



LENNY IGNEZI, ASSOCIATED PRESS

In this 2003 photo, Tijuana artist Alberto Caro speaks at the U.S.-Mexico border fence in Tijuana, Mexico, at a ceremony marking the ninth anniversary of Operation Gatekeeper, a Border Patrol program that critics say forced illegal immigrants into crossing Arizona's desert. A coffin marked with the number of immigrants who died trying to cross the border that year was hung next to coffins with previous years' death totals.

Rhetoric

From F10

a Democrat from Massachusetts, Rep. Luis Guterrez, a Democrat from Illinois, Sen. Harry Reid, a Democrat from Nevada, and Sen. Johnny Isakson, a Republican from Georgia. None of the bills became law. Reid's comprehensive immigration bill was widely debated in the Senate but ultimately did not pass.

The provisions expanded in 2009, when Rep. Solomon Ortiz, a Democrat from Texas, sponsored a bill that included directing CBP officials to "conduct a study of Southwest Border Enforcement operations since 1994 and its relationship to death rates on the US-Mexico border."

Legislation lags as deaths mount

The study in Ortiz's bill would have included an analysis of the "relationship of border enforcement and deaths on the border," whether "physical barriers, technology and enforcement programs have contributed to the rate of migrant deaths," and the "effectiveness of geographical terrain as a natural barrier for entry into the United States in achieving department goals and its role in contributing to rates of migrant deaths."

The study also would have directed CBP officials to consult with nongovernmental organizations and community members "involved in recovering and identifying migrant deaths" and an "assessment of existing protocol related to reporting, tracking and inter-agency communications between CBP and local first responders and consular services."

The report on the study would have been submitted to the "United States-Mexico Border Enforcement Commission," made up of a mix of local and federal officials, border residents and others.

Ortiz's bill was referred to committees and no vote was held in the House.

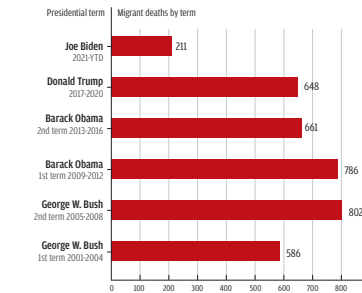
By the end of 2009, the remains of about 1,620 migrants had been found in Southern Arizona.

The expanded provision appeared again in 2010 in a bill sponsored by Sen. Robert Menendez, a Democratic senator from New Jersey who is helping lead the charge on Biden's immigration bill in 2021. The expanded provision also appeared in 2012 in a bill from Rep. Raul Grijalva, a Democrat who has represented districts along Arizona's border with Mexico since 2003. Neither bill passed.

In 2013, Sen. Charles Schumer, a Democrat from New York and current majority leader, sponsored a comprehensive immigration bill that included provisions calling for CBP to identify areas where migrant deaths are the most frequent, study the re-

Not a legislative priority for any administration

Regardless of which political party was in the White House, hundreds of migrants died during each of the last three presidential administrations. The Biden administration takes over as migrant deaths are increasing once again in the desert and mountains of Southern Arizona. Since Joe Biden took office in January, he has not proposed any policies aimed at helping migrants survive the dayslong trek through the desert.



SOURCE: Migrant deaths provided by Yuma County Sheriff's Office as of July 24 and Pima County Office of the Medical Examiner and Humane Borders as of Aug. 2. Counts start on Jan. 20 of each presidential term.

ARIZONA DAILY STAR

lationship between enforcement and deaths, clarify CBP efforts to mitigate those deaths and install up to 1,000 rescue beacons.

By that point, the remains of about 2,400 migrants had been found in Southern Arizona.

In 2014, the Border Patrol changed how it counted migrant deaths to include only instances where an agent was directly involved. As a result, the Border Patrol's count started to diverge dramatically from the count by the Pima County medical examiner. In 2020, the Border Patrol's Tucson and Yuma sectors reported 49 migrant deaths, roughly one-fifth of the 239 counted by medical examiners in Arizona.

In 2014 and again in 2015 and 2017, a bill introduced by Rep. Beto O'Rourke, a Democrat from Texas, would have directed CBP to gather data on migrant deaths, including the extent to which CBP has "adopted simple and low-cost measures, such as water supply sites and rescue beacons, to reduce the frequency of migrants' deaths."

Grijalva introduced a bill in 2015 and again in 2017 that would have directed CBP to gather data, analyze trends, recommend actions, and study the relationship between enforcement and migrant deaths. The bill also would have directed CBP to specify where rescue beacons were needed.

In 2017, Sen. John Cornyn, a Republican from Texas, introduced a bill to direct CBP to figure out the total number of migrant deaths and report to Congress on efforts to identify remains.

By the end of 2017, the remains of about 2,950 migrants had been found in Southern Arizona.

In 2019, Rep. Veronica Escobar, a Democrat from El Paso,

introduced the Homeland Security Improvement Act. That bill would have directed CBP officials to evaluate policies to "reduce the number of migrant deaths," among other provisions. It also would have directed CBP to report the "extent to which border technology, physical barriers, and enforcement programs have contributed to such migrant deaths."

Escobar's bill passed the House, but not the Senate. During the debate on the House floor, Rep. Mike Rogers, a Republican from Alabama, opposed the bill on similar grounds to the current opposition to immigration reform.

"Law enforcement has encountered nearly a million migrants illegally crossing the southwest border," Rogers said in September 2019. Democrats refused to see the "crisis," he said, and after Trump administration policies took effect the "crisis has finally abated."

Instead of proposing "another partisan messaging bill that stands no chance of becoming law," Democrats should have presented a "bipartisan bill to address the causes of the border crisis and prevent another one from happening," Rogers said.

In response, Escobar said the bill was an "opportunity to come together and begin to make a powerful and well-funded federal agency more accountable to the Congress and to the people that they serve." The bill "comes right from the communities that are impacted the most," Escobar said.

Rep. John Joyce, a Republican from Pennsylvania, said his district is nearly 2,000 miles away from the border, but "illicit drugs continue to pour across the southern border and infiltrate into my

district," causing "addiction and death," Joyce said.

Instead of passing Escobar's bill, he suggested they return to committee and "work on a bipartisan basis to secure our border, to end the asylum loopholes, and to protect this great country," Joyce said.

In 2019, Escobar called for the creation of an ombudsman and border oversight panel, with one of various goals being to reduce migrant deaths. The bill passed the House. Sen. Tom Udall, a Democrat from New Mexico, introduced similar legislation, but it did not pass the Senate.

The exception to the rule was the Missing Persons and Unidentified Remains Act introduced by Cornyn in 2019, which became law after former President Trump signed it in December 2020. The law opened up grant funding to local governments and nongovernmental organizations to deal with migrant deaths and identify remains, although Cornyn ensured priority would not be given to the border area. The bill also funded more rescue beacons.

The law also requires CBP to file a detailed report with Congress and post it on the CBP website by the summer of 2021 about its efforts to count migrant deaths and mitigate those deaths, its collaboration with local governments and nonprofits, and the effectiveness of rescue beacons.

The bill passed the House on Dec. 16 after 10 minutes of debate in a nearly empty chamber. The speaker pro tempore, Rep. Henry Cuellar, a Democrat from Texas, called for a voice vote, but the few Congress members in the chamber didn't respond. He had to ask them again, prompting a handful of "ayes."

In other words, after 20 years and at least 3,900 deaths, the thrust of the first substantial action taken by Congress was to count how many migrants had died and to identify them.

Just one sentence

In his first days in office in late January, Biden pushed for broad bipartisan messaging to address a variety of issues.

When Democratic lawmakers introduced the 353-page bill in February, it contained just one sentence about migrant deaths, calling for more rescue beacons in the desert.

In a call with reporters days after the bill was introduced, several lawmakers responded to the Star's question about how the bill would address migrant deaths but quickly veered off into other topics.

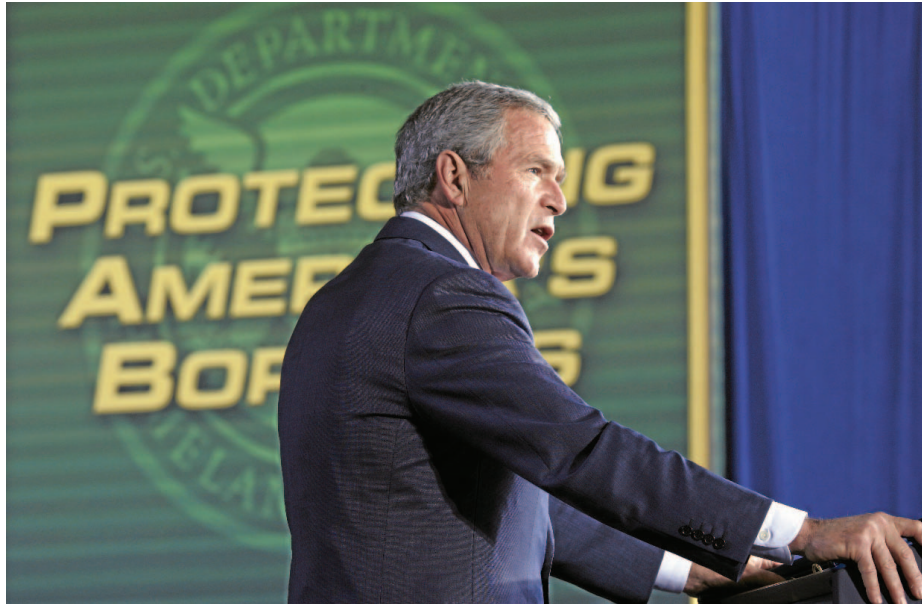
The bill addresses "certain concerns that our humanity compels us to address," said Rep. Linda Sanchez, a Democrat from California who sponsored the bill in the House.

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"The reality is that it's getting more and more deadly every day as our temperatures are increasing. And the routes, particularly in the Tucson Sector, as you all know, is very treacherous terrain and the number of search-and-rescue attempts are increasing every day."

Sen. Kyrsten Sinema, D-Arizona, on the dangerous path many migrants take through Arizona



RON MEDVESCEK, ARIZONA DAILY STAR

President George W. Bush speaks about border security at Davis-Monthan Air Force Base in Tucson in 2005.

Rhetoric

From F11

“Obviously, the deaths at the border, the rescue beacons are an important part of that,” Sanchez said. “But so is professional training for CBP and having medical training, having humanitarian standards for those that are detained, particularly for children and vulnerable populations.”

Sanchez said the “most exciting” part of the bill is that it addresses the root causes of migration, a thought echoed by Menendez, the New Jersey Democrat who sponsored the bill in the Senate.

“Yes, the beacon is only one example of modernizing and managing the border effectively with technology that enhances our ability not only to be humane but also to detect contraband and counter transnational criminal networks,” Menendez said.

The bill was introduced just as Border Patrol encounters with migrants started to accelerate dramatically. As those encounters reached historic highs, President Biden waved away concerns by telling a reporter at a March 25 press conference that the increase in migration “happens every single, solitary year” in the winter months.

“The reason they’re coming is that it’s the time they can travel with the least likelihood of dying on the way because of the heat in the desert,” Biden said.

Four months later, Biden’s words came back to haunt him politically, not because he had done nothing to address migrant deaths, but because border crossings continued to rise in the summer, which contradicted his claim that the rise in February and March was seasonal.

When Arizona Gov. Ducey deployed the National Guard to the border in late April, the Yuma County Sheriff’s Office issued a news release supporting Ducey’s decision and citing migrant deaths before any other concern related to the border.

When Department of Homeland Security officials announced a wide-ranging crackdown on smuggling organizations on April 27, they spent nine paragraphs talking about targeting the logistics of those organizations before ending with the line: “In Fiscal Year 2020, Border Patrol located 250 migrants who died during their journey.”

The exception to the legislative indifference to migrant deaths came in May when Escobar reintroduced her bill.

When Sen. Sinema came to Tucson on June 1 to promote her border bill, part of her pitch was the rising number of border encounters in Southern Arizona as the summer heat arrived.

As Sinema spoke to reporters at Casa Alitas, a shelter for asylum-seeking families in Tucson, about the importance of the bill she sponsored with Cornyn, she noted the “deadly” journey migrants make through Southern Arizona.

“The reality is that it’s getting more and more deadly every day as our temperatures are increas-



GARY GAYNOR, TUCSON CITIZEN

Border Patrol Agent Andy Adame waits for other agents to help process 78 border crossers found hiding under trees near Arivaca in 2007.



REBECCA SASNETT, ARIZONA DAILY STAR

Sen. Kyrsten Sinema of Arizona and Sen. John Cornyn of Texas speak at Casa Alitas migrant shelter in Tucson in 2021.

ing,” the Arizona Democrat said. “And the routes, particularly in the Tucson Sector, as you all know, is very treacherous terrain and the number of search-and-rescue attempts are increasing every day.”

The Star asked Sinema and Cornyn why they did not include any measures addressing migrant deaths in their bill. Both pointed to the rise in border crossings, rather than deaths in the desert, as the “immediate crisis” that needed attention.

Sinema said one goal of the bill was “jump-starting the conversation” to “target the immediate crisis that both of our states are suffering from.”

“This bill was meant to deal with the immediate crisis at hand, which has to do with asylum claims and our inability to process those claims in front of an immigration judge in a timely manner,” Cornyn said, noting the 1.3 million-case backlog in immigration courts.

“This was not meant to be a comprehensive immigration reform bill,” Cornyn said, adding, “this is no task for the short-winded.”

When Biden released his “Blueprint for a Fair, Orderly and Humane Immigration System” on July 27, the plan dealt with a wide array of issues. But not migrant deaths. Instead, Biden proposed

more technology at the border and investment in ports of entry, along with measures to quickly remove migrants from the United States, discourage irregular migration, and target smugglers.

Migrant deaths appeared at the Nov. 3 hearing on the nomination of Tucson Police Department Chief Chris Magnus to head CBP.

Sen. Mike Crapo, a Republican from Idaho, noted the record-high number of encounters with migrants in fiscal 2021.

“Tragically, but not surprisingly, it also led to another record: the highest annual number of migrant deaths, 57 dead, trying to cross our borders,” Crapo said.

Meanwhile, back on the ground ...

The lack of federal legislation related to migrant deaths has not gone unnoticed by aid volunteers in Southern Arizona, but it has not deterred them from continuing to try to reduce those deaths.

Watching politicians and lawmakers “really gets me down sometimes,” Dora Rodriguez said, as she drove back to Tucson after checking on a support center for migrants in Sasabe, Sonora, that she helped create this summer.

“But when I think I have a trip to Sasabe it pumps me up,” she said with a smile.

As she talked, she kept an eye out for signs of migrants in distress, pointing to black water bottles and discarded clothes in the dirt next to the highway, and to crosses marking where migrants died.

She said a “sea of volunteers” in Southern Arizona has helped pick up the slack by “doing the government’s job” when it comes to helping migrants in the desert.

She has firsthand knowledge of how deadly the border can be, and how necessary it is for someone to help migrants in distress. She crossed the border after fleeing El Salvador in the 1980s, but several of the people she was traveling with died during the crossing.

“For me, personally, this is a mission because I do this for my brothers that died the day that I was rescued,” Rodriguez said. “I think of that every day.”

STAR INVESTIGATION: DEATH IN THE DESERT



KELLY PRESNELL, ARIZONA DAILY STAR

Nearly 100 people walk along Sixth Avenue during a Dia de los Muertos procession to honor migrants who died in the desert crossing into the United States.

How to 'take death out of the equation'

CURT PRENEGAST
Arizona Daily Star opinion editor

The deadliest season for migrants in Southern Arizona is over for this year. It will start again in six months.

Officials and aid volunteers have taken numerous steps to reduce the number of migrants who die in Southern Arizona. But these deaths continue to mount, and broader, more proactive steps are needed. Despite a broad consensus in favor of reducing those deaths and a wide array of well-intentioned efforts, rescues of migrants in distress are hampered by a lack of resources and leadership, poor record-keeping, difficulty in finding migrants in rough terrain in remote areas, and no clear rules for providing humanitarian aid, the Arizona Daily Star found after tracking migrant deaths and the responses to those deaths.

"We need to take death out of the equation," said Dan Abbott, a volunteer with the group Humane Borders, as he refilled a water station at Organ Pipe Cactus National Monument earlier this year.

The Star created the following series of recommendations for lawmakers and officials. They are based on clear patterns that emerge in data on migrant deaths, listening to lawmakers talk about those deaths, and speaking with migrants and people involved in responding to their distress.

1. Pass legislation specifically aimed at preventing the deaths.

Federal lawmakers and officials rarely address the large-scale deaths of migrants when it comes time to write legislation.

One step that likely would reduce migrant deaths would be federal legislation that shifts migration out of the desert and through ports of entry, such as a guest-worker program or visa reform. But that legislation may not be passed for many years, if ever.

Federal lawmakers are considering legislation to provide legal status to millions of migrants already living in the United States. Those bills do not directly address migrant deaths or migrants who have not entered the United States yet, but they do provide

some form of legal status that could allow migrants already in the United States to visit family and friends in their home country and then reenter the United States through a legal port of entry, rather than risk their lives in the desert.

One such bill, the Farm Worker Visa Modernization Act, would grant certified agricultural worker status to migrants who already work in the United States and allow them to legally cross the border. The bill passed the House in 2019 and was reintroduced this year.

Federal lawmakers should continue to try to pass legislation, as they have done since 2009, to direct Customs and Border Protection officials to study the relationship between border enforcement and migrant deaths.

Past legislative proposals included studying whether dangerous terrain contributes to migrant deaths, or even is an effective obstacle to illegal border crossings. That study could give lawmakers a better understanding of which types of legislation and resources are needed to reduce the number of deaths.

Lawmakers also should approve funds for hundreds, if not thousands, of rescue beacons along the border. Southern Arizona has about 34 rescue beacons in an area larger than several U.S. states combined.

The creation of an oversight panel made up of border residents and officials, as proposed by several lawmakers over the years, could shed more light on migrant deaths and foster a public conversation about how to reduce them. An ombudsman in the Border Patrol could create an official pathway for families to find lost loved ones and make complaints.

In the meantime, Congress should act with urgency to lessen the number of migrants who die in Southern Arizona, with the overall goal to bring those deaths to zero.

As the rising number of deaths shows, the officials who respond to migrants in distress need help. That help could come from the hundreds of volunteers in Southern Arizona who already have spent years trying to reduce migrant deaths.

As it stands, the rules for providing humanitarian aid are unclear and subject to change at

the whim of officials at the Border Patrol or the U.S. Attorney's Office.

Lawmakers abdicated their responsibility to establish rules for providing aid, leading to the current situation where it is legal to drive a hiker in distress to a hospital, but illegal to do the same for a migrant.

Congress could establish a framework for providing humanitarian aid appropriately and safely. The framework could establish protocols and training for volunteers, similar to the Sheriff's Auxiliary in Pima County.

To fund those efforts, Congress could change the regulations on Operation Stonegarden, a federal program that funds overtime pay and equipment purchases by local law enforcement agencies that help with immigration enforcement, to allow some of those funds to be used for humanitarian efforts, in addition to law enforcement.

In July, Republican members of the House Appropriations Committee came up with a similar idea in a report on the Department of Homeland Security funding bill for 2022.

Among other measures, such as finishing the border wall, they unsuccessfully offered an amendment to "increase funds for Operation Stonegarden to help law enforcement agencies in border communities work with Customs and Border Patrol to rescue and apprehend migrants abandoned by the cartels," wrote Reps. Kay Granger, a Republican from Texas, and Chuck Fleischman, a Republican from Tennessee.

The Federal Emergency Management Agency, which oversees Operation Stonegarden, already provided \$2 million to Pima County to house and transport asylum-seeking families. County officials recently said those funds would be used to house asylum-seeking families at a local hotel if they were exposed to COVID-19.

Also this year, CBP awarded a contract worth up to \$110 million to build a large tentlike facility in Tucson to house unaccompanied migrant children.

On a larger scale, CBP's budget grew from \$4 billion in 2003 to \$15 billion this year. The Trump administration spent roughly \$5 billion of Defense Department funds on 225 miles of border wall

in Arizona in 2019 and 2020. The Obama administration spent more than \$1 billion on a surveillance tower system in Southern Arizona that couldn't detect illegal activity in the desert as it was designed to do and eventually was scrapped.

The money needed to save hundreds of lives every year in Southern Arizona likely would barely register in budgets that large.

2. Build on data findings of the Star and other analysts by designating a team of University of Arizona researchers to analyze trends that could help focus rescue efforts in the deadliest areas.

The available data makes clear that migrants are dying in large numbers in Southern Arizona. But the scope of the disaster remains hidden, and far more data is needed to find solutions.

The Pima County Sheriff's Department does not differentiate between rescues of migrants and rescues of hikers, stranded drivers and others. The Sheriff's Department also does not retain 911 audio recordings for longer than six months, erasing a key public record of this humanitarian disaster.

The Border Patrol has made great strides in recent years when it comes to publishing data, but much more data is needed. The Star requested detailed data about migrant rescues, but Tucson Sector officials did not provide it.

CBP publishes monthly updates on the nationalities of migrants, whether they crossed as families, adults traveling alone, or children traveling alone, and the broad geographic area where they crossed the border.

CBP should do the same with rescues, migrant deaths, and the use of rescue beacons, some of which will be required next year by the Unidentified Remains and Missing Persons Act.

For more detailed information that would be vital to reducing migrant deaths, but which Border Patrol officials consider confidential, such as GPS locations of encounters with migrants, Congress could direct the Border Patrol to share that data with a team of researchers at the University of Arizona, some of whom have developed deep expertise

Please see DEATHS, Page F14



JOSH GALEMORE, ARIZONA DAILY STAR

Bagged bodies of migrants found in Southern Arizona are stored in a cooler at the Medical Examiner's Office.

Deaths

From F13

by studying migrant deaths and migration in Southern Arizona for more than 15 years.

The UA researchers could agree to not release information in a manner that would compromise that confidentiality, just as officials and researchers collaborated to model the COVID-19 public health crisis.

The Department of Homeland Security designated the UA as a "center of excellence" a decade ago. UA researchers studied technology to detect deceptive answers from people at ports of entry; surveyed legal immigrants about their decision to migrate; modeled the effectiveness of Border Patrol checkpoints on highways, and other issues.

The UA researchers could combine data from the Border Patrol with data from county officials and humanitarian groups, such as the use of water stations on migrant trails. That data could be used to make public policy recommendations on how to save lives, such as real-time mapping of the most ideal water-drop sites or where to target search-and-rescue efforts.

Officials at the Pima County Sheriff's Department could share GPS coordinates from 911 calls, which were included in the vast majority of calls reviewed by the Star. Border Patrol officials and sheriff's departments could do the same with GPS coordinates from search-and-rescue efforts.

Incident reports from law enforcement agencies provide details on how officials responded to distress calls from migrants. Those reports could be sent to the UA team, where they could analyze trends in successful and unsuccessful responses.

The Border Patrol could share GPS coordinates from encounters with migrants in the Tucson Sector to show trends in migration, which would allow researchers to build models to predict where rescue efforts are most needed.

As the UA team refines its methods, similar collaborations could begin elsewhere along the border, such as the University of California-San Diego or the University of Texas-El Paso.

3. Designate an official to be in charge of rescue efforts.

Responding to migrants in distress in the wilderness of Southern Arizona is a difficult task, especially when distress calls come from 20 jurisdictions spread over 27,500 square miles.

Local officials with sheriff's departments and the Border Patrol have developed a system to respond to migrants in distress, but as the rising number of deaths shows, that system is inadequate.

Incident reports from local law enforcement show deputies and 911 dispatchers forced to waste precious time trying to figure out which agency should respond or deciding whether to respond to calls for help that were passed from a migrant's family member to a humanitarian aid group and then to officials.

Perhaps the most striking inadequacy in the local response to migrant deaths is the lack of leadership and accountability. Border Patrol agents respond to

hundreds of distress calls every year, but they are not formally responsible for rescuing migrants and those calls are not their top priority.

The framework established by Congress could put an official in charge of these efforts to bring together local and federal agencies, as well as humanitarian groups and county officials.

Each spring, that official could lead meetings to discuss what agencies and aid groups expect to happen that summer and how they intend to deal with it. They could come up with a plan for the summer and update it as more information becomes available about upcoming weather in Southern Arizona and changes in migration patterns.

Each summer, that official could coordinate rescue efforts, smooth out jurisdictional confusion, work with local humanitarian groups, and make sure families know what happened to their loved ones. At the end of each summer, that official could lead meetings to review rescue efforts and evaluate new measures put in place that summer.

For example, the Border Patrol is putting placards in the desert that migrants can use as reference points when they call for help, modeled after efforts by the Border Patrol in south Texas. The placards include a number and a three-letter code for each of the nine Border Patrol stations in the Tucson Sector.

At summer's end, the official could gather data about how often migrants referenced those signs when they called 911, which signs were referenced more than others, and whether fewer migrants died in areas with more signs.

The official could share that data with the UA research team. If the data showed those signs were effective, the Border Patrol or aid groups could install more signs in specific areas of the desert over the winter months.

With the knowledge that the summer will bring deadly conditions every year for migrants, the official response to those conditions should evolve each year.

4. Expand cellphone coverage in the desert west of Tucson.

When migrants started dying in large numbers two decades ago, cellphones were far less common than they are today. Now, many migrants carry cellphones as they walk through the desert.

At the Border Patrol's safety event in the summer, officials with the Border Patrol, Mexican Consulate, and Guatemalan Consulate urged migrants to call 911, but some migrants cross the border in areas without cell coverage or end up in mountainous areas where cell coverage is unreliable.

The remains of 84 migrants were found in areas without cell coverage since June 2020. Over the last two decades, the remains of more than 500 migrants were found in those areas, the Star's data analysis shows.

The largest area without cell coverage is in and around the Cabeza Prieta National Wildlife Refuge west of Ajo. More cell towers would help rescuers pinpoint locations of migrants in distress, as well as benefit rural communities. But few people live

in that area, making it unlikely a cell company would invest in building cell towers. Instead, the federal government should pay for cell towers in those areas.

As the framework for humanitarian aid solidifies and the UA research team provides insight into search-and-rescue efforts, Congress could direct CBP officials to work with U.S. Fish and Wildlife officials, who run the Cabeza Prieta refuge, to expand cell coverage in that area.

The officials would determine the cost of building cell towers on or near the refuge, as well as figure out where cellphone towers could be built with the greatest impact on migrant safety and the smallest impact on the environment.

Officials also could expand the FirstNet system, a program of the U.S. Commerce Department to expand public-safety broadband networks for first responders. Federal officials awarded a multibillion-dollar, 25-year contract to AT&T in 2017. When the network is complete, it will cover 76% of the geographic area of the United States.

When needed, the agencies that use the system can request deployable assets to provide temporary coverage, "such as in remote and wilderness areas that will not have permanent coverage" according to a 2020 report from the Government Accountability Office.

Without taking these steps, or finding better solutions, migrants will continue to die in a predictable and preventable crisis.

5. Congress should direct CBP to start processing more asylum seekers at ports of entry.

For the past decade, the Border Patrol has handled duties far removed from their core responsibilities of thwarting drug smuggling and illegal border crossings.

Today, agents are overseeing a facility near the Tucson International Airport where unaccompanied migrant children are held. Because asylum-seeking families often turn themselves over to agents in the desert, agents also have to spend an inordinate amount of time processing them.

The head of the Border Patrol's Tucson Sector, John Modlin, posted tweets in recent months calling attention to large groups of migrants, predominately children, who surrendered to agents on the Tohono O'odham Nation and near Sasabe. Agents must spend time transporting and processing those migrants, which takes away from their other duties.

At the same time, customs officers at ports of entry routinely turn away asylum seekers, despite ports of entry being a much safer and orderly place for asylum seekers to speak with officials.

The head of CBP's Office of Field Operations in Arizona, Guadalupe Ramirez, told reporters in August that processing asylum seekers at ports of entry would disrupt trade and travel. In late September, a group of asylum seekers approached the port of entry in downtown Nogales to call for a return to asylum processing. Over the following few days, CBP officials placed large shipping containers in front of lanes at the port.

Rather than have asylum seekers risk their lives in the desert and force Border Patrol agents to spend time processing them, CBP officials should allow them to walk up to the port of entry in Nogales and make their asylum claims.

This could be done at the Morley Gate in downtown Nogales, a pedestrian-only port that closed during the pandemic. CBP officials could designate the Morley Gate for asylum seekers. As a site to quickly process asylum claims, officials could rent or buy one of the nearby stores.

Difficult choices

Migrants who try to make it to Southern Arizona are faced with a variety of choices, none without risk.

They can wait for the Biden administration or Congress to change policies and allow them to ask for asylum. Families can travel to remote areas of the border and flag down Border Patrol agents and ask for asylum. They can give up on crossing the border and either stay in Nogales, Sonora, or return to their communities. They can try to cross the border undetected through the perilous desert and mountains.

If they wait for a change in policy, they risk extortion, violence and grinding desperation in towns on the Mexico side of the border. If they travel to remote areas and flag down agents, they may end up back in Nogales, Sonora, after officials return them under Title 42, the pandemic-related public health order.

If they give up on crossing, they may face relentless poverty or debts to smugglers they can't pay off without making dollars in the United States. Worse still, they may face mortal danger if they return to their communities, such as the mafia that threatened migrant Joel Mondragon's family, or a machete attack that left one woman with long, twisted scars along her left arm.

If they try to cross the border undetected, they put their lives on the line.

The choices migrants face in Mexico are mirrored on the U.S. side of the border by choices federal lawmakers, Border Patrol officials, and humanitarian aid volunteers face as they contend with the thousands of deaths and the extraordinary difficulty of rescuing migrants in the vast, harsh wilderness of Southern Arizona.

They can throw up their hands and say migrants broke the law when they crossed the border and therefore their deaths are their own fault. They can embrace the moral obligation to make the best effort possible to reduce preventable deaths, regardless of citizenship.

While officials and lawmakers consider those choices, the death toll grows in Southern Arizona.

Those deaths, unfortunately, have become as predictable as the monsoon season, said Daniel Martinez, a sociology professor at the University of Arizona who has researched migrant deaths since the early 2000s.

"Next year, we're probably also going to recover the remains of at least 150 to 200 people in our backyard," Martinez said.

"This is not OK. This is not normal."