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Why are there thousands of Haitian migrants at the Texas border?

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Thousands of Haitians are sleeping under a border bridge in South Texas as they try to illegally make a home in the United States, the latest example of a desperate group of people seeking haven in the U.S.

The fresh humanitarian crisis snagged Washington's attention this week as photos and video of Border Patrol agents on horses chasing Haitian migrants got national attention. Homeland Security Secretary Alejandro Mayorkas said he was "horrified" by the images, and fellow Democrats have been outraged over how the Biden administration is handling these Haitian migrants at the border.

At the same time, the United States is preparing to nearly double deportations of Haitians at the border, potentially 1,000 per day, reports The Washington Post, as officials try to empty this makeshift border camp.

Why are so many Haitians at the border?

Illegal border crossings by people around the world are at a 20-year high, and Haitians are making up a growing part of that. Haiti is a country with extreme political, economic and

humanitarian problems, including most recently an assassinated president and a deadly earthquake. Immigration experts have seen an increase in Haitian migrants over the past few months.

Many of the Haitians at the border — most estimates say there are more than 10,000 — were actually migrants from a *different* earthquake, the horrific one in 2010. They settled in South America, but for a host of reasons, many have tried to come to the United States.

It can be economic. “A worker coming from Chile to the U.S. can expect a 3.5-times higher income coming here,” said Alex Nowrasteh, an immigration policy analyst at the Cato Institute, a libertarian think tank. A worsening pandemic in countries such as Brazil is also possibly playing a role in Haitians deciding to move north.

“When you look at what’s driving this migration, it is a combination of deteriorating economic, social and sometimes security situations in the countries these Haitians have been living in,” said Jessica Bolter with the nonpartisan Migration Policy Institute. “As well as the perception that under the Biden administration, it might be easier to get into the U.S.”

Until recently, they’ve been stopped by the Mexican government at that country’s southern border from getting any farther. For reasons that immigration experts are still untangling, those defenses aren’t holding as well. So for the first time in about a decade, thousands of Haitian migrants set on making it to the United States suddenly had an opening to get here.

The Biden administration made several significant changes to the Donald Trump administration immigration policy — particularly reducing deportations. But Biden has continued to use one of Trump’s most contentious enforcement tools to expel migrants as quickly as possible. It’s a health code, known as Title 42, that cites the pandemic as a reason to clear out the border as rapidly as possible. These migrants are being sent home without the opportunity to request asylum proceedings. The Biden administration hopes that is a deterrent for others who might try to come.

But the limits of deterrents are directly correlated to the desperation of people, said Theresa Brown, of the Bipartisan Policy Institute.

How did the infamous photo of Haitian migrants and the Border Patrol agent come about?

Haitians camped in Del Rio, Tex., are sleeping outdoors under a bridge as they wait for the government to apprehend and process them, in the hope of claiming asylum. Immigration analysts aren't sure why they chose this city, which is not the usual spot for migrants. Bolter theorizes it's because there is less stringent cartel control of the border via the Rio Grande river, and word of mouth about it spread.

But to get food, to charge their cellphones and maybe get cash from a relative, they have to go back to the Mexican side of the border.

That seems to be where these Haitians were coming from when a Border Patrol agent on horseback tried to catch them. The agents, The Washington Post reports, were seen swinging the horses' reins (they did not have whips) and didn't appear to strike anyone.

Other video showed a Border Patrol agent on a horse shouting an obscenity as he tried to clear a child away.

It all provoked strong language from the nation's top immigration official. "I was horrified by what I saw," Mayorkas, the homeland security secretary, said on CNN. "I am going to let the investigation run its course, but the pictures that I observed troubled me profoundly."

Border Patrol agents have little direct supervision on the job and have to perform a herculean task. "They have to stand up to the forces of economics, and say: 'Stop,'" Nowrasteh said, speaking of the poverty that propels many migrants. "That's just an impossible job."

What is the Biden administration doing about this?

The Biden administration acknowledges that things in Haiti are very bad. This summer, the Biden administration granted temporary protected status to thousands of Haitians who were already in the United States illegally, citing "extraordinary and temporary conditions" in Haiti, such as: "a deteriorating political crisis, violence, and staggering human rights abuses." In 2010, the government took similar action after the earthquake in Haiti.

Perhaps that fed the false perception among Haitian migrants that they could seek a home in the United States now, Brown said.

“That policy can easily be misread to say: ‘Oh, Haitians, you can get a legal status if you come now,’ which is not the actual policy,” Brown said. “You have to already have been in the U.S.” Now many of these Haitians apprehended at the border are getting transported back to Haiti — many of whom haven’t lived there in years. Some of them told The Washington Post they were shackled on flights home.

As their plight draws national attention, a U.S. official told the Associated Press that thousands of Haitians living at the bridge are being released into the U.S. in “very, very large numbers.” But even if these Haitians are allowed to apply for asylum, a life in the United States is far from guaranteed. U.S. asylum law hasn’t been updated in decades, and it applies to people facing political persecution and not necessarily poverty.

What are the potential political fallout for Biden?

More public attention on the border is arguably the last thing he needed. It’s been his political weak spot since he took office, and he has privately been concerned about being seen as too lenient by Republicans, my colleagues report.

But even as Biden continues a much-debated Trump-era policy to ship people home as quickly as he can, still, migrants come. People from around the world — driven by political instability, corruption, climate change — are coming to the U.S.-Mexico border in increasing numbers.

The United States’ attention to the border this week was likely piqued by the fact that Haitians are different from the usual Central American migrants at the border, and by that photo.

Biden is also getting tons of pressure from civil liberty groups and immigration advocates to stop using a pandemic-rooted law to send people home.

The ACLU recently successfully sued to stop the government from expelling families under this. (The government is appealing.) The ACLU argues that the pandemic can’t override immigration law, which should let these migrants have a chance at applying for asylum and living in the United States while those legal proceedings play out over months or years.

Now top Democrats are piling on. Senate Majority Leader Charles E. Schumer (D-N.Y.) urged Biden “to immediately put a stop to these expulsions. ... We cannot continue these hateful and xenophobic Trump policies that disregard our refugee laws,” he said on the Senate floor on Tuesday.

He’s also getting lots of pressure on the left to fulfill a campaign promise to take big action on immigration, but it’s looking increasingly likely that’s not going to be through Congress.

Here’s NAACP President Derrick Johnson talking to my colleagues: “The humanitarian crisis happening under this administration on the southern border disgustingly mirrors some of the darkest moments in America’s history. If we were to close our eyes and this was occurring under the Trump administration, what would we do? The inhumane treatment of the Haitian refugees is utterly sickening.”