

Examining the UAC-DACA Link

New Data Show Child Migrant Crisis Began Before DACA

BY DAVID BIER

EXECUTIVE SUMMARY

Since 2012, Deferred Action for Childhood Arrivals (DACA) has granted relief from deportation to illegal immigrants who, before June 2007, entered the United States as children. This month, the administration will begin to accept applications from anyone who arrived as a child before 2010. While this policy is understandably attacked as executive overreach, some critics further claim that it motivated a rush of migrant children to the Southwest border.

Newly available data—analyzed in this study for the first time—show that the massive increase in unaccompanied alien children (UACs) began before DACA was even announced in June 2012. Without knowledge of the program, the children who came to the border in early 2012 could not have been motivated by DACA. In fact, fewer UACs entered illegally in the 3 months after DACA than the 3 months before it.

In fact, fewer children entered the United States illegally in 2014 than in 2004, indicating that illegal child migration is not a recent phenomenon. While the percentage of illegal entries by children has increased, this is mainly because entry for adults has become much more difficult due to greater border security and the absence of legal avenues for admission. Congress should respond to the expansion of DACA by enacting its own reforms without fear that those reforms will launch a rush to the border.

DACA'S IMPLEMENTATION AND REACTION

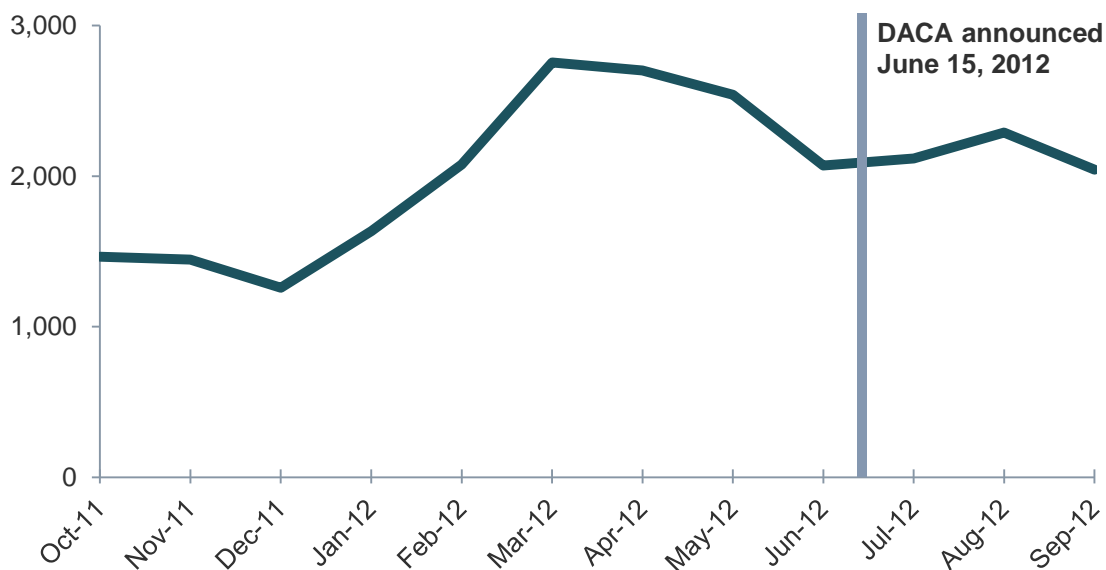
Under DACA, the Department of Homeland Security (DHS) formally defers for 2 years the deportation of illegal aliens who were under the age of 31 on June 15, 2012, had no lawful status on that date, and who entered the United States prior to June 15, 2007 as a child under the age of 16.¹ DHS began to accept applications in August 2012 and has since approved over 700,000 applications.² In November 2014, the president announced DHS would expand DACA to accept applications from anyone who arrived in the United States as a child prior to January 2010.³

Almost immediately critics argued that DACA was encouraging illegal immigration and enticing young children to come to the border.⁴ In August 2014, the House passed a bill to end DACA mainly based on the argument that it motivated young immigration.⁵ In his press release on the bill, House Judiciary Chairman Bob Goodlatte said, "Since the implementation of DACA, the number of unaccompanied alien minors seeking to enter the U.S. illegally has risen dramatically."⁶

UNACCOMPANIED ALIEN CHILDREN

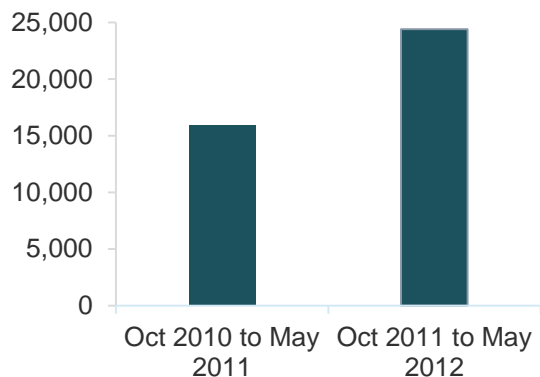
This DACA-UAC narrative initially appeared to be plausible based on the annual numbers of apprehensions of unaccompanied children. Fiscal year 2012, which began in October 2011, did see a 53 percent increase in the number of apprehensions over 2011. Recently, however, Customs and Border Protection released the monthly data on UAC apprehensions from 2012.⁷ These numbers clearly confirm that the surge started well before the June announcement.

Chart 1: Monthly UAC Apprehensions, FY 2012



As Chart 2 shows, October through May of FY 2012 saw a more than 50 percent increase over the same period in FY 2011.⁸

Chart 2: UAC
Apprehensions in FY 2011
vs. FY 2012, pre-DACA



In the months leading up to the president’s DACA announcement, Border Patrol officials and humanitarian groups expressed alarm about the number of children fleeing Central American countries, mainly from Honduras, El Salvador, and Guatemala. By early June 2012, Mexican authorities were catching twice as many Central Americans illegally traveling through Mexico as in 2011.⁹ So many children were apprehended during the early part of FY 2012 that Lackland Air Force Base in San Antonio was used to house the children, and Texas Governor Rick Perry wrote a letter to the president in May to demand the federal government step up its efforts to control the flow.¹⁰

These events could still be blamed on DACA if prospective child migrants anticipated such an announcement. Leaked memos in 2010 showed that the administration was planning for DACA should comprehensive immigration reform fail,¹¹ but by 2012, the idea was not on the media’s radar. The preparation for DACA’s implementation was so closely guarded that many high-level DHS officials were surprised by the announcement.¹² Moreover, the president had, for years, claimed that he needed Congress to act to slow deportations.¹³ Rumblings about DACA could not have motivated minors who came to the border in early 2012.

The monthly apprehension figures do not reveal a response by Central American children to DACA’s announcement either. Border Patrol actually caught 25 percent fewer UACs in the 3 months after the president’s decision than in the 3 months before it.¹⁴ Virtually the same numbers were apprehended in the 6 months before the month of DACA’s announcement as the 6 months after it (Chart 3).

As seen in Chart 4, the number of apprehensions actually dropped in June 2012, and it would be another 8 months after DACA was announced before apprehensions exceeded those in May 2012.

Chart 3: UAC
Apprehensions 6 Months
Before and After DACA

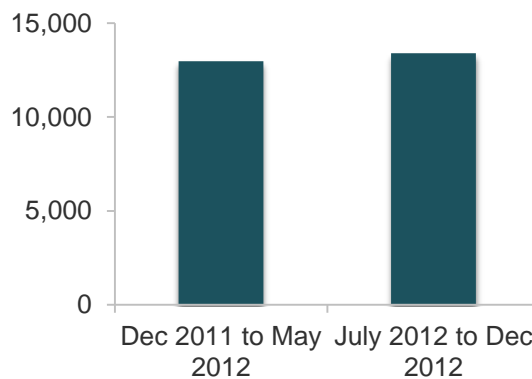
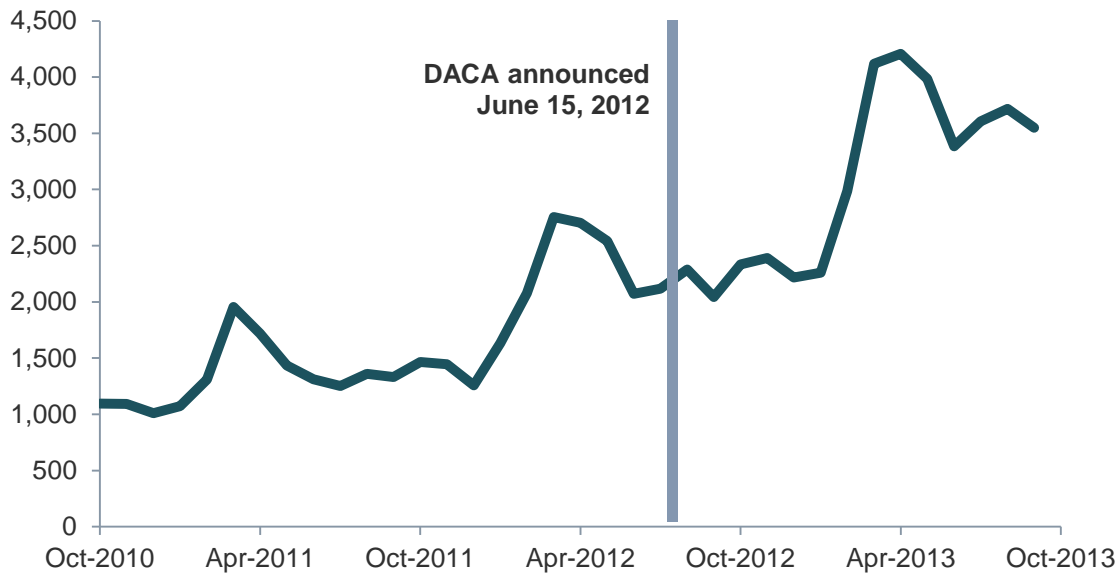
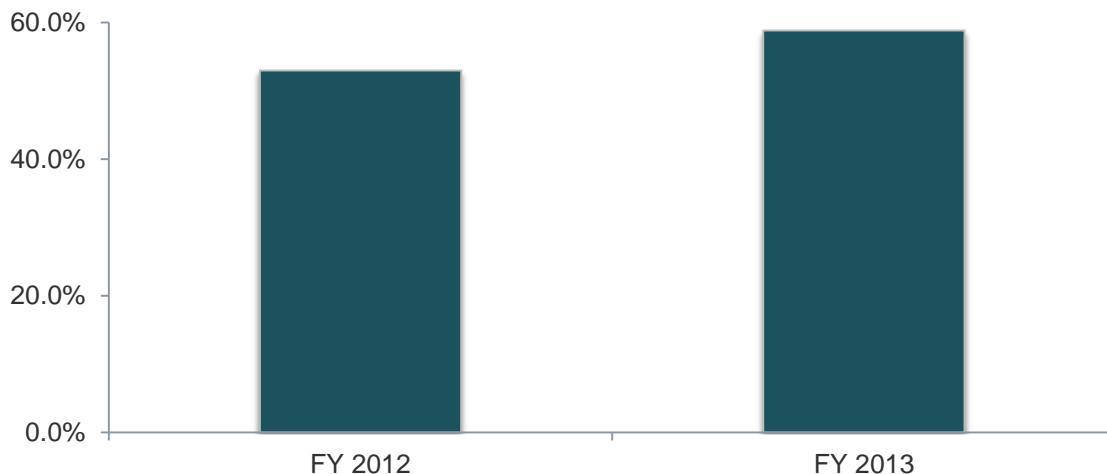


Chart 4: Monthly UAC Apprehensions, FY 2011 - 2013



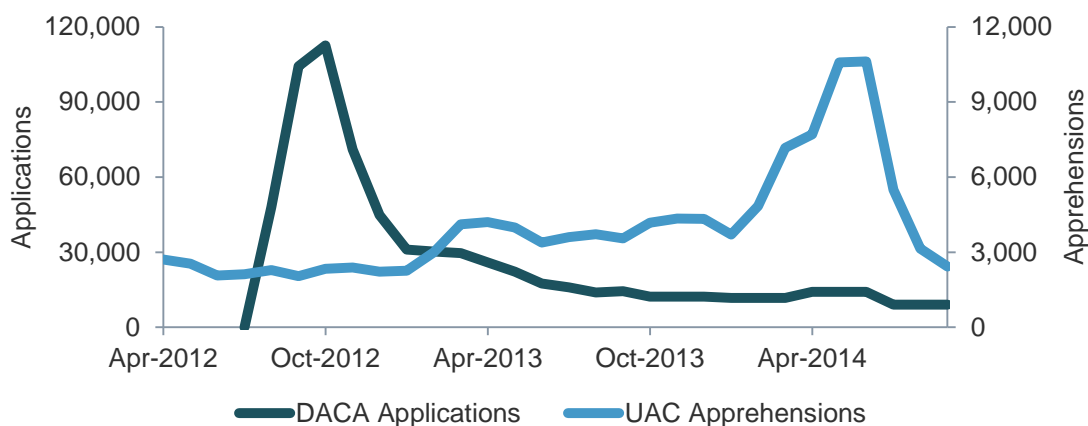
While it is true that UAC apprehensions increased in the year following DACA's implementation, they also increased in the prior year. DACA did little, if anything, to affect the upward trend of child migration in the year after its implementation. The annual rate of increase in UACs apprehended remained almost constant from 2012 through 2013, as seen in Chart 5.

Chart 5: Annual Growth in UAC Apprehensions



Another sign that DACA did not cause the increased border crossings can be seen in the number of DACA applications relative to the number of UACs, as displayed in Chart 6. The new monthly figures reveal a negative correlation between the number of DACA applications and the number of UAC apprehensions.¹⁵

Chart 6: Monthly UAC Apprehensions vs. New DACA Applications



DACA did not cause the child migrant crisis. In fact, although the U.S. Border Patrol appears to have only recorded the number of UACs since 2008, the overall number of apprehended children—unaccompanied and accompanied—is currently lower than it was a decade ago.¹⁶ As Chart 7 shows, annual juvenile apprehensions have simply returned to pre-recession levels.¹⁷ In other words, the child migrant crisis is not unique to this presidency.

Chart 7: Annual Juvenile Apprehensions

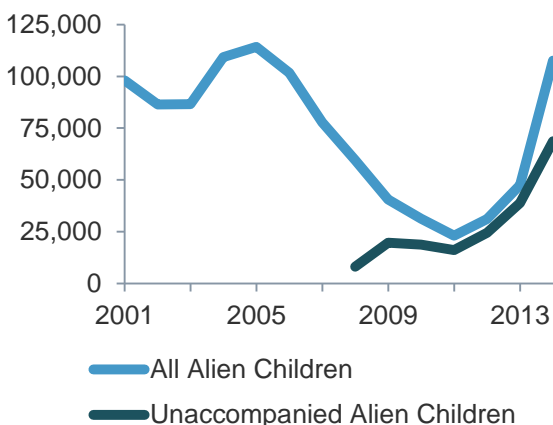
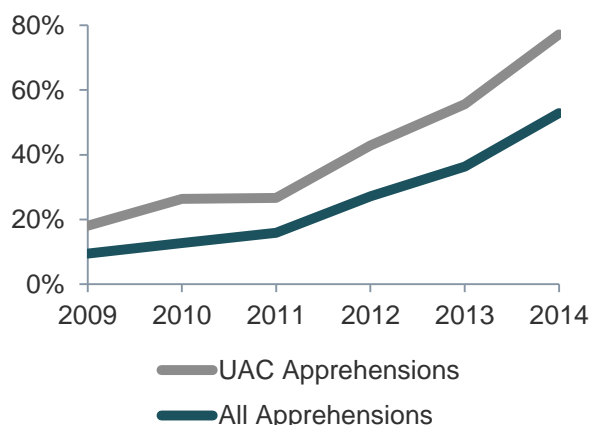


Chart 8: Non-Mexicans as a Share of All Apprehensions



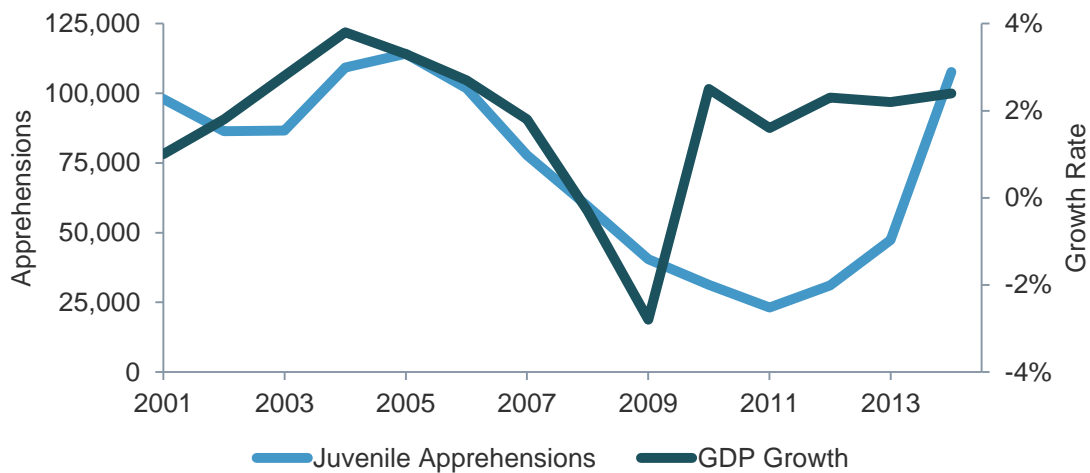
Nearly all UAC apprehensions resulted from increased migration of children from Central America. As seen in Chart 8, this change reflects the general trend toward migration from non-Mexican countries, not American policies toward child migrants. Even though migration flows of Mexican illegal aliens reversed beginning in 2008, the number of Central Americans in the United States illegally actually rose 24 percent from 2008 to 2012.¹⁸ At the same time, non-Mexican border crossers rose from 5 percent of the total a decade ago to a majority for the first time last year.¹⁹

The main reason why this wave of children has received more attention than the prior wave is that Mexican children are immediately removed and handed over to Mexican authorities. By contrast, Central American children are handed over to Health and Human Services, which must then attempt to place the child with a guardian pending an immigration court hearing, all of which can be a very lengthy and expensive process.

EXPLANATIONS FOR THE RECENT UAC WAVE

Four explanations for the increases in illegal entry by Central American children present themselves. First, economic conditions in the United States have improved, and child apprehensions over the last decade and a half appear to roughly track economic growth, as seen in Chart 9. Economic conditions could affect immigration decisions not only if the child is pursuing a job, but also if the family in the U.S. is more financially secure and can more easily afford to transport their children across the border and care for them once they arrive.²⁰

Chart 9: Juvenile Apprehensions and US GDP Growth



The second explanation for the recent increase is the escalating violence in Central America. From 2007 to 2012 (the most recent year for which data is available), the homicide rate in Central America rose from about 15 homicides per 100,000 to over 26.²¹ The higher homicide rates are driven primarily by three countries: El Salvador, Honduras, and Guatemala, countries with some of the highest murder rates in the world.²²

These countries were also the source countries for 75 percent of all UACs in 2014, and 98.3 percent of the increase in UACs since 2009.²³ As one researcher noted, Honduras was more dangerous for civilians in 2012 than Iraq in 2007.²⁴ In interviews with the United Nations in 2014, nearly half of all children apprehended at the border said that violence was a factor in their decision to immigrate.²⁵

Chart 10: North American Murder Rates

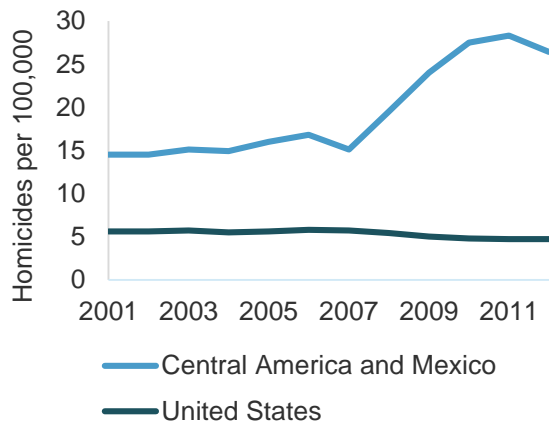
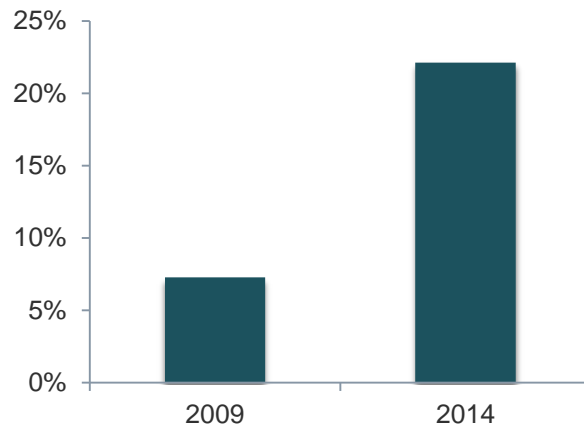


Chart 11: Children as a Share of All Apprehensions



The final two likely explanations have to do with the shift in the overall composition of illegal immigration away from adult laborers toward children and family units. Not only are more children migrating as percentage of all illegal entries, the children are also, on average, younger. The number of children under the age of 12 increased from 9 percent to 16 percent from 2013 to 2014.²⁶ It is likely that this activity is a response to two U.S. policies – the increased intensity of border enforcement and the differential legal treatment of children and family units.

As the intensity of border enforcement has increased,²⁷ the price of border crossing has also increased, as Chart 12 shows.²⁸ Smuggling costs from Central America are even higher than those from Mexico, averaging about \$7,500 per crossing.²⁹ Higher prices discourage illegal entries by adult migrants at the margin. Adult laborers tend to respond to increased enforcement not by refusing to come at all, but by extending their illegal stay in the United States, as seen in Chart 13.³⁰

Chart 12: Smuggling Costs vs. Border Agents

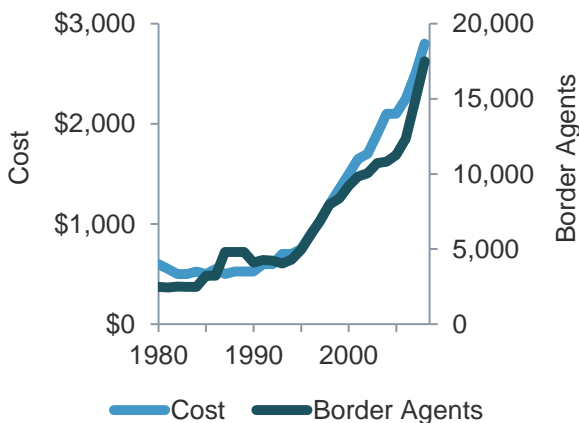
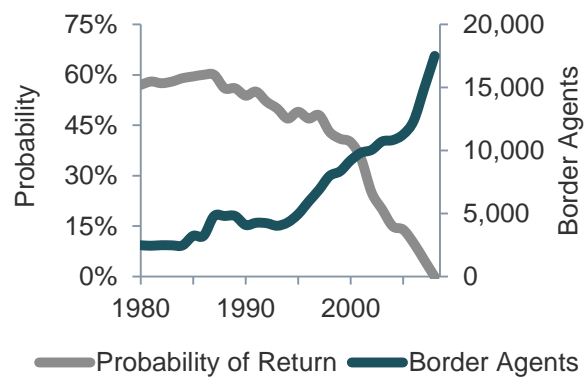
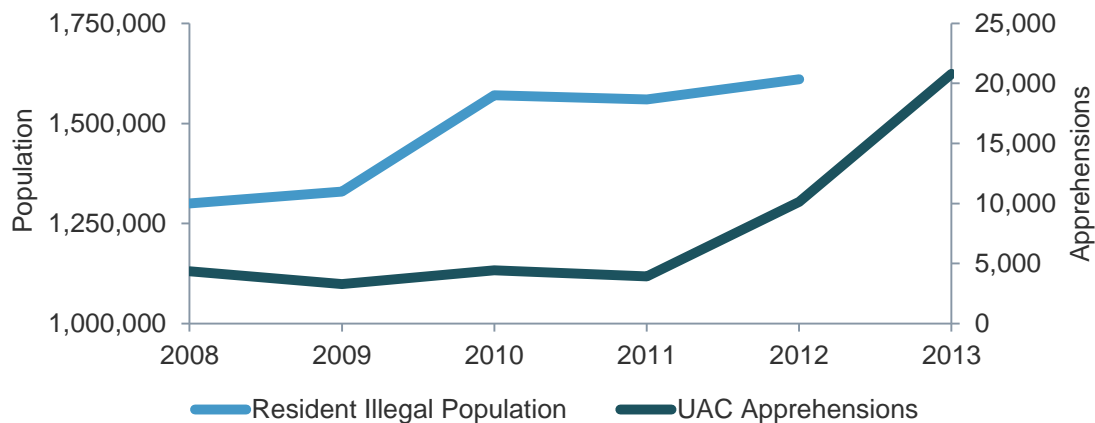


Chart 13: Probability of Return Home within 1 Year of Entry vs. Border Agents



Rather than cycling back and forth across the border almost annually as they did in the 1980s, immigrants remained illegally for increasingly longer periods, particularly since 2001. These extended stays encourage illegal immigrants to send for children left behind in their home country. These laborers likely leave their children initially to find employment and save enough to send for their children, a process termed “stage migration.”³¹ Chart 14 shows how the increase in illegal residents from El Salvador, Guatemala, and Honduras in 2010 was followed 2 years later by large increases in UAC apprehensions from those countries.³²

Chart 14: Illegal Immigrants from El Salvador, Guatemala, and Honduras



Anecdotal reports from Central America support the view that human smugglers are actively recruiting children.³³ Smugglers appear to have responded to the lower demand from would-be adult migrants by informing juveniles and their parents that even if Border Patrol apprehended the children, they would be guaranteed access to the United States. This sales pitch has the benefit of actually being true, but not because of DACA.

The Trafficking Victims Protection Reauthorization Act of 2008 codified procedures created in the 1990s under which Mexican children were removed without a court hearing unless they told Border Patrol that they feared persecution or were trafficked. Mexican authorities take custody of almost all Mexican children, often in less than 48 hours,³⁴ but all Central American UACs are granted a removal hearing before an immigration judge and are released to a guardian in the U.S.—a fact now well known in Central America.³⁵

Hearings are often delayed for several years due to an increasingly long backlog of removal cases.³⁶ In a May 2014 survey conducted by Border Patrol agents, 95 percent of child migrants expected that they would receive a “permiso” or a free pass to enter, which they identified as the Notice to Appear in court for a removal hearing before an immigration judge.³⁷ In other words, smugglers began to use the dysfunctional hearing process as a tool to encourage children to journey from Central America to the United States.

CONCLUSION

As President Obama proceeds with his plan to expand administrative relief to more individuals under DACA, Congress should focus on the legality of that decision, not on its potential consequences for border security. The overwhelming weight of evidence reveals that DACA was not a factor in the recent influx of children.³⁸

The Obama administration blamed the crisis on the Trafficking Victims Protection Reauthorization Act and human smugglers who use the law to their advantage.³⁹ While those factors did contribute to the problem, the administration's narrative overlooks the reality that human smugglers only changed strategy after entry for adults became much more difficult. Adults remained in the United States rather than moving back and forth from their home countries. Smugglers discovered that the only group for whom entry could be assured was children.

The president is correct that the removal process needs greater efficiency, but that alone will not address the underlying causes of illegal child migration. In order to prevent future crises, Congress should create worker visas that allow adult migrant workers to circulate legally between their home countries and the United States for employment. This would greatly reduce the incentive to pay thousands of dollars to smuggle their children across the border. Remittances and work experience in the United States would also increase the standard of living of workers in Central America, which would encourage many migrant workers to return home voluntarily after working in the United States.

APPENDIX : TABLES

Table 1: Annual UAC Apprehensions

2008	2009	2010	2011	2012	2013	2014
8,041	19,668	18,634	15,949	24,403	38,759	68,541

Table 2: Monthly UAC Apprehensions

	FY 2011	FY 2012	FY 2013	FY 2014
October	1,097	1,465	2,333	4,181
November	1,092	1,446	2,392	4,344
December	1,011	1,259	2,218	4,327
January	1,073	1,635	2,260	3,706
February	1,310	2,077	2,986	4,845
March	1,956	2,755	4,120	7,176
April	1,718	2,703	4,206	7,701
May	1,435	2,541	3,985	10,578
June	1,313	2,071	3,384	10,620
July	1,253	2,118	3,607	5,499
August	1,360	2,289	3,718	3,138
September	1,331	2,044	3,550	2,426

Table 3: Monthly Initial DACA Applications

	FY 2012	FY 2013	FY 2014
October	-	112,660	12,250
November	-	71,114	12,250
December	-	44,815	12,250
January	-	31,034	11,730
February	-	30,255	11,730
March	-	29,688	11,730
April	-	25,972	14,218
May	-	22,215	14,218
June	-	17,485	14,218
July	-	15,986	8,998
August	48,051	13,960	8,998
September	104,371	14,403	8,998

Table 4: Annual Total Juvenile Apprehensions

2001	2002	2003	2004	2005	2006	2007
97,954	86,433	86,606	109,285	114,222	101,778	77,778
2008	2009	2010	2011	2012	2013	2014
59,578	40,461	31,291	23,089	31,029	47,397	107,613

CITATIONS

- ¹ United States Citizenship and Immigration Services, “Consideration of Deferred Action for Childhood Arrivals (DACA),” last updated January 29, 2014, accessed: January 21, 2015. <http://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-daca>
- ² United States Citizenship and Immigration Services, “Data Set: Deferred Action for Childhood Arrivals,” November 21, 2014. <http://www.uscis.gov/tools/reports-studies/immigration-forms-data/data-set-deferred-action-childhood-arrivals>
- ³ Department of Homeland Security, “Fixing Our Broken Immigration System Through Executive Action - Key Facts,” last updated: January 5, 2015, accessed: January 29, 2015. <http://www.dhs.gov/immigration-action>
- ⁴ FAIR Legislative Update, “Number of Illegal Alien Minors Crossing Border Alone Continues to Grow,” Federation for American Immigration Reform, July 9, 2012. <http://www.fairus.org/legislative-updates/fair-legislative-update-july-9-2012>
- ⁵ Congress.gov, “H.R. 5272,” accessed January 29, 2015. <https://www.congress.gov/bill/113th-congress/house-bill/5272>
- ⁶ Office of Congressman Bob Goodlatte, “Goodlatte Applauds Passage of Bill to Stop President Obama’s Unilateral Immigration Actions,” Press Release, August 1, 2014. http://goodlatte.house.gov/press_releases/578
- ⁷ Customs and Border Protection, “U.S. Border Patrol Total Monthly UAC Apprehensions by Month, by Sector (FY 2010 - FY 2014),” accessed January 30, 2015. <http://www.cbp.gov/sites/default/files/documents/BP%20Total%20Monthly%20UACs%20by%20Sector%2C%20FY10-FY14.pdf>
- ⁸ Ibid.
- ⁹ Women’s Refugee Commission, “Forced from Home: The Lost Boys and Girls of Central America,” June 2012, p. 13. <http://womensrefugeecommission.org/forced-from-home-press-kit>
- ¹⁰ Sean Collins Walsh, “Perry Blasts Obama Over Rise in Illegal Immigrant Children Entering U.S. on their own,” Dallas News, May 7, 2012. <http://www.dallasnews.com/news/politics/headlines/20120507-perry-blasts-obama-over-rise-in-illegal-immigrant-children-entering-u.s.-on-their-own.ece>
- ¹¹ Jason Ryan; Matthew Jaffe; and Devin Dwyer, “Obama ‘Scheming’ on Immigrant Amnesty? Memo Draws Republican Fire,” ABC News, July 30, 2010. <http://abcnews.go.com/Politics/immigration-memo-republicans-accuse-obama-administration-scheming-amnesty/story?id=11288210>
- ¹² Phone interview by author with a high-ranking Department of Homeland Security official.
- ¹³ Jan Ting, “Obama’s Own Words Refute His Stand on Immigration Authority,” New York Times, November 18, 2014. <http://www.nytimes.com/roomfordebate/2014/11/18/constitutional-limits-of-presidential-action-on-immigration-12/obamas-own-words-refute-his-stand-on-immigration-authority>
- ¹⁴ Customs and Border Protection, “U.S. Border Patrol Total Monthly UAC Apprehensions by Month, by Sector (FY 2010 - FY 2014),” accessed January 30, 2015. <http://www.cbp.gov/sites/default/files/documents/BP%20Total%20Monthly%20UACs%20by%20Sector%2C%20FY10-FY14.pdf>
- ¹⁵ USCIS, “Data Set: Deferred Action for Childhood Arrivals,” November 21, 2014. <http://www.uscis.gov/tools/reports-studies/immigration-forms-data/data-set-deferred-action-childhood-arrivals>
- Customs and Border Protection, “U.S. Border Patrol Total Monthly UAC Apprehensions by Month, by Sector (FY 2010 - FY 2014),” accessed January 30, 2015. <http://www.cbp.gov/sites/default/files/documents/BP%20Total%20Monthly%20UACs%20by%20Sector%2C%20FY10-FY14.pdf>
- ¹⁶ 2014: United States Border Patrol, “Sector Profile – Fiscal Year 2014,” accessed January 29, 2015. <http://www.cbp.gov/sites/default/files/documents/USBP%20Stats%20FY2014%20sector%20profile.pdf>

2001-2013: Matt Graham, "Child Migration by the Numbers," Bipartisan Policy Center, June 30, 2014, p. 10.
<http://bipartisanpolicy.org/library/child-migration-numbers/>

¹⁷ 2008: Customs and Border Protection, "Unaccompanied Children (Age 0-17) Apprehensions Fiscal Year 2008 through Fiscal Year 2012," http://www.rcusa.org/uploads/pdfs/appr_uac.pdf

2009-2014: Department of Homeland Security, "Southwest Border Unaccompanied Alien Children," accessed: January 30, 2014. <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children>

¹⁸ Bryan Baker; Nancy Rytina, "Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2012," Department of Homeland Security, accessed: January 29, 2014.
http://www.dhs.gov/sites/default/files/publications/ois_ill_pe_2012_2.pdf

¹⁹ U.S. Border Patrol, "Total Illegal Alien Apprehensions By Fiscal Year," 2014.
http://www.cbp.gov/sites/default/files/documents/BP%20Total%20Apps%2C%20Mexico%2C%20OTM%20FY2000-FY2014_0.pdf

²⁰ 2014: Bureau of Economic Analysis, "National Income and Product Accounts Gross Domestic Product: Fourth Quarter and Annual 2014," U.S. Department of Commerce, January 30, 2014.

<http://www.bea.gov/newsreleases/national/gdp/gdpnewsrelease.htm>

2001-2013: Bureau of Economic Analysis, "Percent Change from Preceding Period in Real Gross Domestic Product: Table 1.1.1," 2013. <http://www.bea.gov/iTable/iTable.cfm?ReqID=9&step=1#reqid=9&step=1&isuri=1>

²¹ Graph of data from: United Nations Office on Drugs and Crime, "Global Study on Homicide 2013: Figure 1.16," UNODC, 2013, p. 34. http://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf

²² *ibid.*

²³ Department of Homeland Security, "Southwest Border Unaccompanied Alien Children," accessed: January 30, 2014. <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children>

²⁴ CAP Immigration Team, "Violence is Causing Children to Flee Central America," Center for American Progress, August 12, 2014. <https://www.americanprogress.org/issues/immigration/news/2014/08/12/95556/violence-is-causing-children-to-flee-central-america-2/>

²⁵ United Nations High Counsel on Refugees, "Children on the Run," July 9, 2014, p. 23.
http://www.unhcrwashington.org/sites/default/files/1_UAC_Children%20on%20the%20Run_Full%20Report.pdf

²⁶ Jens Manuel Krogstad, Ana Gonzalez-Barrera, and Mark Hugo Lopez, "Children 12 and under are fastest growing group of unaccompanied minors at U.S. border," Pew Research Center, July 22, 2014.
<http://www.pewresearch.org/fact-tank/2014/07/22/children-12-and-under-are-fastest-growing-group-of-unaccompanied-minors-at-u-s-border/>

²⁷ U.S. Border Patrol, "Border Patrol Agent Staffing by Fiscal Year," September 20, 2014.
http://www.cbp.gov/sites/default/files/documents/BP%20Staffing%20FY1992-FY2014_0.pdf

²⁸ Bryan Roberts, Gordon Hanson, Derekh Cornwell, and Scott Borger, "An Analysis of Migrant Smuggling Costs along the Southwest Border," Department of Homeland Security, November 2010.
<https://www.dhs.gov/xlibrary/assets/statistics/publications/ois-smuggling-wp.pdf>

Graph of smuggling costs from: Catherine Rampell, "Economix Blog: Why Are Mexican Smugglers' Fees Still Rising?" *New York Times*, May 18, 2009.

<http://economix.blogs.nytimes.com/2009/05/18/the-rise-in-mexican-smugglers-fees/>

²⁹ Julia Preston, "Snakes and Thorny Brush, and Children at the Border Alone," June 25, 2014.
http://www.nytimes.com/2014/06/26/us/snakes-and-thorny-brush-and-children-at-the-border-alone.html?_r=1

\$7,000 from Guatemala in 2011: Associated Press, "The Mexican Police Find 513 US-Bound Migrants in Two Trucks," Fox News May 18, 2011. <http://www.foxnews.com/world/2011/05/18/mexican-police-find-513-bound-migrants-trucks/>

³⁰ Graph of return rates from: Douglas Massey, "Chain Reaction: The Causes and Consequences of America's War on Immigrants," Julian Simon Lecture Series, No. VIII, 2011.

http://www.iza.org/conference_files/amm2011/massey_d1244.pdf

³¹ Alex Nowrasteh, "Family Reunification and Other Explanations for the Border Surge of Unaccompanied Children," Cato at Liberty, June 25, 2014.

<http://www.cato.org/blog/family-reunification-other-explanations-border-surge-unaccompanied-children>

³² Department of Homeland Security, "Southwest Border Unaccompanied Alien Children," accessed: January 30, 2014. <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children>

³³ Anastasia Moloney, "Is a human smuggling "marketing strategy" behind exodus of child migrants to the US?" Thomas Reuters Foundation, July 19, 2014. <http://www.trust.org/item/20140718155508-gucfy/>

³⁴ United Nations High Counsel on Refugees, "Children on the Run," July 9, 2014, p. 23.

http://www.unhcrwashington.org/sites/default/files/1_UAC_Children%20on%20the%20Run_Full%20Report.pdf

³⁵ Local newspapers have reported on the treatment of UACs extensively in Central America. See, for example: Sergio Morales, "Familias reciben a hijos migrantes," Prensa Libre, July 16, 2014.

http://www.prensalibre.com/noticias/migrantes/Familias-reciben-hijos-migrantes_0_1175882414.html

³⁶ Devlin Barrett, "U.S. Delays Thousands of Immigration Hearings by Nearly 5 Years," Wall Street Journal, January 28, 2015. <http://www.wsj.com/articles/justice-department-delays-some-immigration-hearings-by-5-years-1422461407>

³⁷ Document from: Dara Lind, "Almost half of Americans want to deport migrant kids," Vox, July 16, 2014

<http://www.vox.com/2014/7/16/5909723/americans-always-want-action-on-immigration-right-now-that-means>

Scanned copy of survey document: <https://drive.google.com/file/d/0B0kkOiAWUCUGclJUdTFIMmZEUzA/edit>

³⁸ The child migrant crisis is also not a symptom of lax enforcement generally under the Obama administration. In FY 2009, which covered the last four months of the Bush administration and the first 8 months of the Obama administration, the number of UACs actually doubled despite the largest number of interior removals in history. FY 2009 also occurred before President Obama's earliest attempts at prioritization of removal. Most importantly, this theory does not explain the unusual rise in children specifically. Interior deportations: Alex Nowrasteh, "Is Obama Still the Deporter-In-Chief?" Cato at Liberty, May 5, 2014. <http://www.cato.org/blog/obama-still-deporter-chief>

³⁹ Carl Hulse, "Immigrant Surge Rooted in Law to Curb Child Trafficking," New York Times, July 7, 2014.

<http://www.nytimes.com/2014/07/08/us/immigrant-surge-rooted-in-law-to-curb-child-trafficking.html>