

# Sustainable, Orderly, and Safe Reception at the US-Mexico Border: Recommendations for the Shelter and Services Program



## Introduction

For years, the Federal Emergency Management Agency's (FEMA's) Emergency Food and Shelter Program (EFSP) has supported local governments and community organizations welcoming new arrivals. FEMA and Customs and Border Protection (CBP) are now transitioning their federal support to the new Shelter and Services Program (SSP), to be operated out of CBP.<sup>1</sup> Coinciding with the end of Title 42,<sup>2</sup> the development of the SSP offers an important opportunity to improve, refine, and scale the efficient, humane, and sustainable reception of people seeking protection through careful program design in close consultation with on-the-ground service providers like border humanitarian reception shelters and respite centers.

Border humanitarian reception shelters and respite centers run by nongovernmental organizations (NGOs) at the US-Mexico border<sup>3</sup> are the linchpin of a crucial public-private partnership that undergirds the orderly, humane, and cost-effective processing of people arriving to seek protection in the US. Border shelters work closely with the Department of Homeland Security (DHS) to ensure that people have somewhere to go after release from government custody where they can not only fulfill their basic needs but also receive the support they need to understand their immigration proceedings and reach their final destinations. This effective handoff from DHS to NGOs safeguards not only human dignity, but also contributes to orderly and efficient DHS operations by facilitating prompt releases from government custody and more effective and meaningful participation by noncitizens in their immigration processes.

Moreover, and in significant part thanks to support from FEMA's EFSP, border shelters providing dignified reception have reduced reliance on costly and inhumane detention, which is incredibly [harmful](#) to the [physical](#) and [mental](#) health of people seeking asylum. Together, these shelters account for a fraction of the cost paid by the federal government for immigration detention.<sup>4</sup>

Rather than a limited emergency-response mechanism like the EFSP, the SSP can and should become a key tool in a larger toolbox of orderly, humane, and sustainable policies and programs that facilitate the reception and processing of people seeking asylum in the US. DHS can jump-start this process by using the \$800 million appropriated by Congress in the [Fiscal Year 2023 omnibus](#) and existing NGO capacity along the border to respond nimbly, humanely, and efficiently to people seeking asylum at the US-Mexico border, rather than resorting to costly and punitive measures like [detaining families](#) or [restricting asylum access](#).

## The SSP Should Be Responsive to the Needs of NGO Shelter Partners

Sustainable humanitarian reception is a necessary component of orderly and efficient immigration processing, which requires sufficient, scalable shelter capacity—more than exists now—and meaningful coordination between NGOs, CBP’s US Border Patrol and Office of Field Operations, and Immigration and Customs Enforcement (ICE) officials. That coordination should include:

- **Routine Communication between DHS and Shelters.** Regular and frequent communication between local NGOs and local immigration agencies is a key best practice, in particular to prevent street releases, which see agencies drop off people seeking asylum at bus stations or other random locations without notice to the NGOs that would have otherwise received them. NGOs receiving people seeking asylum would also benefit from close communication with DHS regarding its plans for processing and release, as well as its plans to transport individuals to other parts of the border. Moreover, operational agreements, which allow DHS to disclose information about the noncitizens it plans to release to the care of shelters, help provide an additional layer of protection for particularly vulnerable populations, such as people with medical issues, disabilities, or children.
- **Contingency planning.** Like DHS, shelters need to develop contingency plans for increased arrivals of people seeking protection in their communities. To improve planning, DHS should regularly communicate with NGOs about, among other operational realities, their typical and expanded capacity per region, so that NGOs can develop sustainable infrastructure and personnel.
- **Sustainability.** NGOs need consistent support from government partners, not least to maintain infrastructure for sheltering and services that can be flexible to accommodate both high- and low-release periods. With sustainable support, NGOs will not be forced to deactivate and reactivate in rapid response to lower and higher numbers of arrivals. Instead, NGOs can provide expanded services during low-release times and prioritize basic reception services during high-release times.

With clear understanding of immigration and humanitarian infrastructure capacity, border shelters and DHS can better ensure that individuals are processed and received in an orderly and humane manner.

**A note on co-location:** Locating NGOs alongside CBP’s Office of Field Operations at ports of entry is a vitally important opportunity for DHS/NGO engagement in both improving communication and coordination between all involved parties and ensuring that each arriving individual receives accurate paperwork and information. Such co-location ultimately sets up individuals and families to succeed in arriving in destination communities and attend ICE check-ins and court hearings, saving valuable government time and resources. Jewish Family Service of San Diego’s co-location at the San Ysidro Port of Entry, particularly during the wind-down of the Migrant Protection Protocols (MPP) policy in 2021,<sup>5</sup> should be regarded as a best practice for facilitating the safe and humane transfer of people seeking protection from government custody to shelter that can serve as a roadmap for future border management. Co-location both preserves the rights of arriving individuals and families while also contributing to government priorities, including the safe and orderly processing at the border.

## The SSP's Structure and Procedures Should Ensure Sustainable Reception Practices

The SSP's structure and procedures should reflect the operational demands that local NGOs face on a daily basis.

- **Single point of contact for shelters.** As with the previous federal funding program, it is crucial for the SSP to designate a single US government point of contact who is authorized and empowered to promptly address financial and operational concerns of border shelters, enabling efficient decision-making and timely feedback.
- **Connect to supplementary resources.** Recognizing that the SSP is only one source of support for reception services, other US agencies and supplementary resources should be available if and when the SSP is unable to address additional needs. Unmet needs often include longer-term support services, such as case management and housing support, especially in destination locales that are often in the interior of the US, where initial respite support at the border naturally transitions into longer-term needs.
- **Prioritize high-capacity shelters and respite centers.** The SSP should reinforce sustainable and safe practices by prioritizing the funding of shelters and respite centers that have established operational capacity and the ability to expand to meet CBP's extended capacity scenarios. Such shelters help avoid street releases and provide holistic humanitarian services.
- **Utilize grant and advance funding.** The SSP must provide advance funding directly to these shelters so they can be prepared for any sudden changes in migration patterns. Grant-based funding, rather than a reimbursement model, would allow border shelters to more sustainably function and prevent them from waiting for reimbursement over several weeks or months.

Advance funding, rather than reimbursement, is critical for many migrant shelters based at the US southern border. As an example, prior to the availability of EFSP funding, there was no shelter able to receive people released from DHS custody in a 24/7 capacity in the entire state of New Mexico. However, with the advent of advanced funding, New Mexico has been able to activate and operate the largest 24/7 reception and overnight shelter for people seeking safety released from DHS custody in the entire El Paso Sector. Without advance funding, New Mexico migrant shelters would be unable to continue these services, significantly impacting the regional response.

## The SSP's Funds Should Meet Humanitarian, Not Enforcement, Needs

NGOs and faith-based organizations provide crucial humanitarian services every day and ensure an orderly and dignified transition for people seeking asylum from government custody to the community. Based on years of expertise, we recommend the following services be funded through the Shelter and Services Program.

- **Food and shelter:** Fund NGOs along the southern border that provide meals and shelter to people released from DHS custody.
- **Health and medical treatment:** Fund medical services at shelters, including basic first aid, health assessments with referrals to longer-term care where necessary, and mental health care. This includes the ability to stabilize long-term medical issues that may have gone untreated. Preventive care and stabilization help lessen expensive emergency visits and allow people seeking protection to undertake onward travel.
- **Legal information:** Fund legal information presentations within border shelters. People seeking protection can gain further information about the next steps in their immigration case as well as be referred to legal services in destination communities.

- **Transportation:** Fund transportation of people seeking safety for several purposes, including from DHS custody to shelter and from one shelter to another if one is at capacity and another is not; and local transportation from shelter to bus stations and airports.
- **Transportation to onward destination:** Fund transportation of people seeking protection to their final destination, where they will reunite with friends and family and be able to connect to legal and case management services. The SSP is intended to assist with the decompression of DHS facilities and prioritize onward movement.
- **Infrastructure:** Fund capital improvements, procurement of facilities, and expansion or construction of sites.
- **Administrative support:** Fund the routine expenses required to maintain a shelter, including for personnel (client facing and administrative), security and cleaning contracts, occupancy expenses such as rent, utilities, internet, and other costs to maintain the physical building.

Given the essential nature of these services, the SSP should no longer divide them into primary and secondary categories. Staff, for example, are necessary to facilitate an NGO's support of a person's onward movement, and thus should not be deemed a secondary funding category.

## Concluding Recommendations

Every day, border communities welcome people seeking asylum. The new CBP Shelter and Services Program can provide critical financial support to the border shelters meeting the basic humanitarian needs of people seeking protection and supporting their onward journey while their immigration cases continue, thereby securing an indispensable component of orderly and efficient migrant management.

Through a sustainable and proactive program, humanitarian reception can transition from an emergency model to a stable and sustainable everyday model, focused on the routine coordination of people seeking asylum from government custody to short-term shelter, and from short-term shelter to final destination, where many reunite with friends and family.

While ensuring that the SSP adequately and sustainably serves the respite needs of border shelters and communities, policymakers and lawmakers should also consider additional funding and programmatic tools, outside the SSP, to meet longer-term needs, such as case management and housing.

Ultimately, the SSP is one tool in the toolbox to meet migration and reception needs. DHS should prioritize its coordination with NGOs to ensure the smooth handoff of people seeking protection from government custody to short-term shelters. Congress should support long-term investment in the SSP to guarantee the safe and consistent humanitarian reception of people seeking asylum, not only during periods of high arrivals, but for years to come.

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## Endnotes

- 1 The [Fiscal Year 2023 appropriations omnibus](#) authorizes transfer of \$785 million from CBP to FEMA for the SSP at Section 211(a), accompanied by a more detailed directive regarding the transition from EFSP to SSP as a critical support for CBP operations on pages 70 to 71 of the [Joint Explanatory Statement](#).
- 2 Title 42 is a provision of health law that was weaponized during the COVID-19 pandemic to deny people the opportunity to seek safety in the United States. Because its use was tied to the pandemic, the [end of the public health emergency declaration](#) on May 11, 2023 will also terminate the basis for the use of Title 42 to quickly expel people seeking protection in the US back to Mexico or their countries of origin.
- 3 We thank Catholic Charities, Diocese of San Diego; Catholic Charities, Diocese of Laredo; Casa Alitas-Catholic Community Services of Southern Arizona; Galilee Center; Good Neighbor Settlement House; and Regional Center for Border Health for their input and review.
- 4 In [Fiscal Year 2022](#), Immigration and Customs Enforcement (ICE) spent an average of \$162.50 per detention bed per day to detain adult migrants. ICE spent even more to detain families in hotels, for an average of more than \$300 per bed per day. DHS Office of the Inspector General, [ICE Spent Funds on Unused Beds, Missed COVID-19 Protocols and Detention Standards while Housing Migrant Families in Hotels](#), April 12, 2022.
- 5 During the MPP winddown process in 2021, individuals who were returned to Mexico via the first iteration of MPP were received at US ports of entry in order to continue their court cases within the US.