

National Foundation for American Policy

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Contact: Stuart Anderson, 703-351-5042, press@nfap.com

New Research: 100 Years of Border Patrol Apprehensions Show Legal Pathways, Demographics and Economics Have Reduced Illegal Entry

Periods With a Significant Decline in Illegal Immigration Not Due to Enforcement Policies

Arlington, Va. – Examining 100 years of Border Patrol apprehensions data finds none of the three U.S. periods with a significant decline in illegal immigration were due to immigration enforcement policies, calling into question conventional wisdom, according to a [new study](#) from the National Foundation for American Policy (NFAP), a nonpartisan research organization.

First, after increasing the admission of farmworkers under the Bracero Program, illegal entry, as measured by Border Patrol apprehensions, declined by 96% between 1953 and 1959. Second, apprehensions of Mexicans fell by 83% between 2004 and 2015 due to lower demand in the United States for Mexican workers in sectors like construction and demographics (Mexican family size dropped from 6.8 to 2.1 children between 1960 and 2008). Third, after the Biden administration introduced parole programs, Border Patrol encounters with individuals from Venezuela and three other countries fell by 95% as a group between December 2022 and March 2023. Some level of enforcement is needed as a deterrent, but a major impact of enhanced immigration enforcement has been to make migration more dangerous, increase migrant deaths and encourage individuals who unlawfully cross the U.S.-Mexico border to remain rather than risk frequent trips.

The report, “Illegal Entry, Presidents and Effective Policy,” can be found at <https://nfap.com/>.

“Allowing people to enter the United States legally for work, humanitarian reasons or some combination of the two has shown to be a much more effective way to reduce illegal entry and is also more humane and economically beneficial than the traditional approach,” said Stuart Anderson, NFAP’s executive director. Anderson was head of policy and counselor to the Commissioner of the Immigration and Naturalization Service (INS) in President George W. Bush’s administration.

Among the findings of the analysis:

- Enforcement-only approaches to illegal immigration have been ineffective. The most recent example is the Trump administration. Border Patrol data show the Trump administration’s use of more punitive immigration enforcement policies, including separating children from their parents as part of a “zero tolerance” policy, did not reduce illegal entry. Apprehensions at the Southwest border, a proxy for illegal entry, [increased](#) by more than 100 percent between [FY 2016](#) and [FY 2019](#) (from 408,870 to 851,508). After the start of the Covid-19 pandemic in March 2020, Border Patrol encounters initially declined. However, Border Patrol [encounters](#) on the Southwest border rose from 16,182 in April 2020 to 69,032 by October 2020, a 327% increase. (The Border Patrol reported encounters in place of apprehensions beginning in March 2020 due to the use of the Title 42 health authority.)

- Another indicator of the ineffectiveness of the Trump administration's immigration policies is the increase in asylum applications. The policies did not override people's need for protection and their motivations. Pending asylum cases rose 300% between FY 2016 and FY 2020 (from 163,451 to 614,751), according to Syracuse University's [TRAC](#). If Trump's immigration policies deterred people from coming to America, asylum applications would have declined or not have risen significantly.
- The winding down of the Covid-19 pandemic and an improving U.S. economy have encouraged the flow of people north since 2021. The Biden administration maintained the Trump administration's Title 42 health restrictions that largely blocked people from applying for asylum at ports of entry. That resulted in more people entering unlawfully and turning themselves in to Border Patrol agents to apply for asylum, and others entering, being returned and trying again. Both have driven up "encounter" numbers.
- The Western Hemisphere has seen a historic refugee crisis, even though much public discussion has labeled it a border issue. The increase in people coming from countries that have experienced significant political and economic upheaval, notably Venezuela, Cuba, Haiti and Nicaragua, continued from the Trump years into the Biden administration. "Mounting violent crime and political upheaval" have also prompted people from Peru, Ecuador and Colombia to leave their countries, reports the [Wall Street Journal](#).
- In January 2023, as a way to provide legal pathways, the Biden administration announced parole programs for up to 30,000 individuals a month from Cuba, Haiti, Nicaragua and Venezuela to enter the United States with a U.S. sponsor. The parole programs produced dramatic results and almost unprecedented effectiveness in reducing illegal entry as measured by encounters with Border Patrol agents. The number of Border Patrol encounters at the Southwest border declined by 95% for Cuba, Haiti, Nicaragua and Venezuela as a group between December 2022 and March 2023, according to a National Foundation for American Policy (NFAP) analysis. Border Patrol encounters for all other countries not in the parole programs increased by 15% during this period. The parole policies represented a humane alternative to forcing individuals to seek protection by entering through dangerous routes between ports of entry because legal access to the United States is blocked.
- During the Obama administration (Jan. 2009 to Jan. 2017), apprehensions along the Southwest border averaged 413,377, lower than during the Trump administration, which averaged 517,334 apprehensions between 2017 and 2019. (Reporting changes starting in 2020, including changing to Border Patrol "encounters," make data for FY 2020 and later incompatible with historical statistics.)
- Between FY 2005 and FY 2015, apprehensions of Mexicans along the Southwest border declined by 82%, from 1,106,40 to 186,017. A drop in economic demand in the United States for Mexican labor in specific economic sectors, such as construction, and demographic changes in Mexican family size, appear to be the most plausible explanations for the reduced numbers of Mexicans attempting to migrate unlawfully starting around the midpoint of the 2000s.
- Andres Villarreal, a professor of sociology at UCLA, conducted a detailed analysis of the migration decline using a nationally representative panel survey of Mexican households. "The results support an explanation that attributes a large part of the decline to lower labor demand for Mexican immigrants in the United States." Between 1960 and 2008, the average size of Mexican families dropped from 6.8 to 2.1 children, reducing the pool of young men available to migrate to the United States.
- To the extent Mexicans have still sought to work in the United States, many have chosen to use legal visas when available. Between FY 2006 and FY 2022, there was approximately

an eight-fold increase in the number of H-2A visas, rising from 37,149 in FY 2006 to 298,336 in FY 2022. H-2A visas are for seasonal work in agriculture and are uncapped. The number of H-2B visas, including returnees, remained steady at 122,541 in FY 2006 to 124,644 in FY 2022. According to DHS statistics, in FY 2021, Mexicans comprised approximately 96% of the H-2A visa holders and 81% of H-2B visa holders.

- In FY 2000, only 1.7% of Southwest border apprehensions were “Other Than Mexico.” In FY 2014, that proportion climbed to 52.7% and rose to 80.5% in FY 2019. During the Trump administration, Other Than Mexico apprehensions, primarily Central Americans, rose from 175,978 in FY 2017 to 685,050 in FY 2019, an increase of 289%.
- The Bracero program proved to be the most effective policy the U.S. government ever established to reduce illegal entry. After the 1954 enforcement actions and the increased use of the Bracero program, INS apprehensions fell from the 1953 level of 835,311 to as low as 32,996 in 1959—a 96% reduction. The use of legal work visas was effective. “Without question the bracero program was . . . instrumental in ending the illegal alien problem of the mid-1940’s and 1950’s,” according to the Congressional Research Service. Apprehensions and illegal entry increased significantly after the legal safety valve of the Bracero Program ended in 1964.
- In 1994, the Border Patrol launched Operation Gatekeeper in the San Diego Sector and expanded it to other areas. It aimed to discourage illegal entry by building up of agents and resources in high-travel areas for migrants. The Border Patrol strategy carried two significant unintended consequences: 1) increased enforcement encouraged unauthorized immigrants to stay in the United States long-term, rather than risking apprehension on frequent trips, and 2) the Border Patrol strategy increased the number of immigrant deaths. By making it more dangerous to cross the border, the policy caused more people to die, which also encouraged more migrants to stay in America and build their lives here. Between FY 1998 and FY 2022, the Border Patrol recorded 9,465 immigrant deaths along the border. A [Government Accountability Office](#) report concluded the Border Patrol undercounts immigrant border deaths and indicated the number might be twice as high.
- There is little evidence that increases in Border Patrol personnel prevent illegal immigration. The undocumented population in the United States increased from 3 million to 12 million between 1986 and 2008 while there was “a fivefold increase in the number of U.S. Border Patrol officers, a fourfold increase in hours spent patrolling the border, and a twenty-fold increase in nominal funding,” according to Douglas S. Massey (Princeton University), Jorge Durand (Centro de Investigación y Docencia Económicas), Karen A. Pren (Princeton University). “Whether measured in terms of personnel, patrol hours, or budget, studies indicate that the surge in border enforcement had little effect in reducing unauthorized migration to the United States. . . [T]he unprecedented militarization of the Mexico-U.S. border not only failed in its attempt to reduce undocumented migration but backfired by increasing the rate of undocumented population growth and turning what had been a circular flow of male workers going to three states into a settled population of families living in 50 states.”
- Some argue that “amnesties” encourage more illegal immigration. However, economists Pia M. Orrenius (Federal Reserve Bank of Dallas) and Madeline Zavodny (then with Federal Reserve Bank of Atlanta) examined the 1986 law and found, “An amnesty program also does not appear to encourage illegal immigration in the long run in the hopes of another amnesty program; we do not find a significant difference between apprehensions after the [1986] IRCA amnesty expired and before the program was created.”
- An increase in human smuggling is another consequence of expanding immigration enforcement. Law enforcement sources concede that an increase in border enforcement fueled the reliance on human smugglers, as discussed in a May 2022 [NFAP report](#). “One

finding across multiple surveys is that smuggler usage rates have increased steadily over the last 5 decades,” reports the Department of Homeland Security. “Previous research by the Office of Immigration Statistics found that smuggler usage rates climbed from 40-50 percent during the 1970s, to 59 percent in the late 1970s and early 1980s, 70-80 percent in the 1980s to 1990s, 80 to 93 percent in the 1990s to 2000s, and 95 percent for first-time crossers surveyed in 2006. Similarly, according to USBP interviews, relatively few illegal border crossers hired a smuggler prior to 2001, but usage rates climbed to 80-95 percent among apprehended border crossers in recent years.”

Examining 100 years of apprehensions data leads to the conclusion that immigrants choose to migrate across the Southwest border due to violence, political unrest and economic problems in their home countries, as well as U.S. economic conditions, not due to the immigration enforcement policies of U.S. presidents. To the extent an administration’s policies reduce illegal entry, it is not enforcement but increasing legal admissions that is effective, as shown by reductions in illegal entry after Mexican farmworkers entered the U.S. under the Bracero program during the Eisenhower administration and the parole program for Venezuelans and others during the Biden administration. The history of the past 100 years shows that increasing enforcement is unlikely to reduce illegal entry, but economic and demographic changes and opening pathways to enter and work legally in the United States can succeed.

About the National Foundation for American Policy

Established in 2003, the National Foundation for American Policy (NFAP) is a 501(c)(3) nonprofit, nonpartisan public policy research organization based in Arlington, Virginia focusing on trade, immigration and related issues. The Advisory Board members include Columbia University economist Jagdish Bhagwati, Ohio University economist Richard Vedder, Cornell Law School professor Stephen W. Yale-Loehr and former INS Commissioner James W. Ziglar. Over the past 24 months, NFAP’s research has been written about in the *Wall Street Journal*, the *New York Times*, the *Washington Post*, and other major media outlets. The organization’s reports can be found at www.nfap.com. Twitter: [@NFAPResearch](https://twitter.com/NFAPResearch)

2111 Wilson Blvd., Suite 700, Arlington, VA 22201
phone: (703) 351-5042 fax: (703) 351-9292 www.nfap.com