

Summary: ‘Managing migration under pressure’

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“Managing migration under pressure” Summarized

Executive Summary

- This report aims to take lessons from the successes and failures of the Biden administration’s approach to migration to help create a better migration policy.
- By the end of Biden’s term, irregular border encounters in between official entry ports had decreased by over 80% from their peak in 2023. This decline can be credited in part to increased enforcement as well as new legal pathways for 1.7 million + people that were introduced in 2022 and 2023.
- Biden’s administration also assisted partner countries—through diplomacy and foreign aid—in absorbing and resettling 4.5 million migrants and encouraging the deepening their enforcement efforts.
- On the one hand, following these changes, pressure at the border was lessened, and labour shortages were filled by migrants. On the other hand, the rapid arrival of many migrants put a strain on major US cities, which fueled anti-immigrant backlash, and because new pathways were formed by executive action instead of legislation, they were quickly reversed by Trump’s administration.
- Lessons include: enforcement and lawful pathways are not mutually exclusive, they reinforce each other; emergency parole programs were necessary and effective measures, while flawed; regional cooperation was essential; cities needed better and quicker federal support; and private sponsorship has proven to be cost-effective, scalable and efficient.

Context

- When Biden’s term began, the Western Hemisphere was experiencing the largest displacement of people ever, with over 10 million displaced.
- In 2022 and 2023, there were over two million U.S. border encounters annually.
- The spike in border encounters was influenced by Venezuela’s collapse which displaced 7.7 million people; Latin America’s COVID-19 recession; and an increased prevalence of criminal networks’ involvement in human smuggling.
- Following the lifting of Covid-19 travel restrictions, job openings in the U.S. outnumbered available workers:
 - By July 2022, there were two job openings for every unemployed person, a stark increase from 0.7 in January 2021. This labour demand further incentivized migrants to come to the U.S.
- In the past, the majority of migrants encountered at the U.S border have been from Central America and Mexico. In 2014, only 7% of border encounters originated from outside of Central America and Mexico. In 2023, that increased to 51%, with an increasing number of people coming from Africa, Asia, the Caribbean and South America.
- The increasing number of migrants from farther countries made it more complicated to return them, due to costly flights, different diplomatic efforts, and sometimes, negotiations with governments that refused to take their citizens back.
- During the pandemic, Title 42 was invoked, which permitted expulsions to Mexico without formal processing. This lessened detention strain, but also removed penalties for repeat

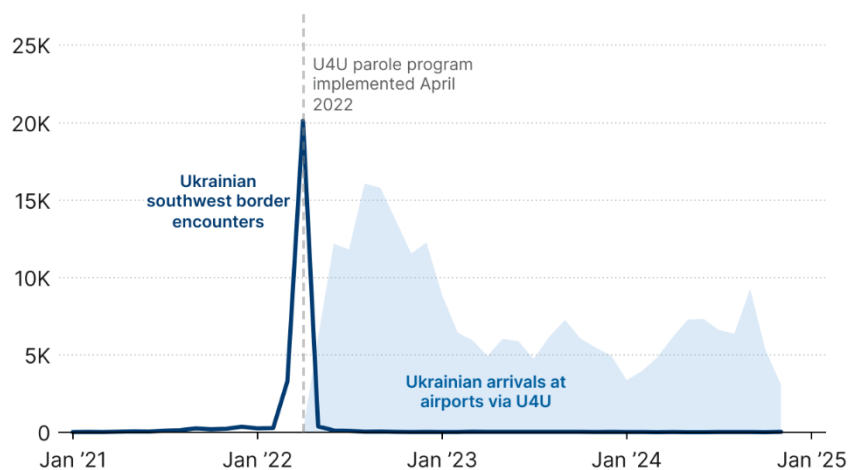
crossings, causing repeat encounters to increase from 7% in 2019 to 27% in 2021 and 49% for migrants from Mexico and northern Central America in May 2022.

The Biden administration's policy response

- **Evidence shows that expanding legal pathways can aid in lowering irregular migration:**
 - In a 2024 paper, Michael Clemens reveals that a 10% increase in lawful crossings leads to a 3% decrease in unlawful crossings within 10 months (p. 12). This shows the influence of the addition of more lawful pathways, but also demonstrates that the impact takes time.
- The Biden administration changed policy to permit asylum officers, instead of just immigration judges, to adjudicate claims, which lowered the backlog and discouraged migrants from turning themselves in to get court dates years in the future.
- **Uniting for Ukraine (U4U)**
 - A private-sponsorship parole program launched by the administration in early 2022, following Russia's invasion of Ukraine.
 - Legal arrivals **drastically decreased irregular migration** (see Figure 6).

The Uniting for Ukraine parole program sharply curbed irregular migration

Total monthly encounters of Ukrainian nationals at the US southwest border



Source: Data from DHS/CBP

Note: Uniting for Ukraine was launched on April 21, 2022. Once U4U was launched, Ukrainian migrants largely arrived through international airports, after applying for the program from mostly European capitals.

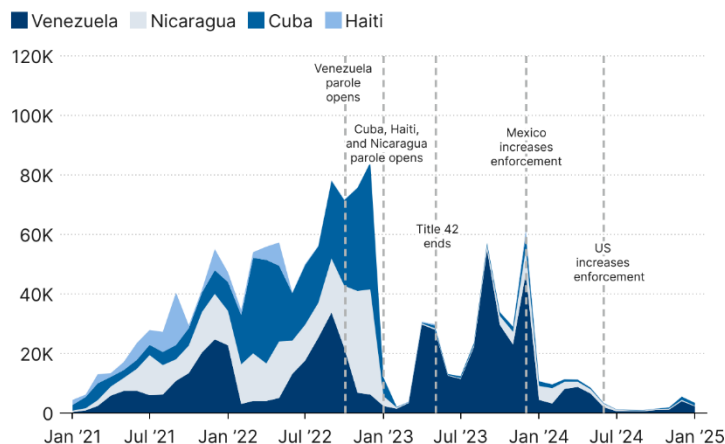
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(Source: Original Report, Figure 6)

- Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV)
 - A program that was launched in October 2022 for Venezuelans and expanded in January 2023 to Cubans, Haitians, and Nicaraguans.
 - Allowed up to 30,000 vetted migrants from those countries every month to enter the U.S. lawfully if they applied from outside of the U.S. and had sponsors already in the U.S.
 - Simultaneously, if individuals from the same countries attempted to enter the U.S. illegally, they were expelled to Mexico.
 - **Irregular encounters from those countries were dramatically reduced** (see Figure 7), and 530,000 migrants were given the opportunity to obtain a 2-year work permit and fill labour shortages.

Parole programs led to a steep drop in irregular migration to the US southwest border

Monthly encounters between ports of entry at the US southwest border for CHNV parole-eligible nationalities, January 2021-January 2025



Source: Data from DHS/CBP

Note: The parole program was implemented on October 18, 2022 for Venezuela and January 1, 2023 for Nicaragua, Haiti, and Cuba. Mexico increased its migration enforcement in December 2023, following pressure from the Biden administration. "US increases enforcement" refers to the June 4, 2024 executive order limiting the ability to claim asylum.

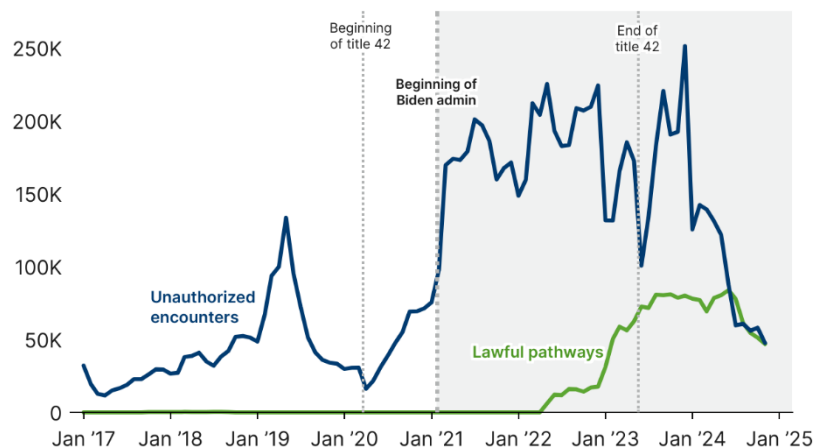
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(Source: Original Report, Figure 7)

- Customs Border Protection (CBP) One App
 - A mobile app launched in 2023 that let 1,500 migrants per day schedule asylum appointments in advance.
 - Between January 2023 and January 2025, almost 1 million migrants scheduled appointments.
 - Allowed migrants to be pre-screened, which **had great effectiveness in controlling border arrivals** alongside other programs (see Figure 3).

In 2024, authorized entries surpassed unauthorized encounters between ports of entry, highlighting the impact of CHNV and CBP One

Monthly migrant encounters at all US borders and ports of entry, 2016-2024



Source: Data from DHS/OHSS

Note: Unauthorized encounters between ports of entry include all USBP apprehensions. Lawful pathways include CHNV paroles, Ukrainian administrative encounters at ports of entry (including airports), and all CBP One appointments.

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(Source: Original Report, Figure 3)

- Criticized by some human rights advocates for restricting asylum access.
- Circumvention of Lawful Pathways Rule and the Securing the Border Rule
 - Denied asylum eligibility to individuals who did not use legal channels.
- Securing the Border Rule
 - Implemented in 2024.
 - Suspended most asylum cases when there were over 2,500 encounters a day. Could only be reinstated after the average over 14 days lowered to under 1,500 a day.
 - “Officials defended it as a legal way to get border numbers under control, enabling more efficient removal of those lacking valid claims, while keeping asylum open to those who truly needed it. But human rights groups and other outside experts assailed the rule as a violation of U.S. and international law” (p. 19).
 - This sort of measure may be essential in future crises.
- The administration collaborated with partner countries to increase the number of repatriation flights and enhance their enforcement efforts.

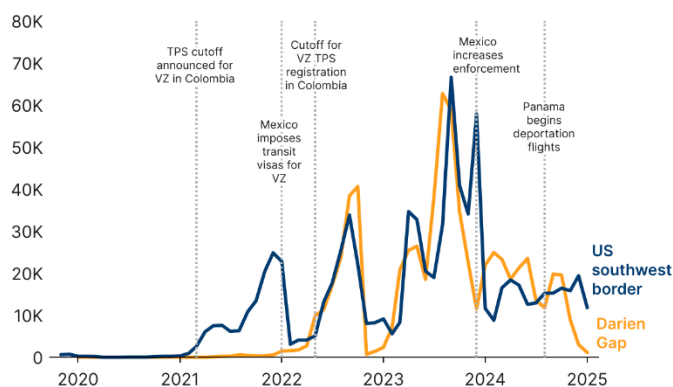
Why migration response must be regional

- The Biden administration’s experience demonstrates that effective migration management requires regional cooperation, as unilateral actions alone are insufficient due to external economic and policy influences.

- Policy changes in Colombia, Chil, and Mexico all directly impacted migration to the U.S. (see Figure 8).

Policy shifts in Mexico and Colombia directly impacted Venezuelan encounters at the US border and the Darién Gap

Monthly Venezuelan encounters at the US southwest border and Darién Gap, October 2020-January 2025



Source: Data from DHS/CBP and Migracion Panama

Note: (1) In February 2021, Colombia announced that only Venezuelan migrants who entered the country by January 2021 would be eligible for temporary protected status (TPS). (2) In January 2022, Mexico began requiring Venezuelans to obtain a visa to enter Mexico, even if they were traveling onward to other destinations. (3) Venezuelans already in Colombia had to register for TPS by May 2022 or they would no longer be eligible. (4) Mexico increased migration enforcement in December 2023. (5) Panama began deportation flights of migrants crossing the Darién Gap in August 2024.

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(Source: Original Report, Figure 8)

- Implementing multi-country policies that gave migrants legal status and authorization to work proved effective in Latin America.
- Over \$500 million per year in U.S. humanitarian and development aid helped countries develop support and integration initiatives.
- After the collapse of Venezuela's government, Colombia, Peru, Brazil, and Ecuador stepped up to welcome migrants.
- The Los Angeles Declaration on Migration and Protection (LA Declaration)
 - A 2022 regional cooperation framework formalized by the Biden administration.
 - 22 countries agreed to shared goals and in the span of two years, those countries granted legal status to over 4.5 million migrants, launched over 300 new transit visa policies, and collaborated on investigations of transnational migrant smuggling operations.
- Partnerships between the U.S. and Northern Central American countries tripled the number of H-2 visas issued in the region between 2021 and 2024.
- Secretary Blinken launched the Labor Neighbors initiative in 2024, which aimed to create a regional labour talent marketplace to match labour supply with demand.

The refugee vs. migrant conundrum

- “The U.S. asylum system was designed in the aftermath of World War II to protect individuals fleeing political persecution. Today, that narrow definition often fails to capture the complex reasons people leave their countries—economic collapse, failed states, climate disasters, or generalized violence” (p. 30). But, without other lawful routes, an increasing number of migrants see asylum as their only option for entry.
- This creates two problems:
 - It overwhelms the system.
 - It incentivizes individuals who are mainly economically motivated to claim asylum.
- Some countries have responded to this through broad, temporary protected status to members of certain populations, instead of relying on individual adjudications.
- The Biden administration took many measures in response to these issues, including launching the Safe Mobility Initiative, which established triage centres in Colombia, Ecuador, Costa Rica and Guatemala where migrants could access information about lawful pathways and initiate their applications.
- Through private sponsorship programs established by the Biden administration, such as U4U, Americans helped resettle over 780,000 newcomers.

Cities on the front lines

- Federal and state governments create immigration policy, but local governments are often on the front lines and have been demanding that employment for migrants be authorized more efficiently and that more funding be provided. \$1.6 billion was eventually provided but was criticized for its lateness, restriction in use, and failure to keep up with need.
- Community visas—where migrants go where opportunities are—are recommended.

Communication and narrative

- Polls showed that immigration approval ratings remained historically low despite the stark decrease in irregular border encounters in the administration’s last year. There are lessons here:
 - Perceptions are commonly cemented early.
 - **Immigration has become a proxy for a much deeper lack of trust in the competence of government.**

Recommendations

- Create a labour migration system that is flexible and driven by demand.
 - Replace outdated visa caps with a more flexible system that would accommodate various forms and lengths of employment.
- Centre diplomacy in migration policy.
 - Collaborate with regional and global partners.
- Leverage foreign aid to further a more balanced migration policy.
- Expand efforts to match migrants with labour market needs to fill shortages.

- Improve communication, coordination and collaboration between municipal and federal governments
- Create pathways to status for migrants who have already been in the U.S. for an extended duration of time.
 - This is supported by most Americans: There was essentially no backlash to the Biden administration’s “Keeping Families Together” executive order that set out to give legal status to more than 500,000 undocumented spouses.
- Take an offensive approach to communication, not defensive.
 - “The opposition will always weaponize fear. The only antidote is clarity and courage” (p. 38).