Dear United States of America: We Are Children
The Treatment of Immigration Children in the United States of America under the Immigration System

**Introduction.** Imagine your child or yourself running from someone who is chasing you with a weapon, you or your child are running, running to escape meanwhile there is no one around to help, so you keep on running. Your child or yourself run until entering a completely strange neighborhood. It looks safe but your child or yourself keep running to find someone to help then you or your child finally find a police officer. Your child or yourself try to explain what has happened but the officer doesn’t care. Once the police officer has you or your child he/she puts you or your child into a cell. You or your child have no phone, there is no other way to communicate with anyone, what will you or your child do?

“These children are viewed as criminals by government, thinking that they were sent by cartels” (GPO 2016). “U.S. policies that criminalize such migration ignore the longstanding relationship between the U.S. and Central America” and Mexico (Yates-Doerr 2018). The country is treating these children like criminals instead of children because of the way the immigration system is runned. In 2014 when the “wave” of children entered the United States they were given “twenty-one days” to “find a lawyer to represent their case before their first court hearing” when it used to be “twelve months” (Luisella 2017, 39). New regulations and enforcements of the laws make it hard for these children to gain the right help from this country. Recently on November 8, 2018 the DOJ and DHS made a new asylum rule. “Acting Attorney General Matthew Whitaker and Department of Homeland Security Secretary Kirstjen Nielsen today announced an Interim Final Rule declaring that those aliens who contravene a presidential suspension or limitation on entry into the United States through the southern border with Mexico
issued under section 212(f) or 215(a)(1) of the Immigration and Nationality Act (INA) will be rendered ineligible for asylum” (Justice 2018).

These unaccompanied children are trying to fulfill their American Dream. Their American Dream to them is to “go to school, land a good job, and having a middle-class life. They are optimistic about their future in spite of the poverty, abuse, and neglect many have suffered” (Terrio 2015, 2). The American Dream they have are filled with positive and innocent images. Yet, when they enter the country where the American Dream is supposed to come true, it becomes the complete opposite. Children are placed in cells, are taken away from their parents and are struggling to get immigration relief.

**Argument** I argue that unaccompanied undocumented immigrant children from Central America and Mexico are escaping their negative living conditions due to globalization, by migrating to the United States of America, however these children are not being welcomed because of when and how the immigration “actors” get involved with the children. In this research project I will investigate the immigration system when it comes to dealing with unaccompanied children because these children are not being treated as children while going through the country’s immigration system.

The immigration system is complex to understand, it can get very messy if someone doesn’t understand it. Many people have no clue who gets involved with the unaccompanied children; we all go by what we see on the news and/or on social media. It is not to say that what is on mass media is not true but it does not explain to us who and when the immigration “actors” get to play their part. The immigration actors are DHS, HHS, CBP, ICE, ORR, DOJ, ACF, USCIS, DOS, UAC Program, and immigration lawyers, most of these actors are seen in the newspapers and on social media. Each of these actors have a role in the immigration system and
some work along with others, and some do not communicate with each other even though they are under the same system. To better understand how each of these actors work they will be divided into four branches in no particular order.

The first branch is the DOS; under the DOS are the United States Embassies and the United States Consulates. The second branch is DOJ who is in charge of the Executive Office for Immigration Review (immigration courts), and Board of Immigration Appeals. The third branch is the DHS who is in charge of CBP (Customs and Border Enforcement), USCIS (United States Citizenship and Immigration Services) and ICE (Immigration and Customs Enforcement). The fourth branch is HHS, who is in charge of ACF (Administration for Children and Families), ORR (Office of Refugee Resettlement) and UAC Program. It seems clearer when the actors are put into a more linear way.

The first responders for when anyone enters the United States of America are the CBP. The CBP’s job is to keep terrorists and their weapons out of the U.S. while facilitating lawful international travel and trade. In addition, to take a “comprehensive approach to border management and control, combining customs, immigration, border security, and agricultural protection into one coordinated and supportive activity, while enforcing hundreds of U.S. laws and regulations” (CBP 2016). The children encounter the Border Patrol who are “the mobile, uniformed law enforcement arm of U.S. Customs and Border Protection within the Department of Homeland Security responsible for securing U.S. borders between ports of entry” (CBP 2018) first when they enter the country. According to the U.S. Customs and Border Protection website from December 2018, they had apprehended 16,404 from El Salvador, 17,057 from Guatemala, 18,244 from Honduras, and 15,634 from Mexico, making it a total of 67,339 unaccompanied children, ages 0-17, in 2014. In 2016 there were 58,819 unaccompanied children apprehended
from the same country, 48,325 in 2018 and 10,023 in 2019. Even though the number of children being apprehended have been decreasing, if we add all these numbers together there are a lot of children in the country.

Once the children are apprehended by the Border Patrol officials, they are “placed in a detention center, commonly known as the ‘icebox’ or hielera in spanish” (Luiselli 2017, 21). They are placed in there to see if they are actually unaccompanied, however they should not be there more than 72 hours. The CBP should notify the HHS within in 48 hours of apprehending a child (State, n.d.). However, there are times when these children are “held for several days, even weeks beyond this limit” (Swanson and Torres 2016, 37). Once these children are released to HHS, they are then put under a program monitored by ACF called the UAC Program. “Under the Homeland Security Act of 2002, Congress transferred the care and custody of these children to ORR from the former Immigration and Naturalization Service (INS) to move away from the adult detention model. Each child must be promptly placed in the least restrictive setting that is in the best interest of the child” (acf 2018, 1). These children get transferred so many times and some don’t even know why.

In addition to these children getting moved around, they have to go through screening. Screening meaning that someone, usually an immigration lawyer or interpreter, ask a series of questions to determine if they are eligible for a relief form (i.e. if they are qualify for asylum for example SIJS (Special Immigration Juvenile Status)). This might sound great, it is, but “the intake questionnaire for undocumented children, reveals a colder, more cynical and brutal reality.” While when applying for a green card the questions do not seem as brutal, it is “almost innocent” (Luiselli 2017, 10). Once the questionnaire is completed by whoever, it is then looked upon by an immigration lawyer to see if the child actually qualifies. “The next step is to find
legal representation. Once an attorney has agreed to take on a case, the real legal battle begins”
((Luiselli 2017, 8). Those are the steps that should be taken, however when entering the United
States, some “border patrol agents conduct asylum screening” which “violates simple conflict of
interest conditions. US Border Patrol agents lack training to do this type of work with children,“
with minor exceptions (Swanson and Torres 2016, 37).

The immigration system has various steps to it because there are many departments
involved with it. There are many procedures, laws and regulations making it harder for
unaccompanied children to feel safe and welcomed to a country that was built on immigrants.
Some much for “Give me your tired, your poor, Your huddled masses yearning to breathe free”
as it says on the Statue of Liberty (How tall is the statue of liberty 2009).

**Research Questions.** As it was explain the HHS are not the first responders when the
unaccompanied children enter the U.S.A, I would like to know why doesn’t HHS take the
children first instead of DHS and how will that benefit the children? Another question I would
like to ask is, since these children were entering the United States of America in large numbers
from 2014 and continue to enter in large numbers, I would like to know how undocumented
immigrant children were being treated by the past and present presidential administration (i.e.
Obama vs. Trump administration)? The children have entered at two different times with two
two different presidents. Why did the children choose to come when the new president entered
office? Was it just a coincidence? My last question will deal with the current events that are
happening at the Southwest border. This question is important given that there are large numbers
of children traveling to the United States of America as part of the “caravan”. What will happen
to these children and other like them in the future?
**Research Design and Methods.** The methods I would be doing will be based on how I will obtain information to answer my research questions. The method I would be using to answer my first question will be interviewing. In the SAGE Encyclopedia of Communication Research Methods edited by Mike Allen, interviewing is a social-scientific research method where researchers gain information and/or co-construct a view of something through interactions with participants (801). I would like to interview the head of the HHS to see if he/she could give me information about the HHS not being the first responders at the border. I will also interview the children who are currently in the UAC program, and ask if they are in good care there and if they would liked to have the HHS be incharge of them once they have entered the U.S.A. An interview is the better method for answering the first question because, interviews are often used to understand a particular experience or perspective by having participants tell their stories and/or offer their accounts or explanations for their behaviors as said in the SAGE Encyclopedia of Communication Research Methods on page 82.

The second question the method I will be using is content analysis. Content analysis is necessary to answer my second question, because in Project Planner by David Byrne it states that it is “a process whereby any form of communication, including texts, images, etc., is subject to a process of counting based on the frequency of certain words, phrases, and other linguistic sets, and the use of an established coding frame designed to generate measurements from qualitative materials” (2). The sources I would be using this method for are social media posts (i.e.tweets of the current president) and newspaper articles, I will see what words were being used during the past and present presidencies when the wave of children entered, I also want to see the images of the children being used during the different presidency. In addition, I would like to look at the laws that were enforced or made during each presidency while using the same method, content
analysis. I want to look at the wording and when the laws were created. This will help me determine if the laws were either enforced, ignored or created. Another method I would use to answer this question is using GIS (geographic information system). This would be helpful because it is a standard analytic and information management tool in government. They enable analysts to layer information in spatial databases, understand the links between disparate spatial variables and analyze the impact that changes in one variable have on other variables, as stated in the SAGE Encyclopedia of Action Research, edited by David Coghlan and Mary Brydon-Miller. Using a GIS I will look into unaccompanied children who are or were in detention centers. I will analysis which president put more children in these detention center and how much the detention center cost to maintain. I will choose one detention center, the one with the most children in it and ask the children how long they’ve been behind bars.

For my last research question I could use various methods as the ones listed above (content analysis on newspapers, social media and interviewing the children at the caravan), but I would like to do ethnography. According to the SAGE Encyclopedia of Communication Research Methods edited by Mike Allen, as an ethnographer I would be “actively participates in the group in order to gain an insider’s perspective of the group and to have experiences similar to the group members” (458). I would be actively going to the children’s home country and taking the trip with them to the United States of America, and go through the immigration process like them. I would experience or observe the encounter between the children and the border patrol. My research methods have a both of quantitative and qualitative methods. Both types of methods are necessary because they are linked together, one does not make sense without the other one in my research. I want to know the number of children entering the country, getting detained, under the UAC program, the laws made during 2014, 2016 and now 2018. I also have qualitative
methods to know the type of immigration laws, the experiences of the children and the way social media described the children.

**Conclusions.** At the end of this research I will have a full understanding of how the immigration system works and who plays a role when undocumented unaccompanied children enter the country. The findings of my research will help people understand what the children go through when they enter the country, and how it is confusing and terrifying for them. With this research I would like to make it clear to the government of this country that the immigration system should be adjusted so that the children can feel at welcome, because at the end of the day they are children who are trying to seek a better life. The immigration system is a broken system and I would like to encourage other researchers to look into the immigration system and not just go by what they see on social media. The immigration process for these children should come to light in terms that everyone in the country can understand it. These children are vulnerable people in their country at home and are extremely vulnerable once they arrive to this country. Just imagine being a child with no one to comfort you besides a huge institution in a country you don't even know the language.

**Abbreviations.**

DOS: Department of State  
DOJ: Department of Justice  
HHS: Department of Health and Human Services  
DHS: Department of Homeland Security  
CBP: Customs and Border Enforcement  
USCIS: United States Citizenship and Immigration Services  
ICE: Immigration and Customs Enforcement  
ORR: Office of Refugee Resettlement  
UAC Program: Unaccompanied Alien Children Program  
ACF: Administration for Children and Families
Annotated Bibliography


In this book the author analyzes whether the migration and citizen laws are innovative and exceptional in different parts of South America. Here the author will see how different each country’s laws are from one another, they function and the history of the migration and citizen laws. The author also explains which countries opted from certain regulations. The author divides the book into three separate ones, it seems to be put into a chronological order; the last section talks about the twenty-first century. Even though the main focus of this book is on South America, it does include the United States as well. It shows what influences the United States had on the policies and talks about some case study. The reading is very academic mainly because it talks a lot about the history of the migration and citizen laws. The author uses many great sources to help him with his argument. There are case laws from different South American countries and the U.S. There are also newspaper articles, legislations in South America, Central America, Mexico, U.S. and even some countries in Europe. The author doesn’t just focuses on one region, he has a wide range of points of views. Therefore, the book can be good for my research question for my introduction to give a quick view of the other immigration laws from countries that the children are from. I might be able to see a correlation between the policies.

This book is very recent, it is from 2018, however this book does not talk specifically about a children going through an immigration system, it is mentioned a bit.


This article argues that unaccompanied children is not doing any good to the United States. This article is it talks about undocumented immigrants do not fulfill the right requirements of a legal immigrant, meaning someone who enters with a visa. Children who migrate to the U.S. legally, but the government has issued legal protection to these children. The article is divided into three separate parts, birthright citizenship, childhood arrivals, and family separation, and each one is explained why certain policies are necessary. The article is not long and is a fairly easy read. The audience can be anyone who is interested in the subject of unaccompanied immigrant children. This article is great for my research because it allows my research to not be too one sided and it gives a chance to express the viewpoint of the other side.
The main focus of this book is to show how brutal the questionnaires of a CFI (credible fear interview) are to children, and how the children get treated in the immigration processes of getting immigration relief. This book is about the experience of the author while being a translator to these children at an immigration court, while comparing her experience obtaining a green card. Each chapter is divided into the process in which the children go by and by the questions on the questionnaire. This book is not so much academia, it is an easy read which is a good thing because people who aren't in academia can also read it. The book also includes laws that affect the children. Therefore, the book is a good resources for my research when I need to show specific examples of the immigration process, and to add personal stories from the children who the author interviewed. Plus, this book is also recent, it was published in 2017. The book does not mention specific laws nor statistics.


In this article the authors will examine how various manifestations of violence can shape the lives and experiences of migrant children. Here the authors argue that we must understand that violence does not only occur through state policies and practices, it goes beyond that and it affects the lives of the migrant children. The information is organized in chronological order. It starts by describing the cause of why migration occurs, next the journey of the migration, then the end of the migration, finally the consequences of migrating/entering to another country. All these sections describe a different type of violence. The authors might have wanted a broad audience. The reading is not too academic, average people can read the article and still understand what it was about. There are many great sources that help their argument. They use children stories to demonstrate the type of violence they had to go through. Not only do they use the children stories but they also use the children’s artwork. Which is a good idea because children are better at describing things when being drawn. However, this lacks more statistics about how many cross each year. It has some policies but not much, like when was the first policy made to apprehend migrant children. The article was meant to talk about violence, of course there is nothing good about that but it seemed a bit one sided. Therefore, this article is useful for my research topic because it talks about factors that migration has on children, and the result of it. There is a section in the article that talks about the violence US Immigration system has on the children. In addition to that, this article is recent which means it has recent information.

This paper is about the migration of unaccompanied children and their families from Central America, particularly El Salvador, Guatemala, and Honduras, to the United States. It gives no particular argument, it is neutral and was written to inform pro bono lawyers and advocates what to expect when they have a case about it. It talks about the trends within the migration of unaccompanied children to the country, the factors of migration, and the legal system (immigration system, legal outcomes, and policy responses). This paper gives plenty of migration data, for example the apprehension of immigrants at the border, removals, juvenile cases. In addition, it provides a table of other factors that play with the migration of the children and their families. The paper is structured in three parts, the first section called the crisis, the second being about countries and communities and the third about unaccompanied Central American children to the U.S. This paper is academic because it has many references mostly government and the paper is dense, it is not an easy read. This paper would be good for my research because it is neutral, this paper is not picking side nor is it arguing something, it is all about facts. I don't think I would be using all of the information and is focus on the last section of the paper, because it talks about UAC. This paper was made in 2014 which is not recent but it was published the year I am interested in, the downside to this is that it does not have personal experiences.


This book argues how the children are getting treated in the United States immigration custody. This book has everything I need, from laws to personal experiences. The book is about the experience of six children from Central America and one from Mexico. The author tells their story about going through the immigration custody by giving some background of why and how the immigration system came about. It mentions the troubles that the ORR has and troubles the immigration laws have with other immigrants, as well. This book is academia because there are a few vocabulary words that are used by people of the academia, an average person wouldn’t know. It has some statistics but not much. There are many great sources that help the author’s argument. The author uses governmental websites to get the point of view of the government, law firm websites and organizations that support the children, newspapers, journal articles and other books that talk about the children being detained. This book is great for my research because I can follow the format the author did as an outline for mine; it is recent published in 2015 but become a bit out of date.
This is a GIS website. It shows a map of the United States of America and each state who has a detention center in it is covered with a dot. The amount of the dots represent the number of detention centers in that state, and the color dots determine if it is a juvenile detention center or an adult one. With in that, who ever is the representative of the district where the detention centers are, it shows the much money they gain by having those private facilities. This is a great source because it shows me where are most of the detention centers, and which are juvenile ones. It looks like most of the facilities are located at the Southwest border, many are in Texas. The flaw of this is that it does not show the exact locations or the inside of the facilities.


This is a government document that talks about the migrating children are becoming a problem in the U.S. This hearing had various government officials and people from the immigration system. Each representative had the time to talk about their views on the issue of unaccompanied children entering the United States, the same goes with BP officers and people from the DOH. This hearing had both points of view, some defended the children while others did not. The ones who did not defend the children were mostly people working for the DOH. The document is very long put it is not such a difficult read, because most are testimonies of government officials, and others. This is a great source to my research because I actually can see the opinions of people who are part of the giving and those who encounter the children first. I see who is against and who is for it.


This law was created in 2008 to protect victims of human trafficking. It has many sections to it in which where a person can harm another person, and what the government should do to protect those individuals. Not all of this law is about immigrant, only a few sections are. In a section that does explain about how to protect a child from harm, tells how long the child should be under the DOH and when the child should be given custody to HHS. The law is hard to interpret but the words were not too difficult to understand. The way the law is organized is, due to it having various sections and subsections. This is a great source for my research because it shows that the
children should be protected once they enter the U.S., and being that this is a legal documented that is still being used.


This is a fact sheet about who is in charge of the unaccompanied children once the DHS has apprehended them. It explains why the HHS is given custody of the children, and where they are put after the children are under the custody of HHS. It provides the law that granted the HHS custody of the children and the program they are in. It explains that under the HHS there is an office named Administration for Children and Families, and within that there is the Office of Refugee Resettlement (ORR), and in that is the program (Unaccompanied Alien Children Program). This is good for my research because it gives clarity where the children should be once they enter the United States, after confronting the CBP and ICE.


This government page is about what the duties are for the United States Customs and Border Protection. It explains when the CBP was created and why. The CBP was created to regulate trades and regulate the number of people entering the united states. This immigration branch is the one who creates the statistics of how many people enter the borders. The information on the page is easy to understand and the reading is not hard. This is good for my research because it is the point of view from the otherside, it explains why the country has BP officers.


This government page is about what the duties are for the United States Customs and Border Protection officers. This is in a way the other side point of view. The CBP officers was created to protect the country from harmful people trying to cross the country’s border, they apprehend anyone at the borders. The children interact with these officers first before anyone else. The information on the page is easy to understand and the reading is not hard. This is good for my research because it is the point of view from the otherside, it explains why the country has BP officers.


This government page is about the apprehensions of unaccompanied children during the years 2014 until 2019. The website keeps on updating as the months pass by with new numbers. This
data is easy to read and very clear to understand. The data is separated into years, countries and where the children entered. This data is useful for my research because this data tells me how many unaccompanied children entered the United States, what year and how many entered from Central America and Mexico. What it doesn’t show is the ages of the children which could be helpful to see what is the average age these children are migrating.


This piece of recent news argues that the U.S. will no longer accept asylum applicants because of the amount of applications recently. This came from the DOJ but the DHS also had a say in this new rule. This news shows that immigration policies get enforced when there are people, specifically children who are trying to seek asylum. This goes to show that the United States is making the vulnerable more vulnerable. This also shows that policies get implemented or enforced when fear strikes the government about migrants. This is a good document because it is the point of view of the government, the creators of the immigration system. It is a short news release but it is informative, it also shows the policy they are talking about. There is no data on it to prove its case.


This journal article explain how the privatization of detention centers where undocumented immigrants stay are treated miserably. It focuses on a little girl from Honduras’ experience with her mother who happened to pregnant at that time. While explaining the girl’s experience the article gives historical backgrounds of the detention centers and the immigration system. It is not a long article but it is very informative. It gives data, laws, personal experiences to establish the argument. The article is organized in sections, each section talking about the different problems the immigration system has. The article is academia but not so much of a hard read. This article would be good for my research because it gives another child’s experience in a different part of the immigration system. However, this article is not recent, but I can compare 2006-2007 immigration policies at that time with the 2014 ones, and the present ones.

This article argues the reasons why so many Guatemalans are migrating to the United States, and one of those reasons is violence. The article starts out by telling what happened to an indigenous girl while being confronted by the U.S. border patrol. The girl was killed by a border patrol officer. After telling that story it goes on to talking, briefly, about the immigration policies in the United States, it then goes into the author’s research experience which took place while the U.S. was dealing with the Guatemala’s political elites. It describes more about the globalization of the U.S. and Guatemala, next it returns to the migration into the U.S., then back to the current immigration policies. This article was meant to be read by anyone, it is a bit long but not much longer than a regular New York Times article. It is a good article because it describes the violence in one of the Central American country that the children are leaving from, and it describes how the immigration system is treating children at the border which I can use as an example. It does not give statistics and it is one sided.


This article is argues the correlation between immigration and crime, saying immigration is reducing crimes not adding on to it in the United States. It talks about the fear that immigration has on the legislators making them create new new legislation creating a less safe environment for immigrants. This article not only looks at the United States but other countries around the world and compare its similarities and differences on their immigration laws. This is a mix of law and social science; it links how race plays a role when it comes to creating immigration policies. It gives us a chronological order of the first few immigration laws that were established. The audience was meant to be for people in the academia who are interested in social sciences and the law. It is a very intense reading not meant for an average person to read. The organization of the article is made to understand the steps on how to immigration legislations create vulnerability towards the immigrants. The sources that help the argument are the laws the article uses and different theories about criminalization and racialization. This article is useful to my research because it talks about the different immigration policies made, I could see which policies are still being used, which ones are not, and which ones are being ignored. I can also tie the social science part of it to argue why the children are much more vulnerable when they come to the country. The article does not talk about UAC specifically and it was published at a year that I will not be talking about.