WOLA Why Immigrants Come

**Credible Fears, Not Supposedly “Lax” U.S. Immigration Policies, Are Contributing to Migration from Central America**

In a [December 2015 statement](http://t.umblr.com/redirect?z=http%3A%2F%2Fjudiciary.house.gov%2Findex.cfm%2Fpress-releases%3FID%3D4A9466B4-D310-40B9-9333-F59C67EC05D2&t=NmMxMjRjNmE3ZjQ1ZGMwNjI0YWU1ZDUzOTViNTU4NTViN2RiYjUzZixjdW5lbEluMQ%3D%3D) and again at a congressional hearing [earlier this month](http://t.umblr.com/redirect?z=http%3A%2F%2Fjudiciary.house.gov%2Findex.cfm%2Fpress-releases%3Fid%3D67CBF0C3-99AD-46BE-9A27-F6A27DC2ABAE&t=MTA4ODdkNGZjZWI4NGFmNGM2ZTJjMDRjMDVjY2QyMzBiZGFlMDc4MSxjdW5lbEluMQ%3D%3D), Congressman Bob Goodlatte (R-Virginia), Chairman of the House Judiciary Committee, blamed U.S. immigration policy for the high numbers of unaccompanied minors and families, primarily from Central America, who are crossing the southwest border. Citing a Department of Homeland Security (DHS) report obtained by the Committee, Rep. Goodlatte affirms:

“From July 7, 2015-September 30, 2015, Customs and Border Protection agents interviewed 345 family units apprehended at the border. Of those interviewed, nearly 70% said that they heard that if they came to the U.S. they would be released and/or receive some sort of immigration relief, such as asylum. Additionally, nearly 60% said it was the U.S. immigration policies that influenced their decision to come here.”

Rep. Goodlatte is not the only member of Congress citing these interview statistics to argue for stricter border enforcement, stepped-up deportations, and detention of parents and children awaiting asylum decisions. Members of Congress have used the data on several occasions to sustain a narrative of lenient immigration policies encouraging migration from Central America. Congressman Lamar Smith (R-Texas), who founded the Congressional Border Security Caucus in 2014 to call for increased border enforcement, made a [similar statement](http://t.umblr.com/redirect?z=http%3A%2F%2Fvalleycentral.com%2Fnews%2Flocal%2Fcongressional-caucus-tours-texas-mexico-border&t=OWM0MTMwNGNiYjg4MzUwM2FkMzkzNmU0MzgwYmEzYjExYzIzN2U0ZCxjdW5lbEluMQ%3D%3D) earlier this month during a tour of the U.S.-Mexico border:

“They are asked ‘what drove you to come up this far north? What made you want to come into this country illegally?’ Seventy percent say 'it’s the policies of the administration, it’s their immigration policies, we know we will be given asylum; we know we will be able to stay.’ That’s why they’re coming, not because of violence back home.”

In a February 4 House Judiciary Immigration and Border Security Subcommittee [hearing](http://t.umblr.com/redirect?z=http%3A%2F%2Fjudiciary.house.gov%2Findex.cfm%2F2016%2F2%2Fanother-surge-of-illegal-immigrants-along-the-southwest-border-is-this-the-obama-administration-s-new-normal&t=MjlkMmFkY2E5MDk3OGFmMGYzNzFkNjhlMzhmNmUyMWYzNDQ5Yzc3NSxjdW5lbEluMQ%3D%3D), Rep. Trey Gowdy (R-South Carolina), a member of the Subcommittee along with Representative Smith, also referenced the DHS report: “Based on a report, nearly 60 percent said it was the administration’s immigration policies that influence their decision to come to the United States.”

While these members of Congress may seek to use these numbers to argue for increased enforcement, other sources tell a different story about the reasons behind recent Central American migration to the United States. The 2015 report [*Women on the Run*](http://t.umblr.com/redirect?z=http%3A%2F%2Fwww.unhcr.org%2F5630f24c6.html&t=M2Y4MWE2NGFlZDE5MzZlMjI2MzFhZTE2ZjFiZGNjYjlkNDM0OTE2MSxjdW5lbEluMQ%3D%3D) by the United Nations High Commissioner for Refugees (UNHCR) reveals that in fiscal year 2015, of the 16,077 women from El Salvador, Guatemala, Honduras, and Mexico who were screened for protection concerns by U.S. asylum officers, 13,116 of them—or 82 percent—had a “significant possibility of establishing eligibility for asylum or protection under the Convention against Torture.”

Based on interviews of 160 women who had been granted asylum or other forms of protected status in the United States, the UNHCR report found that these women and their children regularly experienced extreme violence, including murder, extortion, and rape, as well as threats from armed groups in their home countries. 64 percent of the interviewees cited targeted threats or attacks as one of their main reasons for leaving home.

Similarly, the 2014 UNHCR report [*Children on the Run*](http://t.umblr.com/redirect?z=http%3A%2F%2Fwww.unhcrwashington.org%2Fsites%2Fdefault%2Ffiles%2F1_UAC_Children+on+the+Run_Full+Report.pdf&t=MWQxNTllY2MzYWE0NDE2YjczOTYyMTJkNjQ2OGM3YTc0ZWEzNTUxZixjdW5lbEluMQ%3D%3D) found that 58 percent of unaccompanied or separated children interviewed in the United States “were forcibly displaced because they suffered or faced harms that indicated an actual or potential need for international protection.” Based on interviews with a representative sample of 404 children from the Northern Triangle and Mexico, the report concluded that, due to the high number of children who raised protection concerns—and who would potentially face dangerous situations if returned to their home countries—all unaccompanied children from the Northern Triangle and Mexico should be screened for protection needs.

The DHS report that Rep. Goodlatte cites is not available (his statement links to an Associated Press report about another issue entirely), so it is difficult to dissect the information. However, **if 70 percent of families apprehended by Border Patrol agents believed they may qualify for protection under U.S. law, it’s likely that they were, in fact, fleeing some sort of violence or persecution**, particularly given how many women and children are passing “credible fear” interviews. As Secretary of Homeland Security Jeh Johnson [acknowledged in a recent statement](http://t.umblr.com/redirect?z=http%3A%2F%2Fwww.dhs.gov%2Fnews%2F2016%2F02%2F02%2Fstatement-secretary-jeh-c-johnson-southwest-border-security&t=OTI0ZWQ3NmYzMDMyMGVlMWVmMWZkZjA5ZTI0YTA3MmY4ZTNkYjYxMSxjdW5lbEluMQ%3D%3D), “many who seek to flee Central America may be regarded as refugees.” Secretary Johnson affirmed that the U.S. government would work with the UNHCR to expand the Department’s Refugee Admissions Program accordingly.

The arrival of potential refugees at the southwest border should not be seen as a sign of weak immigration enforcement or a porous border. Rather, it underscores the fact that many Central Americans are genuinely fleeing violence and insecurity in their home countries, one of the most violent regions in the world, and they are exercising their legal right to seek asylum or other forms of protection in the United States.

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[**February 19th, 2016**](http://borderfactcheck.tumblr.com/post/139605025373/credible-fears-not-supposedly-lax-us)