

UAC Briefing for Appropriators

April 22, 2014

U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of State
Office of Management and Budget

Agenda

- Overview and Background
- Cross-Agency Collaboration & Ongoing DHS-HHS Coordination
- Efforts to Reduce Length of Stay and Save Costs in HHS Custody
- Efforts to Stem the Flow of UAC
- Additional Strategies Under Consideration
- Next Steps

Overview

- The number of UAC arrivals continues to grow
- DOS has actively worked with the home countries
- HHS has reduced length of stay and reduced costs per child
- DHS has developed a multi-faceted approach to manage the influx of UAC arrivals
- Additional strategies have been implemented or are being developed
- Strategies identified to date are incremental and would not likely reduce influx or costs from 2014 to 2015

Background- *Flores* and Key Statutes

- In 1997, after years of class-action litigation, the *Flores* settlement agreement imposed requirements on the legacy INS. *Flores v. Reno* Stipulated Settlement Agreement
- Further requirements come from:
 - The Homeland Security Act of 2002
 - The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008
 - The Violence Against Women Reauthorization Act of 2013

Background – Increasing Numbers

- 2004-2011 - stable
 - Average 7,000-8,000 annually
- 2011 -2014 - increase
 - Average annual number of UAC increased by nearly a factor of 10, from 6,560 in 2011 to 60,000 projected in 2014



Background – Central America UAC

Migration Trends

- Rate of all migration is increasing from northern Central America - Honduras, Guatemala, El Salvador across all ages
- Youth Bubble: 48% of population in Honduras are under 18 years of age. Youth ages 10-24 account for more than 30 percent of the total population in the Northern Tier countries

Background -Country Specific Overviews

El Salvador

Political

- Left leaning government elected, initial statements are constructive and cooperation expected to continue

Economic

- Lowest GDP growth in the region, decreasing FDI, presence of Venezuelan-backed Alba Petroleos in the economy
- PFG and MCC assistance will continue targeting at improving economic growth and decreasing poverty

Security

- Gang truce is fracturing, could lead to increased levels of violence, particularly homicides

Guatemala

Political

- Final two years of Perez Molina administration, no major policy changes expected, cooperation expected to continue

Economic

- Lowest tax collection rate in Central America, hampers government's ability to invest in needed social programs and services
- High income inequality and poverty levels will continue to constrain growth

Security

- Homicide rates and general violence associated with narco-traffickers will remain a serious challenge

Honduras

Political

- Elections in 2013 resulted in no clear majority in the legislature
- Government shares many security goals with US but differs in tactics in some areas

Economic

- Record high budget deficit, IMF loan needed to help fund government programs
- High poverty rates will continue to constrain growth

Security

- World's highest homicide rate, rising drug and gang-related violence

Background – Reasons for UAC Migration

- **Push Factors: Violence (Homicides, Gangs, Domestic Violence), Weak Governance, Lack of Opportunity, Poverty**
 - ~58% of UACs were forcibly displaced because they suffered or faced harms. (UNHCR)
 - 48% of UACs are victims of or came in close contact with violent acts perpetrated by organized armed criminal actors including drug cartels, gangs or by State actors. (UNHCR)
- **Pull Factors: Opportunity Differential: Jobs, Education**
 - 51% of UACs cite economic opportunity as a reason for migrating, but it is seldom the only reason (UNHCR)
- **Social Networks: Family Reunification**
 - 81% of UACs say they will join a family member in the U.S. or left to pursue better opportunities. [Of those, 51% also forcibly displaced.] (UNHCR)

Background – Cost Trends

- HHS costs for the UAC program are driven by the following factors which determine the needed bed capacity and cost of services:
 - Number of arriving UAC
 - Length of stay
 - Cost per day
- Total program costs have increased significantly since FY 2011 because the number of UAC arrivals has increased
- However, between FY 2011 and FY2014, ORR has reduced length of stay and costs, producing a 56% reduction in per capita shelter costs from 2011 to 2014

FY 2015 UAC Estimates

- UAC arrivals increased 815 percent between FY 2011 and FY 2014.
- Yearly growth rates have varied considerably with the largest increase occurring between FY 2013 and FY 2014.
 - FY 11 – FY 12 108%
 - FY 12 – FY 13 81%
 - FY 13 – FY 14 143% projected
- If these growth rates continue we could see 127,000 UAC arrivals in FY 2015.
 - This estimate assumes that FY 15 UAC arrivals will increase at the same rate they have in the previous 12 months.
 - We will update this estimate monthly and it will become more accurate as we move towards the beginning of FY 2015.
- Using the same cost assumptions used for FY 2014, the cost to accommodate 127,000 UAC in FY 2015 is \$2 billion. No change is assumed in the average length of stay or cost per UAC.

Cross-Agency Efforts

- Interagency coordination between HHS, DHS, DOS and DOJ has been ongoing.
- As directed by the Appropriations Committees, HHS, OMB, DHS, and State have been meeting, along with DOJ, to develop an interagency strategy to address the growing number of UAC

Gained Efficiencies

- **DHS and ORR streamlined UAC referral process.**
 - CBP makes dual notification to ORR and ICE upon identification of a UAC
- **Regular and Ongoing Data Sharing**
 - Daily capacity reports, database access
- **Use of ICE charter flights to transport larger numbers of UAC to ORR facilities.**

Efforts Underway to Stem the Flow of UAC

- Information Campaigns to highlight dangers of traveling to the U.S.
- Strengthening Guatemala/Mexico Border security
- Combat Human Trafficking: TIP funds programs to provide direct victim protection services, improve prosecution efforts, and enforce anti-trafficking legal frameworks

Efforts Underway to Stem the Flow of UAC

- CARSI: Central America Regional Security Initiative
 - USG works with partner nations to strengthen institutions to counter the effects of organized crime, uphold the rule of law, and protect human rights. Community policing programs engage local communities on citizen security.
 - Prevention programs dissuade at-risk youth from turning to crime/ gangs by providing training and alternate options.

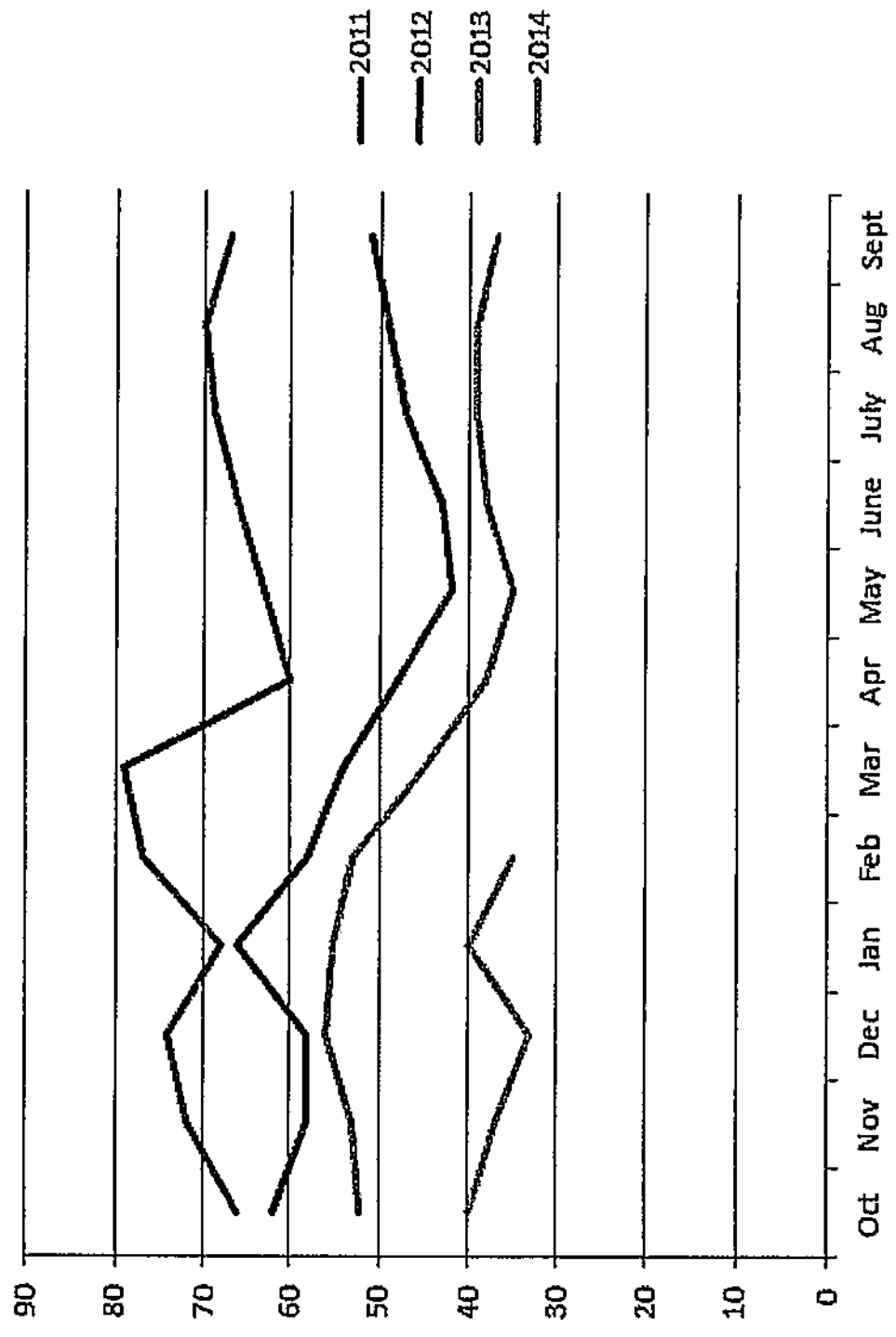
Efforts Underway to Reduce Costs

- In addition to halving the length of stay, ORR undertook other cost saving measures
 - Expanded to new providers and new geographic locations instead of concentrating locations at the border
 - Renegotiated grants to ensure funds were not supporting activities not required by law or *Flores*
 - Produced an additional overall reduction of 5% in shelter costs
 - Examples include: equipment, non-essential staff, vehicles

Efforts Underway to Reduce the Length of Stay

- Improved assessment of UAC risk factors and accelerated reunification in instances of low risk
 - Streamlined family reunification procedures
 - Personnel – Staffing levels and Training
 - HHS/DHS/DOJ collaboration on immigration court hearings
 - Instituted procedures to address specific bed/service needs (e.g. gender, sibling groups, special needs)
- ORR has cut the average amount of time UAC spend in care in half since FY 2011, from 75 days to 35 days

Average Length of Stay by Year



Additional Strategies Under Consideration

1. Modified Approach to Children with Non-Parent Relatives
2. Youth with Serious Criminal Offenses
3. Speeding Voluntary Departure
4. Developing Improved Transportation Procedures
5. Developing a Shared Services Model

1) Children with Non-Parent Relatives

- Children arriving at border with non-parent relative are now treated as UACs; it may be possible to reduce costs by treating at least some of them like children arriving with parents.
- When children are apprehended throughout the interior of the United States, they may be treated as UACs even if residing with a relative at the time of apprehension; alternative procedures could reduce UAC costs.

2) Youth with Serious Criminal Offenses

- Most UAC arrive without evidence of having been engaged in criminal activity in home country
- For those with serious criminal histories, release to parent or sponsor is not appropriate, and length of stay and costs are disproportionately high
- Alternative needs to be considered for this small subset of for UACs with serious criminal offenses

3) Voluntary Departures

- A small number of UAC (less than one percent) receive voluntary departure while in ORR care
- Speeding voluntary departure could reduce UAC costs modestly –
 - Assuming 60,000 UAC annually, a one month reduction in the average length of stay for voluntary departures would save \$2.3M annually

4) Shared Transportation Provider

- DHS incurs costs to transport UAC from border to shelter. ORR incurs transportation costs after shelter placement.
- DHS and HHS are gathering modeling and planning data to determine if an integrated transportation system may reduce costs while maintaining sufficient protections for children

5) Developing a Shared Services Model

- DHS and HHS are exploring a plan for a co-located Center
- Goals would be to divert some UAC from Border Patrol stations and ports of entry and expedite placement of children with parents
- As the model is under development, any savings are uncertain
- Issues that would need to be resolved include:
 - Legal considerations regarding custody
 - Considerations of services provided
 - Budget requirements and possible sources
 - Licensing and factors for acceptable location

Next Steps

- Monthly reporting to appropriators on numbers, trends, developments.