

U.S. Deportation Policy, Family Separation, and Circular Migration

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Since the mid-1990s the United States has enacted a series of laws that make it easier to deport noncitizens. Drawing on findings from interviews with a random sample of 300 Salvadoran deportees, we examine how family relations, ties, remittance behavior, and settlement experiences are disrupted by deportation, and how these ties influence future migration intentions. We find that a significant number of deportees were long-term settlers in the United States. Many had established work histories and had formed families of their own. These strong social ties in turn influence the likelihood of repeat migration to the United States.

INTRODUCTION

Beginning in the mid-1990s, the United States enacted a series of laws that elevated the power of the federal government to arrest, detain, and ultimately deport noncitizens. In 1996, during a national presidential campaign in which “immigration control” and “get tough on crime” emerged as major themes, Clinton signed the Illegal Immigration Reform and Responsibility Act (IIRIRA) and the Anti-Terrorism and Effective Death Penalty Act (AEDPA) into law. Several years later, in 2001, in direct response to the terrorist attacks of September 11, the USA PATRIOT Act was signed into law by George W. Bush. Collectively, these exclusionary laws represent a dramatic departure from post-WWII immigration policies, which had granted increasing rights to immigrants and their families.

IIRIRA, the first of the three laws to strengthen the enforcement arm of the Immigration and Naturalization Service (INS),¹ contains two broad legal

¹In 2003, with the formation of the Department of Homeland Security (DHS), the enforcement arm of the INS relocated from its long-term home in the Department of Justice to DHS, where it was merged with the U.S. Customs Service to form the Bureau of Immigration and Customs Enforcement (ICE).

provisions that increased deportations – now strategically referred to by the federal government as removals. First, the 1996 law increased the categories of noncitizens subject to detention and removal. Prior to IIRIRA the large majority of noncitizens arriving at U.S. ports of entry without documentation were given the opportunity to return home voluntarily. Now, many new arrivals that lack proper documentation are subject to “expedited removal,” a procedure which lacks judicial review. Secondly, IIRIRA expanded the offenses for which a noncitizen could be deported. Although aggravated felonies such as murder or drug trafficking have always been a basis for deportation, under IIRIRA the definition of aggravated felonies was extended to include 28 distinct offenses, including any “crime of violence” that carries a prison sentence of a year or more. Moreover, the law calls for retroactive punishment so that pre-1996 crimes that were not defined as aggravated felonies become cause for removal under IIRIRA, even if the convicted residents had completed their prison sentences (Aleinikoff, Martin, and Motomura, 2001; Morawetz, 2001).² Moreover, depending on the reason for deportation, an immigrant can be barred from reentry into the United States from 5 years to life.

AEDPA further bolstered the enforcement arm of immigration authority by virtually doing away with judicial review for all categories of immigrants eligible for deportation. Before AEDPA and IIRIRA, an order of deportation served to an immigrant living in the United States almost always underwent judicial review, and an immigration judge had the discretionary authority to forgo deportation if it posed hardship for a U.S. family member. IIRIRA raised the requirement to “exceptional and extremely unusual hardship.” In effect, IIRIRA and AEDPA removed the legal barriers that protected immigrants from deportation by curtailing judicial review, restricting due process, and eliminating relief for immigrants with family ties in the United States, regardless of the severity of the crime.

The net was cast even further with the passage of the USA PATRIOT Act in October 2001, just 1 month following the events of September 11. The 2001 law – which was created in direct response to fear of other terrorist attacks – further expanded the categories of immigrants to be targeted by elevating administrative powers to detain and deport immigrants who are perceived as threats to national security.

²In March 1998, for example, the Board of Immigration Appeals added driving while intoxicated (DWI) to its list of aggravated felonies under immigration law. Six months later, in September of the same year, the INS followed up on the board’s ruling and deported hundreds of legal immigrant residents with DWI convictions.

The cumulative effect of these policy initiatives has been a dramatic increase in deportations since the mid-1990s. From 1900 through 1990, removals remained fairly flat, averaging about 20,000 a year. Beginning in 1990, the number of persons removed began to slowly increase, reflecting congressional initiatives to make it easier to remove permanent resident aliens who have committed aggravated felonies. From 1990 through 1995, deportations averaged about 40,000 a year. Then, in 1996, following the passage of IIRIRA, the number of deportations exploded and a long-standing pattern of stability was interrupted. From 1996 through 2005, yearly deportations averaged more than 180,000. In 2005, the number of persons formally removed from the United States reached 208,521, less than half of whom (43 percent) were deported for criminal reasons (USDHS, 2004, 2006).³

The overwhelming majority of persons deported from the United States today are poor Latin American immigrants who were removed for non-criminal reasons. Among the 208,151 persons deported from the United States in FY 2005, for example, 69 percent were from Mexico, followed by an additional 16 percent from the Central American countries of El Salvador, Honduras, and Guatemala. Moreover, less than half of all those deported from these countries (42 percent) had criminal records. Consequently, 85 percent of all immigrants deported from the United States in FY 2005 were from Mexico and Central America, and the majority of these immigrants were deported for noncriminal reasons, such as immigration violations, use of fraudulent documents, and petty crimes that were committed years earlier (USDHS, 2006).

WHAT DO WE KNOW ABOUT THE U.S. DEPORTEE POPULATION?

Despite the rapid and dramatic rise in deportations from the United States in recent years, very few studies have addressed the sociological or policy implications of these forced repatriations, which have reached more than 200,000 per year

³Voluntary departures account for an additional 965,538 removals. Voluntary departures, in contrast to formal removals, are frequent in situations where U.S. border patrol agents have made the apprehension. Under voluntary departure proceedings, persons waive their rights to a hearing; in doing so, they can later submit an application for admittance without penalty.

and show no sign of abating.⁴ This gap in the literature exists in large part because of the obstacles associated with locating and tracking the experiences of deportees, a population whose behavior is closely monitored by the state, but is virtually inaccessible to social science monitoring. In more recent years, however, journalistic accounts, human rights investigations, and a small but growing number of scholarly studies have begun to raise a number of important issues associated with mass deportations, including the treatment of deportees during arrest and detentions (Welch, 2002; Amnesty International, 2003; Physicians for Human Rights and Bellvue/NYU Program for the Survivor of Torture, 2003; Haney, 2005; Phillips, Hagan, and Rodriguez, 2006) and the resettlement options and coping strategies of deportees in the countries to which they are returned (Rodriguez and Hagan, 2004).

One implication of the increasing aggressiveness of U.S. deportation policies is the forced repatriation of a diverse population of immigrants. At one extreme, this includes new arrivals who are apprehended during a first attempted unauthorized entry. At the other extreme, some deportees are settled migrants. This latter group includes some authorized permanent residents who may have violated immigration provisions or committed relatively minor criminal offenses. It may also include unauthorized migrants deported for immigration status violations after a long spell of residence in the United States. In the case of settled migrants, the deportation may disrupt previously stable family and household relationships in the United States, as well as established patterns of remittances to family members in the country of origin. Relatively little is known about what these relationships are and how they influence immigrants' behavior after deportation. This paper adds to the sociological research on the implications of U.S. deportation policies by systematically addressing two interrelated questions. First, how are family relations and ties, remittance behavior, and settlement experiences disrupted by deportation? Second, how do these family ties and disruptions influence the future migration intentions of deportees? That is, which family relations/ties and settlement characteristics suggest whether or not a deportee intends to return to the United States or remain in El Salvador?

⁴This approximates roughly a quarter of the undocumented flow to the United States. Jeffrey Passel reports that annual unauthorized entries have increased dramatically in the past decade. Passel estimates the annual unauthorized flow at 130,000 during the 1980s, climbing to 450,000 per year during the 1990–1994 period, and peaking at 700,00 per year from 1995 to 1999. In 2004, the estimated undocumented population was 10.3 million; of these, 81% were from Latin America, the majority (56 percent) from Mexico (Passel, 2005).

DEPORTEE SURVEY

To address these research questions, we draw on findings from retrospective face-to-face interviews with a random sample of 300 Salvadoran deportees in their home communities. El Salvador provides an unprecedented opportunity to examine the sociological implications of deportation on family ties and settlement intentions because it remains one of the few countries in the world that had in place a program to track the experiences of those deported from the United States. The arrival and reintegration of deportees in El Salvador is largely organized by a program established in 1999 and in operation through 2004 called *Bienvenido a Casa* (BAC) or “Welcome Home.” Implemented with the support of the International Organization for Migration (IOM) and Catholic Relief Services (CRS) and the financial cooperation of the U.S. Department of State, BAC’s mission was to ease the reintegration of deportees into Salvadoran society.⁵ From February 1999, the time the program was established, through March 2002, several months before we launched our study, BAC provided resettlement assistance to 10,684 deportees, which, according to BAC staff, comprised the total number of El Salvadorans removed from the United States during this period.⁶ During the three-year period, BAC staff met once or twice a week with groups of deportees as they disembarked from flights originating in the United States. During the initial meeting, the staff notified the deportees of the program and the services it provides to arriving deportees, including: (1) funds and information to help deportees reach their homes; (2) referrals to an array of social service providers; (3) counseling services to assist with the trauma and stress of detention and deportation; and (4) a job placement initiative to help deportees locate work, a monumental task for many deportees in a country with high unemployment rates and little tolerance for the growing U.S. deportee population (Rodriguez and Hagan, 2004).

The launching of the job placement program in the summer of 2002 provided the opportunity to collect a first-ever random sample of persons deported from the United States to their home country. In January 2002, two of the authors met with the director of BAC and expressed interest in collaborating

⁵In 2004, the government of El Salvador assumed sole responsibility of BAC. The program is now largely a police enforcement program and operated under the Ministry of Justice and Security.

⁶According to DHS figures listed in the *Yearbook of Immigration Statistics*, approximately 12,473 El Salvadorans were deported from the United States from 1999 to 2001. The discrepancy between BAC and DHS figures is largely a function of the different reporting periods, as DHS figures refer to fiscal years.

on a research project that would go beyond the brief deportee census BAC staff conduct when the deportees arrive to examine some of the long-term consequences of deportation for deportees and their U.S. and Salvadoran families. Several months later, in the spring of 2002, the authors were notified by the BAC director that the job placement program was ready to be implemented. Deportees who had participated in the program had received postcards inviting them to attend one of several job placement events held across the country. The director of BAC suggested we attempt to interview deportees at these meetings. Two members of the U.S.-based research team (a criminologist and sociologist) then flew to El Salvador to design the sample and train interviewers. The survey was launched in June 2002. A total of 300 interviews were conducted between June and December 2002 in the 11 Salvadoran departments that comprise the country. The interviewers were instructed to approach every third attendee who arrived at the job placement meetings and request an interview. Some interviews were conducted at the meeting sites after the group meetings and some in the respondents' homes. The interviews, which were conducted in Spanish, averaged about an hour in length. To reduce any potential anxiety on the part of the deportees, the interviews were not tape recorded and all interviews were conducted by former deportees who worked with BAC, a strategy that we believe created trust, mutual understanding, and cooperation between interviewer and respondent.

Table 1 profiles the respondents in our sample ($n = 300$). It also introduces two comparisons. The first comparison is to a BAC census of deportees who were enumerated on arrival in San Salvador from 1999 to 2002 ($n = 10,876$). Selection bias is a perennial concern in multistage sampling procedures.⁷ Fortunately, the census of the deportee population enables a comparison of the deportee sample to the Salvadoran deportee population. Since this is a census of the deportee population from which our sample was drawn, the characteristics of the sample and the BAC sample should correspond closely. As the table shows, this is indeed the case. The second comparison is to a sample of the settled population of noncitizen immigrants to the United States from El Salvador who were enumerated in the 2000 U.S. census ($n = 25,538$). This approximates the population of Salvadorans that is at risk of deportation, setting aside those would-be unauthorized immigrants who were apprehended at first attempted entry and deported without ever establishing a residence in

⁷Response rates varied across the two stages of the research; among deportees who were sent information postcards about the job placement meetings, 55% attended a meeting; among deportees who were asked for an interview, 80% agreed.

TABLE 1
DEPORTEE SAMPLE COMPARED TO BAC CENSUS OF DEPORTEES AND CENSUS 2000 CHARACTERISTICS OF
RESIDENT NONCITIZEN IMMIGRANTS FROM EL SALVADOR IN THE UNITED STATES

Characteristic	Deportee Sample		BAC Deportee	El Salvador Noncitizen
	Number	Percent (90% C.I.)	Census %	Immigrants Age 18+, 2000 %
Gender				
Male	284	95 (92,96)	95	54
Female	16	5 (4,8)	5	46
Age (Adults Age 18 or Older)				
18–30 ^a	169	56 (52,61)	59	42
31–40	81	27 (23,31)	29	32
Over 40	47	16 (13,19)	12	26
Not reported	3	1 (0,3)		
Years in United States				
0 to 5	128	43 (38,47)	50	22
More than 5 to 10	47	16 (13,19)	20	24
More than 10 to 20	86	29 (25,33)	24	45
More than 20	26	9 (6,12)	6	9
Not reported	13	4 (3,7)		
English Ability				
Not well/not at all	137	46 (41,50)	44	41
Well or very well ^b	157	52 (48,57)	56	59
Not reported	6	2 (1,4)		
Years of Schooling				
0 to 5	47	16 (13,19)	na	20
6 to 8	59	20 (16,24)	na	24
9 to 11	143	48 (43,52)	na	19
12 years	36	12 (9,15)	na	27
Not reported	15	5 (3,8)		
Reason for Deportation				
Immigration violation	169	56 (52,61)	64	na
Crime (not immigration)	124	43 (37,46)	36	na
– Major crime		na	14	na
– Minor crime		na	22	na
– Violent crime	36	12 (9,15)	na	na
– Drug/alcohol offense	18	6 (4,9)	na	na
– Property crime	15	5 (3,8)	na	na
– Public disorder	9	3 (2,5)	na	na
– Other or not specified crime	46	15 (12,19)	na	na
Not reported	7	2 (1,4)	na	na
State from which Deported ^c				
California	91	30 (26,35)	na	42
Texas	83	28 (24,32)	na	13
Arizona	28	9 (7,13)	na	1
Virginia	19	6 (4,10)	na	7
Maryland	6	2 (1,4)	na	5
Other	53	18 (14,22)	na	32
Not reported	20	7 (5,9)	na	

Sources: University of Houston, Center for Immigration Research deportee sample (n = 300); BAC census of returned deportees, February 1999 to March 2002 (n = 10,876); U.S. Census, 2000 Census of the Population, 5 percent public use data file (n = 25,538).

Notes: ^aFor BAC census, age 19–30 (age 18 not available).

^bPercentage indicating speak English “OK” or “Well” for BAC deportee census.

^cState of residence for El Salvador immigrant population.

C.I. = confidence interval. na = not available.

the United States. This comparison thus highlights characteristics on which deportees look like the settled population of Salvadorans in the United States, and characteristics on which deportation is selected.

As Table 1 shows, there are substantial differences between the profiles of deportees drawn from our sample and the BAC census on the one hand, and the settled Salvadoran population on the other. Compared to the settled population of Salvadorans, the deportees in both the BAC and study samples were overwhelmingly male and young. These age and gender differences are not surprising when we consider that migration is selective; most authorized and unauthorized recent arrivals are young (*see* Passel, 2005) and many migrant women receive legal and social resources to protect them from apprehension on the journey (Donato, 1993; Cerrutti and Massey, 2001; Hagan, forthcoming). Most important, however, women are less at risk of removal than men. Migrants are generally apprehended at locations where males dominate in number and are more visible to the official eye, such as ports of entry, prisons, labor pools, public streets, and job sites. The exception is Mexican women, who are more likely than other Latin American migrant women to enter U.S. ports of entry without documentation or through fraud (USDHS, 2004).⁸ Indeed, in FY 2003, the median age of all persons deported from the United States was 28, with women (primarily Mexican) constituting just 15% of all removals (USDHS, 2004:151).

Table 1 shows that more than half of those in our study sample and in the BAC census reported speaking English well or very well, percentages that closely match those reported in the 2000 census. On the other hand, deportees were much less likely than their settled counterparts to have completed 12 or more years of schooling, a difference that is no doubt related to the years of schooling the deportees completed in El Salvador, since the overwhelming majority of all Salvadoran deportees reported that they did not attend school in the United States. Although we are unable to determine from our study data the relative years of school completed in El Salvador compared to the United States, the BAC census found that 60 percent of its sample completed less than 6 years of school in El Salvador and that an equal percentage reported not attending any school in the United States (Catholic Relief Services, 2002).

⁸Since 1996, large numbers of Mexican women have been removed when they tried to enter with fraudulent documentation through San Diego. Under a special processing system, entitled "Port Court," resources were made available to facilitate their removal. Prior to this initiative, the proportion of women removed remained fairly low at 6 percent (USDHS, 2004:151).

The deportees varied considerably in the length of time they had lived in the United States. A substantial number of deportees were recent arrivals. As the Table 1 shows, close to half were living in the United States for less than 5 years before their removal. According to the BAC census but not reported in Table 1, 7 percent of all persons deported to El Salvador were deported on the day of their arrival at a port of entry. Indeed, the inclusion of persons deported at ports of entry may further account for differences in settlement period between the deportee and settled populations. For example, the border crossing states of Texas and Arizona account for disproportionate shares of deportees compared to residents. The share of deportees with less than a year's residence in the United States drops to 12 percent from 26 percent if we exclude persons apprehended at a port of entry.

A number of deportees, however, had spent a large part of their lives in the United States; roughly a fourth of the persons in both our study sample and in the BAC census reported residing in the United States for more than 10 years. In addition, according to the study deportee sample but not reported in the table, 78 percent of respondents were in the U.S. labor force at the time of their arrest and subsequent deportation. As we shall see, these residential and work histories have major implications for the future settlement intentions of many Salvadoran deportees.

An important characteristic of both the survey sample and the BAC census deportees, but with no analog for the settled population of Salvadorans in the United States, is the reason for their deportation. As the table illustrates, a substantial majority of deportees in the survey sample and the BAC census reported immigration violations (*e.g.*, no papers or fraudulent documents at ports of entry) as the reason for their deportation. Well under half of the deportees in the survey sample and the BAC census stated that they were deported for a crime committed in the United States. The nature of the crimes that were reported by the deportees varied considerably, from major crimes, such as rape, to lesser crimes, such as public intoxication.⁹

⁹Indeed, INS implemented "Operation Last Call" in several states, including Texas. Under the program, three or more convictions for driving under the influence (DUI) constitute a felony and thus basis for removal. In an INS sweep conducted before Labor Day in 1998 in several Texas cities, over 500 immigrants, many of whom were legal permanent residents from Mexico, were arrested and placed in deportation proceedings on the basis of three or more DUI convictions (Koppel, 1998).

FAMILY COMPOSITION OF DEPORTEE HOUSEHOLDS IN THE UNITED STATES

In recent decades, the structure of immigrant households in the United States has become increasingly complex, often comprised of extended horizontal and vertical kin linkages (Chavez, 1990; Glick, Bean, and Van Hook, 1997). Part of this growing diversity in household structure results from post-1965 immigration policies that shifted the national origin of U.S.-bound immigrants, giving more proportional representation to immigrants from Latin America. Some immigrant groups who are selective by age and life cycle – such as poor young labor migrants without authorizations – are especially likely to form households with laterally extended relatives upon arrival (Chavez, 1990). Lacking legal status and economic resources, migrants from Mexico and Central America rely on the assistance of a diverse set of kin relations for housing, employment, and other forms of assistance (Rodriguez, 1987; Chavez, 1990; Hagan, 1998; Menjivar, 2000).

The households that immigrants join, however, undergo change with time and experience considerable variation in these transitions, depending on a number of factors, including the demographic and socioeconomic characteristics of the migrants, cultural influences from communities of origin, and processes of family reunification (Gilbertson and Gurack, 1992). Several studies, for example, find that Mexicans and Central Americans tend to move from larger and more extended household structures to smaller nuclear families over time (Browning and Rodriguez, 1985; Rodriguez, 1987). Other studies find that as the length of settlement in the United States increases, so does the migrants' likelihood of moving from horizontal extended households to those involving multiple generations of kin (Glick, Bean, and Van Hook, 1997).

Given these findings of earlier research, we should not be surprised to find a diversity of arrangements among the U.S. household structures of Salvadoran deportees. As Table 2 highlights, deportees live with a wide variety of relatives in the United States, including parents, grandparents, siblings, aunts, uncles, cousins, in-laws, children, nieces, and nephews. In Table 2 we classified these diverse and complex family structures into the three most common U.S. household arrangements reported, which when combined total three-quarters of all household types in the sample. In the first type, the deportee reported living with a parent, aunt, or uncle. The second type included households in which the deportee lived with siblings and cousins, but without either a parent, aunt, or uncle, or spouse or own child. In the third primary

TABLE 2
FAMILY COMPOSITION OF UNITED STATES HOUSEHOLDS

U.S. Family in Household of Residence	Number	Percent (90% Confidence Interval)
With a Relative from Parents' Generation	75	25 (21,29)
With a parent	55	18 (15,22)
– With parent/siblings only	26	9 (6,12)
– With siblings and others, no spouse or own children	12	4 (3,6)
– Including own spouse and/or child	17	6 (4,8)
With an aunt or uncle	20	7 (5,9)
– No spouse or own child	15	5 (3,8)
– Including own spouse and/or child	5	2 (1,3)
With Own Generation Only, No Spouse/Own Child	64	21 (18,26)
With siblings only	40	13 (10,17)
With siblings, cousins, in-laws, other	24	8 (6,11)
Spouse/Child Families	68	23 (19,27)
With spouse and/or own child only	29	10 (7,13)
With spouse/child/others	39	13 (10,17)
Other Combinations of Friends/Relatives	11	4 (2,6)
No U.S. Family (Including Apprehended at Entry)	58	19 (16,23)
Not Reported	24	8 (6,11)
Total	300	100%

type, the deportee lived with a spouse or child, with or without other kin, but without a parent or other relative from the parent' generation.

The first category – parent, aunt, uncle households – captures the multigenerational character of the households in which they lived before deportation. In one-fourth of the reported households, the deportee had been living with a parent or a relative from the parents' generation. In almost three-fourths of the cases, this person was a parent; in the remaining cases, an aunt or uncle. Deportees living in this type of household ranged in age from 18, the minimum age for inclusion in our study, to 49, with a median age of 26. The deportees reported that their spouse or own child also lived in almost a third (29%) of these households. We could not determine whether the parents, aunt, or uncle was considered the head of household, or whether the parents were living in a household headed by the deportee. The range of ages of deportees living with both spouse/child and a parent or other relative was from 23 to 45, with a median age of 30.

The second principal household category reported included horizontal relations across only one generation. This household combination included siblings and/or cousins of the deportee, but did not include parent, aunt, or uncle, or a spouse or own child of the deportee. This household type accounted for just over a fifth (21%) of all reported households in the survey. Deportees in this type of household ranged in age from 18 to 54 years, with a median of 29.

The third most reported household category consisted of deportees who lived with their spouses and children, which comprised almost a quarter of all deportee households in the United States. Deportees in these households ranged in age from 21 to 62, with a median age of 31. In 10 percent of households, the deportee was living in a nuclear household that included a spouse and child only. Another 13 percent of deportees reported living in households with spouse and children and also with others from their own generation, including kin and nonkin. If we combine the spouse/child households in all categories – that is, included spouse/child households that also included a parent, aunt, or uncle, we find that close to a third (31%) of the total deportee sample reported living with a spouse or child in the United States before being deported to El Salvador.

Another 4 percent of deportees reported that they lived in a household in the United States with nonkin, combinations of relatives not enumerated above, or both. An additional 27 percent did not report a U.S. family. The majority of this last group had been apprehended at a port of entry or were recent (within 6 months) immigrants to the United States and therefore had no opportunity to contact kin in the United States or establish a stable household situation.

As predicted from the literature (Gilbertson and Gurack, 1992), the structure of the deportee household changed considerably with settlement time in the United States. As Table 3 shows, persons deported within a year of their arrival in the United States were most likely to live in a sibling/cousin household type, or to report living without relatives in the United States. This type of living arrangement is consistent with young, unattached labor migrants from Central America and Mexico (Chavez, 1990). As settlement time in the United States increases, however, these household structures based on horizontal ties give way to diverse multigenerational households formed through marriage,

TABLE 3
FAMILY COMPOSITION OF HOUSEHOLD BY YEARS LIVING IN THE UNITED STATES

Years in US	Percent Living in Household Type				
	Parents/ Aunt/Uncle	Spouse/ Child	Sibling/ Cousin	No US Family/ Nonfamily Household	Other/ Not Reported
0–1	14 (9,22)	5 (2,11)	28 (20,37)	46 (37,55)	8 (4,14)
> 1 to 5	18 (11,29)	20 (12,32)	33 (23,45)	14 (8,25)	14 (8,25)
> 5 to 15	30 (23,38)	30 (23,36)	17 (12,25)	11 (7,18)	12 (8,19)
> 15	40 (31,52)	41 (31,52)	11 (6,20)	2 (0,8)	5 (2,12)

Notes: Family composition is hierarchical from left to right. For example, “Parent/aunt/uncle” households may include spouse and children, but “spouse/child” households do not include parents, aunts, or uncles. 90 percent confidence intervals are reported in parentheses in each cell.

childbirth, and family reunification. With 15 years of settlement history in the United States, only 2 percent of the deportees were living in nonfamily households and close to half had formed either nuclear household families or were living in multigenerational households with parents and aunts, some of which included children and thus spanned three generations.

TRANSNATIONAL FAMILY LIFE

Except in unusual cases, such as when entire families migrate together, most international migration involves some form of family separation.¹⁰ Deportation complicates the family separation process. If a migrant from El Salvador, for example, arrives in the United States and forms a new family, then his or her deportation leads to separation from U.S. family members. Similarly, if a migrant joins or reunites with a spouse and/or child in the United States, then his or her deportation will also lead to separation from family members in the United States. Under current U.S. enforcement policy, deportation orders may bar a deportee from reentering the United States for anywhere from 5 years to life. Separation from family thus can stretch to a lifetime, especially in cases where family members in the United States lack the means or are unwilling to relocate to the country where a family member has been deported. The latter is especially true for U.S.-born children that have no familiarity with the country or culture to which their parents have been deported. On the other hand, for those migrants who left spouses and children in their home countries, and have not formed a second family in the United States, then deportation – although forced – will in fact reunite them with family members in their home communities, but perhaps with no means to support them. Ultimately, deportees and their families face a double-edged sword. On the one hand, if deportees have a spouse and/or child in the United States – who may or may not be legal – then they could find themselves in a situation in which they are separated temporarily or permanently from loved ones who, more often than not, depended on the deported family member's earnings for survival. On the other hand, if deportees left a spouse and/or child in their home country, then ironically deportation may lead to family reunification. This reunification may not be necessarily welcomed, since the deportee may no longer be able to remit earnings

¹⁰Refugees are more likely than other migrant groups, because of their mode of entry, to migrate with multigenerational kin (Chavez, 1990; Glick, Bean, and Van Hook, 1997). Similarly, some skilled-based migration sponsored by employers may allow for entire families to migrate, but usually only on a temporary basis.

TABLE 4
RESIDENCE OF DEPORTEE'S SPOUSE AND CHILDREN AT THE TIME OF INTERVIEW

Presence and Residence of	Number	% of Sample	90% Confidence Interval	% of Those with	90% Confidence Interval
Spouse			Spouse		
United States	85	28	(24,33)	58	(51,64)
Salvador	57	19	(15,23)	39	(32,46)
Residence not reported	5	2	(1,3)	3	(2,7)
Total Married	147	49	(44,54)	100	
Not Married	132	44	(39,50)		
Marital Status not Reported	21	7	(5,10)		
	300	100			
Children			Children		
United States only	107	36	(31,40)	65	(58,71)
El Salvador only	6	2	(1,4)	4	(2,7)
U.S. and El Salvador	13	4	(3,7)	8	(5,12)
Residence not Reported	39	13	(10,17)	24	(18,30)
Total with Children Reported	165	55	(50,60)	100	
Does not Have Children	94	31	(27,36)		
Whether Have Children not Reported	41	14	(11,17)		
	300	100			

from the United States or because deportees are stigmatized upon their return or unable to find work in their home communities, which was their reason for emigrating in the first place.

These complex transnational family structures and the separations and reunifications that flow from them are represented among the deportees and their families in our study. Table 4, which provides detailed information about the deportee's marital status and location of spouse and children, gives a clear picture of the high degree of family separation resulting from deportation. As the table shows, among all 300 deportees, one-third (132) reported that they were not currently married. An additional 21 did not respond to the marital status question, leaving about half of the sample (147) reporting being married. Among these, 58 percent reported that their spouses lived in the United States, while 39 percent reported that their spouses lived in El Salvador.

We also found a substantial amount of separation from U.S.-born children. Among all deportees, 94 (31 percent) said that they had no children, while 41 (14 percent) did not report whether they had children. Among the 165 deportees with children, a large majority (73 percent) reported that they had a child under the age of 18 living in the United States; 90 percent of these children were born in the United States. Nineteen deportees (11 percent of those with children) reported a child in El Salvador. An additional 39 deportees did not report where their children lived. The survey instrument asked

deportees to report all minor children living in the United States, but not all of those who lived in El Salvador. Instead we asked only whether the deportee was living in the same household with an own child at the time of the interview. Because we did not ask for complete information about children living in El Salvador, and because a majority of the spouses of the deportees with children in this group lived in El Salvador, it seems likely that a majority of the children for whom residence was not reported lived in El Salvador.

Leaving children behind in care of relatives is a strategy employed by many labor migrants, including those from Latin America. Historically, it has been the father who forged north in search of work and higher wages, leaving his children in the care of their mother. In more recent years, as labor migrant streams have become increasingly feminized, mothers too are leaving their children in the care of others, a concept that Hondangneu-Sotelo and Avila (1997) refer to as transnational motherhood. Our study confirms that this parenting strategy is employed by mothers and fathers. Transnational parenthood, however, is only part of the story. Several of the male deportees formed families (wife and children) in both the United States and El Salvador, a configuration made possible in part by the circular migration patterns of the deportee sample; indeed, 23 percent of the sample had experienced multiple deportations.

DISRUPTING REMITTANCES TO EL SALVADOR

With the rapid increase in immigration from Latin America in recent decades, the amount of dollar remittances has soared. A study by the Inter-American Development Bank estimated that in 2004 roughly 60 percent of the adult Latino and Caribbean population in the United States sent money home on a regular basis. In 2004, total remittances to this region from the United States reached \$35 billion (Terry and Wilson, 2005). Some Latin American and Caribbean groups are more likely than others to remit, although the reasons for this variation remain unclear (de la Garza *et al.*, 1997). Ranking high among remitter groups in the United States are Central Americans, who, controlling for other factors, are more likely to remit than Mexicans. The majority of Central Americans in the United States are Salvadorans, and their substantial remittance behavior has been documented by a number of studies (Funkhouser, 1992; de la Garza *et al.*, 1997; Menjivar *et al.*, 1998; De Sipio, 2000). By some estimates, remittances to El Salvador surpassed national exports as a source of foreign exchange, comprising between 6 and 17 percent of household income (de la Garza *et al.*, 1997). Remittances to El Salvador

constitute a primary source of foreign income and offset the substantial trade deficit resulting in part from the collapse of coffee on the world market, a commodity on which El Salvador has been long dependent. Remittances transferred through the banking system and measured by the central bank have increased by 33 percent since 2001 to reach an all-time high of \$2.5 billion – approximately 16.1 percent of the GDP. According to a recent report of the United Nations Development Program (UNDP) in El Salvador (2005), the distribution of remittances varies widely among the localities of El Salvador. The amount of monthly remittances in 2004 ranged from \$1,062 in a small locality of 13 households in the province of Chaletenango to \$2.3 million in a large township of 19,332 households in the province of San Salvador.

Most of the scholarship on international migration and remittances in Latin America concentrates on the social and economic impact of remittances on communities of origin, with an eye toward assessing their potential for investment and economic development (Lozan, 1993; Massey and Parrado, 1994; Lowell and de la Garza, 2000; Parrado, 2004).¹¹ Less is known about those who remit and the factors that influence remittance behavior and how these forces change over time. In his literature review on remittances and assessments of existing survey data that provide information on the remittance behavior of Latin American immigrants in the United States, Louis De Sipio (2000) identified some of the common factors that predict the likelihood of remitting.¹² Primary among these are demographic variables such as age, income, and education, length of stay abroad, family residential patterns, and social ties. In terms of who remits, older and more educated immigrants are less likely to remit, while those with higher earnings are more likely to remit. Settlement period in the United States also influences the likelihood of remittances; as the period of settlement in the United States increases, the likelihood of remitting declines. Family residential patterns also seem to

¹¹For comprehensive reviews of the literature on remittance impacts in Mexico and Latin America more generally, see Binford (2003) and Meyers (1998), respectively.

¹²The three surveys on which De Sipio draws his conclusions include the Mexican Migration Project (MMP), the Nalco Educational Fund and Tomas Rivera Policy Institute (TRPI) Study of Emerging Latinos, and the TRPI Study of Latino Portrayals on television. As De Sipio points out, the MMP is by far the richest of the three databases for examining remittances, since it measures not only the dollar amount of remittances but also their uses in home communities. Its weakness, however, is that it samples only a subset of all Mexican immigrants. In contrast, the Study of Emerging Latinos overcomes this shortfall by measuring the remittance behavior among U.S.-born Latinos. Finally, the least solid of the three data sets, the TRPI study asks only whether or not the respondent sends money home to family on a regular basis (De Sipio, 2000).

TABLE 5
PERCENT REMITTING TO RELATIVES IN EL SALVADOR BEFORE DEPORTATION IN RELATION TO UNITED STATES
HOUSEHOLD COMPOSITION, YEARS IN UNITED STATES, AND AGE

Characteristic	Number	Percent Remitted to El Salvador (90% Confidence Intervals)	
		Total	Excluding Recent Immigrants and Persons Not Reporting Employment (n = 188)
Total	300	51 (46,56)	72 (67,77)
Age			
18–30		47 (41,54)	69 (62,77)
31–40		60 (51,69)	74 (65,82)
41 or older		51 (39,63)	68 (53,79)
Employment Status at Deportation			
Not employed	56	14 (8,24)	30 (17,48) ^a
Employed	196	72 (66,77)	72 (67,77)
Not reported	48	8 (4,18)	15 (6,33) ^a
Years in United States			
6 months or less	69	10 (6,18)	17 (8,30) ^b
More than 6 months to 1 year	10	70 (43,88)	78 (48,93)
More than 1 year to 5 years	49	80 (68,88)	88 (78,94)
More than 5 years to 15 years	98	71 (63,78)	76 (68,83)
More than 15 years	61	46 (36,56)	46 (35,57)
Not reported	13	14 (5,39)	17 (5,42)
Composition of U.S. Household			
Parents/aunt/uncles	75	52 (43,61)	64 (52,74)
Spouse/child	68	69 (59,78)	71 (61,80)
Siblings/cousins	64	55 (44,65)	84 (71,92)
Other	11	55 (31,77)	67 (38,87)
None	58	26 (18,36)	87 (65,96)
Not reported	24	46 (30,62)	67 (38,87)

Notes: ^aReports percent remitting of immigrants in U.S. for more than 6 months.

^bReports percent remitting of recent immigrants who report employment.

matter. Immigrants with immediate family members in the United States – including spouses and children – were dramatically less likely to remit than those who have the same immediate family members living abroad. Finally, being a member of social networks that maintain ties to communities of origin increases the likelihood of remitting (De Sipio, 2000).

In some ways the remittance behavior of the deportees reflects that of other Latin American groups living in the United States, but in other ways it varies substantially. As Table 5 shows, more than half (51 percent) of all deportees sent money home. However, this figure includes persons who were deported from the border or a port of entry and persons without employment, who may have had no opportunity to make remittances. As other studies have found, having employment in the United States and length of residency in the United States are both strongly correlated with remitting. Among those in our

sample who were employed at the time of deportation about 72 percent sent remittances home. New immigrants who were deported at entry or within the first 6 months of their arrival in the United States were rarely remitters. After 6 months, a large majority (78 percent) of the more settled immigrants in the sample sent remittances home. The rate of remittances diminished sharply for persons who were deported after a stay in the United States of 15 years or more, although even for this group nearly half reported that the deportation interrupted the flow of remittances. If we restrict the calculation of the percentage remitting to only deportees who had lived in the United States for more than 6 months and who were employed, then two-thirds reported making remittances.

In contrast to the literature predicting that remittance behavior will taper off for migrants who have formed their own families in the United States, the deportees in our sample reported that they continued to send remittances long after they married and had children in the United States. As Table 5 highlights, 71 percent of the sample who reported sending remittances had wives and children in the United States. Perhaps this finding is not so very surprising when we consider that by far the most common recipients of remittances were the parents of the deportee. Although not reported in the table, 93 respondents, 61 percent of all remitters, sent money to their parents. The deportee's mother was more commonly reported as the recipient (70 cases; 46 percent of remitters) than the father (6 cases; 4 percent), while in 17 cases (11 percent) the deportee reported sending money to both parents.

The median monthly remittance reported among the sample was \$200, which is slightly lower than the \$240 average monthly amount sent home by Latin American groups in general living in the United States (Terry and Wilson, 2005). The overwhelming majority of those that reported sending remittances reported that they were used for daily expenses, such as food, clothing, and health care. This is consistent with the literature that reports that among impoverished communities in Latin America – regardless of country – remittances are primarily used for basic subsistence needs although some funds are spent on consumer goods and housing improvements and farming needs (Keely and Tran, 1989; Massey and Basem, 1992). In general, only a small fraction of remittances sent to Latin America are devoted to savings and investment (Durand *et al.*, 1996).

FUTURE SETTLEMENT INTENTIONS

Decision making as it relates to settlement intentions remains a complicated and continual process for migrants, whereby decisions shift with changing sets

of opportunities, attitudes, and social relations in both sending and receiving areas (Hagan, 1994). Thus, it should not be surprising that the deportees reported varied settlement plans and some were more decisive than others in their responses. Although 38 percent reported that they would migrate back to the United States, another 34 percent stated that they did not plan to return to the United States, and 25 percent stated they did not know if they would migrate again to the United States (3 percent did not respond to the question). Given that at least 23 percent of the sample had been deported before (25 percent did not respond to the question), we can be confident that repeat migration is a likelihood for a substantial number of deportees in the study.

In analysis not shown, deportees who leave spouses or children behind make up a significant proportion of the total deportee population. Given that the recent trend in deportations reached over 200,000 per year in 2005, many deportees are leaving spouses and children behind in the United States, especially those who have been in the United States for long periods of time. This factor alone subsequently generates a return migration of thousands of deportees. The issue that this creates is not simply that it is inaccurate to characterize Latin American immigration as mainly an economic phenomenon, but that policy efforts that seek to restrict unauthorized immigration through economic controls (sanctions against employers of unauthorized migrants) will have less than maximum effects on the migration of thousands of deportees seeking to return to their spouses or children.

If the figure of 38 percent of deportees in our sample who reported that they planned to migrate to the United States again is applied to the total number of 208,151 deportees removed by DHS in 2004, then the total number of deportees recently planning to migrate again is 79,097. If one estimates conservatively that only half of those who plan to migrate again actually follow through with their plans, then the number drops to 39,549. But it is likely that the number is much higher for at least two reasons. One reason is that Mexican migrants are the largest national category of deportees (70 percent), and they have a much easier time in migrating again because of accumulated social capital and years of experience in migrating, along with their close proximity to the United States.¹³ The second reason takes into account the social-temporal context of the decisions among deportees of

¹³Visits to northern Mexican border towns quickly reveal the presence of Mexican deportees waiting for opportunities to return to the United States. Authorities in at least one of these border towns have attempted to repatriate the deportees farther into the interior of Mexico but with no lasting success (*e.g.*, Rodríguez and Hagan, 2004).

whether to migrate again or not. While a deportee may initially be undecided about migrating again or even have decided against it, over time family needs either in the country of origin or in the United States may create pressures for a return trip. This may be especially probable if the family segment in the country of origin experiences a rise in economic needs, perhaps due to a lack of remittances. That is to say, especially among younger migrants, the propensity to undergo repeat migration is a variable, a function of social changes in a time continuum, and not a fixed probability coefficient. From this standpoint, the 77 respondents (25 percent) in the sample who answered “don’t know” to the question of plans to migrate again represent valid data and not missing values. The younger respondents who answered “don’t know” should be considered prime candidates for repeat migration when rising family economic needs motivate behavior to again locate an external source of income. If just half of the respondents who answered “don’t know” on the question of future plans looked northward again for economic survival, then the percentage of deportees in our sample who initially or later planned to migrate again to the United States would rise to 51 percent. The long-term economic problems of El Salvador undoubtedly will continue to motivate Salvadoran workers to search for stable means of family sustainability outside their country.¹⁴

CONCLUSION AND DISCUSSION

The cumulative passage of IIRIRA, AEDPA, and the USA PATRIOT Act has produced a dramatic rise in the number of immigrants deported from the United States, while simultaneously eliminating relief for immigrants with family ties in the United States, regardless of the severity of the crime. These enforcement policies – which target broad classes of immigrants – undermine long-standing family reunification principles of U.S. immigration policy and pose dire social, economic, and psychological costs for deportees and their family members both in the United States and their communities of origin.

Family separation as a result of contemporary U.S. enforcement policy remains an ominous threat to immigrant families throughout the United States. Numerous news accounts and some scholarly reports have documented

¹⁴In 2004 El Salvador had a household poverty rate of 35%, a median monthly income of \$314, and a dependency rate of 71% (United Nations Development Program [UNDP] in El Salvador, 2005, Tables 6, 12, and 13).

the horrors of deportation both for returning migrant – some of whom left their home countries as young children and face numerous obstacles to reintegration – and for the family members left behind, many of whom suffered emotional, financial, and psychological trauma as a result of losing loved ones who may have also been the primary breadwinners of the U.S. household (Rodriguez and Hagan, 2004; Jokinen, 2005; Lopez, Connell, and Kraul, 2005).

This paper represents a first research attempt to systematically address the extent to which family ties, remittance behavior, and settlement experiences are disrupted by deportation. Drawing on a first-ever random sample of persons deported from the United States, we find that when a person is deported he or she is more likely than not to leave behind in the United States a spouse and child (some of whom are U.S. citizens) without any legal recourse for reunification. The high degree of family separation – which can in some cases stretch a lifetime – results in large part because the United States has in a place a deportation policy that fails to recognize that many of the immigrants that are being targeted for deportation are settlers, with long-established work and family ties. In many cases, the deportation and subsequent permanent separation from family members is based on a minor immigration violation or crime for which the migrant has served time. Because deportation severs the migrant from his or her work and thus from income-generating activities, the separation poses huge economic costs to the family members in the U.S. household, who ironically may become more dependent on the U.S. government for assistance in the absence of the breadwinner. Yet, the effects of deportation on the economic well-being of family members may extend well beyond those in the United States to include family members in El Salvador, who were more often than not also dependent on the monthly remittances sent by the breadwinner.

Given the multiple psychological, social, and economic disruptions in their lives, we should not be surprised that deportees express a variety of settlement intentions. Deportees without immediate family in the United States may be less inclined to repeat the migration. Still others may avoid the ordeal because of the high human costs associated with the journey and with being arrested and detained.¹⁵ A substantial number of deportees, however, do plan to migrate again to the United States to join their spouses and children and locate jobs to resume their remittance obligation to family in El Salvador. Thus, an unintended

¹⁵As we show in another paper (Phillips, Hagan, and Rodriguez, 2006), Salvadoran deportees reported being subject to the use of excessive force during both arrest and extended periods of detention.

consequence or latent function of U.S. deportation policy may very well be the creation of circular migratory patterns within the larger migration streams. In other words, the policy does not end the migration of unauthorized or criminal migrants; it simply raises the human costs for migrants and their families.

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