

National Foundation for American Policy

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Research: Illegal Entry Up 45 Percent Since 2011

Solutions Include Establishing New Work Visas and Bilateral Agreements with Mexico and Central America

Arlington, Va. – Illegal entry, as measured by apprehensions at the border, has increased by 45 percent since FY 2011, based on an analysis of data obtained from the U.S. Border Patrol and contained in a new report released by the National Foundation for American Policy (NFAP), an Arlington, Va.-based policy research group.

The report, “Illegal Entry Rises,” is available at www.nfap.com.

Based on data through May 2014, apprehensions will reach 476,557 by the end of FY 2014, which is 45 percent higher than the FY 2011 total of 327,577. Much of the increase in illegal entry is from migrants, including both adults and unaccompanied minors, from Central America. This level of illegal entry is likely to persist if the U.S. economy continues to improve and Congress does not pass legislation to establish legal visas for lower-skilled work.

“One solution is to establish bilateral agreements with Mexico and Central America,” said Stuart Anderson, author of the report, executive director of the National Foundation for American Policy, and former head of policy and counselor to the Commissioner of the INS (August 2001 to January 2003). “The agreements can authorize work permits for nationals of those countries in exchange for cooperation on immigration enforcement. If parents had been able to work in the United States legally and travel freely back and forth to Central America it is likely the current situation along the Southwest border would never have happened.” That is because if parents could travel freely they would have gone home to help their children or been able to petition for them legally if the legal visa category permitted dependents or the number of employment-based green cards for lower skilled workers was set at a more realistic level than the current 5,000 per year, the report notes.

The influx of Central Americans along the Southwest border in the summer of 2014, while larger in scale, actually continues a trend that began at least two years ago. In FY 2012, 99,000 apprehensions along the Southwest border were of “Other Than Mexican” and 266,000 were Mexican, according to the Border Patrol. In FY 2013, the number of “Other Than Mexican” apprehensions increased to 148,988, while the number of apprehensions of Mexicans remained about the same (at 265,409). In other words, nearly all of the increase in apprehensions in FY 2013 came from non-Mexicans. The percentage of non-Mexican apprehensions increased from 27 percent of the total in FY 2012 to 36 percent in FY 2013. Similar trends are apparent in FY 2014. In fact, through May 2014, “Other Than Mexican” apprehensions account for 50 percent of the apprehensions along the Southwest border, according to the U.S. Border Patrol.

Three policy recommendations would help address the current situation at the Southwest border and place the United States in a better position to prevent a future influx, while also reducing illegal immigration and providing improved enforcement.

First, the Administration must obey the law on unaccompanied minors or ask Congress to change the law in a responsible fashion if it is found the law is contributing to the current problems at the border. Following the law will likely result in some unaccompanied minors with meritorious cases to be allowed to stay legally, while many others likely would be returned to their home country. The Obama Administration is asking Congress for additional spending (\$3.7 billion) and changes in the law that could facilitate repatriating unaccompanied minors to Central America.

Second, Congress needs to pass legislation to authorize legal visas for work in the United States at jobs that are year-round and do not require a high school degree, particularly in sectors where many unauthorized immigrants now work, such as hotels, restaurants, landscaping and construction. It is likely to pass such legislation, and with sufficient annual quotas, only as part of a political compromise that would grant some form of legalization to many individuals already in the country without legal status. The ability to travel back and forth freely to Central America could prevent a future influx of unaccompanied minors or families, while some form of legalization could also allow family members to be reunited through legal means.

Third, longer term, the best approach is to combine fully portable work permits – not tied to a specific employer – with bilateral administrative agreements between the United States and countries that send unauthorized immigrants to America. This approach would provide labor market freedom and, therefore, protection for new workers, at the same time it would elicit cooperation on immigration enforcement from Mexico and eventually other key countries. Today, there is only limited political incentive for foreign countries to cooperate on immigration enforcement with the United States.

Congress would authorize the President to sign bilateral administrative agreements with Mexico, followed by El Salvador, Guatemala, Honduras, and potentially other countries, to distribute an agreed upon number of work permits annually in conjunction with commitments on immigration enforcement and security issues from these nations. This approach is designed to address the “future flow” of workers, reduce illegal immigration and establish a reliable framework for improved border security and immigration enforcement. These changes in policies would represent a significant improvement over the status quo and can help prevent a recurrence of the recent influx of unaccompanied minors from Central America to the United States.

The current policy primarily benefits human smuggling cartels, the report notes, which profit by controlling the routes to enter the U.S. illegally. Relying on U.S. law enforcement alone (Border Patrol and interior enforcement) to resolve primarily an economic issue (people from poorer countries seeking jobs in America or joining parents already working in the United States) has proven to be a questionable policy choice. “Absent a change in policy, the costs in dollars and human lives will remain substantial,” the report concludes.

About the National Foundation for American Policy

Established in the Fall 2003, the National Foundation for American Policy (NFAP) is a 501(c)(3) non-profit, non-partisan public policy research organization based in Arlington, Virginia focusing on trade, immigration and related issues. The Advisory Board members include Columbia University economist Jagdish Bhagwati, Ohio University economist Richard Vedder, former U.S. Senator and Energy Secretary Spencer Abraham and other prominent individuals. Over the past 24 months, NFAP’s research has been written about in the *Wall Street Journal*, the *New York Times*, the *Washington Post*, and other major media outlets. The organization’s reports can be found at www.nfap.com.

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