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Dismantling Migrant Smuggling Networks in the Americas*

A Strategy for Human Security and Homeland Security Along Migration Routes

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Executive Summary

Migration trends in the Americas recently have undergone a significant transformation. During the past few years, an increasing number of migrants and asylum seekers from different parts of the hemisphere—and other regions of the world, including Eastern Europe, Southeast Asia and the African continent—have been undertaking a very long and arduous journey to the United States. Migrant mobility has been facilitated by sophisticated smuggling networks (that operate often in tandem with other criminal organizations) and corrupt officials.

* This paper focuses on one dimension of the irregular migration issue. There are numerous other relevant influences related to the “push” and “pull” factors that uproot individuals from one country and propel them toward another. Dismantling human smuggling organizations and networks, therefore, is a necessary but not sufficient condition for managing irregular migration more satisfactorily. It is crucial that the U.S. government work with other governments and multilateral organizations in the long term to address the root causes of irregular migration and undocumented immigration, as it conducts the more tactical enforcement operations of the type proposed in this paper.

The journey to the United States of economic migrants and asylum seekers from developing countries or countries at war is invariably perilous. At the same time, current migration trends and organized mass irregular migrations pose substantial homeland security risks. This paper proposes the dismantling of migrant smuggling networks through intelligence and targeted actions as important elements both of border security and enforcement and humanitarian migration management. In addition to these policies, the U.S. government should collaborate closely with other governments to cooperatively redesign asylum systems.

Background

Migration in the Americas has undergone important changes during the last generation, particularly during the last decade. In the 1980s-90s and the first years of the 21st century, the phenomena of irregular migration and undocumented immigration revolved mostly around migrants' search for better economic opportunities. Economic migrants from less developed countries travelled north to the United States (and Canada to a lesser extent). The majority were single Mexican males of working age.¹

The United States began strengthening its border enforcement in the 1990s with “Operation Gatekeeper” and “Operation Hold the Line,” construction of a border fence separating the San Diego and Tijuana region, and the deployment of a substantial number of border agents at different regions of the U.S.-Mexico border. These efforts contributed to a significant change in the trends of irregular migration and undocumented immigration in the Americas.² Border enforcement redirected migrant routes and points of arrival into the United States, as well as reconfigured migrant smuggling patterns and networks. The terrorist attack of 9/11 accelerated this enforcement focus, and the 2008 global financial crisis adversely affected many Latin American countries, propelling people from other regions of the continent—not only Mexico—to look for employment opportunities in the United States.³

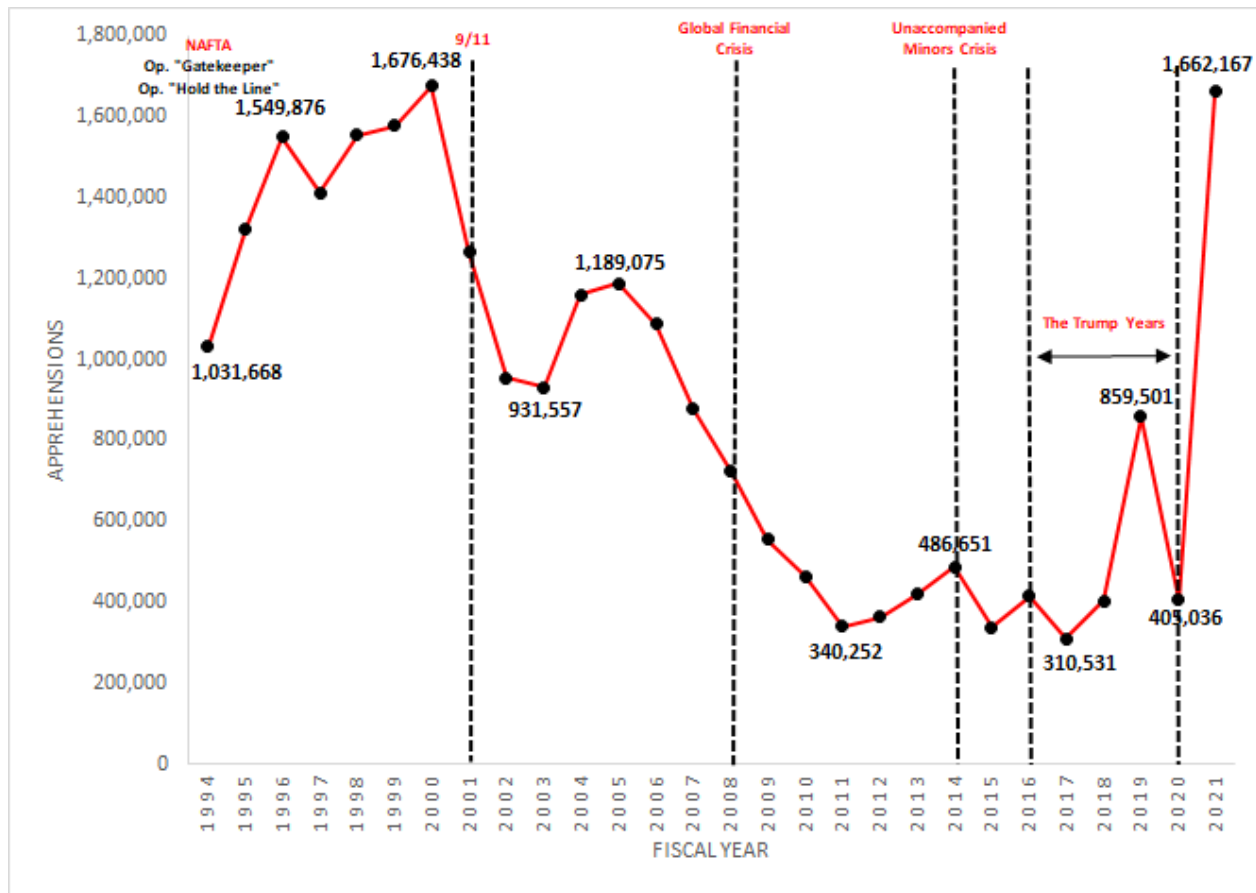
At the same time, the security situation substantially deteriorated in Mexico and the Central American Northern Triangle (Guatemala, Honduras, and El Salvador). The so-called “drug cartels,” other organized crime groups, and Central American gangs (such as MS-13 and Barrio 18) extended zones of influence and deepened their criminal capacities including access to increasing quantities and types of high-caliber weapons. The security strategies implemented by governmental authorities in these regions during the first decades of the twenty-first century—Mano Dura policies and the militarization of law enforcement—contributed to an exponential increase in the levels of violence in the affected countries.⁴

The security crisis and harsh economic conditions for particular segments of the population extended to other countries in the Americas. Some nations experienced serious political crises (most notably Venezuela and Haiti). As a result, many people have been forced to leave their home countries due to violence, extreme poverty, armed conflict, political crisis, and/or climate change. Their situation has visibly worsened due to the negative socioeconomic effects of the COVID-19 pandemic. The war in Ukraine and potential armed conflicts in the Eurasia region add to the existing pressures.

These phenomena and specific conditions at particular moments have been reflected in the data concerning border encounters/apprehensions (“apprehensions”) at the U.S. southwest border, used both to measure enforcement challenges and to map immigration patterns. The 1990s saw increases in the number of apprehensions resulting from the federal government’s new border enforcement approach; the year 2000 recorded a historic maximum (to that date) of 1,676,438 U.S. Border Patrol total apprehensions (see Table 1). The numbers declined thereafter, reaching a modern low of 310,531 in 2017.

Apprehensions increased during the first part of the Trump Administration but then decreased as a result of policy measures such as the Migration Protection Protocols (MPP or “Remain in Mexico” Program), metering policies that limited the number of asylum claims that could be made at ports of entry, and, then most importantly, Title 42 public health expulsions due to the COVID-19 pandemic. A significant increase in apprehensions occurred during the first fiscal year of the Biden administration when Border Patrol total encounters reached 1,662,167, a level comparable to what occurred in 2000. Apprehensions have continued to grow. To put things in perspective, as of May 2022—approximately halfway into the fiscal year—U.S. Border Patrol total encounters stood at 1,219,920. In other words, on pace to break, perhaps by a significant margin, the historic record.

Table 1. U.S. Border Patrol Nationwide Apprehensions (Fiscal Years 1994 -2021)



Source: U.S. Customs and Border Protection, Department of Homeland Security.
 Note: Beginning in March FY20, U.S. Border Patrol encounters statistics include both Title 8 apprehensions and Title 42 expulsions.

In summary, both the composition and number of migrants traveling irregularly and entering the United States illegally, or applying for asylum, has significantly changed. These changes reflect U.S. border enforcement and immigration policies as well as conditions in the sending countries. An underappreciated and unanalyzed contributing factor, however, has been the central influence exercised by migrant smuggling networks in the Americas and other parts of the world in facilitating these developments.⁵ The remainder of this paper focuses on the role played by these smuggling networks, and proposes initial steps the federal government might take to counter them.

Analysis

Given the lack of sufficient legal migration pathways for people displaced by economic, social, or political crises in the Americas, and the sheer number of migrants leaving these zones, most human mobility to the United States from these countries occurs irregularly or illicitly⁶ and is engineered by sophisticated human smuggling organizations. The phenomenon of human smuggling deserves special attention considering its critical influence, growing capacity, and the threat it poses both to migrants themselves and to U.S. and regional law enforcement and security interests.

Enhanced security along the U.S.-Mexico border, greater immigration enforcement within Mexico and at its southern border since 2015, as well as a considerable expansion of migrant routes in the Americas, have made the businesses of illicit trafficking and migrant smuggling more complex and lucrative.⁷ Analyzing the networks of actors that facilitate human mobility in illicit forms is crucial to understanding contemporary irregular migration trends, and confronting and resolving recurrent migrant and humanitarian “crises.” It also is important for mitigating threats to homeland security and protecting human rights along the migration routes in and toward the Americas.

Transnational smugglers have proven to be extremely adept at exploiting weaknesses in U.S. border security and migration management policies. They have developed advanced communication, intelligence, financial, transportation and logistics capacities to facilitate the illicit movement of people—within the continent and from beyond the hemisphere. They also have developed new smuggling methods and stronger alliances with organized crime (including drug trafficking organizations, human trafficking rings, kidnapping rings, and other criminal groups).⁸ These criminal elements have made the migration landscape significantly more dangerous.⁹

The amount of money involved in human smuggling operations “has attracted the attention and involvement of transnational criminal organizations that control the land or maritime approach corridors (or plazas) on the borders of destination countries.”¹⁰ Some of these organizations charge a fee to smugglers to cross (with their “clients”) through areas they control. Other criminal groups or actors performing illicit activities work in tandem with smugglers to recruit involuntary participants for their illegal enterprises (e.g. sex trafficking rings or drug distribution). Human smugglers frequently put migrants at great risk, commit fraud at their expense, and contribute to the violation of migrant rights by corrupt authorities and officials. Such activities can facilitate extortion, kidnapping that often leads to human trafficking or exploitation, and not infrequently to the death of migrants.¹¹

The formation and use of migrant caravans recently have opened new avenues for smugglers. Technology and new communication modes and networks have resulted in the expansion of such caravan activities, although their background, means, and methods remain shrouded and largely unknown both to law enforcement authorities and the public. More generally, the business model of migrant smuggling networks has changed considerably in the context of more sophisticated social media platforms and financial services.¹²

In this context, critical questions remain largely unanswered: Who is organizing and leading these migrant smuggling networks? How do they operate nationally and transnationally? How are they financed? How precisely are these groups connected with transnational criminal organizations (including Mexican drug cartels and human trafficking rings)? What role are corrupt officials playing? What is the role, if any, of immigration lawyers, advocacy groups, and religious actors in these networks?¹³

To reiterate, the illicit and criminal networks that facilitate human mobility and contribute to migrant smuggling into the United States are complex and involve multiple actors operating on both sides of the U.S.-Mexico border, in Central America, South America, the Caribbean, and beyond (including Africa, South East Asia, and Eastern Europe). Their activities are characterized by corruption, impunity, violation of human rights, and homeland security risks that need to be identified concretely and addressed appropriately. Notwithstanding official rhetoric to the contrary, investigation and prosecution of smuggling and human trafficking organizations has so far been a relatively low priority matter for law enforcement and national security agencies.*

This paper concludes with five recommendations that focus on: 1) identifying migrant smuggling networks as a species of transnational crime; 2) allocating resources to enable the collection of intelligence information concerning them; 3) developing a “whole-of-government” strategy, as well as a regional strategy, to counter them; 4) gearing up law enforcement capacity to dismantle specific smuggling organizations; and 5) reforming the asylum system, which was not designed for current migration flows and is being exploited.

* There are some scholars and migrant advocates who even justify smuggling—its perpetrators and enablers (including caravan organizers and families that sponsor smuggling routes and en route sanctuaries towards countries of destination)—and refer to this phenomenon as the “facilitation of human mobility” or “assisted migration,” focusing essentially on what they consider to be State failures regarding immigration rather the criminality that is involved. This perspective essentially disregards the harmful aspects of these illegal activities and their criminal alliances, as it advances a one-sided critique of restrictive governmental immigration policies. Such views are hostile to efforts to effectively fight human smuggling, while the smuggling itself can harm, often quite violently, the very vulnerable people who are its client-victims.

Recommendations

Recommendation 1: To properly focus enforcement resources on human smugglers, it is necessary to recognize migrant smuggling as a species of transnational crime and a national security priority.

Human smuggling networks operate transnationally and “the routes migrants take often are mediated in concert with elements of organized crime and through corrupt immigration and border officials.”¹⁴ Smugglers could expedite terrorist travel to the U.S. that would embody significant risks to homeland security. Yet, investigative efforts and results by law enforcement have been disappointing in prioritizing this threat, and, as a result, human smuggling networks operate in practice largely without restriction and have been expanding rapidly. Current approaches to countering smuggling networks are not working well because there is no concrete strategy at the national or regional levels to dismantle them. In short, there appears to be a lack of political will to confront this problem despite its deleterious effects on the migrant population and homeland security.

To address the growth of migrant smuggling networks—and the growing harm caused by them—executive action should be taken in the United States to designate them “as national security threats and a tier one priority for intelligence collection, investigation, prosecution, and disruption, including intensive information (and disinformation) campaigns directed against these organizations.”¹⁵

Recommendation 2: The U.S. government should commit significant information and intelligence collection efforts to develop a comprehensive understanding of human smuggling networks and collaborate with academic policy research centers as warranted and necessary.

To effectively target human smuggling networks, it is necessary to understand how these networks operate, the main actors involved in them, as well as their links with other criminal or illicit networks. The government must collect and develop much more intelligence information than has been done before or is currently happening. This requires not only a firm policy commitment to target human smuggling but also the commitment of sufficient resources to accomplish the task. Recognizing the extensive competing demands on government intelligence resources and acknowledging that the government does not have a monopoly on the relevant information or

information gathering techniques in this area, the government should identify opportunities for partnership with academic/policy research centers to further illuminate the situation.

Specifically, investigators should redouble fieldwork efforts, including the use of Social Network Analysis (SNA) on the communications that take place through the most popular social media platforms utilized by smugglers and their clients. This requires intense web-based and field-data collection. The objective is to establish a more complete picture of how migrant smuggling networks operate nationally and transnationally. The analysis would show the key actors or nodes (including names, aliases, and key biographic information), their affiliations, and, when possible, their sources of funding, supply chains, and collaborators related to illicit activity, and money laundering facilitators. Network geographical origins, routes and destinations should also be identified and mapped.

Recommendation 3: The U.S. government should adopt an effective and well-defined “whole-of-government” strategy—including the provision of legal pathways for intending migrants—to counter migrant smuggling organizations and their networks.

The end-goal is to weaken and deter human smuggling organizations through targeted actions calculated to have the greatest destabilizing and dismantling effects on the networks. No single U.S. agency can address human smuggling on its own. Important equities exist in the Departments of Homeland Security, State, Treasury, and Justice, as well as supporting capabilities that need to be leveraged in the Intelligence Community and Department of Defense.

An effective cross-departmental, inter-agency approach to the problem, however, is currently lacking. At present, DHS is “leading the execution of a whole-of-government plan to prepare for and manage increased encounters of noncitizens at our Southwest Border.”¹⁶ Such a plan consists of six border security pillars that are described in very general terms; basic details and strategies for operation and coordination are missing. In particular, it is not clear how the U.S. government is “targeting and disrupting the transnational criminal organizations (TCOs) and smugglers” (border security pillar 5) and how it is “deterring irregular migration south of our border,” by involving all related “federal agencies . . . and nations throughout the Western Hemisphere,” to ensure shared responsibility (border security pillar 6).¹⁷

The federal government, therefore, needs to reformulate its current plan and design and deploy an effective and detailed strategy that harmonizes the interests and capabilities of various agencies and departments. Such a strategy should clearly define a lead agency, policy coordination mechanism, and establish priorities in terms of policies and actions, including international engagement by regional partners. At the same time, a specific budget—aligned with the required tasks for coordination—needs to be allocated for this endeavor.

This comprehensive strategy should be complemented with the creation of substantially expanded legal migration pathways for low-skilled workers and other immigrants whose activities and capabilities are essential for the U.S. economy.¹⁸ Increased pathways for legal migration will address U.S. labor needs while alleviating one of the major push/pull factors that drive irregular migrants (pursuit of economic opportunity) into the arms of the smugglers. A substantial increase in the number of temporary visas for unskilled workers is a good beginning, particularly focused on Central American migrants, but many more actions need to be taken in this area. The broken U.S. immigration system can only be solved through the enactment of bipartisan comprehensive reform but incremental measures will be necessary for the interim.

Although increased access to legal migration pathways would help divert economic migrants from human smugglers, it is unlikely to solve the problem entirely. The U.S. economy cannot absorb every potential economic migrant who would come here. We should expect that the criminal organizations will adapt their businesses to target those who cannot, and with the money at stake, they will pivot their businesses. As a result, a special focus on combating human smuggling and dismantling its networks remains critical even if there is action to expand the avenues for legal migration.

The U.S. government should also double down on its efforts with governments in the Americas to address in the long term the root causes of irregular migration or undocumented immigration, that is, extreme poverty, excessive income disparities, lack of economic opportunities, extreme violence and crime, social and political violence, impunity and corruption, among others.¹⁹ Notwithstanding an apparent clear goal by the U.S. government to deal with the most pressing issues regarding development in some migrant-sending countries, there remain many questions unanswered and concerns in this area. It is urgent to set concrete objectives, assign specific budgets for these purposes, and cut through bureaucratic red tape to expeditiously implement the required work. The governments and the private sector should collaborate on their activities in this arena. Strategic and transparent coordinating mechanisms—now conspicuous by their absence—must be established.

Recommendation 4: The U.S. government needs to commit additional resources to support law enforcement capacity targeting human smuggling.

Strengthening law enforcement capacity requires strategic investments in agencies such as U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and U.S. Attorneys' offices that will play a principal role in countering human smuggling. The Department of Homeland Security's border law enforcement agencies should take the operational lead in these efforts as they have the primary authorities and expertise in the field. These law enforcement operations will require aligned prosecution strategies at the Department of Justice tailored to address the character of specific human smuggling organizations and their links to other criminal activities, such as human trafficking, kidnapping, and money laundering.

Government declarations to date committing to dismantle human smuggling networks, combat human trafficking, and eradicate corruption embody promising first steps. Examples are Operation Sentinel²⁰ and Joint Task Force Alpha, a law enforcement task force aimed at “dangerous human smuggling and trafficking groups operating in Mexico and the Northern Triangle”.²¹ Nevertheless, such plans also lack key details with regards to strategy, specific operations, and budgets. Moreover, the reach of these efforts should encompass similar and coordinated efforts in other countries. The U.S. government and its partners also need to establish mechanisms to share the intelligence information they possess about the migrant smuggling networks that operate in their respective territories.²²

As part of this approach, it may also be necessary to hold accountable civil society organizations that promote and facilitate smuggling activities as well as family members based in the United States, who sponsor and finance “smuggled journeys” for their relatives.²³ Creating accountability for those who facilitate and fuel human smuggling may be controversial—after all, many are just trying to help family members or those whom they believe are fleeing terrible conditions. It will require thoughtful action to establish a proper framework for enforcement activity targeted to disrupt the cycle of smuggling and the criminality at work in this arena while avoiding gratuitously cruel and repressive results.

Recommendation 5: The asylum system should be reformed to reflect current migration realities.

The main issues attendant today to irregular migration and undocumented immigration are not directly linked with matters of border security, but rather pertain to issues of migration management. In particular, the use (and abuse) of the asylum system is a major driver of contemporary mass migration. There is broad recognition that the asylum system—as currently constituted—is a poor mechanism to manage mass migration, but there has not been a concerted effort by either political party in the U.S. to reform and modernize it.²⁴

As a result, the U.S. asylum system remains broken. This continuing defect serves to incentivize irregular and illegal immigration and the hiring of smugglers. Therefore, asylum reform appears critically necessary both to facilitate the success of an enforcement strategy and to ensure that meritorious asylum claims are not lost in a flood of claims ultimately rooted in economic motivations.

Moreover, migrant advocates, some scholars, as well as some international organizations have contributed to generating further problems in this area. Some of them refuse to acknowledge the difference between economic migrants and refugees, and by insisting that the United States must comply with international obligations to refugees and asylum seekers even where they may only be economic migrants, they have helped to create an even more uncertain situation for migrants, law enforcement, and governments in general. This approach, in any event, benefits smuggling networks that have taken great advantage of the currently broken migration and asylum system to pursue their illicit, profit-making activities.†

† One area that merits additional research is how the current flood of asylum applications has hindered the functioning of the immigration court system and adjudication of asylum and other immigration claims. It is common to find discussion of the case backlog in the courts, or the length of time it can take to adjudicate claims (years long delay), but there has not been a systematic undertaking to understand what the consequences of the dysfunctional asylum system are for lawful petitioners in other respects. Credible research in this area could help build a case to spur legislative action.

About the Author

Guadalupe Correa-Cabrera is Professor at the Schar School of Policy and Government, George Mason University. Her areas of expertise are Mexico-U.S. relations, organized crime, immigration/migration, border security, social movements and human trafficking. Professor Correa-Cabrera is author of *Los Zetas Inc.: Criminal Corporations, Energy, and Civil War in Mexico* (University of Texas Press, 2017; Spanish version: Planeta, 2018). She is co-editor (with Victor Konrad) of the volume titled *North American Borders in Comparative Perspective* (University of Arizona Press, 2020). Her two new books (co-authored with Dr. Tony Payan) are entitled *Las Cinco Vidas de Genaro García Luna* (The Five Lives of Genaro García Luna; El Colegio de México, 2021) and *La Guerra Improvisada: Los Años de Calderón y sus Consecuencias* (The Improvised War: Calderón's Years and Consequences; Océano, 2021). She is Past President of the Association for Borderlands Studies (ABS) and co-editor of the *International Studies Perspectives* journal (ISP, Oxford University Press).

Endnotes

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3 Political crises in Maduro’s Venezuela and Ortega’s Nicaragua—and perennially in Haiti—exacerbated migrant flows from these countries.

4 Jonathan D. Rosen, “Corruption, Crime, and Gangs in Central America: Understanding the Root Causes,” *Small Wars Journal-El Centro*, October 25 (2021).

5 See, for example, Alan D. Bersin, “Migration Management and Border Security: Lessons Learned,” *Migration Policy Institute*, September (2021), 4. The paper is available at https://www.migrationpolicy.org/sites/default/files/publications/tcm_bersin-migration-reflection2021_final.pdf.

6 IOM, “Large Movements,” 4.

7 Christina Gathmann, “Effects of Enforcement on Illegal Markets: Evidence from Migrant Smuggling along the Southwestern Border,” *Journal of Public Economics*, vol. 92, no. 10 (2008), 1926-41. See also Jezmin Fuentes and Olivia García, “Coyotaje: The Structure and Functioning of the People-Smuggling Industry,” in Wayne A. Cornelius et al., eds., *Four Generations of Norteños: New Research from the Cradle of Mexican Migration* (La Jolla, CA: Centre for Comparative Immigration Studies, University of California, San Diego, 2009), 79-100.

8 Jeremy and Howard Campbell, “On Narco-coyotaje: Illicit Regimes and their Impacts on the U. S.-Mexico Border,” *Antipode*, vol. 48, no. 5 (2016), 1380-99. See also United Nations Office on Drugs and Crime (UNODC), “Organized Crime Involvement in Trafficking in Persons and Smuggling of Migrants” (New York, NY: UNODC, 2010), available at http://www.unodc.org/documents/human-trafficking/FINAL_REPORT_06052010_1.pdf.

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10 Bersin, “Migration Management,” 4.

11 Guadalupe Correa-Cabrera and Beatriz García Nice, “Two Big Risks of Forced Migrations: Migrant Smuggling and Trafficking in Persons” in *Gender-Based Violence Dispatch 6*, Woodrow Wilson Center, December (2021), available at https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/Two_Big_Risks_of_Forced_Migrations.pdf.

It is worth noting that human trafficking and human/migrant smuggling are different phenomena. According to international law, “human trafficking is a crime involving the exploitation of an individual for the purposes of compelled labor or a commercial sex act through the use of force, fraud, or coercion.” Migrant smuggling “occurs when a person voluntarily enters into an agreement with a smuggler to gain illegal entry into a foreign country and is moved across an international border.” See the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children” (also known as the “Trafficking in Persons Protocol”) and the “Protocol against the Smuggling of Migrants by Land, Sea and Air.” These two protocols supplement the United Nations Convention against Transnational Organized Crime.

12 See generally Nate Bruggeman et al., “The underworld of globalization” and “Irregular migration and the evolving challenge of border security,” in *Border Security & Management*, Center for Homeland Defense and Security, available at <https://www.chds.us/selfstudy/courses/border-security-management/>.

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14 *Ibid.*, 7.

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22 Special attention in this report should be directed to the Darien Gap, which functions as a key smuggling corridor between South America and Central America and is an area where a number of abuses against migrants and refugees are committed (rape and extortion, among others). Very relevant information about transcontinental smuggling operations can be gathered in that crucial region. The U.S. government should take advantage of its close relationship and joint operations with Panama's National Border Service or SENAFRONT (*Servicio Nacional de Fronteras* in Spanish) to do so.

23 Bersin, "Migration Management," 7.

24 See, for example, Bersin, "Migration Management," 6-7, and Doris Meissner, "Asylum Reform, Not Troops, Is the Solution to Current Border Reality," *Migration Policy Institute*, Nov. 2018, <https://www.migrationpolicy.org/news/asylum-reform-not-troops-solution-current-border-reality>.