

What Is Going On At The Border?

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March 31, 2021

This article was published on *Border Politics* (borderpolitics.com)

The politics of immigration often devolves into extremist arguments over “open borders” and the dangers of the border. The language used is designed to control the narrative for the agenda driving it. Such is the case around the recent debates over whether there is an ongoing border crisis today. Images of children in cages, pods and stories of children separated from their parents is used by both sides to frame the immigration debate.

Both sides are using immigration for political posturing.

Although separated children at the border is framed around the nativist and draconian immigration policies of the Trump administration, the legacy of separating children at the border is much more complex. Unaccompanied minors arriving at the border is also not new, notwithstanding the ongoing narrative that it is a “phenomenon”.

The History Of Unaccompanied Children Arriving To America

Migrant children arriving at the border without their parents or guardians is not new. During World War II, the United States managed unaccompanied minors arriving at the border through resettlement programs. These included the evacuation of British children during the Battle of Britain, Cuban children (Operation Peter Pan) and 2,500 Vietnamese children in 1975 (Operation Babylift).⁴

Under *Operation Peter Pan*, 14,000 Cuban children made their way to America between 1960 and 1962. Like today, “desperate” parents sent their children alone not knowing where they would end up so that they could have a better life.

The Cuban Pedro Pans arrived in America because their parents believed sending them alone was better than what they had in Cuba. Today’s migrant children arriving at the border is the same thing.

According to the *Congressional Research Service*, more than 80,000 children have been apprehended at the border annually since 2001, the vast majority having migrated from Mexico. Children from Mexico and Canada are nearly always repatriated immediately, since most lack asylum claims and because the United States has expedited repatriation agreements with both countries.

The U.S. government reports that it has processed 7,000 to 9,000 unaccompanied children each year since 2005.⁴

This figure does not include the number of Mexican children who agree to “voluntarily” return to México, because they do not enter the system.⁴

In 2006, “approximately 85 percent of children in ORR [government] custody came from El Salvador, Guatemala or Honduras”⁴ Unaccompanied children from the three Central American countries have been arriving at the southern border since the 1980’s.⁴

The Office of Refugee Resettlement

In 2002, Congress passed the *Homeland Security Act (HSA)*. The HSA transferred authority for the care of unaccompanied migrant children from *Immigration and Naturalization Service (INS)*, which was converted into the *Customs and Border Patrol (CBP)*, to the *Office of Refugee Resettlement (ORR)*.⁴ The ORR is a program office of the *Administration for Children and Families (ACF)*, which is part of *Health & Human Services (HHS)*.¹

Managing children who arrive at the border unaccompanied are processed first by *Customs and Border Patrol* who then transfer them as quickly as possible into the custody of the ORR. A migrant minor “who has no lawful immigration status in the United States” and who “does not have a legal parent or guardian in the country available to provide care” falls under the control of the ORR.¹

The ORR “funds a network of over 100 shelters” where unaccompanied immigrant children are cared for. The shelters provide “housing, food, medical care, mental health services, educational services, and recreational activities.”¹

“The vast majority of children referred to ORR have surrendered to or have been apprehended by immigration authorities while entering the U.S. without a parent or legal guardian.”¹

Under federal law, the ORR is tasked with caring for the migrant minors in the “least restrictive setting” possible. They are also “charged” with “identifying” suitable care takers for the children when they leave ORR custody. The eventual caretakers, where the unaccompanied children are placed by ORR, are often “a parent or close relative of the child.”¹

Although often identified as unaccompanied minors, the migrant child is likely to have a parent or other close relative waiting for them in America.

Historically and in “rare occasions” the migrant children were separated from their parents because the parent had a medical emergency or because “the parent was a threat to the child’s safety.”¹ It is important to understand that the ORR is not a law enforcement agency and makes no determination on which children are assigned to its custody.¹

Before continuing the discussion on what is happening at the border now, it is important to understand what is driving the anti-immigration extremism today.

To Understand Today’s Immigration Debate The Stephen Miller Agenda Needs To Be Understood

Extremist anti-immigration viewpoints are not new to the American discussion about immigration. Immigration is a polarizing issue dividing America into several points of debate unrelated to class, social-economic standards or politics, although all play a part of the debate. There are many pieces driving the debate.

Donald Trump’s extremist anti-immigration agenda is not new. Trump just made it much worse. It is generally understood that the Trump immigration agenda was driven by one individual, Stephen Miller. According to a series of reports released by the *Southern Poverty Law Center (SPLC)* of Stephen Miller

emails to *Breitbart* between 2015 and 2016, “more than 80 percent of the emails” reported by SPLC related “to subjects of race and immigration.”²

Miller framed the immigration debate on two major points: the changing demographics of America and the perceived costs of immigration.

How Republicans View Immigration

Republicans are not generally anti-immigrant. Ronald Regan, a Republican, pushed forth and signed the *Immigration Reform and Control Act of 1986* legalizing millions of immigrants in the country. However, a loud minority within the Republicans tends to frame the Republican position on immigration.

“Rubio is an extremist who wants unlimited immigration, the American people are moderate and want to hit pause after the deluge,” wrote Steven Miller to *Breitbart* staffers on July 8, 2015.³

The loud anti-immigrant minority in the Republican Party has taken on the Miller agenda as its talking points.

The Republicans have positioned themselves in the immigration debate from a viewpoint of anything that the Biden administration champions is bad for America. But the underlining driving force is that America is losing its “whiteness” to people of color who are rising within the political establishment of the country.

In other words, the face of America is moving away from “whiteness” towards people of color.

Although the Republicans are loathed to admit it, the demographic pressure is the underlining driving force towards limiting immigration. But they cannot admit that because they would lose American support on their immigration agenda, so they resort to framing the immigration debate around “security” for the America people.

The Power Of The Vote By The People Of Color

Before we delve deeper into how the anti-immigrants are framing the debate around border security, it must be noted that the Republicans are not generally against immigration or people of color. Many just fear who controls the future of America, them or people that are different from them.

Although few will admit it, even to themselves, the unrecognized issue for the anti-immigrants is not the immigrants themselves, but the political power they may wield.

A working immigrant, especially a low-wage earner is acceptable to most anti-immigrants. Low wage-earning immigrants are great for the American economy. The more gardeners or restaurant workers earning low wages the greater the American economic is.

What drives the fear is not the working immigrants but the empowered immigrants who can come out of the shadows. An immigrant not living in the shadows not only has upward mobility but may eventually wield the power of the vote. As low-wage immigrants are generally people of color, it is then the rising vote from the people of color that the anti-immigrants fear.

To argue that the potential power of the vote is what drives anti-immigrants is untenable and thus the debate is framed as a “security” problem for the homeland. However, the facts do not support the issue of “security” and thus creative marketing must be used with specific trigger words to distract away from the facts.

Framing The Anti-Immigration Debate

The anti-immigration debate is centered around the dangers of immigration for America. “It has never been easier in American history for illegal aliens to commit crimes of violence against Americans,” wrote Miller to *Breitbart* reporters on January 5, 2016.¹⁰

Evidence shows that “undocumented immigrants have substantially lower crimes rates than native-born citizens and legal immigrants across a range of felony offenses.”¹¹ Several other researchers support these findings.

However, the evidence does not stop the framing of the debate on immigration around the dangers to the country.

Stephen Miller wrote on September 5, 2015 to *Breitbart* staffers; “The U.S. has been taking in Muslim refugees for decades, without any kind of pause or assimilation effort, creating huge pockets of radicalization. What plays out as chaos in Europe has been a longer-running and far more orderly process in the United States wherein poor Muslim migrants are legally brought here, placed into un-integrated communities, given preferential treatment for jobs, welfare and affirmative action, and plugged into our grievance culture.”¹⁰

Miller is not only framing the immigration debate around the danger argument, but he is also adding legalized immigrants into the equation. Thus, Miller is betraying the underlining drive behind anti-immigration which is the demographic shift immigrants make to America.

On December 3, 2015, Miller tried to get *Breitbart* to frame “home grown” terrorists as anchor babies although they are U.S. citizens. Miller wrote to *Breitbart* “the word homegrown is a word designed to confuse the thinking mind,” referring to Syed Rizwan Farook who was a U.S. citizen when he, and his wife murdered 14 people in San Bernardino, California on December 2, 2015.¹⁰

Miller added in a follow up email that homegrown “connotes it comes out of something innate to the host country, rather than the visitor.”¹⁰

As the reader may observe, Miller understands that the evidence shows that undocumented immigrants present less crime to Americans and thus he is forced to reframe his argument by suggesting that citizenship is immaterial when it comes to homegrown terrorists.

Miller is the anti-immigrant debate driver. Other anti-immigrants expand from Miller’s underlining danger to the American people.

On May 26, 2021, Ted Cruz tweeted “live footage” near the U.S.-Mexico border where he said, “on the other side of the river we have been listening to and seeing cartel members, human traffickers, right on

the other side of the river waving flashlights, yelling and taunting Americans, taunting the border patrol.” [Twitter: @tedcruz, March 26, 2021 2:15AM.]

Cruz’ “safari-like expedition” into the “jungles” of the U.S.-México border is an example of how to frame the debate on immigration by making it about border security. Rather than debate the unaccompanied children issue directly because that would require addressing the history of unaccompanied children at the border, especially from Cuba, the Republicans like Ted Cruz have chosen to sensationalize it around a growing danger to Americans.

But sensationalistic smugglers “yelling and taunting Americans” will only go so far with the distracted American voter. Slave children plays better with the American voter and thus the “renting of babies” became part of the immigration debate.

But before the “renting babies” illusion came the “separated babies” talking points designed to frame the debate on immigration around desperate children being abused.

On April 11, 2017 the Attorney General, under the Trump administration instructed federal prosecutors to prosecute all undocumented immigrants. As a result of this direction, the El Paso sector of the *Customs and Border Patrol* began separating children from their parents as a deterrent to crossing the border without legal authority. On April 6, 2018 the Attorney General formally instituted the “zero tolerance” policy whereby all undocumented immigrants would be prosecuted for all immigration violations.

Pro-immigrant advocates framed Trump’s draconian anti-immigration stance around children in cages even though separating children at the border and unaccompanied minors predated the Trump administration.

Children in cages made for excellent talking points for the issue of immigration.

When the Biden administration took over, the debate on immigration again used migrant children for talking points. Children in cages have now been levied against the Biden administration along with the “renting of babies”.

Renting Babies For Immigration

The *Department of Homeland Security* has argued that migrants are “renting babies” to game America’s immigration system, since at least 2019. Sen Chuck Grassley (R-IA) in 2019 referenced DHA’s “child renting” claim to the national media but was unable to cite where the information came from, other than to say it came from DHS.⁵ Most recently, Grassley has raised the child “renting” allegation on *FoxNews* as recently as March 27.

In 2019, then-DHS Secretary Kirstjen Nielsen said the DHS had uncovered “recycling rings” using children to cross the border.⁵

Empirical evidence of child renting schemes has yet to be officially released.

In announcing the expansion of a three-day migrant DNA testing program on June 18, 2019, DHS reported that from the DNA pilot program, “84 family units” who were tested, “16 family units were identified as fraudulent.”^{6,8} Those results suggest that about 20% of migrants crossing the border with children were possibly fraudulent.

However, the results of DHS’ DNA testing on migrants have not been released publicly.

On November 12, 2019, the *Electronic Frontier Foundation* (EFF) filed a federal lawsuit against DHS under the Freedom of Information Act (FOIA). Among the FOIA requests, EFF requested the “number of individuals and family units identified as not related through a biological parent-child relationship.”⁷

As of March 29, 2021, the lawsuit remains pending on the court docket, according to the PACER federal court tracking system. DHS has not released the results of its DNA testing program.

However, the illusion of large-scale child renting schemes for immigration remains part of the national debate.

In addition to the DNA pilot program, officials sometimes cite the case of Walfree Eliseo Camposeco-Montejo. Camposeco-Montejo, from Guatemala, pleaded guilty to human trafficking charges.⁹

According to the Department of Justice, Walfree Camposeco-Montejo had “promised the boy’s mother he would provide the minor with an education” when they arrived in the U.S. Both entered the country in November 2016.⁹

Instead of providing an education to the 12-year-old, Camposeco-Montego “forced him to work” in agricultural farms “for more than 6 months.” The boy escaped and reported the “labor trafficking scheme” to authorities.⁹

Other cases of migrants renting children for immigration are seldom reported in the press. Government officials have not released the results of their DNA testing of unaccompanied migrant children. Cases of federal prosecutions of individuals for fraudulent use of children for immigration purposes have not been reported by the press nor federal officials.

Because of this, it can be assumed that if evidence existed of migrants renting children to cross the border then prosecutions for immigration fraud can be easily found in the court system, especially under the Trump administration’s “zero tolerance” policy on immigration.

This suggests that migrants renting children for immigration are sensational talking points designed to frame the national debate on immigration, rather than the reality.

The Border Surge

Part of the “dangers” at the border that anti-immigrant advocates use is the idea that migrants are massing at the border ready to “invade” the country.

In February, the number of migrants attempting to enter the United States started to grow. On February 4, 2021, about 250 adults and children arrived at the Rio Grande Valley, according to *The Washington Post*, which cited *Customs and Border Patrol*. Another 100 migrants were taken into custody later.¹² The argument made is that the so-called surge is the result of the Biden administration's willingness to make changes to Trump's draconian immigration policies and México's refusal to continue accepting deportees back to México.¹²

Anti-immigrant advocates continue to frame the narrative that the Biden administration has opened the border to a flood of immigrants. That argument furthers the idea that the border is dangerous and that migrants threaten Americans by their numbers.

However, the Biden administration, although advocating for immigration reform, has not opened the immigration "floodgates".

After waiting for over a year in México to be allowed to request asylum in the U.S., an Honduran mother decided to send 16-year-old son across the bridge in October 2019 to be processed as an "unaccompanied minor." The son is now in San Antonio.¹²

Far from opening the migrant floodgates, the Biden administration is blocking immigrants from entering the country.

Under the Biden administration, "about half of the migrants are allowed to stay in the U.S. and ask for asylum, and the rest are turned back to Mexico," an unnamed border patrol agent told reporter Angela Kocherga.¹³

Biden is expelling migrants under *Title 42*, a health emergency order that allows immigration officials to quickly expel migrants to México.¹³

"We were tricked," Suri Maldonado, a migrant from Guatemala, who had been expelled to México from El Paso, told the reporter. She added that she had been told in Guatemala "that the U.S. border was open." Maldonado said, "they're sending everyone back, mothers with kids, everyone."¹³

What Drives Migration?

Migrants are driven by various factors to immigrate to other countries. Famine, war, disasters and dangers are often cited. Each of those factors fundamentally can be traced down to economics. Immigrants fundamentally immigrate for economic opportunities for themselves and their families.

However, immigration laws do not generally allow immigrants to immigrate for economic reasons and thus disasters and dangers are cited to give migrants the opportunity to frame their desire to immigrate. Dangers not only convey a sense of urgency, but it also allows the immigration debate to be centered around humanitarian problems that are more difficult to ignore.

That's not to say that migrants are not driven by dangerous situations, but fundamentally it can be traced to economics because a strong economy does not drive citizens away from their country.

However, the economics of immigration is a two-way street.

The Economics Of Immigration For America

In February 2021, “dozens of economists wrote to the Biden Administration” to “push for the inclusion of a path to citizenship for undocumented immigrants” in future legislation.¹⁴ Why? The 60 signatories imploring Biden to legalize millions of undocumented immigrants argued that legalizing them “will boost the country’s economy recovery, especially given the large portion of undocumented individuals who have held jobs as essential workers during the pandemic.”¹⁴

According to the Center for American Progress, “undocumented immigrants make up approximately 3.2 percent of the U.S. population, but 4.4 percent of the country’s workforce. Undocumented immigrants “make up a larger share of the workforce than they do the total population” in every state.¹⁵

It is estimated that 5 million undocumented workers were employed in “essential worker” sectors during the pandemic in 2020.¹⁵

The essential jobs filled by undocumented workers during the pandemic crisis in 2020 included 1.7 million working in the nation’s food supply chain, another 358,000 in the farms and in the food processing plants, in addition to the 154,000 working in supermarkets.¹⁵

Almost a quarter of million (236,000) provided health care services, including 15,000 registered nurses, 19,000 lab technicians and 139,000 home health aides.¹⁵

Although it is generally assumed that undocumented immigrants perform low-skilled jobs the reality is that they perform jobs in many of the nation’s essential job sectors.

The *Covid-19* global pandemic proved how essential the undocumented immigrant worker is for America.

As part of the essential workforce, legalizing millions of undocumented immigrants would allow the country a stronger recovery from the economic crisis brought on by the pandemic. However, anti-immigrant advocates argue that immigrants take jobs away from Americans.

The Myth Of Americans Willing To Fill Immigrant Jobs

Immigrants displacing American jobs is a myth that has existed for as long as immigrants have worked.

A recent *Wall Street Journal* article dispels the myth that Americans will take the jobs that immigrants are “stealing” from them.¹⁶

“Jobs Americans don’t want,” is the ongoing argument within the immigration debate. Generally, there are two major classes of migrants looking to immigrate to America. They are those fleeing disasters, dangerous situations and endemic poverty. Then there are the economic immigrants. The economic immigrants are not necessarily fleeing dangerous situations or endemic poverty but are, instead, looking to work for a time and return to their home countries.

However, as discussed previously, immigration law does not generally allow for economic immigration especially among the poor and thus, “danger” is often cited as the reason to immigrate.

The economic immigrants are not looking to settle in America permanently. They are looking for jobs, jobs that Americans are not willing to do. This will be explored further down.

Much of the migrant crisis can be traced back to America's immigration policies designed to keep the illusion that immigrants are coming to America fleeing danger. The reality is that "fleeing" something is the easiest path to enter legally come to America as an immigrant.

Ignoring the economic driver for most immigrants allows both sides of the debate to frame the American immigration narrative. Those opposed to immigration use "danger" to reinforce the dangers of the border. The pro-immigrants also use "danger" to distract away from immigrants seemingly displacing American workers.

The underlining immigrant driver remains jobs. This leads to the often-argued belief that Americans would work if the jobs paid decent wages. If it weren't for depressed wages - because of the immigrants "stealing" jobs from Americans - more Americans would be employed, is the argument.

Under the Trump administration, legal immigration was heavily reduced. *Covid-19* further reduced immigration to America. *Covid-19* also depressed the job market with many Americans left without jobs. The Coronavirus pandemic and the limits on immigration under the Trump administration gives us the opportunity to examine whether Americans, who are unemployed in record numbers, would fill the job market normally filled by immigrants.

The Trump administration banned most immigration under job visas and permanent settlement in America. However, the Trump administration carved out an immigration exception for agricultural workers.¹⁶

It is generally believed that undocumented immigrants work in agriculture with a few taking high-tech jobs that Americans want. There are also the service industries where hospitality work is filled with immigrant workers, both documented and undocumented.¹⁶

Trump's draconian immigration policies allows us to examine what happens when immigration is hampered, and how that translates into Americans getting the immigrant jobs, especially when the agricultural sector is taken out of the equation.

The pipeline for immigrant workers filling jobs such as nannies, gardeners, cooks and other menial jobs - some on special work permits and others undocumented - was closed because of Trump and *Covid-19*.¹⁶

What the closed borders showed is that the immigrant labor force is embedded within the American economy.¹⁶ The experience also shows that it is too late to remove the immigrant workforce without severely disrupting the American economy.

How do we know this?

One of the immigrant worker visa programs is the H1B visa, a visa usually used by technology workers. Instead of filling the open technology jobs with American workers, the technology firms left them open or moved their tech jobs overseas.¹⁶

A *Wall Street Journal* report discussed the experience of Keith Exton who has a chain of donut shops in North Carolina. According to the Journal, Exton depends on “around 20 foreign students on J1” student exchange visas to work the summer season.¹⁶

Like Exton, “resorts and other travel destination rely heavily on foreign workers” to fill seasonal jobs.¹⁶

The belief was that the travel industry was so decimated that shops like Exton’s - who rely on tourism - would not need the foreign workers they have come to rely on. Although Keith Exton was able to secure eight foreign workers, he told the WSJ that he “could have had the best year” he has ever had if he had the staff he needed.¹⁶

Trump’s draconian immigration policies have resulted in a drop of about 89% of work-related visas, according to the Wall Street Journal article. Between June and December of 2020, 408,046 work visas were issued whereas during the same period in 2019 there were 3.66 million visas issued.¹⁶

Exton told the Journal that he attempted to hire college students to fill the job spots he needed. Relying on his two sons, he was able to recruit about a dozen American students willing to work his donut shops.¹⁶

It wasn’t enough to meet the demand and he was forced to reduce the number of hours his stores were open because of the lack of workers willing to do the work.¹⁶

With unemployment being so high, especially in communities like the Outer Banks devastated by the loss of tourism, it would be expected that Americans out of work would flock to any job offering willing to pay them to work.

Exton’s experience shows that is not the case.

Exton’s shops could have made more money had he been allowed to hire immigrants on work permits to fill the seasonable jobs. With the immigrants come other sources of income for a community devastated by the loss of the travelling community due to *Covid-19*.

Immigrant workers pay to live in the community while working their jobs. They spend money on services and entertainment. But because the migrant workers couldn’t come to *Outer Banks* the economic situation was worsened.

It Is Not Just Donuts

It isn’t just the low-skill jobs that are suffering under the onslaught of anti-immigration brought on by the Trump administration and the Steven Miller agenda.

The *Wall Street Journal* article goes on to explain how the high-tech industry had to hire outside of America to fill high-tech jobs.

Kishore Khandavalli wanted to hire ten foreign software engineers for the company he works for, *SevenTablets*. Because the H1B visas were blocked by the Trump administration, the company instead hired the ten workers to work in their subsidiary in India. Those workers are now benefitting the Indian economy instead of the American economy.¹⁶

But as the Journal article points out, it wasn't about the low wages but, rather about finding American workers who are "both qualified and available."¹⁶

Khandavalli told the Journal that although there are some cost benefits to having technology workers in India, his company would prefer to have them work in America because the time difference reduces efficiency to as low as 75%.¹⁶

America Needs Foreign Workers

The Biden administration has embarked on an ambitious immigration reform package. How much of the package is feasible is still up for debate. However, as ambitious as Biden's immigration reform package is, it still misses an important element of immigrants - economic immigrants coming to America to work but not intending to live in the country.

Worker Immigrants

To further demonstrate that many immigrants would like to have the opportunity to work in America without immigrating one needs to look at the number of permanent immigrants who have not naturalized to become citizens.

The pathway to becoming a citizen often requires first becoming a lawful permanent resident (LPR). LPRs are migrants who legally reside, work and pay taxes in America without being a citizen. After a defined term as a lawful resident immigrant, migrants can apply to become U.S. citizens.

Many do not.

There are about 14 million lawful permanent residents (LPR) in the United States, according to Homeland Security.¹⁷ LPRs are better known as green card holders. Of the LPR population there are almost 10 million that are eligible to become citizens.¹⁷ Nearly 30% of the green card holders are from México.¹⁷

Since 1980 through January 1, 2019, Homeland Security estimates that 34.9 million immigrants entered the country and acquired their green card.¹⁷

Naturalization Rates

Among eligible immigrants, Mexicans historically rank the lowest of the immigrant population to become U.S. citizens. Between 1995 and 2015 of the Mexicans eligible to become citizens, only about 42% sought citizenship in 2015, an increase from 20% in 1995.¹⁸

The naturalization rate among other nationalities during the same period was 54% in 1995 steadily rising to 74% in 2015.¹⁸

Two dynamics are at play here.

The first is the proximity to México that Mexican immigrants enjoy. Being close to México and attaining legal permanent residency allows Mexican immigrants to remain Mexican while working in America. By not attaining U.S. citizenship, Mexican immigrants seem to intend to return to México at some point.

This suggests that many of the Mexican immigrants come to America to work instead of intended to settle permanently.

The low naturalization among the other nationalities seem to suggest they are also looking for work rather than to settle permanently.

The second dynamic is the election of Donald J. Trump. Not only did Trump promise to build a wall along the U.S.-México border but he routinely attacked immigration during the election.

Thus, the naturalization rate of immigrants rose in 2015.

However, most immigrants will tell anyone asking that they intend to permanently settle in America.

A 2015 *Pew Research* report cites that “nearly all lawful immigrants from Mexico said they would like to become U.S. citizens someday.”¹⁸ Pew says that the Mexican green-card holders said that they had not sought citizenship because of “inadequate English skills, lack of time or initiative, and the cost of the U.S. citizenship application.”¹⁸

There were about 11.9 million permanent residents in America in 2015.¹⁸

In 2015, 52% of all Latinos eligible to become citizens naturalized themselves. Of these, 42% of Mexicans naturalized compared to 64% among other Latin American countries.¹⁸

Interestingly, the 2015 Pew research showed that 98% of Mexican immigrants told Pew that they would become citizens if they could. This is higher than the 94% of other Latinos reported by the Pew research.¹⁸

When Pew asked the long-term plans for the immigrants they surveyed, 70% of Mexicans said they planned to remain in the U.S. in 2015. Only 66% of other Latinos said they wanted to stay in the U.S. for the rest of their lives.¹⁸

These findings tend to contradict the idea that immigrants are coming to work rather than settle permanently. Because of this the narrative remains that immigrants are moving to America to live permanently.

But a further examination of the Pew research suggests otherwise.

Pew reported that 31% of Mexican permanent residents did not investigate naturalization because of “lack of interest” or “not having applied yet.”¹⁸

Changing “lack of interest” or “not having applied yet” to not intending to remain permanently in the U.S., it becomes apparent that many migrants are worker immigrants intending to return to their countries once their work is finished.

To understand the apparent discrepancy in what the polls suggest, the reader needs to factor in “fear” and “self-preservation” into the equation.

Immigrants inherently understand that the narrative of worker immigrants creates more fear among more Americans due to pressures on the workforce than the changing face of America's demography. Because many immigrants do not intend to settle permanently in America, their ability to make effect political changes in American politics has not happened.

We will explore fear further, but first it is important to understand that immigrants not planning to settle permanently have no vested interest in participating in the county's political affairs.

Immigrants able to cast votes seldom do.

A 2016 *United States Census Bureau* analysis of immigrant voting patterns shows that first-generation immigrants rarely vote.¹⁹

In the 2012 elections, 8.1% of first-generation citizens cast a vote among all citizens from immigrant families. Second-generation immigrants who cast votes in 2012 only slightly rose to 9.1% of the families with immigrants. Most voters (82.8%) from immigrant families were third-generation or higher citizens.¹⁹

There are many reasons that may explain this. Among them are citizenship indoctrination in the educational system the further a family member goes beyond the immigrants in their family to a lack of interest in participating in the electoral system due to previous experiences in their home countries.

However, there is third possibility that should be examined.

Immigrants not intending to remain in the country have no vested interest is participating in the electoral process because they did not see a long-term benefit to them.

Interestingly, "more than 23 million U.S. immigrants" were eligible to vote in the 2020 presidential elections. They represented about 10% of the American electorate.²⁰

What impact, if any, did naturalized citizens have on the 2020 elections has yet to be quantified.

However, how does one explain that immigrants are reporting that the reasons for the lack of naturalization are cost, English proficiency and the lack of time?

The answer lies in the fear of admitting to wanting to return to their home countries.

Immigrants Fear Being Too Open

Because of how the immigration system is designed and how it often changes, fear among immigrants is part of their lives. Immigrants tend to shy away from openly participating and engaging Americans on politics and issues like immigration.

Immigrants, especially undocumented immigrants, tend to shy away from having contact with government officials. The *Covid-19* pandemic provides us an example of this.

The fear is driven by factors such as anti-immigrant feelings in the country, exposing their status to immigration officials and from the fear that the immigration laws are often changing. The Trump

administration magnified this fear more as it embarked on rounding up as many immigrants as possible in places that normally did not see immigration enforcement activities.

Places where undocumented immigrants previously felt relatively safe suddenly became dangerous to them under Trump's "zero tolerance" policy.

In 2020, 17.8% of immigrant families reported that they or a family member avoided noncash government benefits programs, such as Medicaid, the Children's Health Insurance Program, the Supplemental Nutrition Assistance Program, or housing assistance, because of the concern about future green card applications, or that their immigration status would be shared with officials.²¹

Another thirty-six percent of households, with one or more noncitizen families, avoided non-cash benefits because of green card concerns or fear their immigration information would be shared with officials.²¹

Even among families who are all are naturalized citizens, 6.6% avoided non-cash benefits for fear of future access to green cards for other family members and 8.3% because of green card and concerns over their information being shared with other officials.²¹

The "green card" issue revolved around the Trump administration's admonishment that "public charge" requirements would be enforced more severely. The "public charge" requirement makes a migrant ineligible to immigrate if they can potentially become destitute forcing the taxpayers to subsidize them. The issue was that even if the family member were a citizen, eligible to access public services, their use of the services would have a negative impact on family members applying for green cards.

Thus, even eligible citizens avoided accessing public benefits so as not to affect a family member's green card application.

Because immigrants are conditioned to game America's immigration system, like using "asylum" to access America and because undocumented immigrants hide in the shadows, immigrants are generally conditioned to limit their encounters with officials or participate openly in public discussions.

The conditioning among immigrants about America's immigration system transcends even among documented immigrants. Immigrants know that to successfully navigate America's immigration system, they must provide the answers to questions that is expected of them.

Thus, when asked if they intend to become a citizen, their conditioned answer is to answer "yes," regardless of their true intent. Some immigrants may not even comprehend fully what they intend to do because the constant changing of America's immigration policies forces them to rethink their long-term plans.

Therefore, more immigrants decided to become citizens in 2015 after witnessing the Trump administration's treatment of immigrants.

Legal Immigration Is Hampered By Quotas

Often, those opposed to undocumented immigrants argue they support immigrants if they come to America “legally.” The problem that most do not understand is that legally coming to America generally means waiting years to complete the process. This is especially true for Mexicans.

As the reader saw earlier, many immigrants are economic immigrants looking for opportunities. The problem is that America’s immigration laws discourage economic immigrants. Gaming the immigration system then becomes a necessity for immigrants.

Currently America’s immigration system encourages family reunification over immigrant workers. However, even for immigrants seeking to reunite with loved ones in America, the system imposes a quota system that forces immigrants to wait in queues several years long.

The wait time is not the time it takes to be granted authorization by government officials, but rather the time it takes to be allowed into the country because of quotas that limits certain immigrants from certain countries.

In the case of México, the average wait time in 1991 was a little less than 6 years. By 2018, the average wait time increased to over eight years for Mexicans.²²

Chain migration is often cited as a short cut to immigrate to America. Depending on the status of the immigrant at the time they apply determines how long the queue for them is.

For example, a Mexican unmarried adult child of U.S. citizens waited 4 months to be allowed into the country in 1991. By 2018, the wait time had increased to 20 years and 11 months.²²

In 2018, there were 3,909,684 so-called chain migrants, those under the “family preference” visa categories, on a green card waiting list.²² Of those, 1,314,206 were Mexican immigrants on the waiting list in 2018. The vast majority - 1,312,743 - were in the preferred family reunification categories. Only 1,463 were in the employment category backlog.²²

The wait times lead to further problems as the children of the immigrants who are waiting for their turn, face the problem that their children are “aged out” of the waiting line as soon as they turn twenty-one.²²

On March 6, 2019, David Bier interviewed Janvi Mehta. At the age of 14, Mehta came to America with her family after her father secured an H1B visa to work in the country. The H1B visa legally allowed her father to bring her as part of his family. As part of his non-immigrant visa that his employer sponsored for him, Janvi Mehta’s father entered the green card queue along with her mother and siblings.²²

Mehta’s father was put on a seven-year green card wait list. While they lived, worked and paid taxes in America, Janvi turned twenty-one in 2014. At that point, although Janvi “was already in the process” waiting for her father’s turn, she was expelled from the green card line because of her age. Although her parents were still in line to get their green cards, Janvi had to convince an American employer to sponsor her or leave America to start the green card process again from scratch again.²²

Therein lies the insidiousness of the wait times for the green cards.

Almost all immigrants must pass through the quota system. It forces them to wait years for a spot in the line. However, seeking asylum provides an immediate opportunity for some.

Crossing the border as undocumented immigrants or remaining in the country after their temporary immigration status has expired provides another means to enter the U.S. to work while they wait for America's immigration system to shift again.

Many immigrants have been conditioned to believe that in time, America's immigration stance will once again shift, and they would be allowed to come out of the shadows.

In 1986, Ronald Reagan legalized millions of undocumented immigrants. Joe Biden has signaled that he wants to legalize immigrants already in America.

Thus, by being in the country as undocumented workers, immigrants have put themselves in the position to become legal.

Even the undocumented immigrants that left the country voluntarily or involuntarily may have benefited from working as undocumented workers as that was their original intent, to work and then return to their countries.

But how do Americans feel about immigration?

How Important An Issue Is Immigration For Americans?

The news headlines blaring "crisis on the border" may suggest that Americans consider immigration an important issue for the nation. The talking points on all sides suggest that immigration is one of the top issues for the American voter.

Of the nine issues driving voters identified by the poll analysis of Trump's loss in 2020, immigration ranked sixth at three percent both for the states that Trump held in 2020 and the states that flipped for Biden. Racism ranked fourth at seven percent. The top two issues were the Coronavirus and the economy.²³

Donald Trump may have made immigration the central issue for his political career, but the 2020 election results were not about immigration. As expected, the Coronavirus was the leading driving factor of the election followed by the economy. Racism at fourth placed out ranked immigration which ranked number six in the issues voters cared about.

The Covid-19 pandemic and the economy have fundamentally changed America, like the rest of the world. American voters, as suggested by the 2020 elections, do not care as much about immigration as they care about the economy and racism.

However, the immigration narrative remains front-and-center on the news.

Why?

Because everyone, from the *coyotes* (smugglers), the migrants and the politicians are each trying to frame the national discussion around what favors them the most. Pro-immigrant advocates see an opening to fundamentally change America's immigration policies. This makes anti-immigrants fearful of more immigrants in their midst.

Thus, both sides of the debate are keeping the nation focused on immigration.

But there is an added factor unseen in previous years.

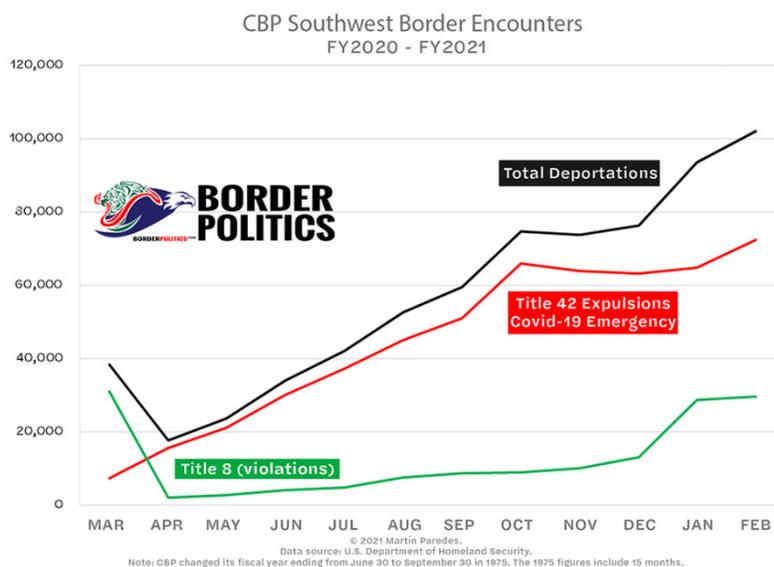
Although the migration flows at the U.S.-México border are largely identical to previous years, border patrol officials are reporting higher numbers than in the previous 20 years. The reason is *Title 42*, the health directive that allows migrants to be deported under a *Covid-19* health emergency. Implemented by the Trump administration in 2020, *Title 42* allows officials to expeditiously remove migrants to México.

Title 42 Expulsions

Title 42, Section 265 of the public health code allows the removal of all immigrants that recently entered the country and allows officials to refuse allowing immigrants into America, even those with the proper documents.

Because it is a health emergency, migrants are not deported but, rather, are expelled out of the country. Since *Title 42* is a health directive, the migrants are not officially deported thus they are not barred from immigrating to America days later. Also, because it is a health directive, border officials are not faced with the bureaucracy of processing the migrants. Instead, they can simply expel them to México quickly.

An analysis by the author of CBP southwest border encounters for FY2020 and FY2021 suggests that border officials are using *Title 42* to rapidly expel migrant they encounter.



Because of the expedited expulsions and the rising rates of “apprehensions,” it is likely that the “surge” on the border does not represent greater numbers of immigrants, but, rather, multiple attempts to reenter the country after been expelled to México.

Supporting this is the lack of photographs of migrant caravans that were on the news media often under the Trump administration.

Enacted by the Trump administration, the Biden administration continues to use *Title 42* as one mechanism to deport migrants entering the country.

Biden’s Open Borders

Anti-immigrants are framing the immigration debate around the idea that the Biden administration is for open borders. Not only does Biden’s history under Barack Obama disprove this, the borders remain closed to most immigrants because of *Title 42*. The Trump administration enacted *Title 42* to expel migrants on an expedited basis. As we discussed previously *Title 42* expulsions are most of the deportations of migrants currently.

Migrants are reporting this reality.

Under *Title 42*, which allows for the rapid expulsions of undocumented immigrants for health reasons, The Guardian documented that at least 11 migrant women were expelled to México along with their newborns without birth certificates for their babies born in the United States within days of giving birth in America.²⁴ The children are stateless because they lack birth certificates.

Marisela Ramirez, a Guatemalan migrant, was expelled from the U.S. on March 25, 2021 at “about 4 a.m.” together with her 14-year-old child.²⁵ Ramirez had left five other children in Guatemala “because she couldn’t afford to pay smugglers more money.”²⁵

Ramirez was deciding whether to send her son across the border alone to meet her sister in Missouri because she was “aware” that U.S. officials were “allowing unaccompanied children to pursue asylum.”²⁵

According to the AP, an unnamed border patrol official said that “families with children younger than 7 are being allowed to remain in the U.S. to pursue asylum.” All others are expelled.

The *Associated Press* reported on a Guatemalan family of five and a woman from Honduras who reported hearing the border was open under Biden only to be deported back to México.²⁵

The unnamed Honduran woman “planned to send her 9-year-old daughter and 12-year-old son across alone to live with their aunt in Alabama while she returns to Honduras.”²⁵ The Guatemalan family, who, according to the AP paid \$35,000 to smugglers, would be returning to Guatemala.²⁵

Also, some Mexican border officials are refusing to take expelled migrants, “so U.S. authorities are flying them to where Mexican officials will accept them.” A group of recently deported immigrants through El Paso told NPR that they were returned to México “800 miles” from where they had crossed the border.¹³

This demonstrates two things. First, the border is closed to most migrants under the Biden administration. Instead of the bureaucratic deportation process, the Biden administration has left open *Title 42*.

In addition to expedited expulsions, *Title 42* does not provide the opportunity for migrants to claim asylum as they are being expelled under a health emergency order.

As the reader will note, the border is not open, except for a small group of migrants.

However, there is no question that the system is overwhelmed now.

An Overwhelmed System

Although the border remains closed to most migrants, the Biden administration has determined that it will not expel unaccompanied minors. Migrant parents are making the choice to send their children alone once they realize that unaccompanied minors are not being expelled.

“More than 14,000 minors who traveled to the U.S. without families are currently in federal custody,” says The Hill, quoting an unnamed “administration official.”²⁶

Although most immigrants are being turned away at the border, “the Biden administration is allowing unaccompanied minors to stay in the U.S. while their immigration status is processed.”²⁶

Health and Human Services (HHS) has more than 9,500 child migrants while *U.S. Customs and Border Protection* has about 4,500.²⁶

The lack of infrastructure capability is driving the migrant child issue at the border. Unaccompanied minors are processed by the border patrol and transferred to Health and Human Services where they are housed until they can be released to a family member. The bottle necks are the ability for HHS to take the migrant children from CBP. Then HHS, must identify and verify the identity of family members claiming the migrant children.

HHS does not to release the migrant children to traffickers or other criminals posing as family members.

The bottleneck is a question of capacity.

It must be pointed out that the Trump administration dismantled the infrastructure²⁷ for processing asylum seekers under its “zero tolerance” policy. This has caused the system to back up.²⁷

Transferring minors from CBP custody to HHS is “directly tied to available space,” *The Guardian* quotes CBP.²⁷

The goal of HHS is to transfer the migrant minors to “parents or loved ones living in the US,” but before they can do that, “any potential sponsor must be vetted to ensure kids stay safe.”²⁷

The border is chaotic because of the system. The chaos has led to an overwhelmed system trying to correct itself while being overwhelmed.

The Henry Cuellar Photographs

Henry Cuellar (D-TX) provided *Axios* photographs purporting to show the overcrowded conditions at a CBP facility in Donna, Texas earlier this month.³⁰

The photographs were not taken by Cuellar and he told *Axios* that he has not toured the Donna facility.³⁰

The Cuellar photographs show eight plastic-sided pods, each with the capacity to hold up to 260 individuals. However, according to Cuellar, one pod held more than 400 unaccompanied male minors.³⁰

The Biden administration has not allowed the news media to tour the border patrol facilities.

Cuellar told *Axios* the facilities provide “terrible conditions for the children,” adding that CBP needed to move them more “rapidly” into HHS care.³⁰

The Colored Bracelet Wrinkle

A “growing trend among powerful drug cartels and smugglers,” according to officials are color-coded wristbands that smugglers use to track the migrants they traffic into the country.²⁸

Mathew Dyman, a *U.S. Customs and Border Protection* spokesperson told Reuters that immigration officials have “recently encountered immigrants wearing bracelets” when the migrants are apprehended.²⁸

The “information on the bracelets represents a multitude of data that is used by smuggling organizations, such as payment status or affiliation with smuggling groups,” Dyman told *Reuters*.²⁸ Although the bracelets may be new, smugglers have long tracked the migrants they smuggle across the border. Smugglers checked the names and identification of migrants before they got off the bus to ensure they had paid the smuggling fees.²⁸

Reuters reported that one migrant told them that “he paid \$500 to one of the criminal groups” so that he could “secure the purple bracelet to protect” him from “kidnapping or extortion.”²⁸

So far, the use of bracelets seems to be limited to the Tamaulipas area along the southernmost tip of Texas, suggesting that it is used by the cartels controlling that portion of the border.

A Broken Immigration System

America’s immigration system is broken. It is not designed for the reasons why migrants seek to come to America. It is designed to keep the demographics of America under control. Although the current system is based on family reunification, it nonetheless continues to limit people of color through quota systems.

Adolf Hitler said this about the *1924 Immigration Act*, “the American union itself, motivated by the theories of its own racial researchers, [has] established specific criteria for immigration... making an immigrant’s ability to set foot on American soil dependent on specific racial requirements.”²⁹

The problem remains that the system is broken. The Biden administration has proposed an ambitious immigration reform package. It is, however, mired in controversy within the political establishment.

The narrative of “surge,” or a “crisis” is designed to strengthen the opposition to Biden’s immigration package.

On March 24, Joe Biden tasked Vice President Kamala Harris with dealing with the border issue. Harris will work to slow the number of migrants by addressing the “root causes” that forces them to migrate, in addition to working with México, El Salvador, Guatemala and Honduras to address the border situation.

DHS officials and some politicians paint a picture of dire border crisis. Some blame the Biden administration while others continue the argument that border control has been lost.

The Guardian reported on the capture of six men and one woman recently. Although the border agents would not answer any questions, one agent was overheard telling their colleague, “this is a good day’s work.”³¹ Another agent said that he “hoped” the capture of the seven migrants “would give them good publicity.”³¹

Jenn Budd who is a former border patrol agent who has exposed issues within CBP told *The Guardian* that “the only crisis at the border is the children which the [Biden] administration is trying to deal with.”³¹

It is a mistake to assume that the Republicans are the only ones against immigration reform. The Democrats also have party members who are against immigration reform.

The El Paso Democrats

Take the El Paso Democrats. El Paso is a Democratic Party stronghold in Texas. Many El Paso Democrats are on television advocating for the plight of the immigrant. Some are demanding immigration reform.

However, readers should note that talking is different from doing something substantial.

Consider the fact that El Paso has never been a sanctuary city. El Paso is home to a racist Border Patrol agency known as *BORTAC*. [see: *BorderPolitics.com*]

More importantly, El Paso jails migrants for the federal government that they argue should not be jailed. El Paso officials do it because of the money that jailing immigrants pays them.

On March 22, 2021, the El Paso County Commissioners approved the U.S. Marshals contract that mostly jails immigrants at the local county jail. Wallace Hardgrove told the county commissioners that the contract increases the daily fee to \$101 for housing federal detainees. County Commissioner Carlos Leon moved to approve. County Judge Ricardo Samaniego seconded Leon’s motion. Commissioner David Stout voted for the contract but before doing so opined that they want to continue working at the federal level to end the jailing of immigrants. Stout also said that it was better to jail the immigrants in El Paso to keep them closer to their lawyers and to have better facilities. Stout asked that the additional revenues being brought in by the contract should be earmarked for “things like immigrant services.” His proposal was ignored by the rest of the commissioners.

According to the background information provided by the County, the 4-year contract is worth \$92 million to the County.

Like the coyotes, El Paso officials use the migrants to fund their operations.

The complexity of immigration law and the global flows of migrants makes it difficult to understand what is going on the border today.

However, the reality is that the border issue is a humanitarian problem and not a “surge” or a “crisis” as the news media and politicians have dubbed it.

Note:

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