



The Costs of Mass Deportation

Impractical, Expensive, and Ineffective

Marshall Fitz and Gebe Martinez Center for American Progress

Madura Wijewardena Rob Paral and Associates

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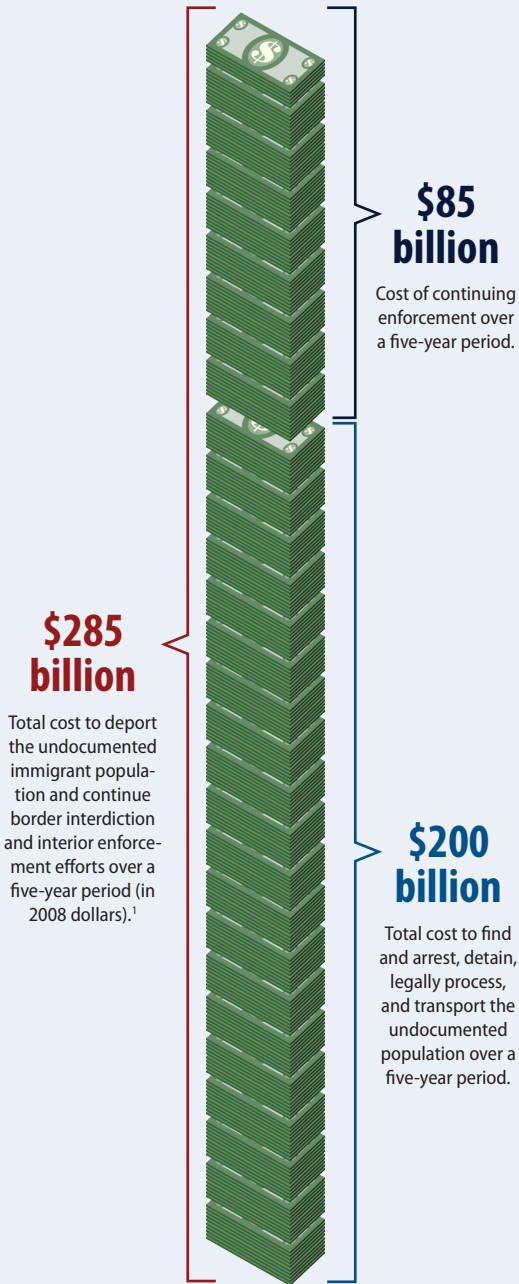
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What the mass deportation of undocumented immigrants would cost the American taxpayer

The price tag



What this means

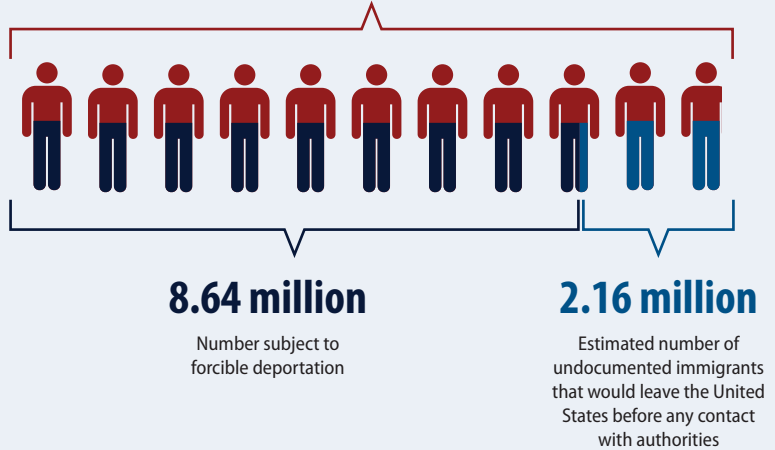
Total cost over five years: \$285 billion, would mean new taxes of \$922 for every man, woman, and child in our country.

\$5,100 fewer dollars for the education of every public and private school student from prekindergarten to the 12th grade.

The people

Undocumented immigrants in the United States, according to the latest estimates by DHS

10.8 million



The cost of deportation

U.S. Customs and Border Protection and Immigration and Customs Enforcement budgets increased by 80 percent to \$17.1 billion in fiscal year 2010 from \$9.5 billion in FY 2005, yet the net increase in undocumented immigrants increased by 300,000 to 10.8 million.²

The numbers



\$158 billion Apprehension cost

with the cost per apprehension in FY 2008 of \$18,310.



\$29 billion Detention cost

with the cost to detain one person for an average of 30 days in detention of \$3,355.

Most of the detention space for those arrested and awaiting deportation is leased from local governments, but construction costs to meet new demand would be about \$34 billion because a deportation strategy would more than double the number of people in American jails.



\$7 billion Legal processing cost

with the cost per one proceeding of \$817.



\$6 billion Transportation cost

for 6.22 million people, with the cost per person of \$1,000. (In FY 2008, about 28 percent of deportations were through voluntary departure orders that did not require government transportation. The same percentage drop was applied to 8.64 million undocumented immigrants who would be apprehended, reaching a total transportation number of 6.22 million people.)

Total cost of deportation campaign: \$200 billion, with the cost per deportation of \$23,148 for each person to be apprehended, detained, legally processed, and transported out of the country.

Introduction and summary

Almost three years ago, Congress tried to reform the nation's broken immigration system but fell short of the mark. The core questions of what to do about undocumented immigrants already living in the United States and about those who are sure to seek our shores in the future thwarted political agreement and shut down congressional negotiations in 2007. Under Presidents George W. Bush and Barack Obama, deployment of new enforcement strategies and the allocation of enforcement resources have multiplied. Nonetheless, the inherent systemic dysfunction has deepened, and the public call for solutions has amplified.

That legislative battle for immigration reform now looms again on the horizon. There are three options for restoring order to our immigration system:

- Live with the dysfunctional status quo, pouring billions of dollars into immigration enforcement programs at the worksite, in communities, and on the border without reducing the numbers of undocumented immigrants in the country
- Double down on this failed enforcement strategy in an attempt to apprehend and remove all current undocumented immigrants
- Combine a strict enforcement strategy with a program that would require undocumented workers to register, pass background checks, pay their full share of taxes, and earn the privilege of citizenship while creating legal channels for future migration flows

The first alternative would leave in place policies that have allowed 5 percent of our nation's workforce—approximately 8.3 million workers in March 2008—to remain undocumented in our country.³ This is clearly an unsustainable position in a democratic society—permitting a class of workers to operate in a shadow economy subject to exploitation and undermining all workers' rights and opportunities.

The second option, mass deportation of undocumented immigrants, is essentially the enforcement-only status quo on steroids. As this paper demonstrates, this option would be prohibitively expensive and trigger profound collateral consequences.⁴ Our analysis is comprised of a detailed review of all federal spending to prevent unauthorized immigration and deport undocumented immigrants in FY 2008, the last fiscal year (ending in October 2008) for which there is complete data (see box on page 5). It shows that the

total cost of mass deportation and continuing border interdiction and interior enforcement efforts would be \$285 billion (in 2008 dollars) over five years.⁵

Specifically, this report calculates a price tag of \$200 billion to enforce a federal dragnet that would snare the estimated 10.8 million undocumented immigrants in the United States over five years.⁶ That amount, however, does not include the annual recurring border and interior enforcement spending that will necessarily have to occur. It would cost taxpayers at least another \$17 billion annually (in 2008 dollars) to maintain the status quo at the border and in the interior, or a total of nearly \$85 billion over five years. That means the total five-year immigration enforcement cost under a mass deportation strategy would be approximately \$285 billion.

When viewed through this most narrow but most telling fiscal lens, it should be clear that a deportation-only strategy is highly irresponsible. In these challenging economic times, spending a king's ransom to tackle a symptom of our immigration crisis without addressing root causes would be a massive waste of taxpayer dollars. Spending \$285 billion would require \$922 in new taxes for every man, woman, and child in this country.⁷ If this kind of money were raised, it could provide every public and private school student from prekindergarten to the 12th grade an extra \$5,100 for their education.⁸ Or more frivolously, that \$285 billion would pay for about 26,146 trips in the private space travel rocket, Falcon 1e.⁹

The worst economic downturn since the Great Depression has clearly diminished the number of people attempting to enter the country illegally—the absence of jobs eliminates the predominant incentive to migrate.¹⁰ And yet, even with diminished pressure at the border, the dramatic increases in spending on immigration enforcement have not significantly altered the net number of undocumented immigrants in the country. In fact, the U.S. Department of Homeland Security, or DHS, reports that the undocumented immigrant population as of January 2009 stood at 10.8 million,¹¹ or 300,000 more than it was in 2005.¹² In other words, the massive outlays in enforcement resources are barely making a dent in the current population.

That leaves the third course, comprehensive immigration reform, as the only rational alternative. The solution to our broken immigration system must combine tough border and workplace enforcement with practical reforms that promote economic growth, protect all workers, and reunite immediate family members. Among other things, that means we must establish a realistic program to require undocumented immigrants to register with the government while creating legal immigration channels that are flexible, serve the national interest, and curtail future illegal immigration.¹³

Some proponents of the second option—a deportation-only strategy—contend that the Great Recession and heightened unemployment justify mass deportation.¹⁴ As if deportation were a panacea for the nation's economic woes, the ranking member on the House Judiciary Committee, Rep. Lamar Smith (R-TX), claims: “The single most effective thing

The U.S. Department of Homeland Security reports that the undocumented immigrant population as of January 2009 stood at 10.8 million, or 300,000 more than it was in 2005.

that DHS could do to create jobs for American workers would be to conduct vigorous worksite enforcement and to actually deport the illegal immigrant workers so they don't remain here to compete with citizen and legal immigrant job-seekers."¹⁵ The patently erroneous analysis behind this contention—that unemployed Americans are a perfect substitute for undocumented workers in the workforce—ignores the devastating impact such an approach would have on economic growth.

In fact, a recent study by the Center for American Progress and the Immigration Policy Center demonstrates how legalization of undocumented immigrants and more flexible immigration channels would significantly expand the economy—by a cumulative \$1.5 trillion in gross domestic product over 10 years—through increased consumer spending, higher tax receipts, and other related factors.¹⁶ A deportation approach, by contrast, would have the cumulative effect of draining \$2.5 trillion over 10 years from the U.S. economy.¹⁷ That is a \$4 trillion swing in GDP depending on which policy approach we adopt.

Once policymakers in Congress and their constituents across the country weigh the unrealistic five-year immigration enforcement costs of pursuing a deportation-only strategy—\$285 billion—against the progressive alternative they will recognize once and for all that mass deportation is fiscally untenable.

This paper will demonstrate in detail the severe consequences of a deportation-only policy on the nation's economy and how the execution of such a policy would require massive direct expenditures. We analyze publicly available data to assess the costs and the steps required to carry out such a policy—from point of arrest through transportation out of the country. Our report adopts conservative assumptions for key variables to ensure that the estimated program and spending requirements are realistic and not overstated. Our findings are not just sobering; they conclusively prove a deportation-only immigration strategy would be the height of folly.

Calculating the cost of mass deportation

While policymakers from across the political spectrum agree that our immigration system is broken, there continues to be debate over whether mass deportation and sealing off the U.S.-Mexico border is a viable, sensible solution. This section breaks down the costs of a mass deportation program—that is, how much it would cost the federal government to expel all undocumented immigrants who are currently in the United States.

Using available data from the increased immigration enforcement activities of recent years, this calculation drew on the Department of Homeland Security’s actual spending levels for FY 2008 and on its estimates of current undocumented immigration levels to reach the total cost of around \$200 billion. The number of people targeted for removal is based on the total number of undocumented immigrants in the country.

We recognize that initially there would be some economy-of-scale savings from a massive ramp up in operations. More undocumented workers would likely be apprehended per Immigration and Customs Enforcement agent during the initial period when expanded resources would permit large-scale operations in high-density undocumented industries and communities. So the cost-per-apprehension figure would likely be smaller than projected for some initial period. Similarly, we recognize that the cost of apprehending undocumented immigrants after a presumably successful effort at nabbing the most easy to find would become exponentially more expensive per undocumented immigrant.

For several reasons, however, this report assumes constant returns to enforcement spending, meaning no economies of scale are built in to this analysis. First, there is a great deal of uncertainty in how a mass deportation program would impact the behavior of immigrant communities and undocumented individuals. Would they go subterranean? Would immigrant communities organize to help hide their family members and neighbors? Would they move residences and change employers more frequently? Questions like these make it difficult to predict how much savings the government could expect from the initial ramp up and how costly it would be to continue this nationwide sweep afterwards.

Indeed, the remaining undocumented immigrants are likely to be more deeply ensconced in communities around the country. Those who intend to remain would burrow in further, taking with them their wages that are now taxed,¹⁸ or forcing them to use more advanced false documents. The cost of identifying and apprehending them would thus rise substantially.

Second, some diseconomies of scale are already built in to our assessment. For instance, we do not include capital expenditures to build new facilities to jail these people and then bring them before judges in the projection. The challenge of detaining and processing massive new numbers of immigrants in current facilities would create obvious and costly challenges.

Third, the compliance costs of deploying such a program consistent with constitutional requirements would diminish the savings expected from large-scale operations. Alternatively, the costs of defending against lawsuits alleging rights violations in these operations would also diminish savings. Given that the size of the economies and diseconomies of scale are uncertain and that the modeling of both would be speculative at best, we assume for purposes of this report that the costs and savings balance out that there will be constant returns on enforcement spending.¹⁹

Mass deportation by the numbers

While there is evidence that the Great Recession and improved security measures slowed down the influx of undocumented immigrants, the net number of undocumented immigrants in the United States has remained fairly stable. The Department of Homeland Security reports that the undocumented immigrant population increased by 300,000 between January 2005 and January 2009 to the current total of 10.8 million.²⁰

The DHS figure of 10.8 million undocumented immigrants equals 3.5 percent of the national population of 309 million.²¹ This is nearly the same as the population of Georgia

How to forcibly deport 10.8 million undocumented immigrants

A key factor in evaluating the cost of removing this many undocumented immigrants is how many of them would leave the country voluntarily in response to a massive government crackdown. The deep integration of millions of these individuals in the U.S. economy and society suggests the number who would leave voluntarily would be smaller than if they were short-term residents concentrated in specific states and working in specific industries.

Of the 10.8 million unauthorized immigrants in 2009, only 0.9 million—or about 8 percent—arrived in the United States between 2005 and 2008, with the remainder arriving earlier. A large portion of the undocumented population now boasts deep roots in America. Many work multiple jobs, actively engage with their faith congregations, and have children and spouses who are U.S. citizens.

While it is impossible to predict with any certainty how the specter of mass deportation would affect decision making by individuals and families across the country, this report assumes that 20 percent of the current population, or 2.16 million people, would depart before any contact with authorities.²² That would leave 80 percent—8.64 million people—subject to forcible deportation.

In short, our nation's already stretched law enforcement agencies would have to manage 8.64 million separate arrests, detentions, legal proceedings and, to a lesser extent, transportation out of the country.

and close to the number of everyone living in New England. But casting a dragnet nationwide would obviously be infinitely more difficult than closing the borders of a single state or region of the country (see box on page 5).

There are four major tasks that would be essential to conducting the kind of mass deportation and removal process advocated by anti-immigration hardliners in the United States.

- **Apprehension**—Arresting all undocumented immigrants currently in the United States
- **Detention**—Holding in custody (or supervising the interim release of) those who have been apprehended until their cases are heard and legal deportation orders are issued by the relevant legal authority
- **Legal processing**—Adjudicating, under the relevant legal authorities, those who have been apprehended and detained
- **Transportation**—Ensuring that those who have been issued removal orders depart the United States

Let's consider the costs of each of these tasks in turn.

The costs of apprehension

The first and most important cost driver for a government deportation policy is locating and arresting as many of the undocumented people in the United States as possible. The cost of apprehension varies widely depending on the location and circumstances surrounding each case, as well as the length of time an undocumented immigrant has lived in the country. Locating day laborers in border cities, for example, is significantly easier than identifying people who are more deeply embedded in communities further away from the border.

The increasing size and scope of worksite arrests over the past several years, however, makes cost projections somewhat more tangible and underscores the likelihood that a deportation campaign would trigger massive costs. In one enforcement operation in May 2008, the federal government spent \$5.2 million—from preparation to follow-up costs—on a raid at the Agriprocessors Inc. slaughterhouse in Postville, Iowa, which led to the detention of 389 mostly undocumented immigrant workers.²³

To calculate the cost of apprehending 8.64 million undocumented immigrants (see box) we use U.S. Immigration and Customs Enforcement, or ICE, appropriations and arrests data from FY 2008. ICE's total budget for apprehension-related expenditures, including salaries but excluding capital projects, totaled \$1.24 billion. That figure was divided by the number of arrests recorded—67,728—in order to arrive at a per person average cost of \$18,310 per apprehension. The average cost per person was then multiplied by the 8.64 million undocumented immigrants to be apprehended. That resulted in nearly \$158 billion in estimated costs for apprehensions (see Figure 1).

FIGURE 1

Calculating the costs of apprehension



Office of the Principal Legal Advisor

\$216 million

Office of Investigations

\$421 million

Office of Detention and Removal Operations

\$398 million

Comprehensive ID and Removal of Criminal Aliens Program

\$200 million

Apprehension costs factors

The FY 2008 Immigration and Customs Enforcement programs dedicated to the apprehension of undocumented immigrants are in the following offices:

Office of the Principal Legal Advisor.²⁴ The calculation in this section of the report accounts for prosecutions involving apprehended undocumented immigrants. At the end of FY 2008, the Office of the Principal Legal Advisor had handled approximately 129,275 cases, 98 percent of which related to immigration enforcement. The cost of those apprehensions in the FY 2008 budget were \$216 million.²⁵

Office of Investigations.²⁶ The Office of Investigations spent about 27.5 percent of its case hours in FY 2008 on drug-related issues, according to DHS's Office of the Inspector General, which used ICE's Case Management System for its calculation.²⁷ The percentage of funds dedicated to drug investigations was determined in response to a detailed OIG analysis that examined case hours related to drug control activities. No similar analysis was done for immigration-related investigations. Assuming that immigration apprehension would be at least as high on ICE's policy agenda as drug-related issues, the same percentage of case hours—27.5 percent—was applied to the office's \$1.53 billion actual spending totals in FY 2008 to estimate \$421 million for immigration apprehensions. The actual figure is likely considerably higher, but no numbers were publicly available.

Office of Detention and Removal Operations.²⁸ The Fugitive Operations Program and Criminal Alien Program are the two programs under the auspices of the Office of Detention and Removal Operations that directly relate to immigration apprehensions. The FY 2008 funding for these programs totaled \$398 million.

Comprehensive ID and Removal of Criminal Aliens Program.²⁹ This program is exclusively dedicated to apprehending undocumented immigrants. This initiative was authorized for two years, beginning in FY 2008 and contributed to the total apprehensions reported by DHS that year. The appropriations totaled \$200 million.

Source: Calculations based on the U.S. Department of Homeland Security FY 2008.

FY 2008 ICE apprehensions.³⁰ ICE arrested a total of 67,728 undocumented immigrants in FY 2008 in the interior of the United States. This included 33,573 administrative apprehensions by the Office of Investigations and 34,155 criminal apprehensions by the National Fugitives Operations Program.

The costs of detention

The responsibility for managing detention of undocumented immigrants rests with ICE. The 32,000 beds currently available under the detention system lack direct federal oversight and management. They are spread out across 350 facilities operated by county governments or private contractors that are mostly designed for penal, not civil detention.³¹

There also are 15,300 spaces for a program testing alternatives to detention using community-based supervision strategies. As the operator of the largest detention and supervised release program in the country, ICE's responsibilities are enormous. In FY 2008, there were 378,582 foreigners from 221 countries in custody or in programs supervised by ICE at various times.³²

Given the large number of detentions in jail spaces operated by various jurisdictions, ICE has had difficulty managing the workload. There have been more than 100 documented deaths since October 2003,³³ as well as numerous cases of abuse. Alleged violators of civil codes in immigration law are frequently imprisoned in facilities that were designed for offenders of more serious and violent crimes.

In addition, access to legal counsel is uneven at best, and information about problems within the detention system has been suppressed. While DHS has made a concerted effort to start correcting the issues, its overwhelming caseload has prevented it from making rapid progress on reforms.

The estimated funding required to detain 8.64 million undocumented immigrants from the time of apprehension until the time of removal involved determining the average daily cost to detain a noncitizen (\$111.82) and the average number of days (30) that an individual in removal proceedings is detained. That per person detention cost was then multiplied by the 8.64 million undocumented immigrants to arrive at an estimated cost of approximately \$29 billion (see Figure 2).

For purposes of transparency and consistency in these overall calculations, we assume ICE will not build additional facilities to handle the extra demand for detention space, but will continue its current policy to rent it from private contractors and local governments. Were ICE to build its own facilities, as it would almost certainly need to under this strategy, the costs of detention would be far higher.

FIGURE 2

Calculating the costs of detention



Source: Calculations based on the U.S. Department of Homeland Security FY 2008.

The total incarcerated population for the United States in 2008 was 2.4 million prisoners. That included all inmates held in local, state, federal (including ICE), military, and juvenile facilities in the United States, U.S. territories, and Indian tribal lands.³⁴ A deportation strategy that would take place over five years would add an additional 1.73 million inmates to those rolls, a 71 percent increase in the jail population, in each of those five years. In other words, private or public construction of new facilities would be inevitable.

Nonetheless, because of the difficulty in projecting the capital costs of such a strategy and in the interest of adopting conservative assumptions in making these calculations, we rely on the known average detention costs under the current system. As sketched out in the box calculating the cost of construction of detention facilities, the capital expenditures alone could be crippling.

Detention cost factors

We calculated the cost of detaining one undocumented immigrant for one day, \$111.82, and then averaged this cost over 30 days, the average time an undocumented immigrant was placed in detention in FY 2008.³⁵ Our calculations consist of the following:

- The per bed cost, excluding personnel, of \$99 per day³⁶
- The annual personnel costs per detainee of \$12.82 per day

This total daily cost per detainee of \$111.82 in personnel and nonpersonnel daily costs (\$12.82 plus \$99) multiplied over 30 days—\$3,355— is within the range of other reported numbers, such as one report that found the cost to be more than \$140 per day per detainee.³⁷ Excluded from the calculation is a projection of the significant capital expenditures that would undoubtedly be required to complement the leasing of state and local jail facilities. The final total cost to detain 8.64 million people at \$3,355 apiece comes to around \$29 billion.

Estimating the cost of the construction of new detention facilities

Deporting 8.64 million immigrants would indisputably require the construction of new detention facilities. Immigrants subject to deportation are currently jailed in a patchwork of federal, state, local, and private prisons. Most prisons are already overcrowded, and a mass deportation strategy would increase the annual number of prisoners in America by 70 percent for the next five years.

Although the construction of new facilities would be inevitable, we did not include an estimate of these expenditures in calculating detention costs because of the inherent uncertainty in such a projection. The range of variables that would impact the extent of the need (distribution of apprehensions over a five-year period, fluctuations in size of nonimmigrant prison population) and the cost of the facilities (geographic location, potential long-term use of facility) make a ballpark estimate of actual costs extremely challenging.

But one thing is certain, the costs would be enormous. The calculation here represents an *absolute* bare minimum estimate and is based on the assumption that DHS could accomplish its deportation strategy with 100 percent efficiency:

- With an average detention period of 30 days, one detention bed could hold approximately 60 different detainees over a five-year period. With a total population of 8.64 million immigrants, that means they would need to create 144,000 beds (8.64 million divided by 60).
- Averaging the construction costs of four recent prison projects, we see that it costs approximately \$181 million to build a facility with 1,520 beds.* That breaks down in to an average per-bed construction cost of a little more than \$11,900.
- Multiplying the total number of beds required (144,000) by a per-bed construction cost (\$11,900) yields a cost of more than \$17 billion.

* Based on four proposed prison projects in 2008 and 2009 in Iowa, Wisconsin, and West Virginia and Wisconsin, that had an average size of 1,520 beds for an average cost of \$181 million. William Petroski, "New Prison Work Moves Forward For Now," *Des Moines Register*, September 20, 2008; Nathaniel Shuda, "State's Prison Issue a Concern for Lawmakers," *Central Wisconsin Sunday*, January 18, 2009; John L. Micek, "State must get creative in addressing prison overcrowding, panel is told; Experts, lawmakers discuss whether 'get tough' provisions have helped or hindered," *Morning Call*, November 19, 2009; Charles Owens, "Federal prison taking form on McDowell mountaintop," *Bluefield Daily Telegraph*, September 21, 2008.

The costs of legal processing

The legal processing costs to the federal government we calculate in our report are the amounts required to process 8.64 million undocumented immigrants through the immigration courts after they have been apprehended. This section only covers the cost of adjudications, not prosecutions. The cost of prosecutions, which are carried out by ICE's Office of the Principal Legal advisor, were included in the apprehension costs.

Legal processing of apprehended undocumented immigrants is undertaken by immigration courts that are part of the Executive Office of Immigration Review in the U.S. Department of Justice. EOIR has around 230 immigration judges in more than 50 immigration courts around the country.³⁸ In removal proceedings, immigration judges determine whether an individual from a foreign country should be allowed to remain in the United States or be deported.³⁹

FIGURE 3

Calculating the costs of legal processing



Source: Calculations based on the U.S. Department of Homeland Security FY 2008.

As with other areas of the deportation process, immigration courts are structurally flawed and severely ill equipped to serve the current caseload. It is difficult to fathom how the immigration legal system would handle 8.64 million new adjudications that would come from a deportation campaign. The current system's failings were extensively documented in a February 2010 report prepared for the American Bar Association's Commission on Immigration.⁴⁰

Among the report's recommendations are an immediate restructuring to make the immigration courts independent of politics or any administrative agency, and the immediate hiring of 100 new judges plus necessary law clerks to handle the surge in cases stemming from current enforcement policies. These recommendations did not take into account any mass deportation strategy. In 2008, there were 291,781 legal proceedings for undocumented immigrants, or just over 3 percent of the 8.64 million cases necessary to complete a mass deportation.

To calculate the legal processing costs for EOIR of a mass deportation, we identified the FY 2008 appropriations dedicated to the processing of undocumented immigrants, which was \$238.32 million. That was applied to the 291,781 legal proceedings for undocumented immigrants to arrive at an average cost of \$817 for each legal proceeding. The average was then multiplied by 8.64 million undocumented immigrants for a total legal processing cost of more than \$7 billion (see Figure 3).

Legal processing cost factors

We calculated the cost of legal proceedings by examining the FY 2008 EOIR funding figures. The \$238.32 million allocation includes salaries and expenses for EOIR. Given the uncertainty of the calculation and our goal of adopting the most conservative possible estimates, we have excluded from this amount the substantial capital expenditures that would be required to build courtrooms and related facilities to hear additional cases.⁴¹

EOIR's functions are mostly related to the processing of undocumented immigrants. The estimated costs to EOIR are based on the number of proceedings initiated (291,781)

rather than the number of completed cases since all filings require handling even if they are not completed. This lowers the average cost per proceeding, thereby ensuring the most conservative estimate.⁴²

The number of proceedings used in the calculation does not equal the number of people removed because some cases require more than one proceeding and some prosecutions are not successful. There also were 26,656 voluntary departures in FY 2008 after proceedings were initiated. The cost per proceeding (\$817) was determined by dividing the FY 2008 appropriated amount of \$238.32 million by the 291,781 proceedings.

The \$817 cost estimate for one proceeding was applied to 8.64 million people to reach the total of a little more than \$7 billion. This assumes that a removal can be achieved with only one proceeding even though it took, on average, two proceedings to achieve one removal in FY 2008. For purposes of this paper, the more conservative estimate of one hearing per undocumented immigrant was used.

The cost of transportation

Undocumented immigrants who have been apprehended, detained, and then legally processed must be moved out of the United States to complete the deportation process. Transportation costs include surface and air transportation to deport undocumented immigrants to their source countries.

The vast majority of individuals who would be put in to removal proceedings would eventually require transport out of the country, but some would be eligible for and would accept a “voluntary departure order.” That legal mechanism provides the immigrant more flexibility and time to prepare to move from the country but requires them to pay their own way.

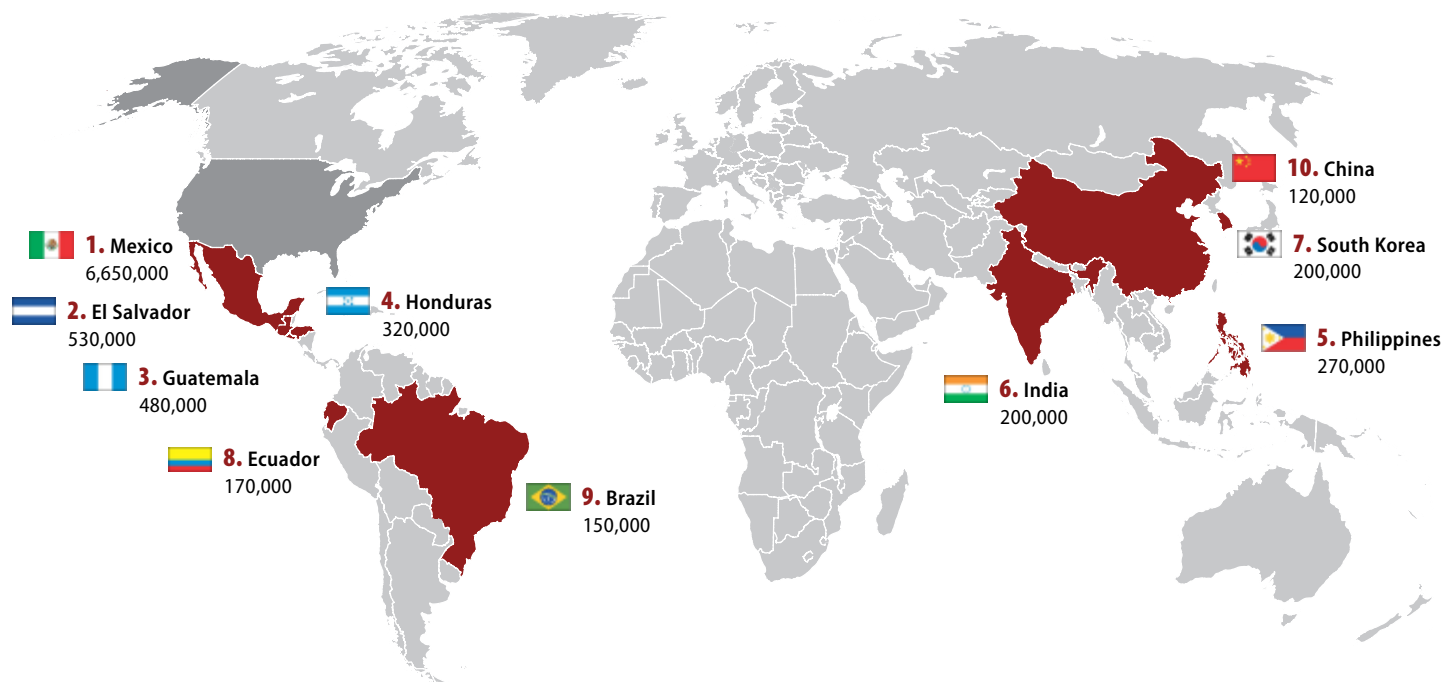
In FY 2008, around 28 percent of removals were accomplished through voluntary departure orders.⁴³ These orders are issued to certain undocumented immigrants who, after being arrested, are determined to satisfy certain legal criteria and who elect to voluntarily return to their home country within a short period. That allows the U.S. government to avoid picking up the transportation tab. We assume a similar percentage of the processed population will receive voluntary departure under a deportation program and accordingly, we reduce the population requiring government transportation by an additional 28 percent. We estimate that the total population who will require government transport is 6.22 million.

The transportation of 6.22 million undocumented immigrants under a deportation scenario would be a massive undertaking because they arrive in the United States from all over the world (see map).

The \$817 cost estimate for one proceeding was applied to 8.64 million people to reach the total of a little more than \$7 billion.

Where undocumented immigrants would need to return

The major points of origin for undocumented immigrants as of January 2009



Source: Michael Hoefler, Nancy Ritina, and Bryan C. Baker, "Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2009" (U.S. Department of Homeland Security, January 2010), available at http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_ill_pe_2009.pdf.

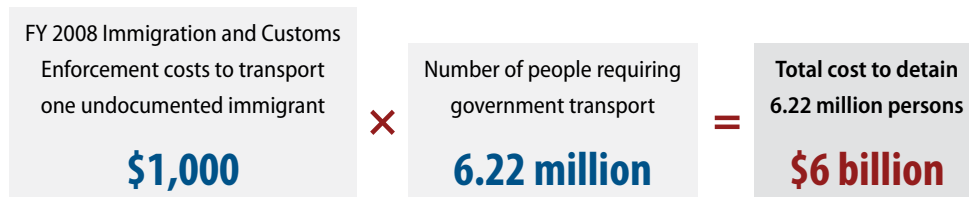
Currently, U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection have different programs for transporting undocumented immigrants. Most undocumented immigrants from Mexico who are apprehended at the border by CBP are bused across the border.⁴⁴ Other undocumented immigrants are transported by plane.

During FY 2008, ICE's Detention and Removal Operations Flight Operations Unit in partnership with the Justice Prisoner and Alien Transportation System transported almost 200,000 undocumented immigrants. This program operated seven charters outside of the Americas, returning 495 alien passengers to Albania, Cambodia, Egypt, Indonesia, Jordan, Morocco, Nigeria, Pakistan, Philippines, Palestinian Authority, and Liberia.⁴⁵ In FY 2008, this program had an appropriation of \$135 million.⁴⁶

Additionally, ICE and CBP have transportation programs for certain categories of undocumented immigrants. The Interior Repatriation Program transports undocumented immigrants into the interior of Mexico. This program is available for noncriminal Mexican nationals with final orders of removal, processed by CBP for expedited removal, and

FIGURE 4

Calculating the costs of transportation



Source: Calculations based on the U.S. Department of Homeland Security FY 2008.

deemed “at risk” from falling victim to heat or border criminals due to age, physical condition, or travel status. In FY 2008, 49,793 people were removed under this program.⁴⁷

Despite the different countries of origin of undocumented immigrants, and the various methods and programs of repatriation, little public information is available on actual costs to transport the average detainee out of the United States. During congressional testimony in 2007, however, ICE Assistant Secretary Julie Myers estimated a \$1,000 per person average transportation cost for deportees.⁴⁸

The Office of the Federal Detention Trustee also reported a per person transportation cost for federal detainees, including deportees, of \$999 in FY 2008, and projected a \$1,190 per person cost in FY 2011.⁴⁹ For purposes of this report, the cost was rounded out to \$1,000. That means the total cost to transport 6.22 million people overseas at \$1,000 apiece equals more than \$6 billion.

Total deportation costs

The sum of the funding required to apprehend, detain, legally process, and expel 8.64 million individuals out of the United States is \$200 billion (see Figure 5).

FIGURE 5

Calculating total deportation costs

Costs assume 20 percent pre-apprehension departures



Source: Calculations based on the U.S. Department of Homeland Security FY 2008.

Total five-year immigration enforcement costs of a mass deportation strategy

If a mass deportation strategy were seriously pursued, it is safe to assume that it would be a multiyear endeavor. For purposes of evaluating the direct costs of such a strategy in context, we presume this would entail a five-year process at a minimum.

All of the costs set forth in the sections above are conservatively calculated one-time projected costs to identify and remove almost every undocumented immigrant in the United States. Even if that specific objective were practically accomplishable, achieving it would not eliminate the federal government's continuing immigration enforcement mandate during and beyond the mass deportation period.

Continuing enforcement costs

The federal government will remain saddled during (and beyond) the five-year mass deportation effort with the ongoing massive expenditures associated with:

- Securing our land borders, coastlines, and ports of entry
- Identifying and removing those who still arrive illegally
- Tracking and removing individuals who overstay their visa, violate the terms of their admission, or commit crimes.

The expenditures on border and interior immigration enforcement have burgeoned since FY 2005. The U.S. Customs and Border Protection and Immigration and Customs Enforcement budgets increased by nearly 80 percent to \$17.1 billion in FY 2010, from \$9.5 billion in FY 2005.⁵⁰ And yet the net undocumented population still slightly increased over that time from 10.5 million to 10.8 million, with the most significant drop in population occurring after the start of the Great Recession in December 2007 (see Figure 6).⁵¹

Enforcement budgets increased by nearly 80 percent to \$17.1 billion in FY 2010, from \$9.5 billion in FY 2005.

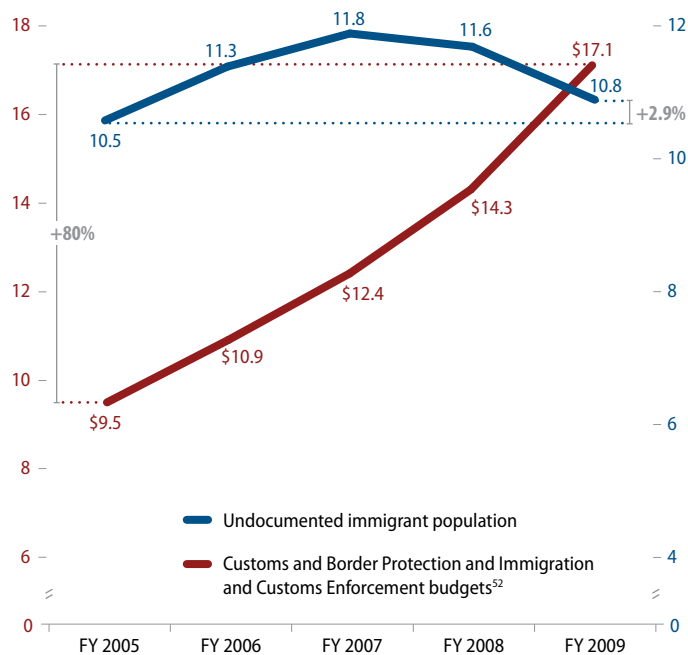
Practically speaking, that means that while the federal government was doubling down on enforcement efforts over a five-year period, it wasn't even able to halt growth in the size of the undocumented immigrant population. In other words, the current ICE and CBP budgets (plus a massive recession) were almost sufficient to prevent a net increase in undocumented immigrants but insufficient to diminish it. As such, in addition to the massive infusion of new resources documented above that would be needed for the discrete task of removing all of today's undocumented immigrants, the federal government would need to spend at or above current levels just in order to prevent a new wave of undocumented immigrants from arriving in the country.

To ensure sufficient border and interior resources to prevent new entries, apprehend those who make it through, and identify and remove those who overstay their lawful visas or violate their status, the ICE and CBP budget outlays would, at a minimum, need to remain constant. Congress appropriated \$11.4 billion for U.S. Customs and Border Protection and \$5.7 billion for Immigration and Customs Enforcement in FY 2010, for a total of \$17.1 billion.⁵³ Adjusting that amount to 2008 dollars so that it is consistent with the cost of deportation calculations, we arrive at a continuing annual cost of around \$17 billion.

Of course, it is true that the ICE and CBP budgets include more than immigration enforcement resources. But it is also true that the capital and infrastructural costs needed to maintain and support contraband smuggling interdiction efforts, for example, cannot be cleanly divorced from human smuggling interdiction costs. In addition, not included in this budget calculation are significant immigration enforcement costs borne by other DHS entities such as U.S. Citizenship and Immigration Services. Costs related to two important USCIS programs, E-verify and US-VISIT, are not reflected in this estimate.

The practical reality is that we will need to maintain the entire ICE and CBP budgets at the very least in order to retain current enforcement levels over this deportation period and beyond. If anything, we believe this understates the actual ongoing enforcement costs that will be required to maintain the status quo.

FIGURE 6
Annual undocumented immigrant population and enforcement costs



Source: U.S. Department of Homeland Security, Budget-in-Brief, FY 2007, FY 2008, FY 2009, and FY 2010; Michael Hoefler, Nancy Ritina, and Bryan C. Baker, "Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2008" (U.S. Department of Homeland Security, February 2009), available at http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_ill_pe_2009.pdf.

Five-year total

As such, on top of the \$200 billion cost of removing all current undocumented immigrants, the government would be required to expend an additional \$85 billion (\$17 billion per year for five years) over that same five-year period. Hence, the sum of the five-year immigration enforcement costs under a mass deportation strategy comes to a grand total of \$285 billion (see Figure 7).

FIGURE 7

Five-year enforcement costs under mass total deportation strategy

Costs assume 20 percent voluntary departures



Seeking sensible solutions

The undeniable conclusion from these findings is that the federal price tag to deport all undocumented immigrants currently in the United States is prohibitive. The operational feasibility of such a massive effort is dubious at best. It would require an unprecedented deployment of resources, and the problems currently plaguing our detention system and immigration courts would be exacerbated in the extreme and would likely precipitate widespread human rights and due process violations.

Moreover, a mass deportation strategy would have a crippling impact on economic growth.⁵⁴ The exorbitant direct costs of such a strategy detailed in this report should be the final nail in the coffin of a moribund idea.

Notwithstanding the fact that some members of Congress and many other advocates are actually calling for mass deportation,⁵⁵ some immigration restrictionists complain that the argument against mass deportation is a straw man. These individuals claim that their proposal is more humane and less costly and they call it deportation through attrition: make life hard enough for undocumented workers through heavy-handed enforcement that people simply pack their bags and leave the country.

It should be absolutely clear, however, that the attrition strategy is nothing more than a thinly veiled variation on mass deportation. The basic premise of this idea is that the United States can and should implement a national policy that will drive nearly 11 million undocumented immigrants and millions more of their U.S. family members out of the country. The devastating economic impact and crushing fiscal burden of such a strategy would be indistinguishable from the mass deportation proposal outlined in this report.

It is time to heed the public's call for tough, fair, and practical solutions with a comprehensive immigration reform program that treats immigration as a national resource to be managed and embraced. That program should require strong enforcement measures at the border and at the worksite to control illegal immigration and expose employers who hire undocumented workers and exploit them. If we deal pragmatically with the fact that 5 percent of the U.S. labor force is undocumented and that families will go to great lengths to cross the border to be reunited, we will have in place flexible immigration channels and an end to futile discussions about deporting millions of people from the United States.

It should be absolutely clear that the attrition strategy is nothing more than a thinly veiled variation on mass deportation.

But enforcement alone will not drive down undocumented immigration, as evidenced by the hard facts about the current legal status of undocumented immigrants in the United States—facts that our progressive vision of reform confronts directly, humanely, and with an eye on building a better and more prosperous America in the 21 century in the same way we have done for more than 400 years.

Most of the 10.8 million undocumented immigrants currently in the United States have been in the country for a long time, are intimately integrated into local communities, and reside across large geographic areas. Many also have native-born U.S.-citizen children or spouses. Consider that:

- Almost two-thirds of undocumented immigrants (63 percent) came to the United States before 2000—19 percent during the 1980s, 44 percent during the 1990s, and 37 percent after 2000.
- Forty-three percent of undocumented immigrants live in states outside of the traditional immigrant states of California, Texas, Florida, New York, and Illinois—an indication that undocumented immigrants are settling in nontraditional immigrant regions.⁵⁶
- Seventy-three percent of the children of undocumented immigrant parents are U.S. citizens by birth.⁵⁷ Deportation would mean taking away one or both parents of 4 million citizen children with unacceptable and incalculable social consequences.

Sen. John McCain (R-AZ) finds this last set of facts particularly pertinent to the immigration debate. When asked during an earlier debate over comprehensive immigration reform and American-born children of undocumented immigrants, he remarked on the Senate floor:

What shall we do with these Americans—and they are Americans by virtue of their birth here—when we deport their parents? Shall we build a lot of new orphanages? Find adoptive parents for them? Deny their citizenship and ship them back, too? We all know we aren't going to find and deport so many millions and suffer the dislocation and agonizing moral dilemmas that such an impossible task would engender. So let's be honest about that, shall we?⁵⁸

As Sen. McCain argued back then, the logical solution for the immigration challenge is a comprehensive plan that combines tighter border and interior enforcement with a program that would require undocumented immigrants to come forward, pass background checks, and gain legal status by meeting certain requirements such as learning English and paying back taxes and fines. Comprehensive immigration reform must create a visa system that is fair and flexible and can adjust to the needs of the U.S. economy and families.

History shows that not even the hellish Arizona desert will deter immigrants seeking work when the U.S. demand for labor is high. “The existing border fortifications do not keep

undocumented migrants out of the United States,” notes Wayne Cornelius, director emeritus of the Center for Comparative Immigration Studies at the University of California in San Diego. “Not even half are being apprehended on any given trip to the border, and of those who are apprehended, the success rate on the second or third try is upwards of 95 percent.” Cornelius has studied the migration patterns of thousands of undocumented immigrants from various parts of Mexico who tried and succeeded in entering the country.⁵⁹

The United States experienced substantial increases in the total number of undocumented immigrants between 2000 and 2006 but that number began dropping in 2007, coinciding with the start of a crippling economic recession and the drop in demand for immigrant labor (see Figure 6).⁶⁰ Once the economy rebounds and demand for workers eventually expands, undocumented immigrants seeking work will likely create new pressures on border and worksite enforcement efforts if we do not reform our current policies today.

Even if we were to continue high levels of border and interior enforcement funding, future flows of undocumented immigrants cannot be completely prevented under current immigration laws using an enforcement-only strategy. As described above, the federal government would have to spend substantial additional monies—conservatively projected to be \$17 billion annually—to prevent undocumented immigrants from entering the United States, track down those who make it in, and identify and remove persons who overstay their valid entry visas.

Instead of searching for and deporting undocumented immigrants at an astronomical cost, the taxpayers and the nation will enjoy greater benefits from a 21st century immigration system that drives workers needed by the U.S. economy into legal channels.⁶¹

Endnotes

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