

Chicago Tribune

U.S. Child Migrant Crisis Elicits Answers From Aid to Expulsion

By Esmé E. Deprez
July 15, 2014

What will stem the flood of unaccompanied children crossing the U.S. border?

Today, U.S. Representative Henry Cuellar, a Democrat, and U.S. Senator John Cornyn, a Republican, are proposing legislation to allow U.S. agents to turn back Central American children at the border and provide court hearings for those who don't voluntarily return home. President Barack Obama has asked Congress for \$3.7 billion for border security, among other things, while Texas Governor Rick Perry wants to "modify or rescind" the policy of releasing youth to relatives stateside as their cases are processed.

To find out what other solutions exist, Bloomberg News asked a range of immigration analysts, attorneys and advocates about how they would handle the wave of mostly Central American youth that began in 2011.

Answers have been edited and condensed for clarity:

-- Alex Nowrasteh, immigration policy analyst at the Cato Institute in Washington:

Legalize the unlawful immigrants from Central America who are living in the United States, allow them to sponsor their children through the legal system instead of incentivizing them to buy smugglers, and increase legal immigration going forward so healthy immigrants don't have to come illegally in the future.

-- Audrey Singer, senior fellow in the Metropolitan Policy Program at the Brookings Institution in Washington:

Influence those who may be preparing to come. Smuggling networks have in all likelihood created this situation and the predatory nature of their efforts explains the sharp recent rise. An effort to start a new flow of information to relatives who are sending for the children about the negative consequences of doing so is also important. For many migrants, their own social networks are the primary way information is passed on.

-- Diana Negrofonte, nonresident senior fellow with Brookings:

The administration should test Mexico's commitment to stop this flow by demanding investigation and prosecution of the authorities who assist the smugglers transfer the children across Mexico to the U.S. border. They need to be held accountable. This should become a test of our friendship, because it is a crisis for the U.S.

-- Mary Meg McCarthy, director of the National Immigrant Justice Center in Chicago:

The administration should implement an in-country processing program whereby the children can apply for a legal way to enter the U.S. to secure protection and/or be united with family members. This would provide a channel for orderly migration for those fleeing persecution without having to embark on a dangerous journey.

-- Katherine Kaufka Walts, director of the Center for the Human Rights of Children at Loyola University Chicago and an immigration attorney who's represented unaccompanied youth:

Address systemic issues driving the surge of children and families migrating. Increased violence and gang activity in Central America is driving much of the migration of children to countries throughout the region, not just the U.S. The White House has discussed an aid package to Central America sending countries to assist with repatriation efforts. This is promising but still does not address root causes of why kids are fleeing, and thus will likely not stop the flow of children.

-- Elizabeth M. Frankel, associate director of the Young Center for Immigrant Children's Rights at the University of Chicago:

The administration has proposed returning Central American children directly from the border, without a hearing in immigration court.

This is the current practice for children from Mexico and advocates have long recognized that children from Mexico are frequently turned right back into the hands of their traffickers or to other harmful situations. Such a change would put thousands of children from Central America at risk and potentially return them to dangerous, if not life-threatening situations.

-- Daniel Kowalski, immigration attorney in Austin, Texas, and a member of the board of the National Immigration Law Center in Los Angeles.

With the stroke of a pen, Obama could solve the current crisis of the Central American children coming to America without visas. He could, and should, declare most or all of them to be refugees under the Immigration and Nationality Act.

That statute gives any president the power to determine that an "emergency refugee situation is justified by grave humanitarian concerns" and to admit a limited number of refugees per year.

The U.S. is still relatively empty, despite East Coast traffic woes. If we have any hope of keeping up with China and India, we need more immigrants, and more Americans.

-- Jennifer Podkul, senior program officer at the Women's Refugee Commission in Washington

Ensure all children have a meaningful opportunity to have their cases heard by a trained decision maker. Children who have just survived a harrowing journey should not be forced to recount some of the most painful experiences of their lives to a border patrol agent wearing a uniform and a gun, who just apprehended that child in the desert. It should be done by a trained professional who has experience working with children and conducting trauma informed interviews.

It is imperative all children be represented by counsel to ensure they understand their rights and to help navigate our complex immigration-court process. Moreover, having an attorney is a resource saver -- children's cases conclude much faster when represented.

-- Sister Patricia McDermott, president of the Institute Leadership team of the Sisters of Mercy of the Americas in Silver Spring, Maryland:

The causes of this massive exodus are rooted in U.S. economic and foreign policies in Central America. In order to resolve this humanitarian crisis the Obama administration must develop a new approach, such as changing economic policies, including the Central American Free Trade Act, that devastate weaker economies and force many to migrate outside their countries to find work.

The U.S. State Department cites significant human rights violations in Guatemala and Honduras that include both military and police units committing unlawful killing, kidnappings, assault, rape, extortion and corruption. Don't send more money to a militarized "war on drugs" or to security forces that are corrupt and have substantial allegations of human rights violations.