



# POLICY & ADVOCACY REPORT

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# Latest Arrivals of Unaccompanied Children to the United States

This week, the Policy & Advocacy Report highlights our new fact sheet “Arriving Unaccompanied Children.” To view the full USCRI fact sheet, [click here](#).

## Unaccompanied children arriving to the United States are at their highest levels ever

Since the federal fiscal year (FY21) began in October 2020, approximately 72,400 unaccompanied children (UCs) have arrived in the United States. FY21 arrivals-to-date have exceeded all years since 2017. Most observers expect that FY21 will exceed other recent years of high arrivals: 2014, 2016, and 2019. The number of UCs entering the United States may be abnormally high due to two concurrent factors. Thousands of UCs were expelled at the southern U.S. border under the prior Administration’s use of Title 42 to deny access to protection, in place from March to November 2020. Additionally, many additional UCs delayed their journeys in FY20 because of the global COVID-19 pandemic, due to national travel restrictions, health concerns, and needing to care for family members. Experts are uncertain whether FY21 arrivals represent a true “surge” year, or whether they are in line with recent averages, best approximated by averaging FY20 and FY21 arrivals.

## Arriving UCs Look Like Years Past – With More of All Groups

While arrivals of UCs have increased in FY21, the population composition is largely unchanged. In other words, more of all children are arriving, rather than any specific subgroup.

## Nationality is largely unchanged

Since October 2017, most UCs in ORR custody have arrived from Guatemala, El Salvador, or Honduras. Mexican unaccompanied children, who in general are not protected like other UCs under current interpretations of the TVPRA, have historically comprised around 25% of UCs apprehended at the border, but the vast majority never enter ORR custody and are returned quickly to Mexico. This year, all national groups appear to contribute to the increase in UC arrivals in line with proportions from recent years.

## Gender of UC arrivals is unchanged

Since 2014, the proportion of arriving male and female UCs is remarkably stable. FY21 continues this trend. Approximately 70% of arriving UCs are boys and 30% are girls, although it is worth noting that FY21 figures are approximated from a series of “snapshot” census figures. Historically, boys have had slightly shorter time-to-release than girls in the ORR system. For this reason, boys are likely to be slightly underrepresented in a “snapshot” sampling method and girls to be slightly overrepresented. The base conclusion remains that the proportion of male to female UC arrivals has remained consistent with recent trends.

### **The ages of arriving UCs are also stable**

The ages of arriving UCs have been more or less stable over the past four years; around 80% of UCs arriving are between 15-17 years old. FY21 data indicates only one potentially significant trend: a decrease in the proportion of 0–5 year-olds, who comprised 5% of UC arrivals in August 2019 but only 1.8% of arriving UCs in May 2021.

### **The vast majority of UCs have relatives willing to care for them**

ORR designates UCs by Categories, which refer to the potential sponsor of the child: Category 1 is for parents or legal guardians; Categories 2A and 2B are for close relatives; Category 3 is for distant relatives and unrelated adults; Category 4 is for UCs who lack an identified sponsor. Children in Category 4 are moved into Category 3 if a willing sponsor is found.

ORR Categories can be used to show how many children have relatives willing to care for them in the United States. The data show that the vast majority of children in the ORR system have a parent or close relative who can care for them. Nearly 90% of arriving unaccompanied children have either a parent or a close relative who will care for them in the United States. The family-member data are approximate historic averages. However, with around 15,500 UCs in U.S. government care, more than 1,500 children have only a distant sponsor or no one in the country to reunite with.

### **Looking to the future**

For the past decade, conditions in northern Central America have propelled the migration of vulnerable and often traumatized children to the U.S. border. Thousands of unaccompanied children have migrated in order to escape violence, discrimination, poor economic conditions, and abusive homes. Migrant children are in need of care when they arrive in the United States; they require basic necessities such as housing, education, and food, in addition to legal counsel, translators, and case managers. All of these resources are vital to any response to the unaccompanied child migrant crisis at the southern border. The government can take some key steps to ensure a better UC intake process:

- Congress needs to appropriate funding to increase licensed UC bed capacity - Since October 2020, there have been 72,400 unaccompanied children referred to the Office of Refugee Resettlement (ORR) for care. This has created a backlog of case processing that extends the time children are in government custody. Congress should appropriate funding to ORR to increase the number of licensed beds available to house and care for unaccompanied children. The safest and most effective way to care for UCs is to place them in the care of licensed care facilities in the ORR provider network.

- ORR should institute administrative policies that expedite UC reunification - The main objective of a child's time in ORR care is to reunify with their sponsor living in the United States. ORR should focus on policies that improve case-management efficiency, defined as shortening time-to-release while retaining case-management quality and safety procedures. Specifically, ORR should consider codifying some of the procedures to expedite releases that were implemented during the COVID-19 emergency through an administrative rule making process. Field Guidance 10 allows an expedited release process for most Category 1 cases via streamlined forms. Field Guidance 14 explicitly allows case managers more flexibility in helping Category 1, 2A, and 2B sponsors complete the Family Reunification Application and removes the Sponsor Declaration as a requirement. Finally, Field Guidance 15 allows the same background checks to be used for two concurrent cases when one is a Category 1 case, and the other is a Category 2A or 2B case. ORR should consider adopting these changes into the UC Policy Guide and UC Manual of Procedures permanently.

- Congress and ORR should expand and strengthen Post Release Services (PRS) - PRS helps to solidify the relationship between child and caseworker and provide critical assistance to sponsor families as they adjust to their caregiving role. Additionally, they serve a preventive function by reducing contributing factors to child maltreatment, health issues, and placement disruptions. PRS eligibility should be extended to all UCs. Moreover, ORR should extend PRS delivery to all children for the first 90 days after release and ensure that the PRS provider network is robust enough that all families receive contact from their assigned PRS case manager. To extend eligibility for all UCs and strengthen PRS, Congress must ensure that ORR has the statutory authority and funding.

# United States Issue Updates

## • Memo Aims to End Use of 'Alien' Terminology

A July 23 memo directed all Executive Office for Immigration Review (EOIR) staff, as well as adjudicators, to use more inclusive terminology when describing immigrants. EOIR decisions and internal and external communications will now use terms like respondent, applicant, petitioner, beneficiary, migrant, noncitizen, or non-U.S. citizen instead of the term “alien” except when quoting a previous statute, legal opinion, or other record. Acting EOIR Director Jean King said the policy change is meant to encourage more inclusive and welcoming language, noting that President Biden’s February 2 [executive order](#) on regional migration and asylum issues did not use the term “alien” or “illegal alien” to describe migrants. To read the memo, [click here](#).

## • Biden Taps Emergency Fund for Afghan Special Immigrant Visa Applicants

In a July 23 memo, President Biden authorized up to \$100 million from the U.S. Emergency Refugee and Migration Assistance Fund to go toward “meeting unexpected urgent refugee migration needs” related to Afghanistan. The authorization would also aid Afghans applying for special immigrant visas due to their efforts to help U.S. and coalition forces during the war there. Biden has come under bipartisan pressure to evacuate Afghans who helped the war effort ahead of the planned withdrawal of troops from the country. To read the memo, [click here](#).

## • Biden Administration to Begin Expedited Removal for Some Immigrant Families

The Department of Homeland Security on July 26 announced that certain migrant families who cannot be expelled under Title 42 will be placed in expedited removal proceedings. DHS said the change would allow a “more accelerated procedure” for removal of families outside of Title 42, the pandemic-related policy enacted under the Trump administration and still in effect today that allows DHS to expel asylum seekers arriving at the southern border before they can apply for asylum. To read the announcement, [click here](#).

## • White House Releases Strategy on Root Causes of Central American Migration

On July 29, the National Security Council unveiled the “U.S. Strategy for Addressing Root Causes of Migration in Central America.” Vice President Harris wrote in the cover message that the federal government must work with regional leaders in Central America to “address the hardships” that cause migration to the United States and its southern border. The five pillar plan aims to address economic inequality, combat corruption and strengthen governance, protect human and labor rights, prevent gang violence and trafficking, and tackle gender-based violence. To read the strategy, [click here](#).

## • Texas Governor Issues Executive Order Restricting Migrant Transportation

Texas Governor Greg Abbott issued an executive order July 28 “restricting ground transportation of migrants who pose a risk of carrying COVID-19 into Texas communities.” Under the order, troopers with the Texas Department of Public Safety can stop and impound vehicles “upon reasonable suspicion” of transporting migrants with the coronavirus. Abbott said the order is intended to reduce the risk of COVID-19 exposure across the state. Immigrant advocates questioned how the order would be enforced and argued it would lead to incidents of racial profiling. To read the executive order, [click here](#).

# United States Issue Updates (Cont'd)

- **Garland Vacates Another Trump-era Decision on Asylum**

Attorney General Merrick Garland on July 26 issued a decision that vacated another decision from the Trump administration Justice Department on asylum claims. Garland found that the decision, formally called the Matter of A-C-A-A-, prohibiting the Board of Immigration Appeals from relying on immigration court level stipulations imposed rigid procedural requirements that “undermine the fair and efficient adjudication of asylum cases.” Garland said immigration courts’ limited resources should be focused on “the issues that the parties actually contest rather than those on which they agree.” In June, Garland vacated other decisions from his Trump administration predecessors on asylum claims based on domestic or gang violence, arguing that a rulemaking process and final rule should address the definition of a “particular social group” that is eligible for asylum. [To read Garland’s decision, click here.](#)

- **Haiti TPS Federal Register Notice To Be Released Tomorrow**

An unpublished Federal Register Notice has been posted for Temporary Protected Status (TPS) for Haiti, and the published version is scheduled to be released on August 3rd. The notice will release instructions and procedures to allow Haitians in the United States to register for or renew their TPS. The notice also moves up the date by which a beneficiary must be present in the United States to August 3, 2021, allowing newly arrived Haitians to qualify for TPS and [greatly expanding](#) the number of Haitians eligible for relief. To see the Federal Register Notice, [click here.](#)

# Around the World in International Migration

## • Landslides in Bangladesh Kill Seven Rohingya Refugees

Days of heavy rainfall triggered landslides that killed seven Rohingya refugees in southeast Bangladesh on Tuesday, July 27th. Four of the deceased were children. One million Rohingya refugees live in Bangladesh's Cox's Bazaar district, which is not only the world's largest refugee settlement, but also an area particularly prone to extreme weather. Hundreds of thousands of Rohingya, a largely Muslim ethnic group, fled their home country of Myanmar in 2017 after a targeted military campaign, and sought refuge in neighboring Bangladesh. However, the settlements have become increasingly uninhabitable; food shortages, fires, and surges of COVID-19 cases have plagued the overcrowded population, and Rohingya displaced from the settlements struggle to find alternative shelters. According to UNHCR, emergency response teams have been deployed to help families affected by this most recent disaster. For more context on the situation in Myanmar, see USCRI's recent backgrounder here.

## • 57 Migrants Die in Shipwreck off Libyan Coast

On Monday, July 26th, 57 people drowned after a boat capsized off the coast of Libya. Made up mostly of West African migrant passengers, the boat was presumably on course to reach Europe. According to the International Office of Migration (IOM), this shipwreck brings the death toll in the central Mediterranean to 987 so far in 2021 – an increase from 272 in 2020. IOM claims the increase in deaths this year is the result of the dwindling capacity of European sea patrols. The ships people-smugglers and others use for the journey from Libya or Tunisia to Italy, where there has been an influx of migrants this year, often can't withstand the high winds of the Mediterranean. Yet because of decreased sea patrol, distress calls from migrants after their departures often take hours to heed, by which time it is too late.

## • France Sees New COVID-19 Vaccination Tents for Migrants

In an effort to expand COVID-19 vaccine access, humanitarian aid group Doctors Without Borders (MSF) recently set up a tent in Paris, France to provide vaccines to migrants who might not have access to state or private health insurance, and are wary of state-run vaccine sites. In early July, French President Emmanuel Macron announced that a "health pass" validating vaccination status would be needed in restaurants, public transit, and many other places around the country. MSF says that most of the migrant population they serve view vaccines favorably, despite some fear surrounding misinformation.

# Around the World in International Migration (Cont'd)

- **Eviction Notice Issued to 'Senda de Vida' Shelter for Migrants in Mexico**

A decades old shelter in Reynosa, Mexico, which offers to help migrants seeking political asylum in the United States try to cross the border, has been issued an [eviction notice](#) by the administration of Mayor Maki Ortiz. The notice states that the building must be demolished because of its location in a flood zone of the Rio Bravo. Although the demolition has been suspended, 600 migrants who had lived in the shelter, including those with chronic physical and mental disabilities, are currently staying in a tent village in a nearby public square. Mayor Ortiz took to Twitter to validate her authority to administer the eviction, as well as to state that the city does not have the necessary resources to serve the now shelter-less migrants, who are mostly Central American.

- **330,000 Afghans Displaced This Year Amid Taliban's Territorial Gains**

Since the United States' withdrawal of Afghanistan in May, nearly 170,000 Afghans have been displaced from their homes, many residing in makeshift tent camps, some seeking asylum, and others looking to smugglers to help them cross a border into Pakistan or Iran as the Taliban continues to ravage the country. The International Office of Migration (IOM) has reported that up to 30,000 Afghans are fleeing every week. UN agencies warn that this flight is a potential sign of a refugee crisis to come. In response to Taliban violence, the United States passed a spending bill on July 30th that allocated substantial sums to the US Departments of State, Defense, and Homeland Security to expand special visa programs for Afghans who worked directly with the United States and [their families](#). For USCRI's statement on the first Afghan Allies to arrive on US soil, [click here](#).





## USCRI's Recent Publications

- [USCRI Statement on the Arrival of the First Afghan Allies](#)
- [USCRI Policy Snapshot: Displacement in the Climate Change Era](#)
- [USCRI Policy Snapshot: Arriving Unaccompanied Children](#)
- [USCRI Policy Snapshot: The Future of DACA](#)
- [USCRI Backgrounder: Myanmar](#)

## Upcoming Meetings & Events

### **My America: Elly Fishman- Aug. 10**

On Tuesday, August 10 at 7:30 PM Est, the American Writers Museum will host award-winning journalist Elly Fishman to talk about her new book, *Refugee High: Coming of Age in America*. The book chronicles the story of a high school in Chicago that has one of the biggest refugee populations in the nation. For more information and to register, [click here](#).

### **Here to Welcome: The First 30 Days of a Refugee- Aug. 26**

On Thursday, August 26 at 1:00 PM EST, join World Relief for an information session on what a refugee's first month in America is like. The session will also discuss common misconceptions about asylum-seekers and how to make immigrants feel welcome. For more information and to register, [click here](#).

### **The State of Refugee Protection- Aug. 26**

On Thursday, August 26 at 3:00 PM EST, the PROTECT Consortium will host its midterm conference to discuss its findings on the state of refugee protection. The conference will also cover policy implications of the findings. For more information and to register, [click here](#).

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donate today!**

Interested in joining the USCRI team? [Click here](#) for current job openings!

If you have any questions or comments, please contact the Policy and Advocacy Division at [policy@uscrimail.org](mailto:policy@uscrimail.org).