

Explainer: Governors Transporting Migrants to Other States

Since April 2022, the governors of Texas, Arizona, and Florida have used taxpayer funds to transport over 10,000 recently arrived migrants the Southwest border to other states. Governors Greg Abbott (R-Texas) and Doug Ducey (R-Arizona) have sent thousands of migrants to Washington, D.C., New York City, and Chicago. In September, Governor Ron DeSantis (R-Florida), sent 48 migrants via chartered planes to Martha's Vineyard. The Governors' actions have caused significant controversy and — in some cases — faced legal scrutiny.

This explainer breaks down what is actually happening during these migrant transportation schemes. It describes who the migrants are; the process they go through before, during, and after transport; the cost of the transportation programs to taxpayers, and the legal concerns associated with the programs.

Who are the migrants being transported?

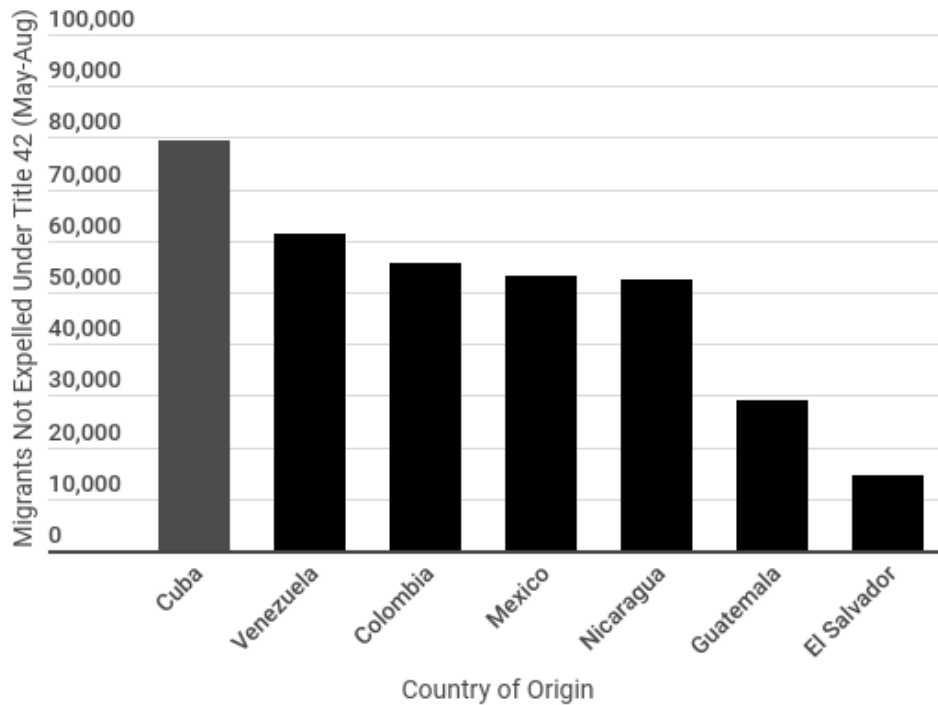
According to [multiple reports](#), the migrants currently being transported are primarily Venezuelans fleeing the Nicolás Maduro regime. However, many of the migrants are also from Cuba, Nicaragua, Colombia, Haiti, the Congo, Angola, and other central African countries. The migrants span all ages and family units — many are single adults, some are families with children and newborns.

Many of the migrants are fleeing authoritarian and communist countries and intend to seek asylum in the U.S. Individuals and families make the decision to migrate to the U.S. border for many interacting reasons, including gang violence, severe weather events, corruption, and economic opportunity.

The transported migrants are generally not from “typical” countries of origin like Mexico, El Salvador, Guatemala, and Honduras. These countries have made up a smaller proportion of overall arrivals at the border in recent months, and those that do arrive are often immediately [expelled under Title 42](#) without the chance to seek humanitarian protection.

Most migrants from Venezuela, Cuba, Nicaragua, Colombia, and Haiti are [currently not subject](#) to Title 42 expulsions, due both to Mexico's refusal to receive them and complicated (or non-existent) diplomatic relationships with the countries of origin themselves. That's one reason migrants from these countries make up a majority of those involved in the governors' transportation schemes.

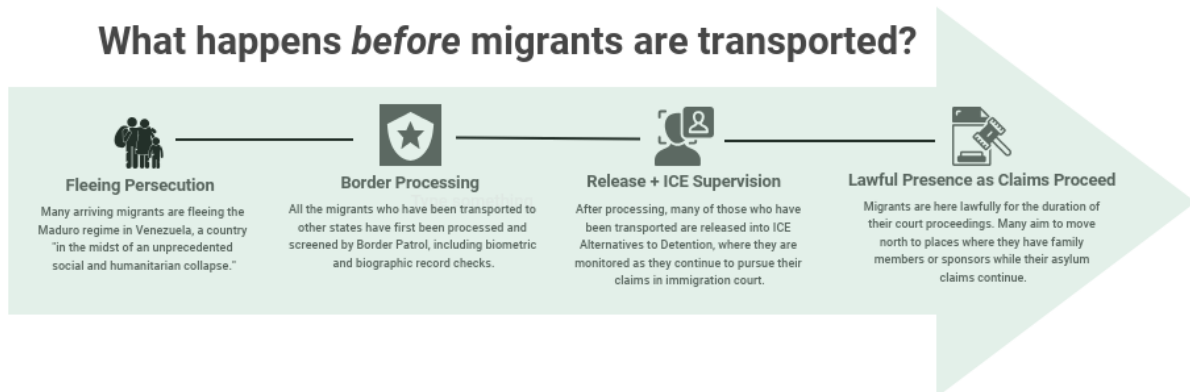
CHART: Migrants Allowed to Stay in the U.S. to Pursue Claims in Immigration Court (May-August 2022)



What process do migrants go through prior to being transported?

Most migrants arrive at the border fleeing dangerous conditions and hoping to seek humanitarian protection under U.S. law. Those that are not immediately returned under Title 42 are screened and processed by Border Patrol and then placed under ICE supervision while they lawfully pursue their claims in immigration court.

What happens *before* migrants are transported?



To seek asylum, migrants can present themselves at an official port of entry on the border or by crossing without authorization between ports and then turning themselves

in to Border Patrol. The Refugee Act of 1980 and the Immigration and Nationality Act (INA) [confer](#) the right to seek asylum in the U.S. to any foreign national, regardless of how they arrive at the border.

In recent years, most ports of entry have either been entirely closed to asylum seekers or require [years-long wait times](#), and so [almost all](#) of the migrants who end up transported from Texas and Arizona have presented themselves to Border Patrol after crossing the border between ports.

At that point, migrants are taken to a CBP facility where they undergo a screening process. This process includes the [following steps](#):

1	Physical search of the migrant's person and property
2	Medical screening and collection of biometric information
3	Interagency checks for criminal record, immigration history, terrorist watchlist
4	Case-by-case determination of whether to release or detain the migrant
5	Issuance of alien registration number (A-number) to track migrant through proceedings
6	Issuance of documents to begin removal and/or asylum proceedings, such as Notice to Appear (NTA) or Notice to Report (NTR)
7	Enrollment in Alternatives to Detention (ATD) track program if applicable

In making the case-by-case determination whether to release or detain the migrant, CBP has increasingly used a combination of [parole](#) and ICE [alternatives to detention](#). This process allows migrants the ability to stay and work in the U.S. lawfully as long as they continue to check in with ICE and proceed with their removal and/or asylum claims in immigration court.

At CBP discretion, some migrants receive parole and others do not. Even within a small family or group that present themselves together, one migrant may receive parole and the rest may not. Those granted parole receive a piece of paper with a parole stamp on it. Those not granted parole are often given a Notice to Appear (NTA), placing them directly into removal proceedings, or a Notice to Report (NTR), requiring them to check in with ICE to begin immigration court proceedings.

Unlike parole, those with NTAs or NTRs can only apply for work authorization after making an asylum claim and waiting [more than six months](#). All migrants released by CBP are here lawfully while their immigration claims continue and can travel freely between states as long as they continue to check in with ICE and attend their immigration court hearings.

What happens when migrants are transported?

The migrant transportation schemes involve offering newly arrived migrants — often immediately or very soon after release from CBP processing — free transportation to cities and states further north. The states of Texas and Arizona have chartered buses to transport thousands of migrants in this fashion since April 2020, while as of October 2022, the state of Florida has chartered two planes carrying 50 migrants to Martha's Vineyard.

The chartered buses arrive in D.C. and New York often several times a day and at all times of day. Most of the buses arrive at Union Station in D.C. and Port Authority Bus Terminal in New York City. Starting August 31, several buses of migrants have also been sent to Union Station in Chicago and two buses have been sent to outside Vice President Kamala Harris' residence in D.C.

The Republican governors have not communicated or coordinated with local governments or nonprofits working to receive and welcome the migrants as they arrive. According to an [October 4 report](#), Governor Abbott rebuffed a request from the New York mayor's office to coordinate on the arrivals.

Many of the migrants involved in the transportation efforts voluntarily agree to board the chartered buses. Texas state officials released a sample of the [consent form](#) they provide migrants in English in Spanish when they offer them transportation elsewhere. However, there have been allegations — particularly concerning the DeSantis flights to Martha's Vineyard — that migrants have been lied to and otherwise coerced to participate in the schemes. These allegations are discussed in further detail below.

What happens to migrants after they are transported to northern states and cities?

Local nongovernmental organizations (NGOs), mutual aid groups, and individual volunteers have been welcoming migrants transported to D.C., New York City, Chicago, and Martha's Vineyard. These groups meet migrants as soon as they step off the bus, transport them to local respite centers, and meet their immediate needs such as warm

food, clothing, and hygiene products. Then, volunteers conduct a basic intake interview to determine whether each arriving individual or family plans to remain in the city or continue traveling to meet family or friends in another location. If continuing on, volunteers purchase bus, train, or plane tickets for them. If staying in the city, volunteers do their best to find them temporary housing at a shelter, hotel, or with local residents. In D.C., 85-90% of arriving migrants intend to move on to another destination.

Communities in these cities have also created brochures and [videos](#) in several languages to introduce migrants to the U.S. immigration system, their rights and responsibilities in immigration court, and how to begin the asylum application process.

For the first several months of the busing programs, local governments received [criticism](#) for their lack of involvement in the response. However, over the summer governments and mayors' offices began to introduce large-scale structural responses to the migrant arrivals in their cities. In September 2022, D.C. Mayor Muriel Bowser established the [Office of Migrant Services](#) to provide support to arriving migrants. Similarly, New York City Mayor Eric Adams announced the opening of [Humanitarian Emergency Response and Relief Centers](#) and sent a [fact-finding delegation](#) to the southern border to investigate how migrants are processed and transported. The city of Chicago created an [online system](#) for receiving donations and volunteers.

How do the migrant transportation efforts differ from the status quo?

Prior to the governors' recent transportation efforts, newly arrived migrants were first welcomed by southern border communities upon their release from CBP custody. Religious groups and [non-governmental organizations](#) (NGOs) — often supported by funding through FEMA [Emergency Food and Shelter Program \(ESFP\)](#) grants — have [provided](#) short-term respite services for migrants near the border for decades, playing a critical role in their first days in the U.S.

While some migrants stay in southern states near the border, they are legally allowed to travel while their immigration cases proceed and many move farther north where they have family, friends, or other connections. For example, California and New York are the two states with the highest population of [asylum seekers](#) with pending claims in immigration court, as migrants have traveled to those states to stay while their claims proceed. While it has always been border communities involved in welcoming migrants *immediately after* their arrival, cities and localities across the country have a long history and practice of accommodating asylum seekers who move away from the border after entering into court proceedings.

Pending Asylum Claims by State

State	Pending Asylum Claims
California	125,000+
New York	110,000+
Florida	98,000+
Texas	75,000+

Source: [Washington Post](#)

In that sense, the governors' transportation efforts are somewhat duplicative. Local organizations and shelters are [already helping](#) migrants move further north to family or communities where they can find work and that can support them as they apply for asylum.

The key difference in the governors' transportation schemes is that the state-sponsored transport of migrants who wish to continue north occurs immediately after they are released from CBP processing and with no coordination or collaboration with receiving localities.

The greatest challenge local governments and NGOs in these northern cities face is their [lack of experience and coordination](#) in handling such large-scale arrivals. Their counterparts in southern border states have actively received migrants after their release from CBP for many years, allowing them to gain trust in each other, [collaborate effectively](#), and develop a comprehensive system for meeting migrants' needs. Some southern border communities receiving migrants have developed direct lines of communication with CBP and ICE, allowing them to know in advance when and where groups of migrants will be arriving at their respite centers.

While the welcoming response to arriving migrants in northern border cities has been tireless, it remains underdeveloped and not yet fully integrated with local government efforts. Shelters need to apply for new ESFP grants, and cities face the added challenge of [little to no coordination](#) from the states sending the migrants their way.

How much do these migrant transportation operations cost and how are they paid for?

	Methods	Destinations	Cost per migrant transported	How is it funded?
Governor Abbott (Texas)	Chartered Buses	D.C., New York, Chicago	As of August 9, Abbott spent over \$13 million in total or \$1,400 per migrant transported.	Governor Abbott solicited private donations, but has only received \$167,000 so far. The remaining costs are taxpayer funded.
Governor Ducey (Arizona)	Chartered Buses	D.C., New York, Chicago	As of August 9, Ducey spent over \$3 million in total or \$2,000 per migrant transported.	Paid for by Arizona's taxpayer-funded Border Security Fund
Governor DeSantis (Florida)	Chartered Flights	Martha's Vineyard	On September 14, DeSantis spent \$615,000 to charter migrant flights, or about \$12,800 per migrant transported.	Paid for by Florida's taxpayer-funded \$12 million migrant relocation program

Sources: [CNN](#), [AZ Family](#), [Transparency Florida](#)

What resources do arriving migrants need and what challenges do they face in accessing those resources?

Migrants most immediate needs are food, clothing, hygiene products, medical attention if necessary, and most importantly, temporary shelter. For those continuing on to other destinations in the U.S., they often need financial assistance purchasing train or bus tickets.

Transported migrants struggle most with accessing temporary housing. If local shelters were not already full before the busing of migrants began in April, they reached capacity soon after. To address this housing shortage, local governments and volunteers have gotten creative, relying on long-term [hotel](#) reservations and [hangar tents](#) to house some arrivals. Some local residents have even [opened up](#) their own homes. Inevitably, some migrants have been left with no option but to [sleep on the street](#).

In D.C., this challenge is heightened by new legislation that [redefines](#) who is a D.C. resident and therefore eligible for homeless services: those paroled into the U.S. after January 2022 and with active immigration proceedings outside of D.C. are no longer considered DC residents. Since DC's nearest immigration courts and ICE reporting offices are in Maryland and Virginia, all migrants who have been bused to D.C. are excluded from the city's homeless services as of September 2022.

Once migrants are more settled, they must begin to navigate their immigration cases which includes attending in-person ICE check-ins and starting the asylum application process before the one-year application deadline expires. Local volunteers have

responded by creating multilingual informational brochures, videos, and hosting asylum application clinics. With a new school year underway, family arrivals have also needed to [enroll](#) their children in local public schools.

Are there legal concerns associated with the transporting of migrants in this fashion?

While busing from Texas and Arizona appears to be largely [voluntary](#) and therefore legal, the flights to Martha's Vineyard have resulted in allegations of coercion and human trafficking.

A class action lawsuit filed against Governor DeSantis on September 20 described the flights as part of a "[premeditated, fraudulent, and illegal scheme.](#)" The complaint alleges that people working for DeSantis were hanging around migrant shelters in Texas, offering migrants McDonalds gift cards, free hotel rooms, and misleading them about where they were headed and the benefits they would be eligible for upon arrival. They allegedly "sequestered" those who accepted the offer so that they could not later change their mind and leave. Sheriff Javier Salazar in Bexar County, Texas has [opened](#) a criminal investigation into these flights.

As of October 2022, neither this criminal investigation nor the ongoing lawsuit prevents DeSantis and the other governors from continuing to transport migrants north.

Conclusion

The migrant transportation efforts are clearly intended to score political points. Governor DeSantis said that the border is "on the ballot, and we got to make the most of it." According to a September 25 report, he had previously complained to donors how Governor Abbott had the "good political fortune" to govern a state that shared a border with Mexico. DeSantis [promised](#) to use "every penny" of Florida's \$12 million fund to continue transporting migrants to other cities and localities. He added that the flights to Martha's Vineyard were "just the beginning."

For their part, Governors Abbott and Ducey [vowed](#) to continue the migrant transportation efforts until the border was secured to their satisfaction.

The transportation schemes have done little to address the real challenges we face at the border. Instead, the stunts have only succeeded in placing asylum seeking migrants in an even more precarious position. These migrants are often fleeing horrific circumstances, and they deserve to be treated with dignity as these seek protection in immigration court.

The National Immigration Forum would like to thank Alexandra Ciullo, Policy Intern, for her extensive contributions to this fact sheet.