 2014 announcement that the U.S. and Cuba were seeking to normalize relations spurred rumors and fears that the long-standing Cuban immigration policy, known as "wet foot/dry foot," may change. This misperception prompted an increase of Cubans attempting entry into the U.S. before any changes in policy could occur.<sup>200,201</sup>

#### The Dangerous Journey

Migrants often take great risks and endure significant hardships in their attempts to flee their countries and enter the United States. Individuals attempting to gain unauthorized entry into the U.S experience the vast majority of these dangers.

Of the asylum-seeking and unauthorized entries, the United Nations (UN) estimated that 97 percent enter the U.S. clandestinely through the border with Mexico, and maritime interdictions account for only one percent of the total.<sup>202,203</sup> The increased U.S. border enforcement since the terrorist attacks of September 11, 2001, as well as the increased violence and dangers in the route to the border, appears to have deterred independent border crossers.<sup>204</sup> Increasingly, migrants

<sup>&</sup>lt;sup>199</sup> http://www.uscgnews.com/go/doc/4007/2442054/

<sup>&</sup>lt;sup>200</sup> The U.S. Government has repeatedly stated no changes in the immigration policy are expected yet, but that has not seemed to quell the concerns and rumors. See USCG Press Release referenced in previous footnote or statement by DHS Secretary Jeh Johnson here: http://tbo.com/ap/new-ties-with-cuba-wont-change-wet-foot-dry-foot-policy-20141218/

 <sup>&</sup>lt;sup>201</sup> Despite U.S. Government (Executive Branch) statements, some legislators and policy experts have suggested it may be time for changes in the policy. For example, see <a href="http://www.migrationpolicy.org/article/normalization-relations-cuba-may-portend-changes-us-immigration-policy">http://www.migrationpolicy.org/article/normalization-relations-cuba-may-portend-changes-us-immigration-policy</a>
 <sup>202</sup> United Nations Office on Drugs and Crime (UNODC) (n.d.) Smuggling of migrants: The harsh search for a better life. Retrieved March 2015, from <a href="http://www.unodc.org/toc/en/crimes/migrant-smuggling.html#\_ednref1">http://www.unodc.org/toc/en/crimes/migrant-smuggling.html#\_ednref1</a>

<sup>&</sup>lt;sup>203</sup> It is assumed the remaining 2 percent arrive by air, but a source could not be found to validate that assumption.

<sup>&</sup>lt;sup>204</sup> UNODC (2010). The Globalization of Crime: A Transnational Organized Crime Threat Assessment. P. 62. Retrieved March 2015, from https://www.unodc.org/documents/data-and-analysis/tocta/TOCTA\_Report\_2010\_low\_res.pdf

employ smugglers to help them with the journey.<sup>205</sup> Crossing the border is often done in trucks, sometimes on foot, and there have been cases in which the crossing is made by rail, or even through special tunnels.<sup>206</sup> Air travel using fraudulent visas is the preferred route for those who can afford it.<sup>207</sup>

The sophistication of the smugglers range from that of individual and family-run operations to organized criminal groups. For the smugglers, there appears to be little risk of arrest-if they are caught, they often pretend to be migrants themselves and are repatriated rather than apprehended. In 2010, the estimated amount paid to smugglers per migrant varied from \$2,000-3,000<sup>208</sup> for a Mexican-born migrant to \$10,000 for non-Mexican-born.<sup>209</sup> The UN Office on Drugs and Crime (UNODC) estimates smuggling into the U.S. is a \$6.6 billion a year business.<sup>210</sup> Organized crime syndicates that previously focused on narcotics and contraband flows have been attracted by the higher fees and now incorporate humans into their smuggling networks.<sup>211</sup>

The dangers of the journey to unauthorized entry are multi-faceted and somewhat depend on the route and method of crossing:

- Maritime Travel by sea is precarious as migrant vessels are often nothing more than homemade rafts or boats. They are usually overloaded and unseaworthy, lack basic safety equipment, and are operated by inexperienced mariners. Most of the U.S. Coast Guard's interdictions begin as search and rescue missions.<sup>212</sup> Alternatively, smugglers often use fast boats to avoid interdiction; however, employing smugglers comes with its own risks (see below).
- La Bestia As many as half a million Central American migrants annually board freight trains colloquially known as "La Bestia," or the beast, on their journey to the United States. The cargo trains, which run along multiple lines, carry products north for export. As there are no passenger railcars, migrants must ride atop the moving trains, facing physical dangers that range from amputation to death if they fall or are pushed. Accidents caused by train derailments and falls because of changes in speed or migrants falling asleep are common.<sup>213</sup> Migrants get off the train prior to reaching the U.S. border and usually cross on foot. The Mexican Government does not have a comprehensive policy to address the La Bestia phenomena and responses of various Mexican authorities have been "disjointed, uncoordinated, and often in reaction to particular events widely covered in the news."<sup>214</sup>

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<sup>&</sup>lt;sup>205</sup> Rosenblum and Brick (2011). P 13. Rosenblum and Brick estimate 70-90 percent of unauthorized Mexicans now rely on a smuggler to cross the border up from 50 perecent in 1986, and 78 percent in 1993.

<sup>&</sup>lt;sup>206</sup> UNODC (2010). P 62.

<sup>&</sup>lt;sup>207</sup> UNODC (2010). P 57.

<sup>&</sup>lt;sup>208</sup> Rosenblum and Brick (2011). P 13.

<sup>&</sup>lt;sup>209</sup> UNODC (2010). P 67.

<sup>&</sup>lt;sup>210</sup> UNODC (2010). P 67. UNODC cites the Mexican Migration Project as the source for this data.

<sup>&</sup>lt;sup>211</sup> Rosenblum and Brick (2011). P 14.

<sup>&</sup>lt;sup>212</sup> U.S. Coast Guard (2013, September 19), Missions: Maritime Security [electronic resource], at

http://www.uscg.mil/top/missions/MaritimeSecurity.asp, and USCG Office of Law Enforcement (2014, October 31), Alien Migrant Interdiction [electronic resource], at http://www.uscg.mil/hq/cg5/cg531/AMIO/amio.asp (retrieved March 2015).

<sup>&</sup>lt;sup>213</sup> Villegas, R. (2014, September 10). Central American Migrants and "La Bestia": The Route, Dangers, and Government Responses. Retrieved March 29, 2015, from http://migrationpolicy.org/article/central-american-migrants-and-la-bestia-route-dangers-and-government-responses <sup>214</sup> Villegas, R. (2014, September 10).

- Lack of Protection from Governmental Authorities As migrants journey to their destination, they often transit through other countries, the most prominent example being Mexico. In the past, the governments of those countries turn a blind eye to the migrants transiting illegally through their territory because they know they do not intend to stay in their country. Due to increased U.S. pressure to disrupt the flow of migrants, the Mexican Government has made efforts to "implement new security and surveillance measures with U.S. assistance" along the southern border of Mexico.<sup>215</sup> The challenge is that by increasing enforcement, migrants that are victims of crime at the hands of cartels, gangs and organized crime are less likely to report such crime for fear of deportation. Further, "reputable non-governmental organizations including Amnesty International, Sin Fronteras, and Catholic Relief Services, have documented" cases of abuse of power by Mexican authorities.<sup>216</sup> The Migration Policy Institute asserts that the Mexican Government's response demonstrates "the struggle to simultaneously develop policies that tackle border enforcement, increased security, and the protection of human rights."<sup>217</sup>
- Drug Cartels, Gangs and Organized Crime On the journey from their home country to the U.S. border, migrants are often subject to extortion, kidnapping, violence, sexual assault, serious injury, or death at the hands gangs and organized-crime groups that control the routes into the U.S.<sup>218,219</sup> The National Human Rights Commission (CNDH), an autonomous institution funded by the Mexican government, reported more than 11,000 abductions of migrants between April and September 2010.<sup>220</sup>
- Smugglers As described above, increasingly, migrants employ smugglers that promise to get them across the borders and help them navigate the dangers of the wilderness. After they receive payment, smugglers have been known to rob, rape, and even kill their "customers." They also often hold the migrants hostage until final payment is received, usually by the migrants' relatives in the country of origin or the U.S.<sup>221</sup>
- Wilderness Once across the border, migrants must endure long hikes in stretches of desert. In an effort to avoid apprehension by the U.S. Border Patrol, the routes used are difficult and treacherous. The heat, snakes and wild animals, and a lack of water can lead to injuries,

<sup>220</sup> Villegas, R. (2014, September 10).
 <sup>221</sup> UNODC (2010). P 62.

<sup>&</sup>lt;sup>215</sup> Villegas, R. (2014, September 10).

<sup>&</sup>lt;sup>216</sup> Villegas, R. (2014, September 10).

<sup>&</sup>lt;sup>217</sup> Villegas, R. (2014, September 10).

 <sup>&</sup>lt;sup>218</sup> Papademetriou, D., & Hooper, K. (2014, December 15). Top 10 of 2014 - Issue #3: Border Controls under Challenge: A New Chapter Opens. Retrieved March 2015, from <a href="http://migrationpolicy.org/article/top-10-2014-issue-3-border-controls-under-challenge-new-chapter-opens">http://migrationpolicy.org/article/top-10-2014-issue-3-border-controls-under-challenge-new-chapter-opens</a>
 <sup>219</sup> Just one example: In August 2010, the bodies of 72 people attempting to cross the U.S.-Mexico border illegally were discovered on a remote ranch 90 miles from the U.S. border. The drug gang responsible for the kidnapping and murders, Los Zetas, captured its victims as they traveled through Tamaulipas, presumably on their way to cross the border illegally into the United States. When the 72 people refused to work for the gang, they were executed. David Luhnow, "Mexico Killings Show Migrants' Plight," The Wall Street Journal, August 27, 2010, at <a href="http://online.wsj.com/article/SB10001424052748704913704575454033356912888.html">http://online.wsj.com/article/SB10001424052748704913704575454033356912888.html</a> (May 23, 2011), and "Source: Investigator in Migrants' Massacre Ride," MSNBC, August 27, 2010, at <a href="http://www.msnbc.msn.com/id/38883757/ns/world\_news-americas/">http://www.msnbc.msn.com/id/38883757/ns/world\_news-americas/</a> (May 23, 2011).

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dehydration, heat stroke, and death.<sup>222,223</sup> For fiscal year 2014, the U.S. Border Patrol conducted 1,457 rescues and reported 307 known deaths in the Southwest border sectors.<sup>224</sup>

#### U.S. Government Roles and Missions Related to Mass Migration

The U.S. Government's response to mass migration is multifaceted. The Department of Homeland Security (DHS) has the primary responsibility to secure and manage the U.S. borders. Responsibility for the enforcement of immigration law within DHS rests with USCG, U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services (USCIS).

USCG,<sup>225</sup> as the United States' primary maritime law enforcement agency and tasked with enforcing immigration law at sea, is the lead organization in the DHS for intercepting migrants at sea. The USCG conducts patrols and coordinates with other Federal agencies and foreign countries to interdict undocumented migrants at sea, if appropriate, denying them entry via maritime routes to the United States, its territories, and possessions.

CBP is generally responsible for immigration enforcement at and between the ports of entry, focusing on preventing drugs, weapons, terrorists and other inadmissible persons from entering the country. The CBP's Office of Air and Marine (OAM) also has a maritime law enforcement mission to detect, interdict, and prevent acts of terrorism and the unlawful movement of people, illegal drugs, and other contraband toward or across U.S. borders. OAM is the world's largest aviation and maritime law enforcement organization, and is a critical component of CBP's layered enforcement strategy for border security.<sup>226</sup>

In general, OAM's law enforcement authorities extend to the U.S. customs waters and land/riverine border environments, while the USCG's law enforcement authorities extend from U.S. waterways and marinas outward into international waters. Both operate marine and air assets. Unlike OAM, the USCG can use its Title 10 authority to operate as a member of the armed services under military chain of command.

ICE is generally responsible for interior enforcement, including detention and removal operations. USCIS is generally responsible for the administration of immigration and naturalization functions.<sup>227</sup>

Outside of DHS, other Federal agencies with missions related to immigration are affected by a surge:

http://www.cbp.gov/sites/default/files/documents/USBP%20Stats%20FY2014%20sector%20profile.pdf

<sup>&</sup>lt;sup>222</sup> Rosenblum and Brick (2011). P 14.

<sup>&</sup>lt;sup>223</sup> Del Bosque, M., & The Guardian U.S. Interactive Team. (2014, August 6). Beyond the border. The Guardian and The Texas Observer. Retrieved March 1, 2015, from <u>http://www.theguardian.com/world/ng-interactive/2014/aug/06/-sp-texas-border-deadliest-state-undocumented-migrants</u>

<sup>&</sup>lt;sup>224</sup> U.S. Border Patrol Statistics for FY 2014.

<sup>&</sup>lt;sup>225</sup> Unless otherwise noted, Maritime Portions of the Event Background section were adapted from U.S. Coast Guard (2013, September 19), *Missions: Maritime Security* [electronic resource], at <u>http://www.uscg.mil/top/missions/MaritimeSecurity.asp</u>, and USCG Office of Law Enforcement (2014, October 31), *Alien Migrant Interdiction* [electronic resource], at <u>http://www.uscg.mil/hq/cg5/cg531/AMIO/amio.asp</u> (retrieved March 2015).

<sup>&</sup>lt;sup>226</sup> U.S. Customs and Border Protection Fact Sheet: Office of Air and Marine, (2013). Accessed March 2015: http://www.cbp.gov/sites/default/files/documents/air\_marine\_6.pdf

<sup>&</sup>lt;sup>227</sup> Content for this paragraph adapted from the following DHS website accessed in March 2015: <u>http://www.dhs.gov/publication/immigration-enforcement-actions-2013</u>

- The Executive Office for Immigration Review (EOIR), U.S. Department of Justice adjudicates immigration cases and seeks to fairly, expeditiously, and uniformly interpret and administer the Nation's immigration laws. Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate reviews, and administrative hearings.<sup>228</sup>
- The Department of State's Bureau of Population, Refugees, and Migration's (PRM)<sup>229</sup> mission is to provide protection, ease suffering, and resolve the plight of persecuted and uprooted people around the world on behalf of the American people by providing life-sustaining assistance, working through multilateral systems to build global partnerships, promoting best practices in humanitarian response, and ensuring that humanitarian principles are thoroughly integrated into U.S. foreign and national security policy. PRM administers the refugee admissions program; it works in partnership with USCIS to review refugee and asylum applications.
- The Department of Health and Human Services' (HHS) Administration for Children and Families (ACF), Office of Refugee Resettlement (ORR)<sup>230</sup> provides refugees the social services they need to become self-sufficient as quickly as possible after their arrival in the U.S. ORR provides benefits and services to assist the resettlement and local integration of specific eligible populations, including refugees; asylees; Cuban/Haitian Entrants; Certified Victims of Trafficking; Iraqi or Afghan Special Immigrants; Amerasians; Lawful Permanent Residents (LPRs) who have held one of those statuses in the past, and in most cases, spouses and unmarried children under 21 of those holding such statuses. The ORR Unaccompanied Alien Children Program provides temporary custody and care to unaccompanied alien children who do not have an immigration status.<sup>231</sup>

#### U.S. Protection and Response-Related Mass Migration Costs

There is limited knowledge on the immediate response-related<sup>232</sup> costs of mass migration to the host country.

The USCG's National Maritime Strategic Risk Assessment (NMSRA) assessed the economic impact per illegal migrant entry via maritime routes to be \$33,000. This is an average value over multiple scenarios varying in magnitude and character, and was developed for the purpose of

<sup>228</sup> http://www.justice.gov/eoir/

<sup>229</sup> http://www.state.gov/j/prm/about/index.htm

<sup>230</sup> http://www.acf.hhs.gov/programs/orr

<sup>&</sup>lt;sup>231</sup> On March 1, 2003, the Homeland Security Act of 2002, Section 462, transferred responsibilities for the care and placement of unaccompanied children from the Commissioner of the Immigration and Naturalization Service to the Director of the Office of Refugee Resettlement (ORR). Since then, ORR has cared for more than 150,000 children, incorporating child welfare values as well as the principles and provisions established by the Flores Agreement in 1997, the Trafficking Victims Protection Act of 2000 and its reauthorization acts, the William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005 and 2008. Unaccompanied children apprehended by the Department of Homeland Security (DHS) immigration officials are transferred to the care and custody of ORR. ORR makes and implements placement decisions in the best interests of the child to ensure placement in the least restrictive setting possible while in federal custody. ORR takes into consideration the unique nature of each child's situation and incorporates child welfare principles when making placement, clinical, case management, and release decisions that are in the best interest of the child. Source: HHS, ACF, ORR website. Retrieved April 2015: <a href="http://www.acf.hhs.gov/programs/orr/programs/ucs/about">http://www.acf.hhs.gov/programs/ucs/about</a>

<sup>&</sup>lt;sup>232</sup> This paper is focused on the protection and response-related responsibilities of the U.S. Government in the instance of a mass migration. There is more literature, and a wide-variety of opinion, on the long-term economic effects of immigration—both legal and illegal. Some believe that the costs for absorbing migrants into the U.S. are high as they take advantage of local, state, Federal, and private non-profit resources available (health services, education, welfare, etc.). Others point out that while there may be an initial drain on taxpayer or charitable services, the immigrants contribute to the economy in varying ways as well.

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calculating equivalencies across disparate consequences to inform USCG risk assessments for the purpose of long-range strategic planning and long-term capability investment decisions.<sup>233</sup>

In July 2014, the President requested \$3.7 billion in emergency supplemental funding to address the surge of children arriving from Central America countries.<sup>234,235</sup> The request<sup>236</sup> included funding for:

- DHS's ICE and CBP to handle increased protective, investigatory, and enforcement costs, as well as transportation and processing costs for the children,
- DOJ's EOIR for hiring more immigration judge teams in order to expedite case processing and legal representation for the children,
- HHS's ACF/ORR for additional capacity to provide temporary care and custody for unaccompanied children in the least restrictive setting while awaiting their immigration court date, and
- Department of State for repatriation and reintegration of migrants to their home countries and for public diplomacy and international information programs.

DHS's 2016 budget request included increased resources for a comprehensive "Southern Border & Approaches Campaign." The request includes funds for:

The costs associated with apprehension and care of up to 104,000 unaccompanied children. A portion of these funds will be used to prepare facilities for families and unaccompanied children in the event of a surge that exceeds prior year apprehension levels. The request proposes up to \$162 million in contingency obligation authority—enabling CBP and ICE to respond effectively in the event migration volume significantly surpasses prior-year levels.<sup>237</sup>

Literature was not found that consolidates and assesses spending requests and actual spending over multiple fiscal years across Federal agencies.

#### Literature Review Theme 1 - The Central American "Surge" of Unaccompanied Children

In the spring of 2014, the American public was shocked to learn of the flood of unaccompanied minors at the southwest border. This trend began well before that spring however. The total number of CBP apprehensions of unaccompanied and separated children from El Salvador, Honduras, and Guatemala—collectively known as the Northern Triangle—had doubled each year from FY 2011 to FY 2014<sup>238</sup>, reaching a peak of nearly 52,000 children. (When children

Pre-decisional Draft

<sup>&</sup>lt;sup>233</sup> This assessment was based on the 1992-1994 maritime mass migration from Haiti, and as such is likely not valid for estimating the cost of mass migration at the southwest border.

<sup>&</sup>lt;sup>234</sup> The White House. (2014, July 8). Fact Sheet: Emergency Supplemental Request to Address the Increase in Child and Adult Migration from Central America in the Rio Grande Valley Areas of the Southwest Border. Retrieved March 2015. <u>https://www.whitehouse.gov/the-press-office/2014/07/08/fact-sheet-emergency-supplemental-request-address-increase-child-and-adu</u>

<sup>&</sup>lt;sup>235</sup> Congress did not approve the funding request. They approved a significantly lesser amount to address the crisis. DHS reported having to reallocate resources from other parts of the Department in order to address the crisis. Information on specific dollar amounts reallocated or actual costs spent to address the surge were not found.

<sup>&</sup>lt;sup>236</sup> The White House. (2014, July 8). Emergency Supplemental Budget Request.

https://www.whitehouse.gov/sites/default/files/omb/assets/budget\_amendments/emergency-supplemental-request-to-congress-07082014.pdf <sup>237</sup> Written testimony of DHS Secretary Jeh Johnson for a House Committee on Appropriations, Subcommittee on Homeland Security hearing on the President's FY 2016 budget request for the Department of Homeland Security. (2015, March 26). Accessed March 2015: http://www.dhs.gov/news/2015/03/26/written-testimony-dhs-secretary-jeh-johnson-house-appropriations-subcommittee

<sup>&</sup>lt;sup>238</sup> FY 2011: 3,933; FY 2012:10,146; FY 2013: 20,805 and FY 2014: 51,705. Sourced from CBP Statistics – see next footnote.

from Mexico are included, the number reaches over 67,000.) Early indications are that the migration flows may not be as intense as last year, as of March 31, 2015, the FY 2015 statistics show a 45 percent decline when compared to the same time period in FY 2014.<sup>239</sup> However, the rate of migration is still on pace to be at least as high as FY 2012 or 2013. A survey of literature from the past five years on the broad topic of migration to the U.S. found a significant majority of the literature focused on this topic.

In 2014, the UN's High Commissioner for Refugees (UNHCR) released a study entitled "Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection."<sup>240</sup> Beginning in 2009, UNHCR, the UN agency responsible for receiving asylum requests, began receiving an increased number from El Salvador, Honduras, and Guatemala.<sup>241</sup> From 2008 – 2013, there was a 712 percent increase in asylum requests from these three countries.<sup>242,243</sup> The study was based on in-depth, individual interviews conducted between May and August 2013, with Northern Triangle and Mexican children that began arriving after the October 2011 surge began. Nearly all of the children were interviewed while in the custody of the HHS's ACF/ORR. The report includes compelling narratives collected from the children describing the dangers and hardships from their homeland. It is primarily focused on the causes for attempting entry into the U.S. It does not collect information on the migration journey to the U.S.

Unique to the UNHCR report is a suggestion that there may also be a crisis with Mexican-born unaccompanied minors. Though the increase from the Northern Triangle is more dramatic, the migration of unaccompanied minors from Mexico has occurred over a longer period of time and outpaced the number of children migrating from any one of the Northern Triangle countries until FY 2014. The policy for Mexican-born persons is different than that for other migrants, and they are usually returned to Mexico within a day or two of apprehension. As a result, it was difficult for researchers to determine who the children were and why they were coming to the U.S.<sup>244</sup>

The UNHCR report found that 58 percent of children arriving from the Northern Triangle and Mexico raise potential international protection<sup>245</sup> needs.<sup>246</sup> The primary cause, at 48 percent, was violence by organized armed criminal actors, including drug cartels and gangs or by state actors.<sup>247</sup> The report examines the findings for each country of origin. El Salvador appears to be

http://www.unhcrwashington.org/sites/default/files/UAC\_UNHCR\_Children on the Run\_Full Report.pdf

bin/texis/vtx/refworld/rwmain/opendocpdf.pdf?docid=42ce7d444 246 UNHCR (2014). P 6.

<sup>239</sup> CBP Statistics on Southwest Border Unaccompanied Alien Children. Accessed April 2015: http://www.cbp.gov/newsroom/stats/southwestborder-unaccompanied-children

<sup>&</sup>lt;sup>240</sup> United Nations High Commissioner for Refugees (UNHCR). (2014). Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection. Retrieved from

<sup>&</sup>lt;sup>241</sup> UNHCR (2014). P 15.

<sup>&</sup>lt;sup>242</sup> UNHCR notes that the U.S. receives the majority of the asylum applications, but Mexico, Panama, Nicaragua, Costa Rica, and Belize also received applications.

<sup>&</sup>lt;sup>243</sup> These statistics come from the UNHCR's webpage for their report, which appears to provide more recent data than included in the report. See http://www.unhcrwashington.org/children

<sup>244</sup> UNHCR (2014), P 5.

<sup>&</sup>lt;sup>245</sup> The UNHCR report provides a lengthy explanation of International Protection in its Executive Summary (see page 8). More succinctly, the UNHCR defines International Protection as "The actions by the international community on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries. Source - UNHCR Master Glossary of Terms Rev. 1. (2006, June). Retrieved March 2015: http://www.unhcr.org/cgi-

<sup>&</sup>lt;sup>247</sup> UNHCR (2014). P 6.

the most volatile; 72 percent of the migrant children cases raised potential international protection needs.<sup>248,249</sup>

The study demonstrates that the push factors involved in causing the displacement are complex. Notably, most of its recommendations are focused on what the international community, as well as the receiving countries, should do to address not only the emerging displacement of children from Central America, but also the unique needs the children require in the international protection process. It is a quiet acknowledgement that the international community's ability to fix the violence push factor is limited.

The U.S. Conference of Catholic Bishops (USCCB) issued a Report based on a delegation sent to Central America in November 2013.<sup>250</sup> Consistent with the UNHCR Report, they found that "violence and criminal actors have permeated all aspects of life in Central America and are the primary factors driving the migration of children from the region." They also noted that other "push factors include the absence of economic opportunity, the lack of quality education and access to education generally, and the resulting inability for individuals to financially support themselves and their families in their home countries/local communities; and the desire to reunify with family in the United States."<sup>251,252,253</sup>

These in-depth studies indicated children were encouraged by their family members to flee to the U.S. as a way to escape the violence at home. The UNHCR study was limited to a child's perspective on why they were told to leave home. A limit of the study was the inability to ask the child's parents or guardians why they felt that the journey to the U.S. was a more suitable risk than the risk of staying in their home country. Certainly there is a potential that the explanation a parent gives to a child is simplified.

Other potential causes for the surge include the following:

- Attempting to take advantage of how the U.S. immigration process works, particularly for unaccompanied children from non-contiguous countries (countries other than Mexico and Canada):
  - Non-Mexican and non-Canadian children have a lengthier screening process: New
    provisions added to the Trafficking Victims Protection Reauthorization Act (TVPRA) in
    2008, require that all unaccompanied alien children be screened as potential victims of
    human trafficking. While children from non-contiguous countries are transferred to HHS
    for trafficking screening, and placed into formal immigration court removal proceedings,
    Mexican and Canadian children are screened by CBP for trafficking and, if no signs are
    reported, returned pursuant to negotiated repatriation agreements. The TVPRA in 2008

<sup>&</sup>lt;sup>248</sup> UNHCR (2014). P 9.

<sup>&</sup>lt;sup>249</sup> A finding that a migrant has a need for international protection does not necessarily mean they will be granted refugee status. See P 8 of UNHCR report for a deeper explanation.

<sup>&</sup>lt;sup>250</sup> Mission to Central America: The Flight of Unaccompanied Children to the United States. Report of the Committee on Migration of the United States Conference of Catholic Bishops. (2013, November). Retrieved March 2015, from

http://www.unhcrwashington.org/sites/default/files/UAC\_1\_USCCB\_Mission to Central America\_November 2013\_English.pdf<sup>251</sup> U.S. Conference of Catholic Bishops (2013, November).

<sup>&</sup>lt;sup>252</sup> Gootnick, D. (2015). PP 4-7. GAO's report also agrees with these findings.

<sup>&</sup>lt;sup>253</sup> See U.S. Conference of Catholic Bishops (2013, November). P 10; and UNHCR (2014). P 13.

also ensured that unaccompanied alien children are exempt from certain limitations on asylum (i.e. a one-year filing deadline, and the standard safe third country limitation).<sup>254</sup>

- The process prioritizes and facilitates reunification with the child's parent or other family members in the U.S., even if they are in the U.S. illegally: The TVPRA directs that unaccompanied children must "be promptly placed in the least restrictive setting that is in the best interest of the child."<sup>255</sup> Further, the settlement agreement in Flores v. Reno, which is binding on the U.S. Government, establishes an order of priority for sponsors with whom children should be placed, except in limited circumstances. The first preference for placement would be with a parent of the child. If a parent is not available, the preference is for placement with the child's legal guardian, and then to various adult family members.<sup>256</sup>
- A misunderstanding exists about the U.S. immigration process particularly for unaccompanied children and those seeking asylum.<sup>257,258</sup> There are accounts of smugglers and organized crime perpetuating misinformation about the process.<sup>259,260</sup> One rumor is the belief that U.S. Immigration laws grant permisos (free passes) to unaccompanied children. Another potential source of misinformation is the Deferred Action for Childhood Arrivals (DACA), a 2012 executive order that allowed some undocumented individuals who previously arrived to the U.S. to remain in the U.S. legally. While the order applied only to children arriving prior to 2007, one theory is that the rumors and misinformation may have encouraged the child-migrant wave.
- A stronger, more sophisticated smuggling infrastructure and network.<sup>261,262</sup>

There is no shortage of studies and perspectives on the surge of Central American unaccompanied minors. Multiple Washington, DC based think tanks have issued reports<sup>263,264,265</sup> and there have been numerous Congressional hearings<sup>266,267,268,269</sup> and GAO and CRS Reports<sup>270</sup>,<sup>271</sup> to examine both the causes of as well as the actions taken to address the surge.

<sup>&</sup>lt;sup>254</sup> American Immigration Council. (2014, July). Children in Danger: A Guide to the Humanitarian Challenge at the Border. Retrieved April 2015: <u>http://www.immigrationpolicy.org/special-reports/children-danger-guide-humanitarian-challenge-border</u>

<sup>&</sup>lt;sup>255</sup> See 8 U.S.C. § 1232(c)(2)(A).

<sup>&</sup>lt;sup>256</sup> HHS, ACF, ORR's website on Unaccompanied Children's Services. Accessed April 2015:

http://www.acf.hhs.gov/programs/orr/programs/ucs/about

<sup>&</sup>lt;sup>257</sup> Chishti, M., & Hipsman, F. (2014, June 13). Dramatic Surge in the Arrival of Unaccompanied Children Has Deep Roots and No Simple Solutions. Retrieved March 2015, from <u>http://migrationpolicy.org/article/dramatic-surge-arrival-unaccompanied-children-has-deep-roots-and-no-simple-solutions</u>

<sup>&</sup>lt;sup>258</sup> Gootnick, D. (2015). P 6.

<sup>&</sup>lt;sup>259</sup> A leaked unclassified//law enforcement sensitive intelligence bulletin from the El Paso Intelligence Center (EPIC)'s Criminal Threats Unit, which is jointly run by the U.S. Drug Enforcement Administration and CBP, made national news in July 2014 for attributing misconceptions of U.S. immigration policy as a key driver to the Central American surge. See: <u>http://www.newsweek.com/leaked-intel-report-immigration-crisis-contains-both-iffy-informative-259598</u>

<sup>&</sup>lt;sup>260</sup> Renwick, D. (2014, September). The U.S. Child Migrant Influx. Council on Foreign Relations, Washington, DC. Retrieved March 2015: <u>http://www.cfr.org/immigration/us-child-migrant-influx/p33380</u>

<sup>&</sup>lt;sup>261</sup> Chishti, M., & Hipsman, F. (2014, June 13).

<sup>&</sup>lt;sup>262</sup> Gootnick, D. (2015). P 5.

<sup>&</sup>lt;sup>263</sup> Migration Policy Institute – Chishti, M., & Hipsman, F. (2014, June 13).

<sup>&</sup>lt;sup>264</sup> Renwick, D. (2014, September).

<sup>&</sup>lt;sup>265</sup> Negroponte, D. (2014, July). The Surge in Unaccompanied Children from Central America: A Humanitarian Crisis at Our Border. The Brookings Institution, Washington, DC. Retrieved March 2015: <u>http://www.brookings.edu/blogs/up-front/posts/2014/07/02-unaccompaniedchildren-central-america-negroponte</u>

<sup>&</sup>lt;sup>266</sup> For example, Dangerous Passage: The Growing Problem of Unaccompanied Children Crossing the Border: Hearings before the Committee on Homeland Security, House, 113<sup>th</sup> Cong. (June 24, 2014). Retrieved March 2015: <u>http://homeland.house.gov/hearing/dangerous-passage-growing-problem-unaccompanied-children-crossing-border</u>

The President declared it a humanitarian crisis and some called it a threat to national security because of the drain on CBP resources (focusing on the unaccompanied children and family units left little room for addressing other potential threats).<sup>272</sup> The response by the U.S. Government to the 2014 surge was unprecedented and leveraged capabilities usually reserved for disaster declarations. The President directed the Federal Emergency Management Administration (FEMA) to lead a Government-wide response to the situation, which included the following activities:<sup>273</sup>

- Diplomatic engagement with Central America and Mexico and providing new financial support to address the root push factors;
- Increased enforcement mechanisms to more quickly conduct removal proceedings for those not eligible for asylum—in the hopes that expedited returns will decrease some of the pull factors;
- Communication campaigns to combat rumors that may have been contributing to the pull factors (e.g., DACA eligibility and permisos); and
- Expanding capacity in the HHS/ACF/ORR nationwide shelter network and standing up temporary shelters on Department of Defense sites staffed by trained ORR grantee staff.

There are early hopes that these efforts appear to have worked. By March 2015, CBP reported a 45 percent decline in the number of unaccompanied minors from the Northern Triangle and Mexico. However most experts have indicated that the complicated confluence of pull and push factors will not be fully resolved in the short term.<sup>274,275,276</sup>

A Brookings Institution assessment suggests that the surge from Central America may be a reaction by criminal organizations to the Mexican Government's crackdown on them (i.e., they are seeking "alternative profitable ventures").<sup>277</sup> Similar to successful legal businesses, criminal organizations adapt to their environment. Thus, to the extent the drivers of the surge are the smugglers and other organized criminals, we should expect that as U.S. policy changes, so too will the behavior of these organizations.

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<sup>&</sup>lt;sup>267</sup> An Administration Made Disaster: The South Texas Border Surge of Unaccompanied Alien Minors: Hearings before the Judiciary Committee, House, 113<sup>th</sup> Cong. (June 25, 2014). Retrieved March 2015: <u>http://judiciary.house.gov/index.cfm/2014/6/hearing-an-administration-made-disaster</u> <sup>268</sup> Field Hearing: Crisis on the Texas Border: Surge of Unaccompanied Minors, House, 113<sup>th</sup> Cong. (July 3, 2014). Retrieved March 2015: <u>http://homeland.house.gov/hearing/field-hearing-crisis-texas-border-surge-unaccompanied-minors</u>

<sup>&</sup>lt;sup>269</sup> Securing the Border: Understanding and Addressing the Root Causes of Central American Migration to the United States: Hearings before the Committee on Homeland Security & Governmental Affairs, Senate, 114<sup>th</sup> Cong. (March 25, 2015). Retrieved March 2015:

http://www.hsgac.senate.gov/hearings/securing-the-border-understanding-and-addressing-the-root-causes-of-central-american-migration-to-theunited-states

<sup>&</sup>lt;sup>270</sup> Gootnick, D. (2015).

<sup>&</sup>lt;sup>271</sup> Kandel, W., Bruno, A., Meyer, P., Seelke, C., Taft-Morales, M., Wasem, R. (2014, July). Unaccompanied Alien Children: Potential Factors Contributing to Recent Immigration. Congressional Research Service, Washington, DC. Retrieved March 2015: http://fas.org/sgp/crs/homesec/R43628.pdf

<sup>&</sup>lt;sup>272</sup> Renwick, D. (2014, September 1).

<sup>&</sup>lt;sup>273</sup> Fact Sheet: Unaccompanied Children from Central America. (2014, June 20). The White House. Retrieved March 2015: https://www.whitehouse.gov/the-press-office/2014/06/20/fact-sheet-unaccompanied-children-central-america

<sup>&</sup>lt;sup>274</sup> Chishti, M., & Hipsman, F. (2014, June 13).

<sup>&</sup>lt;sup>275</sup> Testimony of Eric L. Olson, Associate Director, Latin America Program, Woodrow Wilson International Center for Scholars to the Committee on Homeland Security and Governmental Affairs, Senate, 113<sup>th</sup> Cong. Retrieved March 2015:

http://www.wilsoncenter.org/sites/default/files/Eric%20L%20Olson%20testimony%20Senate%20Homeland%20Security%20committee.pdf <sup>276</sup> Negroponte, D. (2014, July).

<sup>&</sup>lt;sup>277</sup> Negroponte, D. (2014, July).

Some suggest that we are already seeing examples of such adaptability. Papedemetriou and Hooper of the Migration Policy Institute assert that though the U.S. and other European countries have strengthened and take seriously their border security, the system is continually tested by "increasingly creative entry strategies."<sup>278</sup> A relatively new trend is for migrants to make no effort to avoid border patrol; instead they would actually present themselves for apprehension and processing. While some migrants do this because they believe they have a legitimate request for asylum, other migrants without such claims believe that the system will take so long to process them that they will be allowed to stay for at least several years. Because the migration flow is "mixed"—inclusive of asylum seekers as well as economic and family-stream migrants—it is harder for authorities to process and discern which migrants have legitimate claims for asylum. For such a trend to occur, the smugglers must be advising their 'clients' that this is the best approach given the current strength of border security.

# Literature Review Theme 2 – Push Factors are Intensifying and are Likely to Increase the Frequency of Surges

#### **Conflict-Related Push Factors**

The number of refugees, asylum-seekers and internally displaced people (collectively, forced displacement) worldwide exceeded 50 million people in 2014 – the highest level since the post-World War II era – according to the UNHCR's Global Trends Report for 2013.<sup>279</sup> Half of forcibly displaced people are children, the highest figure in a decade.<sup>280</sup> The war in Syria is the main cause of the massive increase: at the end of 2013, the conflict had led to 2.5 million refugees and rendered 6.5 million internally displaced.<sup>281</sup> In November 2014, the UN High Commissioner for Refugees called it a "mega-crisis".<sup>282</sup> The Migration Policy Institute (MPI) extrapolates that the numbers for 2014 will show an even greater increase due to the rise of the jihadist group Islamic State in Iraq and Syria (ISIS) and the ensuing sectarian violence that forced many Iraqis to flee.<sup>283</sup>

Papademetriou and Hooper reviewed the current state of border security and the challenges posed by migration in a December 2014 assessment that summarized the global trends from the past year. They view the "demand for humanitarian protection" as a significant and growing push factor.<sup>284</sup> The wars and conflicts in Syria, Iraq, Pakistan, Afghanistan, Ukraine, and more recently Yemen, and "a constellation of unstable states in sub-Saharan Africa, and in Central America, have outpaced the ability and political willingness of neighbors in the region and the broader international community to offer meaningful protection to all, let alone resettlement opportunities, pushing many to embark on precarious voyages." Papademetriou and Hooper

<sup>280</sup> UNHCR Global Trends 2013: War's Human Cost. (2014, June 1). P 3. Retrieved March 2015, from <a href="http://www.unhcr.org/5399a14f9.html">http://www.unhcr.org/5399a14f9.html</a>
 <sup>281</sup> World Refugee Day: Global forced displacement tops 50 million for first time in post-World War II era. (2014, June 20). Retrieved March 30, 2015, from <a href="http://www.unhcr.org/53a155bc6.html">http://www.unhcr.org/53a155bc6.html</a>

<sup>282</sup> http://www.washingtonpost.com/world/national-security/refugee-wave-from-syria-and-iraq-now-a-mega-crisis-un-officialsays/2014/11/17/ebc5ee50-6eab-11e4-893f-86bd390a3340\_story.html

<sup>&</sup>lt;sup>278</sup> Papademetriou, D. and Hooper, K. (2014, December).

<sup>&</sup>lt;sup>279</sup> World Refugee Day: Global forced displacement tops 50 million for first time in post-World War II era. (2014, June 20). Retrieved March 30, 2015, from <a href="http://www.unhcr.org/53a155bc6.html">http://www.unhcr.org/53a155bc6.html</a>

<sup>&</sup>lt;sup>283</sup> Esthimer, Marissa. (2014, December). Top 10 of 2014 – Issue #1: World Confronts Largest Humanitarian Crisis since WWII. Migration Policy Institute, Washington, DC. March 2015, from <u>http://migrationpolicy.org/article/top-10-2014-issue-1-world-confronts-largest-humanitarian-crisis-wwii</u>

<sup>&</sup>lt;sup>284</sup> Papademetriou, D. and Hooper, K. (2014, December).

conclude that the push and pull factors causing mixed migration flows to the United States will not abate.

#### **Globalization, Technology, and Climate Change**

Beyond the war and conflict-related push factors, scholars have identified other global trends that are impacting and may increase migration flows. Rey Koslowski's essay, "Economic Globalization, Human Smuggling, and Global Governance" explains that the drivers of globalization—rapidly advancing information, communication and transportation technologies—are "propelling international migration and fostering transnational crime."<sup>285</sup> As noted above, smugglers now facilitate upwards of 90 percent of U.S. border crossings. Local or national crime groups have expanded to become global criminal syndicates.<sup>286</sup> The expansion (much like that of global business except that legal businesses deals in legal commodities) is in response to expanding markets for illegal commodities.<sup>287</sup> For example, the cost of human smuggling across the U.S. border has increased dramatically since border security was strengthened post-9/11, and organized crime and smugglers have tapped into that 'market' to provide a 'service.'

Technology assists another structural factor—social networks. Historically, social networks are those that "connect migrants to host-state jobs and communities of co-nationals typically from the same village and area."<sup>288</sup> Rosenblum and Brick point out that social networks are a particularly important factor for migrants from Mexico and Central America. Other than small references, primarily from interviews of migrants by journalists, it does not appear that the current literature has evaluated the role of technology in facilitating the social network factor. Several news reports covering the Central American surge in 2014, cited instances of migrants leveraging social networking—in the technological variety (e.g., Facebook)—to prepare for the journey. U.S.-based families or the migrant in his country of origin are able to more easily connect with potential smugglers, coordinate the best migration route, and facilitate payment. Additionally, rapid communication capabilities may lead to "sudden" surges. What previously may have taken a few months or years to build as a trend can occur much more quickly.

Finally, there is a growing set of research that asserts that climate change is likely to increase international migrations. In July 2014, Madeline Messick and Claire Bergeron surveyed recent events and unclassified National Intelligence Estimates and determined the demand for Temporary Protected Status (TPS)<sup>289</sup> is likely to grow for reasons beyond war and conflict:

As the world adjusts to climate change, scientists predict that the number of severe weather events—such as floods, droughts, hurricanes, tornadoes, and wildfires—will increase, forcing more people to migrate. In 2012 alone, an estimated 29 million people

<sup>&</sup>lt;sup>285</sup> Koslowski, R. (2011). Economic Globalization, Human Smuggling, and Global Governance. P. 60. An essay published as Chapter 2 of "Global Human Smuggling: Comparative Perspective" edited by Kyle, D. and Koslowski, R. JHU Press (2011).

<sup>&</sup>lt;sup>286</sup> Koslowski, R. (2011). P 63.

<sup>&</sup>lt;sup>287</sup> Koslowski, R. (2011). P 63.

<sup>&</sup>lt;sup>288</sup> Rosenblum and Brick. (2011). P 2.

<sup>&</sup>lt;sup>289</sup> Since 1990, U.S. humanitarian relief has been granted to persons from certain countries suffering from wars, violence or natural disaster in the form of Temporary Protected Status (TPS). It is estimated 340,000 people currently hold TPS status. TPS is not a grant of permanent legal status in the United States. Recipients do not receive lawful permanent residence (a "green card"), nor are they eligible, based on their TPS status, to apply for permanent residence or for U.S. citizenship. Rather, TPS beneficiaries receive provisional protection against deportation and permission to work in the United States for a limited period of time. The United States can end a country's TPS designation once it has recovered from the triggering event. See USCIS' page on TPS at <htp://www.uscis.gov/humanitarian/temporary-protected-status-deferred-enforced-departure/temporary-protected-status>. Also, see 8 U.S.C.§1254a. Temporary Protected Status at: <<u>http://www.gpo.gov/fdsys/pkg/USCODE-2011-title8-chap12-subchapII-partV-sec1254a.pdf</u>>

were displaced by extreme weather events. National intelligence estimates prepared by the U.S. intelligence community have predicted that changing weather patterns could contribute to political instability, disputes over resources, and mass migration.<sup>290</sup>

In a study that explores the methodologies for assessing environment-migration relationships, Fussell, Hunter, and Gray show that scholars and the policy community believe climate change will impact future migration.<sup>291</sup> They assert "most scholars in the field reject the deterministic view that directly links climate change to mass migration," instead recognizing the linkages are complex. The study does not provide any predictions on how climate change may affect migration, but lays out suggested steps that can be taken to further advance the "scientific knowledge of environment-migration relationships and their implications for their future."

#### Conclusion

The perspectives from which to evaluate the risk of mass migration to the U.S. are numerous and diverse. The volume of potential literature inhibits the ability to gain a completely thorough understanding of the current research from all possible angles and disciplines. In selecting the literature for this review, we attempted to identify common themes and areas most relevant to risk assessment purposes.

This survey of recent surge events and the literature review indicate there is a strong likelihood of future surges to the U.S. Such surges are caused by complex structural factors that render 'quick solutions' unlikely.

Globalization, complete with cheaper access to technology, communication, and travel, will continue to lower the barriers to migration, and enable growth of the human smuggling "business."

Further, the literature reviewed indicated that push factors are increasing, and that "tipping point" incidents—incidents that push the individual to migrate—are likely to increase and be more difficult to contain. Such tipping point incidents may include those caused by climate change, which creates more frequent and severe natural disasters, or by armed conflicts such as the recent coups, civil wars, and terrorist group territorial takeovers.

There were notable limitations in the literature as well. Other than the USCG's National Maritime Strategic Risk Assessment, which was focused solely on maritime mass migrations, publicly available literature did not provide statistics or estimates on the total protection and response-related costs per migrant, or in the case of the Central American surge, per child. More evaluation is needed to understand the economic impact of protection and response actions in a mass migration. Reviewing the most recent Central American surge could provide useful insight into costs. However, it would be applicable only to child migrants, as the processes used for unaccompanied children are different than that of apprehended adults and family units.

<sup>&</sup>lt;sup>290</sup> Messick, M. and Bergeron, C. (2014, July). Temporary Protected Status in the United States: A Grant of Humanitarian Relief that is Less than Permanent. Migration Policy Institute, Washington, DC. Retrieved March 2015: <u>http://www.migrationpolicy.org/article/temporary-protected-status-united-states-grant-humanitarian-relief-less-permanent</u>

<sup>&</sup>lt;sup>291</sup> Fussell, E., Hunter, L., and Gray, H. (2014). *Measuring the Environmental Dimensions of Human Migration: The Demographer's Toolkit*. Global Environmental Change (Impact Factor: 6). 28:182–191.

The literature reviewed did not provide an assessment of the U.S. Government's capabilities and responses to the 2014 surge, perhaps because the events are so recent as to render a complete assessment premature. To the extent the literature assessed the U.S. Government's actions, it tended to focus on policies and steady-state operations, not on the surge response.

One final limitation is that the literature reviewed mentioned, but did not evaluate in-depth, the possibility that the U.S. Government's response to migrants contributes to the mass migration problem. While there are a number of political commentators in recent years that have argued this case, due to bias, they were not considered as part of the literature review. Academic research is needed to evaluate whether the U.S. Government's programmatic service delivery is a potential Pull Factor and if so, how significant of a role does it play in mass migration scenarios.

Until recently, the U.S. Government's experience with migrant surges was primarily related to Haitian and Cuban migrants attempting maritime entries over the past three decades. Lessons learned from the recent Central American surge (2011-2015) should be reviewed. Further research and consideration should be given to how the U.S. Government's capabilities can be made more flexible, resilient, and comprehensive to address what many scholars believe will be a likely increase in U.S. mass migration surges.

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