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Committee on Homeland Security, Subcommittee on Border Security and Enforcement
“Part 1: Consequences of Failure: How Biden's Policies Fueled the Border Crisis”

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Testimony of Aaron Reichlin-Melnick
Senior Fellow
American Immigration Council

Chairman Guest, Ranking Member Correa, and distinguished members of the Subcommittee:

My name is Aaron Reichlin-Melnick, and I currently serve as a Senior Fellow at the American Immigration Council, a non-profit organization that envisions a nation where immigrants are embraced, communities are enriched, and justice prevails for all. We strive to create a society that values immigrants as vital contributors and where everyone is afforded an equal opportunity to thrive socially, economically, and culturally. We do this by shaping immigration policies and practices at the federal, state, and local levels through educating decisionmakers and the public and advancing sensible policy solutions through research and advocacy.

The Council has long studied border policy and immigration enforcement within the United States. In 2023, we published *Beyond a Border Solution*, a report calling for greater investment in the immigration adjudication system and for border enforcement, as well as legal changes to create a more functional humanitarian protection system.¹

There is no doubt that President Biden’s record at the border was mixed. As the Council made clear over the last four years, President Biden made measurable progress at restoring the asylum system and offering safe and legal alternate pathways, while failing to respond to the urgent need to address the overwhelmed adjudication system or take a leading role in coordinating a national response to the arrival of large numbers of migrants seeking asylum or a better life in the United States. While Congress eventually provided some support to local communities, the administration’s response was delayed. The administration eventually settled on a strategy in late 2023 and border encounters plummeted throughout 2024. The “carrot and stick” approach remained in significant tension with the law, permitting some individuals to access protections while forcing others to wait indefinitely outside the country in Mexico. While this fragile state of affairs effectively reduced irregular crossings from their peaks in December 2023, its legality was questionable and ultimately it was in many ways too little, too late.

However, much has changed since 2024. On January 20, 2025, President Trump took office for a second time. As in his first term, he has set about radically reshaping immigration law and policy. President

¹ American Immigration Council, “Beyond a Border Solution,” May 3, 2023, <https://www.americanimmigrationcouncil.org/research/beyond-border-solutions>.

Trump campaigned on “mass deportations” and after taking office he’s set out to make deportation and immigration enforcement the number one priority of the federal government.

Throughout the federal government, the Trump administration has moved to shift nearly all federal law enforcement agencies to focus on interior enforcement; the “mass deportations” he promised on the campaign trail. Rather than focus primarily on the border, recent entrants, or even those with criminal records, the Trump administration’s shotgun approach to enforcement is simultaneously targeting longtime residents,² those with no criminal records,³ undocumented families,⁴ migrant children,⁵ undocumented workers,⁶ and random people with the misfortune to be caught standing near an ICE operation.⁷ These indiscriminate and scattershot efforts to ramp up arrests with no emphasis on targeting public safety threats are indicative of an administration aiming to carry out as many arrests and deportations as they can, with little care as to whom they round up and what the impact will be on the rest of the country.

These efforts to carry out mass deportations are making Americans less safe and less well off. Law enforcement officers across the federal government have been taken off their normal duties and forced to carry out immigration arrests. Trust between immigrant communities and local police is being undermined as the administration moves to pressure local communities to end policies which promote cooperation with police. A climate of fear has descended across the country, with some immigrants with deep ties to this country staying home, skipping work and school, and only venturing outside when strictly necessary.⁸ Should deportations ramp up further, the economic impact of this change will only get worse, and all Americans can expect to feel the pinch.⁹

This administration’s priorities are backwards. At the same time as his administration is slashing government services for Americans across the board, President Trump is pouring resources into immigration enforcement. Billions of dollars are going to detaining ever-greater numbers of immigrants in

² Josh DuBose, “California couple deported after living in U.S. for 35 years,” *KTLA*, March 19, 2025, <https://ktla.com/news/local-news/southern-california-couple-in-u-s-for-35-years-deported-to-colombia/>; Theara Coleman, “Jeanette Vizguerra: a high-profile activist and the latest casualty of the immigration crackdown,” *Yahoo News*, March 20, 2025, <https://www.yahoo.com/news/jeanette-vizguerra-high-profile-activist-170455405.html>.

³ Laura Strickler, “New Immigration and Customs Enforcement data shows administration isn’t just arresting criminals,” *NBC News*, February 19, 2025, <https://www.nbcnews.com/politics/national-security/new-ice-data-shows-administration-isnt-just-arresting-criminals-rcna192656>.

⁴ Jennie Taer, “ICE will now target illegal migrant families for deportation — and is reopening 2 detention centers to hold them,” *New York Post*, March 6, 2025, <https://nypost.com/2025/03/06/us-news/trump-admin-will-now-target-illegal-migrant-families-for-deportation/>.

⁵ Marisa Taylor, Ted Hesson and Kristina Cooke, “Trump officials launch ICE effort to deport unaccompanied migrant children,” *Reuters*, February 23, 2025, <https://www.reuters.com/world/us/trump-administration-directs-ice-agents-find-deport-unaccompanied-migrant-2025-02-23/>,

⁶ Ximena Bustillo, “In child care centers and on farms, businesses are bracing for more immigration raids,” *NPR*, February 28, 2025, <https://www.npr.org/2025/02/28/g-s1-50958/business-workplace-raids-immigration-ice-deportation>.

⁷ Associated Press, “Ice violated Chicago agreement during immigration raids, activists allege,” March 17, 2025, <https://www.theguardian.com/us-news/2025/mar/17/chicago-ice-raids>.

⁸ Rebecca Davis O’Brien and Miriam Jordan, “A Chill Sets In for Undocumented Workers, and Those Who Hire Them,” *New York Times*, March 9, 2025, <https://www.nytimes.com/2025/03/09/business/economy/immigrant-workers-deportation-fears.html>.

⁹ American Immigration Council, “Mass Deportation: Devastating Costs to America, Its Budget and Economy,” October 2, 2024, <https://www.americanimmigrationcouncil.org/research/mass-deportation>.

overcrowded ICE detention beds and holding cells.¹⁰ At the same time, the U.S. Department of Agriculture is terminating contracts to ensure America's children have access to fresh, local food in our schools¹¹ and the National Institutes for Health are terminating grants to provide cancer care in rural areas.¹²

The Trump administration's cuts also extend to core oversight of their actions. On Friday, March 21, the Department of Homeland Security effectively dissolved three oversight bodies created by Congress within the Department of Homeland Security; the Office of the Immigration Detention Ombudsman, the U.S. Citizenship and Immigration Services Ombudsman, and the DHS Office for Civil Rights and Civil Liberties.¹³ The latter agency was tasked with reviewing claims under the Prison Rape Elimination Act brought by people in ICE detention.

Abolishing CRCL will cause investigations into serious allegations of rape and sexual violence inside ICE detention centers to be dropped or to languish with no forward progress, allowing perpetrators to escape responsibility. And this is not even the first time the Trump administration has openly ignored sexual violence against migrants. In March the Trump administration dropped a lawsuit seeking compensation for migrant children raped and sexually abused while held in shelters. Displaying a shocking level of callousness, the government argued in a legal brief that dropping the case was necessary because compensating children who had been raped and sexually abused while in government-funded shelters could "incentivize illegal crossings at the southern border."¹⁴ None of this makes our communities safer.

Rather than pour ever-greater sums of money into immigration enforcement while cutting services for Americans and gutting basic protections and oversight for those held in immigration custody, this administration and Congress should pursue common-sense policies that help our communities. A path to permanent legal status for the overwhelming majority of undocumented immigrants who have resided in this country for decades without getting into trouble with the law would build American prosperity, encourage the rule of law, and reduce exploitation of vulnerable immigrants by unscrupulous employers. In an option between self-defeating mass deportations and a prosperity-building path to legal status, the choice is clear.

President Trump's Obsession With Draconian Immigration Enforcement Is Making Us Less Safe

The Trump administration has chosen to prioritize immigration enforcement above nearly every other law enforcement priority; above drug trafficking, above terrorism, and above protecting our children.

The first shift began at the Department of Justice. On President Trump's first full day in office, the Department of Justice issued a memo declaring that all U.S. Attorneys offices "shall pursue charges

¹⁰ Dennis Valera, "Immigrant advocates protest inhumane conditions in Baltimore ICE detention facility," *CBS News*, March 18, 2025, <https://www.cbsnews.com/baltimore/news/maryland-immigration-ice-detention-facility-conditions/>.

¹¹ Aimee Picchi, "USDA cancels \$1 billion in funding for schools and food banks to buy food from local suppliers," *CBS News*, March 13, 2025, <https://www.cbsnews.com/news/usda-cancels-local-food-purchasing-food-banks-school-meals/>.

¹² Lauren Neergaard and Kasturi Pananjady, "NIH research cuts threaten the search for life-saving cures and jobs in every state," March 6, 2025, <https://apnews.com/article/trump-science-medicine-research-cancer-funding-university-0ef3fa47694784e47b0ecd51680410ba>.

¹³ Zolan Kanno-Youngs, Hamed Aleaziz, Adam Goldman, and Eileen Sullivan, "Trump Fires Nearly the Entire Civil Rights Branch of D.H.S.," *New York Times*, March 21, 2025, <https://www.nytimes.com/2025/03/21/us/politics/trump-civil-rights-homeland-security-deportations.html>.

¹⁴ Justin Wise and Suzanne Monyak, "US Said to Drop Sex Abuse Lawsuit Against Migrant Child Shelter," *Bloomberg*, March 9, 2025, <https://news.bloomberglaw.com/us-law-week/us-said-to-drop-sex-abuse-lawsuit-against-migrant-child-shelter>.

relating to criminal immigration-related violations” whenever presented, no matter how minor.¹⁵ Any failure to pursue such charges requires a formal declination decision and has to be immediately reported to senior leadership for review.¹⁶

Although federal law enforcement was already focused on serious matters, the memo directed multiple law enforcement agencies to abandon their current duties and shift to focusing on immigration-related offenses again. The memo directed the Organized Crime Drug Enforcement Task Force (established in 1982 to identify, disrupt, and dismantle drug trafficking and related offenses) and Project Safe Neighborhoods (established in 2001 to bring together federal, state, and local law enforcement to address violent crime) to divert “resources and attention to immigration-related prosecutions at the federal, state, and local levels.”¹⁷ Taking this one step further, the memo provides that “OCDETF Strike Forces shall prioritize the investigation and prosecution of immigration offenses, including by requiring OCDETF-funded AUSAs to devote significant time and attention to the investigation of these crimes.”¹⁸ In other words, the DOJ directs its components to *stop* focusing on drug trafficking and transnational crime and instead mandates that law enforcement *must* focus on immigration offenses.

This mandate is not new under President Trump. In his first term, Attorney General Jeff Sessions’ 2018 “Zero Tolerance” policy mandated that prosecutors charge every migrant crossing the southern border under 8 U.S.C. § 1325 for misdemeanor “improper entry.” This not only led to cruel family separations that a majority of Americans opposed, but it also meant prosecutors at the southern border were forced to divert attention away from serious criminals, which led prosecutions for drug trafficking to plummet.¹⁹ While it is too early to have any hard data for this renewed shift in prosecutorial priorities, expect something similar to occur in 2025. Prosecutors have limited resources, and if they are mandated to use those resources on immigration charges, they will by necessity be forced to stop bringing charges against other federal crimes.

After taking office, Attorney General Pam Bondi emphasized in a February 5, 2025 memorandum that the highest priority of the Department of Justice will be “immigration enforcement.”²⁰ Incredibly, the *only* priorities for the entire DOJ that AG Bondi lists in her memorandum are immigration enforcement (including investigations of local officials who do not cooperate with ICE), combatting trafficking and smuggling of children across the border, crimes against law enforcement, and targeting transnational criminal organizations such as MS-13. Not a single other crime rises to the level of a priority for the department — not terrorism, child sexual exploitation, public corruption, gang violence, election interference, *or even fentanyl trafficking*.

¹⁵ Acting Deputy Attorney General Emil Bove, “Memorandum for All Department Employees: Interim Policy Changes Regarding Charging, Sentencing, and Immigration Enforcement,” Dep’t of Justice, January 21, 2025, [available at https://www.washingtonpost.com/documents/2f9af176-72c5-458a-adc4-91327aa80d11.pdf?itid=hp-top-table-high_p001_f002](https://www.washingtonpost.com/documents/2f9af176-72c5-458a-adc4-91327aa80d11.pdf?itid=hp-top-table-high_p001_f002).

¹⁶ Id. at 2.

¹⁷ Id. at 3.

¹⁸ Id. at 3.

¹⁹ Brad Heath, “As feds focused on detaining kids, border drug prosecutions plummeted,” *USA Today*, October 10, 2018, <https://www.usatoday.com/story/news/investigations/2018/10/10/border-drug-trafficking-prosecutions-plunged-zero-tolerance/1521128002/>.

²⁰ Attorney General Pamela Bondi, Memorandum for All Department Employees: General Policy Regarding Charging, Plea Negotiations, and Sentencing,” February 5, 2025, <https://www.justice.gov/ag/media/1388541/dl>.

The diversion of law enforcement away from their normal duties has occurred throughout the federal government since Trump took office, not just among prosecutors. For example, ICE's Homeland Security Investigations (HSI), the criminal investigative arm of ICE, previously had its primary mission "keeping dangerous drugs and gang members off our streets" and "identifying and supporting victims rescued from child exploitation, human trafficking, and forced labor."²¹ Not so anymore. Now, pursuant to a January 20 executive order, the president has mandated that the "primary mission of [HSI] is the enforcement of the provisions of the INA and other federal laws related to illegal entry and unlawful presence of aliens in the United States."²²

Rather than protecting American children from pedophiles and drug traffickers, public reporting confirms that hundreds of HSI agents have been diverted to carrying out immigration enforcement instead.²³ Former HSI agents warned in February that these shifts may force agents to abandon cases involving "child exploitation crimes, cyberattacks and Dark Web financial schemes, Iranian and Chinese nuclear traffickers, Russian organized crime, trade fraud and sanctions investigations."²⁴ Now, in March, reporting from Reuters confirms the devastating impact of these cuts: "scores of agents who specialize in child sexual exploitation have been reassigned to immigration enforcement," including menial duties such as "surveillance outside of immigrant workers' homes, taking down license plates and distributing photos of 'target' immigrants to detain."²⁵

Multiple other federal law enforcement agencies are also being forced to divert large numbers of agents away from their normal law enforcement tasks to carry out immigration raids.

- The Drug Enforcement Agency has been ordered to divert agents to immigration enforcement, with one DEA Special Agent in Charge admitting that immigration enforcement duties are "new to the DEA," and that the agency has been required to send agents out to conduct immigration enforcement every day.²⁶ In total, 25 percent of DEA's entire 10,000 staff have been diverted to immigration enforcement as of late March.²⁷ Rather than tracking down drug traffickers, DEA agents are also being told to comb through old files and find any cases involving undocumented immigrants, going as far back as five years ago, even cases where prosecutors declined to bring charges because of a lack of evidence, and to go out and arrest these individuals on immigration offenses.

²¹ ICE Homeland Security Investigations, "Who We Are," last updated March 7, 2025, <https://www.ice.gov/about-ice/hsi>.

²² President Donald J. Trump, Executive Order 14159, Protecting the American People Against Invasion, January 20, 2025, <https://www.federalregister.gov/documents/2025/01/29/2025-02006/protecting-the-american-people-against-invasion>.

²³ Josh Meyer, "Thousands of DHS agents shift to deportation instead of drugs, weapons and human trafficking," *USA Today*, February 14, 2025, <https://www.azcentral.com/story/news/politics/2025/02/14/dhs-agents-deportation-not-trafficking/78641666007/>.

²⁴ Id. ("Cappannelli said one HSI agent involved in complex multi-agency criminal investigations is now chasing border crossers out of a remote station in Eagle Pass, Texas.")

²⁵ Brad Heath, Joshua Schneyer, Marisa Taylor, Sarah N. Lynch and Mike Spector, "Exclusive: Thousands of agents diverted to Trump immigration crackdown," *Reuters*, March 22, 2025, <https://www.reuters.com/world/us/thousands-agents-diverted-trump-immigration-crackdown-2025-03-22/>.

²⁶ Shelby Bremer, "DEA special agent in charge of San Diego discusses immigration, US-Mexico border," *NBC San Diego*, March 8, 2025, <https://www.nbcsandiego.com/news/local/san-diego-dea-agent-immigration-border/3772700/>.

²⁷ Brad Heath, Joshua Schneyer, Marisa Taylor, Sarah N. Lynch and Mike Spector, "Exclusive: Thousands of agents diverted to Trump immigration crackdown," *Reuters*, March 22, 2025, <https://www.reuters.com/world/us/thousands-agents-diverted-trump-immigration-crackdown-2025-03-22/>.

- The Bureau of Alcohol, Tobacco, and Firearms has also been deputized to carry out immigration enforcement. Agents have been sent to join ICE on various enforcement operations, including a controversial arrest of an adult outside a school during morning drop-off.²⁸ In total, as of late March, “about 80%” of the agency’s “roughly 2,500” agents have been reassigned to immigration enforcement and taken away from their normal job investigating firearms offenses, arson, bombing, and illicit shipments of alcohol and tobacco.²⁹
- The Internal Revenue Service has been directed to divert an unknown number of criminal investigation agents, whose expertise lies in investigating tax evaders and perpetrators of financial, to immigration enforcement.³⁰
- The U.S. Marshal Service has been directed to send agents to the southern border and to join ICE on enforcement operations in the interior.³¹

Even the FBI’s Joint Terrorism Task Force is not immune from this shift in priorities. The January 21 memorandum provides that the Joint Terrorism Task Force must “coordinate with DHS, as well as state and local members, to assist in the execution of President Trump’s immigration-related initiatives.”³² Media has already confirmed that agents assigned to the JTTF have been taken off their normal duties and instead are “focused on making immigration arrests.”³³ In essence, rather than focus on disrupting terrorist threats, the FBI’s primary anti-terrorism task force must instead focus on finding and rounding up migrants that the Trump administration declares a higher priority.

In a world of limited resources, diverting law enforcement agents and prosecutors focusing on more serious crimes to carry out Trump’s mass deportation agenda is going to have an obvious effect. When FBI agents investigating terrorists are instead forced to round up migrants, our nation is not safer. When ICE HSI agents working to track online child pedophiles are forced instead to wait outside a random migrant’s house conducting surveillance instead, our children are not safer. When DEA agents investigating a drug ring are told to instead knock on doors to find a random migrant who missed a court hearing, our communities are not safer.

Finally, to be clear, there is no evidence that the Trump administration’s increased enforcement operations are targeting only public safety threats. Data published by ICE itself shows that the percent of people arrested by ICE and held in ICE detention with no criminal record has tripled since President Trump took office (see Figure 1).

²⁸ Becky Vevea and Mila Koumpilova, “Person Detained By ICE And ATF Agents During School Dropoff, Charter School Leaders Say,” *Block Club Chicago*, February 28, 2025, <https://blockclubchicago.org/2025/02/26/person-detained-by-federal-immigration-officials-during-school-dropoff-chicago-charter-school-administrators-say/>.

²⁹ Brad Heath, Joshua Schneyer, Marisa Taylor, Sarah N. Lynch and Mike Spector, “Exclusive: Thousands of agents diverted to Trump immigration crackdown,” *Reuters*, March 22, 2025, <https://www.reuters.com/world/us/thousands-agents-diverted-trump-immigration-crackdown-2025-03-22/>.

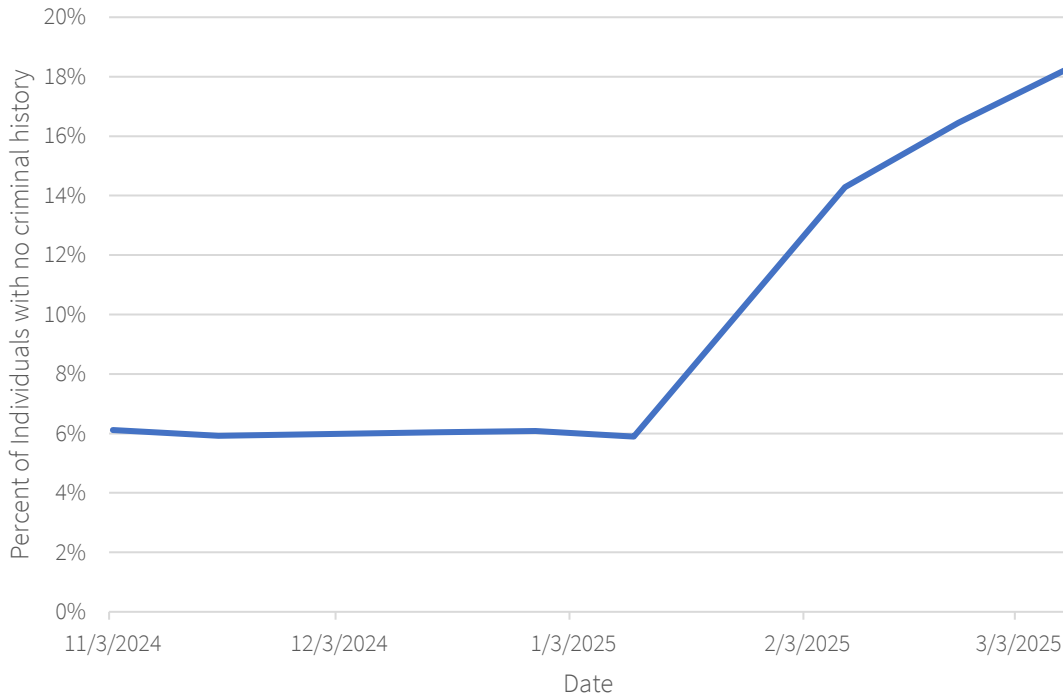
³⁰ *Id.*

³¹ Kerry Charles, “U.S. Marshals visit southern border,” *MSN*, February 17, 2025, <https://www.msn.com/en-us/news/us/u-s-marshals-visit-southern-border/ar-AA1zfeNrATF>.

³² Bove Memorandum, at 3.

³³ Barb Markoff, Christine Tressel, Tom Jones, Mark Rivera, “Chicago FBI terrorism task force new objective: Immigration enforcement,” *ABC 7 Chicago*, March 6, 2025, <https://abc7chicago.com/post/chicago-fbi-terrorism-task-force-new-objective-during-president-donald-trump-administration-immigration-enforcement/15985664/>.

Figure 1: Percent of Individuals Arrested by ICE Inside the United States and Held in ICE Detention Who Have No Criminal History.



Source: U.S. Immigration and Customs Enforcement, Detention Management, <https://www.ice.gov/detain/detention-management>.³⁴

Through the last months of the Biden administration, roughly 6 percent of people arrested by ICE inside the interior of the United States and sent to ICE detention had no criminal record, meaning 94 percent of those held in ICE detention arrested in the interior were people with either a prior criminal conviction or a pending criminal charge. As of early March, over 18 percent of individuals held in ICE detention who were arrested in the interior by ICE had no criminal record. In other words, the Trump administration’s enforcement efforts are leading to a significant increase in the arrests of people who are *not* public safety threats. And the people carrying out many of those arrests are law enforcement agents whose normal jobs would require them to target only those individuals engaged in serious violations of federal criminal laws, such as drug trafficking.

Mass Deportations Will Hurt the United States Economy and U.S. Workers

Today, there are at least 13 million undocumented people living in the United States.³⁵ President Trump promises to carry out a mass deportation campaign with the stated intent of arresting and deporting

³⁴ Detention data is posted to this site on a biweekly basis. Prior data available through the Wayback Machine at <https://web.archive.org/web/20241204112435/https://www.ice.gov/detain/detention-management>.

³⁵ Using American Community Survey data, we estimate that there were 10.99 million undocumented immigrants in the country as of 2022. DHS data shows that over 2.5 million people were released after crossing the southern border either at or between a port of entry since January 2023. U.S. Dep’t of Homeland Sec., Office of Homeland Security Statistics, “Immigration Enforcement and Legal Processes Monthly Tables,” <https://ohss.dhs.gov/topics/immigration/immigration-enforcement/immigration->

every one of them. While most people entered without inspection across the U.S.-Mexico border, millions entered with a visa and then overstayed.³⁶ Over 8.6 million entered the country before 2009, meaning they have now lived here for a minimum of 15 years.³⁷ Nearly five million have been here for a minimum of 25 years, and nearly 1.5 million have been here for a minimum of 35 years.³⁸ Without a path to permanent legal status, they have spent decades living in limbo; living, working, and often raising a family. They have become integral parts of their communities, and yet the law prevents them from securing the necessary paperwork that can make it formal.

Undocumented people are part of nearly every community and institution in the country. Over 100,000 undocumented children graduate from an American high school each year.³⁹ We estimate that there were 408,000 undocumented college students in 2021.⁴⁰ As of 2022, we estimate that there were roughly 1.7 million undocumented immigrants with a bachelor's degree or higher.⁴¹

Undocumented immigrants are also parents, spouses, and family members to millions of U.S. citizens and lawful permanent residents. Over 11.3 million U.S. citizens, plus an additional 2.4 million people with lawful permanent residency, live with someone who is undocumented (most often a member of their family).⁴² Nationwide, more than one in 13 children in K-12 education has at least one parent who is undocumented; in Nevada, one in every seven, in Texas, one in every eight, and in California, one in every 11.⁴³

While President Trump talks about targeting “criminal immigrants,” over 90 percent have no prior criminal record whatsoever.⁴⁴ Of the minority that do, the most common prior convictions are traffic offenses.⁴⁵ Efforts to ramp up arrests for a mass deportation campaign would therefore necessarily sweep up

[enforcement-and-legal-processes-monthly](#), last updated October 29, 2024. Roughly 500,000 additional people entered through the CHNV parole program over that period. Without more recent Census data, we do not know the total of undocumented immigrants that left the country in 2023 and 2024, so it is not possible to provide an exact estimate of the undocumented population as of today.

³⁶ Congressional Research Service, “Nonimmigrant Overstays: Overview and Policy Issues,” November 21, 2023, <https://sgp.fas.org/crs/homesecc/R47848.pdf>.

³⁷ U.S. Dep’t of Homeland Sec, Office of Homeland Security Statistics, “Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2018–January 2022,” April 2024, at 4 https://ohss.dhs.gov/sites/default/files/2024-06/2024_0418_ohss_estimates-of-the-unauthorized-immigrant-population-residing-in-the-united-states-january-2018%25E2%2580%2593january-2022.pdf.

³⁸ Id.

³⁹ Fwd.US, “The Post-DACA Generation is Here,” Mary 23, 2023, <https://www.fwd.us/news/undocumented-high-school-graduates/>.

⁴⁰ American Immigration Council, “Undocumented College Students,” August 2, 2023, <https://www.americanimmigrationcouncil.org/research/undocumented-college-students-2023>.

⁴¹ American Immigration Council, “Mass Deportation: Devastating Costs to America, Its Budget and Economy,” October 2, 2024, <https://www.americanimmigrationcouncil.org/research/mass-deportation>.

⁴² Fwd.US, “New data analysis shows 28 million people, including nearly 20 million Latinos, are at risk of family separation in 2025,” October 24, 2024, <https://www.fwd.us/news/mixed-status-families-oct/>.

⁴³ Pew Research Center, “Unauthorized immigrants and characteristics for states, 2022,” https://www.pewresearch.org/wp-content/uploads/sites/20/2024/07/SR_24.07.22_unauthorized-immigrants_table-3.xlsx.

⁴⁴ Muzaffar Chishti and Michelle Mittelstadt, “Unauthorized Immigrants with Criminal Convictions: Who Might Be a Priority for Removal?” *Migration Policy Institute*, November 2016, <https://www.migrationpolicy.org/news/unauthorized-immigrants-criminal-convictions-who-might-be-priority-removal>.

⁴⁵ This is based on the profile of criminal records of individuals arrested by ICE. See, e.g., U.S. Immigration and Customs Enforcement, “U.S. Immigration and Customs Enforcement Fiscal Year 2019 Enforcement and Removal Operations Report,” 2020, <https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf>.

thousands of people who have no or minimal criminal histories. In October, the Council published an analysis of 42 years of demographic data confirming that there is no statistically significant correlation between the immigrant share of the population and the total crime rate in any state.⁴⁶

Instead of mass deportation, Congress could create a new path to permanent legal status allowing undocumented people already living here to file an application, pay a fee, and get some form of permanent status. The Council has studied the impact of the creation of a path to legal status for the undocumented population. In 2013, we examined the impact of the 1986 path to legal status created by the Immigration Reform and Control Act (IRCA) and concluded that legalization “would be the cheapest federal workforce development and anti-poverty program for children in history.”⁴⁷ Economists agree that a path to legal status “is not only a humanitarian act; it is also a form of economic stimulus” that will “generate more tax revenue for federal, state, and local governments, as well as more consumer spending which sustains more jobs in U.S. businesses,” which “would benefit everyone by growing the economy and expanding the labor market.”⁴⁸ And we examined data from both the government and the academy showing that legalization programs do not drive increased migration, and if properly designed may actually reduce migration at the border.⁴⁹

Despite the economic benefits of legalization, President Trump plans to pursue mass deportations of millions of undocumented people. This year, the Council studied the impact of taking the country down this path.⁵⁰ In our October 2024 study, “Mass Deportation: Devastating Costs to America, Its Budget and Economy,” we examined the fiscal and economic impacts of mass deportations of the estimated 11 million undocumented immigrants present in the U.S. as of 2022, as well as the 2.3 million individuals who entered the country and were placed into removal proceedings from January 2023 through April 2024.⁵¹

Our analysis concludes that beyond the enormous human toll that mass deportations would take on the U.S., mass deportations would also impose extraordinary economic and fiscal damage to our country. Mass deportations would cost U.S. taxpayers hundreds of billions of dollars, with an estimated cost of an 11-year operation to arrest, detain, process, and deport one million people per year at \$88 billion.⁵²

Mass deportations would also cause economic chaos. As millions are expelled, the U.S. population and labor force would shrink. So too would the economy. Prices would rise in sectors with significant undocumented workforces, including construction, agriculture, and hospitality. Building, maintaining,

⁴⁶ American Immigration Council, “Debunking the Myth of Immigrants and Crime,” October 17, 2024, <https://www.americanimmigrationcouncil.org/research/debunking-myth-immigrants-and-crime>.

⁴⁷ Dr. Sherrie A. Kossoudji, “Back to the Future: The Impact of Legalization Then and Now,” American Immigration Council, January 31, 2013, <https://www.americanimmigrationcouncil.org/research/back-future-impact-legalization-then-and-now>.

⁴⁸ American Immigration Council, “An Immigration Stimulus: The Economic Benefits of a Legalization Program for Unauthorized Immigrants,” April 2013, https://www.americanimmigrationcouncil.org/sites/default/files/research/legalization_0.pdf.

⁴⁹ American Immigration Council, “Built to Last: How Immigration Reform Can Deter Unauthorized Immigration,” May 2013, https://www.americanimmigrationcouncil.org/sites/default/files/research/built_to_last_how_immigration_reform_can_deter_unauthorized_immigration.pdf.

⁵⁰ Portions of the aforementioned report are reproduced in this testimony.

⁵¹ American Immigration Council, “Mass Deportation: Devastating Costs to America, Its Budget and Economy,” October 2, 2024, <https://www.americanimmigrationcouncil.org/research/mass-deportation>.

⁵² Id.

and repairing houses would become more expensive, as would groceries, restaurants, travel, and childcare. Every American would feel the pinch of inflation.

Overall, we estimate that a successful mass deportation campaign would lead to a loss in total GDP of 4.2 percent to 6.8 percent; in comparison, the GDP dropped by 4.3 percent during the Great Recession.⁵³ And just like that period, many Americans would lose their jobs. Even an *attempt* to deport millions of people will have repercussions for local economies. After all, undocumented immigrants are not just producers, they are also consumers. Collectively, they hold \$256.8 billion in annual purchasing power. If millions of people are deported or otherwise forced to leave, American businesses will close not just from a lack of workers, but also from a lack of customers.

A large-scale mass deportation campaign will also increase labor exploitation during the years in which it is carried out. Unscrupulous employers will dangle deportation over any of their workers who dare to push back, and will have the full force of the U.S. government to back up their threats.

Economic Impacts of Mass Deportation

Beyond the direct costs of the largest law enforcement operation in history, mass deportation would profoundly damage the U.S. economy. We used data from the most recent American Community Survey to estimate the economic impacts of deporting the 11 million undocumented people in the country as of 2022.

First, mass deportations would exacerbate ongoing U.S. labor shortages.⁵⁴ In 2022, nearly 90 percent of undocumented immigrants were of working age, compared to 61.3 percent of the U.S.-born population aged between 16 and 64, so undocumented immigrants are more likely to actively participate in the labor force. Losing these working-age undocumented immigrants would worsen the severe workforce challenges that many industries have already been struggling with in the past few years.

The impact of mass deportations would be concentrated in several key U.S. industries. The construction and agriculture industries would lose at least one in eight workers, while in hospitality, about one in 14 workers would be deported due to their undocumented status. Within those industries, some trades would be hit harder than others. According to the U.S. Department of Agriculture, 42 percent of farmworkers are undocumented.⁵⁵ Our own analysis suggests that nearly one third of workers in major construction trades, such as plasterers, roofers, and painters, are undocumented. Similarly, 28 percent of agricultural graders and sorters, and a quarter of household cleaners, are undocumented.

The impact of losing these workers would be devastating. Labor shortages in the construction industry are already high, with the industry projecting a need to hire an additional 454,000 new workers in 2025 just to keep up with demand.⁵⁶ The construction workforce is already looking at the possibility of a “foreboding

⁵³ John Weinberg, “The Great Recession and its Aftermath,” Federal Reserve History, November 22, 2013, <https://www.federalreservehistory.org/essays/great-recession-and-its-aftermath>.

⁵⁴ See Stephanie Ferguson Melhorn, “Understanding America’s Labor Shortage,” U.S. Chamber of Commerce, November 22, 2024 (“Right now, the latest data shows that we have 8 million job openings in the U.S. but only 6.8 million unemployed workers.”)

⁵⁵ U.S. Dep’t of Agriculture, “Farm Labor,” last updated December 6, 2024, <https://www.ers.usda.gov/topics/farm-economy/farm-labor/#legalstatus>.

⁵⁶ Associated Builders and Contractors, “ABC: 2024 Construction Workforce Shortage Tops Half a Million,” January 31, 2024, <https://www.abc.org/News-Media/News-Releases/abc-2024-construction-workforce-shortage-tops-half-a-million>.

exodus of experience” as the median age of construction workers rises;⁵⁷ deporting an additional 1.5 million workers could destabilize the industry, rapidly increasing prices for construction labor and causing some construction firms to go under. Not only would the price of new houses rise, but so too would the price of maintenance and repair. These impacts would be felt not only by homeowners and likely home buyers, but also by the U.S. government, which would be required to spend more on any of its own construction projects, more on disaster recovery, and more on basic maintenance of any U.S. government property.

As prices rise and businesses falter, Americans would lose jobs. A recent study also found that for every 500,000 immigrants removed from the labor market due to deportation, U.S.-born workers lose 44,000 jobs.⁵⁸ Using that metric, deportation of 11 million undocumented immigrants could cause a loss of 968,000 jobs held by U.S. citizens.

Mass deportation would also reduce the overall size of the U.S. economy. Among the deported would be one million undocumented immigrant entrepreneurs, who generated \$27.1 billion in total business income in 2022. Losing the 157,800 undocumented entrepreneurs in neighborhood businesses would lead to disruptions to services that have become an integral part of community life and provide local jobs for Americans. We also find that undocumented immigrant households have a combined purchasing power of \$256.8 billion. This is money that goes into the economy and stimulates broader economic growth. After all, undocumented immigrants not only produce goods; they also consume goods, and that money goes back into the U.S. economy. Mass deportation would disrupt this economic behavior and damage the economy.

Mass deportation would also deprive federal, state, and local governments of billions in tax contributions from undocumented households. In 2022 alone, undocumented immigrant households paid \$46.8 billion in federal taxes and \$29.3 billion in state and local taxes.

Yet undocumented immigrants are unable to benefit from many of the programs they pay into, including Social Security, Medicare, and unemployment insurance. The U.S. would lose out on key contributions undocumented households make to social safety net programs annually, including \$22.6 billion to Social Security and \$5.7 billion to Medicare. As the U.S. population ages, the loss of these payments would make it increasingly challenging to keep social safety net programs solvent.

Beyond broader economic impacts, millions of families would feel the pinch caused by deportation. Deporting undocumented immigrants would separate four million mixed-status families, affecting 8.5 million U.S. citizens with undocumented family members (5.1 million of whom are U.S. citizen children). Many of those who would be deported are breadwinners, and mass deportations would slash the income of their households by an average of 62.7 percent (\$51,200 per year). In many cases, U.S. citizens may choose to leave as well to remain with a loved one who was being deported, which would make the economic impact even worse.

⁵⁷ Zachary Phillips, “Construction’s age problem: A foreboding exodus of experience,” *Construction Dive*, May 25, 2023, <https://www.constructiondive.com/news/construction-labor-retirement-recruiting-dei/651184/>.

⁵⁸ Chloe East, “The labor market impact of deportations,” *Brookings*, September 18, 2024, <https://www.brookings.edu/articles/the-labor-market-impact-of-deportations/>.

Taken together, we calculate that mass deportation would lead to a loss of 4.2 percent to 6.8 percent of annual U.S. GDP, or \$1.1 trillion to \$1.7 trillion in 2022 dollars. In comparison, the U.S. GDP shrunk by 4.3 percent during the Great Recession between 2007 and 2009. The negative impact would be the most significant in California, Texas, and Florida, the three states that were home to 47.2 percent of the country's undocumented immigrants in 2022 and where one in every 20 residents would be deported.

Conclusion

President Trump's actions in his first months show that he has taken the first steps to go down the path of mass deportations. If we continue in that direction the entire country will suffer. Millions of mixed-status families will be torn apart or forced to leave, and millions of people will be kicked out of their jobs and the lives they've made here for decades. In the wake of their removal, the economy will shrink. Prices will rise across most sectors, and may increase the most in construction, agriculture, and hospitality. As inflation rises and the economy shrinks, businesses will go under, workers will lose their jobs, and we will become poorer both as a nation and as individuals. We would also leave a permanent stain on this country's legacy and undermine our credibility around the world. Who would ever trust the United States to talk about human rights if we forcibly evict millions of people at the point of a gun?

By contrast, if Congress passes a path to permanent legal status, we can benefit as a nation. Bringing millions of people out of the shadows will allow them to obtain stability, fight against exploitation, and contribute even more to this country. Rather than self-sabotage, we should follow the proud tradition of this nation and give people a real chance to come into compliance with the law rather than bring down the hammer.