

# Latest Border Numbers Show Worsening Crisis

Fund the president's spending request, now.



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U.S. Customs and Border Protection (CBP) last week released its latest numbers of U.S. Border Patrol apprehensions between the ports of entry and aliens deemed inadmissible at the ports of entry. Those numbers reveal a worsening crisis that involves not only family units (FMUs) and unaccompanied alien children (UAC), but also single adult males. Those statistics underscore the need for Congress to accede to the president's request for supplemental funding, which I detailed in a May 3, 2019 post.

Specifically, total Border Patrol apprehensions in April 2019 were 98,977, an almost seven-percent increase over the month before. The individual numbers are worse, because the number of FMUs increased to 58,474 in April, an almost 10-percent increase over the month before. Plainly, FMUs and the smugglers who are assisting them have identified the loopholes that they can exploit to enter the United States illegally and gain release, and in particular the *Flores* settlement

agreement and the lack of Department of Homeland Security (DHS) detention space for FMUs.

As the Homeland Security Advisory Council's CBP Families and Children Care Panel (Panel) April 16, 2019 Final Emergency Interim Report stated:

*By far, the major "pull factor" is the current practice of releasing with a NTA most illegal migrants who bring a child with them. The crisis is further exacerbated by a 2017 federal court order in Flores v. DHS expanding to FMUs a 20-day release requirement contained in a 1997 consent decree, originally applicable only to unaccompanied children (UAC). After being given NTAs, we estimate that 15% or less of FMU will likely be granted asylum. The current time to process an asylum claim for anyone who is not detained is over two years, not counting appeals.*

As the Panel notes, U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) currently "has effective capacity to obtain only 2500 FMUs, and that capacity is woefully inadequate given the surge in FMU migration over the past year." Compare that 2,500 to the apprehension of 58,474 FMUs in April alone, and the problem becomes apparent.

In addition, according to CBP, the number of single adults who were apprehended in May was 31,606, up three percent from the month before, but up almost 71 percent from December 2018. ICE should have detention space and legal authority to detain at least some portion of that population until they can be removed, but as the *New York Times* reported in April, the congressionally mandated limit on detention beds is 45,274. This includes not just aliens detained by ICE who were apprehended along the border, but also aliens (including and especially alien criminals) whom the agency has detained in the interior of the United States. It is no wonder that according to the *Times*, ICE was then "housing 50,223 migrants, one of the highest numbers on record."

This places the agency in a dilemma: either use its limited detention beds to detain single adults entering the United States illegally (which would logically dissuade other single adult male aliens from seeking illegal entry) or utilize those beds to hold and remove criminal aliens and other aliens who pose a risk of flight or a danger to the community. There is no reason that American communities should have to face either the prospect of otherwise removable aliens remaining

on the streets, or instead slowing the increase of future removable aliens entering illegally across the border.

This apparently falls on deaf ears among congressional Democrats, as I noted in that May 3 post, in which I detailed the president's request for supplemental funding for immigration:

*Despite the need for this additional funding, it does not appear that a key House Democrat, Nita Lowey (D-N.Y.), the chairwoman of the House Appropriations Committee, is supportive. The Washington Post states that Lowey criticized the request "as an attempt to expand detention of immigrants by the Immigration and Customs Enforcement agency." It quotes her as stating:*

*The Trump administration appears to want much of this \$4.5 billion emergency supplemental request to double down on cruel and ill-conceived policies, including bailing out ICE for overspending on detention beds and expanding family detention . . . Locking up people who pose no threat to the community for ever-longer periods of time is not a solution to the problems at the border.*

With all due respect to Chairwoman Lowey: (1) there is no crystal ball that enables even a powerful appropriator to know which aliens do or do not pose a threat to the community; and (2) detaining and removing aliens who have come to the United States to work is the best solution to the problem of additional aliens coming to the United States to work.

That doesn't even count the fact that "people who pose no threat to the community" is a subjective standard. Tell the inner-city youth with a poor education and few opportunities to develop employment skills who is looking for a job that a foreign national with no right to be in the United States and who is competing for that job that the foreign national worker does not pose a risk to the community. I am the last apologist for the blight of inner-city crime (a subject on which I am an expert as a citizen of Baltimore), but if a working-age resident of that inner city cannot find a job, there are plenty of criminals who are looking for new accomplices. Marlo and Omar are fictional characters, but they have plenty of real-life counterparts. Avon Barksdale and Stringer Bell can always use more help.

In any event, the CBP numbers also show a decrease in the number of FMUs who were deemed inadmissible at the ports of entry (from 4,196 in March 2019 to 3,443 in April 2019, an 18-percent drop from the month before), but this is little reason to celebrate. First, that decrease is small compared to the increase in FMUs entering illegally, a much more dangerous proposition for the migrants involved. Second, it likely reflects the fact that FMUs do not want to face long waits at the ports of entry to make asylum claims, but would prefer to “jump the line” and simply enter illegally to make those claims, despite the aforementioned danger to themselves and their children.

To quantify that danger, as the Panel explains:

*Children who are crossing the borders of the U.S. are at great risk for multiple medical problems, which include but are not limited to, dehydration, malnutrition, infections, psychological trauma, physical injuries and all aspects of child maltreatment. Many of these sequelae are not necessarily evident within the context of a non-medical evaluation. An expectation for clinical acumen by CBP agents and officers is highly unrealistic. Even medical personnel need to have a higher level of expertise to anticipate some of the potential infectious disease complications that can be found in this population of children.*

Maybe Chairwoman Lowey hasn't read that report yet. She should.

Or, perhaps, she can go to Yuma, Arizona. As Fox News reported last week:

*A rural border city in Arizona sees no end in sight to the surge of migrants and families crossing the border into their community.*

*Yuma mayor Douglas Nicholls issued a proclamation of emergency at the border in April, declaring a “humanitarian crisis” that is still affecting the community.*

*“This is a federal issue,” Nicholls said. “This is not a local issue. So, it needs a federal level response. We’ve had 2,500 people come through our shelter system. In a community of 100,000 people, that’s a large number that comes through a shelter system in a little over a month (April –May 2019). So, with that number, that volume, it’s a national issue. It’s not just Yuma’s issue.”*

I visited Yuma in January when the problem was bad and getting worse. If she had gone with me, Chairwoman Lowey would have known where the situation was headed. It was probably warmer than “the Lower Hudson Valley of New York State . . . includ[ing] central and northwestern Westchester County and all of Rockland County” (which she represents), but the amenities were likely not as nice.

Or, maybe she should listen to the newspaper of record in the Empire State, the *New York Times*. In a May 5, 2019 opinion piece (captioned “Congress, Give Trump His Border Money”), the paper’s editorial board stated:

*There is no pressing national security threat — no invasion of murderers, drug cartels or terrorists. No matter how often Mr. Trump delivers such warnings, they bear little resemblance to the truth.*

*But as record numbers of Central American families flee violence and poverty in their homelands, they are overwhelming United States border systems, fueling a humanitarian crisis of overcrowding, disease and chaos. The Border Patrol is now averaging 1,200 daily arrests, with many migrants arriving exhausted and sick. Last week, a teenage boy from Guatemala died in government custody, the third death of a minor since December. As resources are strained and the system buckles, the misery grows.*

There are many errors, in my professional opinion, in just those two paragraphs, but the fundamental premise is solid: misery is growing “[a]s resources are strained and the system buckles.”

The latest numbers from the border quantify this. It is well past time for Congress to act, and “Give Trump His Border Money”.

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Source: <https://cis.org/Arthur/Latest-Border-Numbers-Show-Worsening-Crisis>

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