SUPPLEMENTAL DECLARATION OF ADAM ISACSON

I, Adam Isacson, declare as follows:

1. I am over 18 and have personal knowledge of the facts described herein.

2. I am the Director for Defense Oversight at the Washington Office on Latin America ("WOLA"), a nonprofit research and advocacy organization based in Washington, D.C., that is committed to advancing human rights in the Americas. Since 2011, a significant part of my work has been focused on border security in the United States. I have visited the U.S.-Mexico border approximately 20 times. Together with the Border Security and Migration program at WOLA, I have published dozens of reports, memos, and multimedia projects about the security efforts of U.S. agencies at the border and the resulting human impact. I earned a B.A. in Social Science from Hampshire College and an M.A. in International Relations from Yale University.

3. I have previously submitted a declaration in this case.

4. I am the co-author of a recent report on the serious challenges facing asylum seekers waiting at ports of entry.[1]

5. There is a rising backlog of individuals waiting to present themselves for asylum at ports of entry. In Tijuana, 2,500 people are currently on a waiting list; CBP is accepting about 40 people per day for processing.[2] In Nogales, service providers told me in September that families are waiting 14 days for a chance to approach CBP. Two hundred people right now are waiting their turn on the Paso del Norte bridge between Ciudad Juárez and El Paso, where there

---

[1] Adam Isacson, Maureen Meyer, & Adeline Hite, *"Come Back Later": Challenges For Asylum Seekers Waiting at Ports of Entry*, Washington Office on Latin America (Aug. 2018), https://www.wola.org/wp-content/uploads/2018/08/Ports-of-Entry-Report_PDFvers-3.pdf.

[2] Sandra Dibble, "Central American migrants stir sympathy, fears in Tijuana," San Diego Union-Tribune (Nov. 14, 2018), https://www.sandiegouniontribune.com/news/immigration/sd-me-tijuana-shelter-20181114-story.html.

are far fewer shelters. Similar waits are currently the norm on the bridges connecting Reynosa and Hidalgo/McAllen, and Matamoros and Brownsville.

6. This backlog creates dangerous conditions for asylum seekers, who are forced to wait days to weeks, often without adequate shelter, and sometimes in dangerous border towns where organized crime preys on vulnerable people, for a chance to seek protection in the United States.

7. U.S. Customs and Border Protection ("CBP") has exacerbated these long lines and dangerous conditions. Among other things, CBP officers at many ports of entry routinely instruct asylum seekers to "come back later" because the port of entry is full.

8. In some cases, port of entry capacity may be an issue. Often, though, advocates credibly report that the ports are not full, and that CBP appears to be throttling the daily flow of asylum seekers.

9. Border agents at smaller ports of entry also have told migrants that they no longer process asylum seekers and have redirected them to larger ports of entry that are up to 50 miles away. All ports of entry, however, are legally designated to accept asylum seekers.

10. The security conditions in many border towns are precarious. Asylum seekers who must wait in a backlogged line are vulnerable to kidnapping and other violence. The risk is extreme in the border towns across from south Texas, the area of heaviest flow of Central American child and family migrants. There—the border zone of the state of Tamaulipas, Mexico—factions of the Gulf and Zetas cartels are fighting each other on a constant basis. CBP and Border Patrol agents have told me of witnessing running gunbattles from the U.S. side of the border. Migrants in that zone have told me that they risk murder if they attempt to cross the Rio Grande in this area without an approved smuggler. Kidnapping for ransom is also common: in

2010, in San Fernando, Tamaulipas, the Zetas massacred 72 mostly Central American migrants whom they had kidnapped.

11. Based on my research and experience, there are strong reasons why Mexico cannot be designed a "safe third country." Migrants in transit through Mexico are frequently subject to crimes and abuse, including kidnapping, extortion, robbery and sexual assault. These crimes almost never result in a conviction of the person responsible. Corruption in Mexico's security and migration authorities makes the situation worse; additionally, one reason migrant smugglers thrive is the relationships they maintain with corrupt officials.

12. Because it is often difficult to apply for asylum at ports of entry, some asylum seekers, out of necessity, must cross between ports to apply. There are also many other reasons why some asylum seekers apply between ports, including that they are unaware of the ports of entry and criminal gangs force them to cross between ports. I have heard the latter reason—organized crime groups forcing migrants to cross in areas they designate—expressed quite often in interviews with local experts, service organizations, and U.S. and Mexican law enforcement.

I hereby declare under the penalty of perjury pursuant to the laws of the United States that the above is true and correct to the best of my knowledge.



Adam Isacson
Executed this 16th day of November, 2018