



Statement of the Women's Refugee Commission

Submitted to the House Committee on Homeland Security Subcommittee on Border Security, Facilitation, and Operations Hearing “Examining the Court-Ordered Reimplementation of the Remain in Mexico Policy”

Wednesday, March 2, 2022 at 2:00 PM

Dear Members of the House Homeland Security Subcommittee on Border Security, Facilitation, and Operations:

The Women's Refugee Commission (“WRC”) submits this statement to the House Homeland Security Subcommittee on Border Security, Facilitation, and Operations for the March 2, 2022 hearing, “Examining the Court-Ordered Reimplementation of the Remain in Mexico Policy.”

WRC is a non-profit organization that advocates for the rights of women, children, and families fleeing violence and persecution. We are leading experts on the needs of refugee women and children and the policies and programs that can protect and empower them. The Migrant Rights and Justice (“MRJ”) Program focuses on the right to seek asylum in the United States and strives to ensure that migrants and refugees, including women and children, are provided with humane reception in transit to and in the United States, given meaningful access to legal protection, and are protected from exposure to gender discrimination or gender-based violence.

Since 1996, MRJ staff have made numerous visits to the southwest border region, including along Mexico's northern border, as well as to immigration detention centers for adult women and families and to shelters housing unaccompanied children throughout the country. WRC has interviewed hundreds of detained women, families, and children seeking asylum in the United States.¹ Based on the information that we collect on these visits and our analysis of the

¹ Reports of our findings include: Women's Refugee Commission, *Prison For Survivors: The Detention of Women Seeking Asylum in the United States*, (2017); Women's Refugee Commission, Lutheran Immigration and Refugee Service, and Kids in Need of Defense, *Betraying Family Values: How Immigration Policy at the United States Border is Separating Families*, (2017); Women's Refugee Commission and Lutheran Immigration and Refugee Service, *Locking Up Family Values, Again: A Report on the Renewed Practice of Family Immigration Detention*, (2014); Women's Refugee Commission, *Migrant Women and Children at Risk: In Custody in Arizona*, (2010); Women's Refugee Commission, *Torn Apart by Immigration Enforcement: Parental Rights and Immigration Detention*, (2010); Women's Refugee Commission, *Innocents in Jail: INS Moves Refugee Women From Krome to Turner Guilford Knight Correctional Center*, (2001); Women's Refugee

laws and policies relating to these issues, we advocate for improvements, including by meeting with government officials and service providers and by documenting our findings through fact sheets, reports, backgrounders, and other materials. We make recommendations to address identified or observed gaps or ways in which we believe the corresponding department or agency can improve its compliance with the relevant standards.

We commend the Subcommittee for conducting this vital hearing. WRC, alongside scores of other faith, immigration, human rights, and organizations, agree with and have consistently corroborated Secretary of Homeland Security's assessment that the human toll that the Remain in Mexico ("RMX") policy causes is "intolerable."² Under the last iteration of the Remain in Mexico policy, over 70,000 individuals were sent back to wait for their U.S. immigration hearings in dangerous Mexican border cities.³ Advocates tracked over 1,500 kidnappings and other violent crimes that occurred to individuals in Remain in Mexico—some of which occurred while individuals were in transit to the port of entry for their U.S. court hearing.⁴ In the prior iteration of the policy, fewer than eight percent of individuals were able to secure access to legal counsel. Despite existing guidance exempting people with known physical or mental health issues from Remain in Mexico, WRC witnessed individuals with severe health conditions who were enrolled anyway.⁵ Without access to housing or other basic services in Mexico, thousands of individuals in Remain in Mexico were forced to wait in squalid conditions in makeshift migrant encampments.⁶

Commission, *Behind Locked Doors: Abuse of Refugee Women at the Krome Detention Center*, (2000); and Women's Refugee Commission, *Liberty Denied: Women Seeking Asylum Imprisoned in the U.S.*, (1997).

² Alejandro N. Mayorkas, *Migrant Protection Protocols (MPP) Termination Memo* (Oct. 29, 2021),

<https://www.dhs.gov/publication/migrant-protection-protocols-termination-memo>. See Women's Refugee Commission and IMUMI, *Stuck in Uncertainty and Exposed to Violence: The Impact of US and Mexican Migration Policies on Women Seeking Protection in 2021* (Feb. 2, 2022),

<https://www.womensrefugeecommission.org/research-resources/stuck-in-uncertainty-and-exposed-to-violence-the-impact-of-us-and-mexican-migration-policies-on-women-seeking-protection-in-2021/>; Women's Refugee Commission, *WRC Response to Request for Input on Family Separation* (Jan. 25, 2022),

<https://www.womensrefugeecommission.org/research-resources/wrc-response-to-request-for-input-on-family-separation/>; "Immigrants' Rights Organizations Urge the Biden Administration to Permanently End Remain in Mexico and Title 42 Policies," (Dec. 17, 2021),

<https://www.womensrefugeecommission.org/research-resources/immigrants-rights-organizations-urge-the-biden-administration-to-permanently-end-remain-in-mexico-and-title-42-policies/>; Women's Refugee Commission, *Asylum Denied: Remain in Mexico 2.0* (Dec. 15, 2021),

<https://www.womensrefugeecommission.org/research-resources/asylum-denied-remain-in-mexico-2-0/>; "Coalition Letter on US Department of Homeland Security's Stated Intention to Issue a New Memorandum Ending the Migrant Protection Protocols (Remain in Mexico) Program," (Oct. 14, 2021),

<https://www.womensrefugeecommission.org/research-resources/coalition-letter-us-department-homeland-security-stated-intention-issue-new-memorandum-ending-migrant-protection-protocols-remain-in-mexico/>; "Urgent Actions the Biden Administration Must Take Following Supreme Court Decision on Migrant Protection Protocols (MPP)," (Aug. 30, 2021),

<https://www.womensrefugeecommission.org/research-resources/urgent-actions-the-biden-administration-must-take-following-supreme-court-decision-on-migrant-protection-protocols-mpp/>; "Civil Society Organizations Call on the Mexican Government to Reject Any Reinstatement of Migrant Protection-Protocols (MPP)," (Aug. 24, 2021),

<https://www.womensrefugeecommission.org/research-resources/civil-society-organizations-call-on-the-mexican-government-to-reject-any-reinstatement-of-migrant-protection-protocols/>.

³ U.S. Customs and Border Protection, *Migrant Protection Protocols FY2022*,

<https://www.cbp.gov/newsroom/stats/migrant-protection-protocols>.

⁴ Human Rights First, *Delivered to Danger* (Feb. 19, 2021), <https://www.humanrightsfirst.org/campaign/remain-mexico>.

⁵ Women's Refugee Commission, *Chaos, Confusion, and Danger: The Remain in Mexico Program in El Paso* (May 16, 2019), <https://www.womensrefugeecommission.org/research-resources/chaos-confusion-and-danger/>.

⁶ See Nicole Narea, "The abandoned asylum seekers on the US-Mexico border," Vox (Dec. 20, 2019),

<https://www.vox.com/policy-and-politics/2019/12/20/20997299/asylum-border-mexico-us-iom-unhcr-usaid-migration-international-humanitarian-aid-matamoros-juarez>.

The former iteration of RMX also led to different forms of family separations. In some cases, families, including biological parents and children, were separated by Customs and Border Protection (“CBP”) through RMX. CBP would process some family members into the U.S. for their immigration proceedings and return other members to Mexico to wait for their U.S. court hearings. These separations inflicted immense irreparable trauma on families and created huge due process barriers during immigration proceedings. WRC documented numerous cases of this type of family separation.⁷ For example, CBP officials ripped apart Alvaro, an indigenous Guatemalan man who spoke little Spanish, and his son, Enzo, claiming that their birth certificates and documents were false. CBP sent Alvaro back to Ciudad Juarez through Remain in Mexico and Enzo to an Office of Refugee Resettlement shelter. It took nearly three months of anguish and the help of pro bono immigration attorneys for the father and son to be reunited. In other cases of family separation, for families who were returned to Mexico through RMX, parents were forced to make the impossible decision to send their children across the border to safety in the U.S.⁸ According to WRC’s analysis of CBP data on individuals entering the U.S. without inspection subsequent to being returned to Mexico under the prior iteration of RMX, 900 children crossed the U.S. southern border alone after being returned to Mexico with their families.⁹

In August 2021, a Texas judge ordered the Biden administration to restore RMX “in good faith.”¹⁰ The administration appealed that order and issued a new memo terminating RMX in October 2021.¹¹ We further expand on pressing issues concerning the reimplementation of Remain in Mexico below.

Expansion of nationalities eligible for enrollment in Remain in Mexico

Under the administration’s reinstatement of Remain in Mexico, individuals from all Western Hemisphere countries besides Mexico are subject to placement in the program, significantly expanding it.¹² Under the Trump administration, RMX was originally applicable only to Spanish speakers.¹³ However, the Department of Homeland Security (“DHS”) routinely returned individuals from Central and South America who spoke Indigenous languages to Mexico, and later began returning Brazilians under the program.¹⁴ The Biden administration’s decision to expand RMX, which was not ordered by the Court, and in particular its decision to include Haitians, is alarming. Haitian and other Black migrants and asylum-seeking

⁷ Women’s Refugee Commission, *Separation of families via the ‘Migrant Protection Protocols,’* (Aug. 20, 2019), <https://www.womensrefugeecommission.org/research-resources/separation-of-families-via-the-migrant-protection-protocols/>.

⁸ Kids in Need of Defense, *Forced Apart: How the “Remain in Mexico” Policy Places Children in Danger and Separates Families* (Feb. 24, 2020), <https://supportkind.org/wp-content/uploads/2020/02/MPP-KIND-2.24updated-003.pdf>.

⁹ U.S. Customs and Border Protection, *Migrant Protection Protocols FY2022* (see “Individuals Apprehended Entering the US Without Inspection Subsequent to Being Returned to Mexico through MPP”), <https://www.cbp.gov/newsroom/stats/migrant-protection-protocols>.

¹⁰ *Texas v. Biden* (Aug. 13, 2021),

<https://www.documentcloud.org/documents/21042967-81321-ruling-in-texas-missouri-v-biden-administration>.

¹¹ Alejandro N. Mayorkas, *Migrant Protection Protocols (MPP) Termination Memo* (Oct. 29, 2021),

<https://www.dhs.gov/publication/migrant-protection-protocols-termination-memo>

¹² Robert Silvers, *Guidance regarding the Court-Ordered Reimplementation of the Migrant Protection Protocols* (Dec. 2, 2021), <https://www.aila.org/infonet/dhs-releases-guidance-on-court-ordered>.

¹³ Juany Torres, Priscilla Lugo, Emma Israel, and Jessica Eller, *Migrant Protection Protocols* (May 2020),

<https://www.strausscenter.org/wp-content/uploads/MPP-Two-Pager-2020-4-1.pdf>

¹⁴ TRAC Immigration, *Details on MPP (Remain in Mexico)* (Nov. 2021), <https://trac.syr.edu/phptools/immigration/mpp/>.

individuals face pervasive, targeted anti-Black racism and discrimination in Mexico and are at particular risk for harm upon return to Mexico.¹⁵

Failure to accurately exempt individuals based on vulnerabilities

In the newest iteration of Remain in Mexico, the U.S. government once again promised to exclude “vulnerable individuals” from the policy. In the prior iteration of RMX, a DHS Civil Rights and Civil Liberties (“CRCL”) report from 2019 revealed that CBP officers violated the DHS principles and sent individuals with medical issues back to Mexico.¹⁶ WRC also witnessed this violation firsthand, observing the case of a four-year-old Honduran child with Guillain-Barre syndrome who was nonverbal and could not walk on her own. Despite her obvious health issues, this child was nevertheless unconscionably placed into RMX with her mother and older sister.¹⁷

The new DHS policy guidance outlined exemptions from Remain in Mexico for individuals with known mental and physical health issues, advanced age, or those vulnerable to increased risk based on sexual orientation or gender identity. However, within the first month of the program’s reimplementation, attorneys identified more than two dozen individuals who were enrolled in the program who should have been exempted, including LGBTQ individuals and people suffering from known medical conditions.¹⁸ DHS created a redress mechanism where individuals placed in the RMX can request a review of their enrollment.¹⁹ However, DHS first returned some individuals to Mexico prior to the creation of this mechanism, and since then it is unclear if all individuals enrolled in RMX have been made aware of this mechanism. Furthermore, even a short period enrolled in the program for “vulnerable” individuals eligible for exemption could be dangerous for their safety and well-being.

Lack of due process and meaningful legal representation

WRC is deeply concerned that Remain in Mexico is fundamentally incompatible with due process²⁰ and that individuals in Remain in Mexico face nearly insurmountable hurdles in securing meaningful legal representation or accessing protection. The reimplementation of Remain in Mexico provides that individuals in the program are given 24 hours to consult an attorney prior to their non-refoulement interview (“NRI”) in CBP custody, but many are

¹⁵ S. Priya Morley et al., “*There is a Target on Us*” – *The Impact of Anti-Black Racism on African Migrants at Mexico’s Southern Border*, IMUMI and Black Alliance for Just Immigration (2021), <https://imumi.org/attachments/2020/The-Impact-of-Anti-Black-Racism-on-African-Migrants-at-Mexico.pdf>; S. Priya Morley et al., *A Journey of Hope: Haitian Women’s Migration to Tapachula, Mexico*, IMUMI, Haitian Bridge Alliance, and the Center for Gender and Refugee Studies (2021), <https://cgrs.uchastings.edu/sites/default/files/A-Journey-of-Hope-Haitian-Womens-Migration-to%20-Tapachula.pdf>.

¹⁶ Hamed Aleaziz, “A Leaked US Government Report Documents How People With Medical Conditions And Disabilities Were Forced Into The “Remain In Mexico” Program,” BuzzFeed News (Oct. 21, 2021), <https://www.buzzfeednews.com/article/hamedaleaziz/leaked-report-remain-in-mexico-children>.

¹⁷ Women’s Refugee Commission, *Chaos, Confusion, and Danger: The Remain in Mexico Program in El Paso* (May 16, 2019), <https://www.womensrefugeecommission.org/research-resources/chaos-confusion-and-danger/>.

¹⁸ Adolfo Flores and Hamed Aleaziz, “US Border Authorities Have Incorrectly Placed Immigrants With Medical Conditions In The Relunched “Remain In Mexico” Program, Attorneys Say,” BuzzFeed News (Dec. 20, 2021), <https://www.buzzfeednews.com/article/adolfoflores/us-border-authorities-wrongly-sought-to-force-asylum>.

¹⁹ U.S. Department of Homeland Security, *MPP Additional Resources* (Feb. 10, 2022), <https://www.dhs.gov/mpp-additional-resources>.

²⁰ Approximately 1% of individuals returned to Mexico in the first iteration of RMX were granted relief, an egregiously low grant rate that demonstrates the due process barriers inherent in the policy.

unable to reach an attorney in that time frame.²¹ In addition, CBP facilities generally lack confidential spaces for these sensitive consultations. The most recent DHS data shows that the majority of individuals are unable to consult an attorney during the NRI process and the majority of individuals who express fear are sent back to Mexico.²² In December 2021 and January 2022, while 87 to 89 percent of RMX enrollees claimed fear, about 75 percent of NRIs resulted in negative fear decisions. Advocates have documented that individuals in RMX have said they did not receive a clear explanation of the NRI process by CBP.²³

In addition, barriers to accessing legal support make it extremely difficult, if not nearly impossible, for RMX enrollees to have a fair opportunity to present their case in court. The prior implementation of RMX put attorneys who crossed into Mexico to meet with their clients in danger,²⁴ and many shelters in Mexico are not equipped to provide confidential meeting spaces. According to the DHS implementation guidance for the current iteration of RMX, “CBP will provide MPP enrollees information provided by the Department of State about where they can locate places in Mexico to engage in telephonic or video communications with counsel.” Virtual legal representation—including via videoconferencing on televisions or tablets—creates significant barriers for attorneys to effectively communicate with and represent their clients.²⁵

Safety concerns in Mexico

WRC and other civil society organizations are concerned that enrollees will continue to face significant risks and exposure to violence in northern Mexico while waiting for their cases to be heard in the United States. In December 2021, advocates documented that many of the first individuals enrolled in this iteration of Remain in Mexico suffered harm in Mexico, including kidnapping and violence at the hands of Mexican officials, before being selected for the program.²⁶ Since RMX’s reinstatement in December 2021, individuals have been returned to Matamoros (with government-provided transportation to Monterrey), Tijuana, and Ciudad Juarez, with the expectation that individuals will soon also be sent back to Nuevo Laredo. The State Department’s current Travel Advisory for Mexico includes a “Do Not Travel” warning level for the Mexican state of Tamaulipas (where Matamoros and Nuevo Laredo are located); a “Reconsider Travel” warning level for the Mexican states of Baja

²¹ Julia Neusner and Ana Ortega Villegas, “Nothing Humane About This Process:” *Biden Administration Launches “Remain in Mexico” Revamp at El Paso Port of Entry*, Human Rights First (Dec. 16, 2021), <https://www.humanrightsfirst.org/blog/nothing-humane-about-process-biden-administration-launches-remain-mexico-revam-p-el-paso-port>.

²² Office of Immigration Statistics at the Department of Homeland Security, *Migrant Protection Protocols Cohort Report* (Feb. 2022), https://www.dhs.gov/sites/default/files/2022-02/22_0215_plcy_mpp_cohort_report_feb2022.pdf.

²³ Yael Schacher, *MPP as a Microcosm: What’s Wrong with Asylum at the Border and How to Fix It*, Refugees International (Feb. 11, 2022), <https://www.refugeesinternational.org/reports/2022/2/10/mpp-as-a-microcosm-whats-wrong-with-asylum-at-the-border-and-how-to-fix-it>.

²⁴ Human Rights First, *Remain in Mexico Restart Threatens Safety of Attorneys and Humanitarian Workers* (Nov. 30, 2021), <https://www.humanrightsfirst.org/resource/remain-mexico-restart-threatens-safety-attorneys-and-humanitarian-workers>.

²⁵ Women’s Refugee Commission, *Asylum Denied: Remain in Mexico 2.0* (Dec. 15, 2021), <https://www.womensrefugeecommission.org/research-resources/asylum-denied-remain-in-mexico-2-0/>.

²⁶ Human Rights First, *Inhumane Again: Remain in Mexico Rollout Confirms Endemic Flaws of Unfixable Policy* (Dec. 2021), <https://www.humanrightsfirst.org/sites/default/files/Inhumane%20Again-%20Remain%20in%20Mexico%20Rollout%20Confrms%20Endemic%20Flaws%20of%20Unfixable%20Policy.pdf>.

California (where Tijuana is located); and Chihuahua (where Ciudad Juarez is located), due to crime and kidnapping.²⁷ In 2021, the Mexican government classified Tijuana and Ciudad Juarez as the two most violent municipalities in Mexico due to the cities' high homicide rates.²⁸

Difficulties accessing services in Mexico

In the first iteration of Remain in Mexico, the U.S. and Mexican governments failed to fulfill their promise to ensure access to housing and services for individuals returned to Mexico. According to the DHS policy guidance for this iteration of Remain in Mexico, the Department of State will “assist in coordinating safe transportation in Mexico to and from the [ports of entry]” and coordinate with the Government of Mexico to ensure access to shelters in Mexico.²⁹ However, the Department of State has yet to publicly release details about assistance with transportation and shelter for individuals enrolled in Remain in Mexico, including the allocation of funding to international organizations.

The incomplete winddown of the first iteration of Remain in Mexico

From February to August 2021, the Biden administration worked in collaboration with international organizations, regional task forces, and local nonprofit organizations on a winddown process that allowed approximately 13,000 individuals returned to Mexico under the first iteration of Remain in Mexico policy to continue their immigration cases in the U.S. rather than waiting in Mexico. The Department of Homeland Security suspended the process due to the court order and said that it would not resume the winddown as long as the injunction remains in place, stranding families and adults who had been waiting in dangerous conditions in Mexico for their U.S. immigration proceedings since 2019.³⁰

Ongoing barriers to access to protection at the U.S. southern border

There are ongoing barriers to access to protection at the U.S.-Mexico border separate from Remain in Mexico's reimplementation. Since March 2020, a provision of health law has been misused to summarily block and expel most individuals arriving at the U.S. southern border, either back into Mexico or even directly to home countries where they may face persecution, including Haiti, Honduras, Guatemala, El Salvador, and Brazil. This policy, known as Title 42, has been resoundly rejected by thousands of medical professionals,³¹ hundreds of civil society and human rights organizations,³² and more than one hundred Members of

²⁷ U.S. Department of State Bureau of Consular Affairs, *Mexico Travel Advisory*,

<https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/mexico-travel-advisory.html>.

²⁸ Lidia Arista, “En 22 de los 50 municipios prioritarios suben hasta 50% los homicidios dolosos,” *Expansión Política* (Jan. 20, 2022), <https://politica.expansion.mx/mexico/2022/01/20/en-22-municipios-prioritarios-suben-homicidios-dolosos>.

²⁹ Robert Silvers, *Guidance regarding the Court-Ordered Reimplementation of the Migrant Protection Protocols* (Dec. 2, 2021), <https://www.aila.org/infonet/dhs-releases-guidance-on-court-ordered>.

³⁰ Adolfo Flores and Hamed Aleaziz, “Remain In Mexico” Asylum-Seekers Thought There Was Hope Under Biden, But Despair Is Sinking Back In,” *Buzzfeed News* (Sept. 10, 2021),

<https://www.buzzfeednews.com/article/adolfoflores/asylum-seekers-remain-in-mexico-biden>.

³¹ Physicians for Human Rights, “1,300+ Medical Professionals from 49 U.S. States and Territories Call on CDC to End “Junk Science” Border Expulsion Policy” (Oct. 28, 2021),

<https://phr.org/our-work/resources/u-s-medical-professionals-demand-cdc-end-title-42/>.

³² “Immigrants’ Rights Organizations Urge the Biden Administration to Permanently End Remain in Mexico and Title 42 Policies” (Dec. 17, 2021),

Congress.³³ Due to Title 42, currently there is no way virtually no way for individuals to approach a port of entry and seek asylum,³⁴ leading people to cross the border along dangerous routes between ports of entry to seek safety.³⁵

Conclusion

Despite efforts to mitigate the harms of the policy, the reimplementation of Remain in Mexico has not resolved its fundamental flaws with the policy: individuals continue to wait for their U.S. immigration hearings in dangerous Mexican border cities; individuals continue to face near-insurmountable barriers to due process and meaningful access to legal representation; and the U.S. government has not consistently applied exemptions based on its own vulnerabilities guidance. We provide the following recommendations to Members of this Subcommittee regarding the reimplementation of Remain in Mexico.

Recommendations

- Members of Congress should conduct regular and robust oversight over the relevant agencies responsible for implementing Remain in Mexico to ensure that the Biden Administration takes all lawful and appropriate steps to uphold its promise to end the unlawful and dangerous policy once and for all and to ensure that:
 - The Department of Homeland Security renews its efforts to bring individuals subjected to the previous iteration of Remain in Mexico into the U.S. to continue their immigration cases in safety, rather than continuing to wait in Mexico.
 - The Department of Homeland Security continues to release monthly updates on the cohorts of individuals enrolled in RMX, and works to incorporate data from the Executive Office for Immigration Review (“EOIR”) on hearing outcome/legal representation and from Immigration and Customs Enforcement (“ICE”) on transfer outcomes for individuals disenrolled from RMX.
 - Customs and Border Protection properly and consistently screens individuals for potential exemptions from the Remain in Mexico program across sectors.
 - Customs and Border Protection does not interfere with access to legal representation during NRIs and provides confidential spaces for legal consultations prior to NRIs and immigration court hearings.
 - All relevant agencies, including the Department of State, disclose the amount of funding provided to international organizations to support individuals returned to Mexico in Remain in Mexico and release regular reports on the

<https://www.womensrefugeecommission.org/research-resources/immigrants-rights-organizations-urge-the-biden-administration-to-permanently-end-remain-in-mexico-and-title-42-policies/>.

³³ “Booker, Bush Lead 100 Congressional Colleagues in Urging President Biden to Reverse Inhumane Immigration Policies Impacting Black Migrants” (Feb. 16, 2022),

<https://www.booker.senate.gov/news/press/booker-bush-lead-100-congressional-colleagues-in-urging-president-biden-to-reverse-inhumane-immigration-policies-impacting-black-migrants>.

³⁴ Women’s Refugee Commission, *Restoring Access to Asylum: Safely Reopening Ports of Entry at the US-Mexico Border* (Oct. 19, 2021),

<https://www.womensrefugeecommission.org/research-resources/restoring-access-to-asylum-safely-reopening-ports-of-entry-at-the-us-mexico-border/>.

³⁵ David J. Bier, *How the U.S. Created Cuban and Haitian Illegal Migration*, Cato Institute (Feb. 15, 2022), <https://www.cato.org/blog/how-us-created-cuban-haitian-illegal-migration>.

support provided to individuals returned to Mexico, including transportation, housing, video and telephone conferencing, and know-your-rights sessions.

- The Department of Homeland Security works with the Department of State to track all reported kidnappings and other violent crimes suffered by individuals returned to Mexico in Remain in Mexico.
- Members of Congress should continue to conduct periodic monitoring trips to U.S. and Mexican border cities where individuals are returned to visit CBP facilities and Mexican shelters, immigration courts—including tent courts used for Remain in Mexico hearings—and to meet with international organizations and local legal and humanitarian service nonprofit organizations supporting or representing those in Remain in Mexico.
- We also urge Members of Congress, including this Committee, to ensure that DHS expeditiously takes steps to end the use of Title 42 expulsions and promptly restores access to asylum at the southern border, including at ports of entry.

We thank you for your consideration and time reviewing the Remain in Mexico policy's reimplementation. We look forward to engaging further with Members of this Subcommittee to ensure necessary oversight is conducted of this policy.

Sincerely,
Women's Refugee Commission