

National Foundation for American Policy

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New Research: Humanitarian Parole Programs and Other Legal Pathways Effective in Reducing Illegal Entry

Illegal Entry Rose Under Remain in Mexico and Other Trump Enforcement-Only Policies

Arlington, Va. – Border Patrol data show work visas and the Biden administration’s humanitarian parole programs have been far more effective against illegal immigration than the Trump administration’s enforcement-only policies, according to a National Foundation for American Policy (NFAP) [analysis](#). The evidence indicates reducing or eliminating humanitarian parole programs, as GOP lawmakers have proposed, would increase illegal entry and remove what is currently the executive branch’s most effective tool to encourage lawful migration.

The study, “Legal Pathways: A Humane and Effective Option,” can be found at <https://nfap.com/>.

“Expanding legal pathways reduces illegal entry more effectively than traditional enforcement-only approaches,” said Stuart Anderson, executive director of the National Foundation for American Policy. “Given the unprecedented refugee crisis in Latin America, the goal of U.S. immigration policy should be to manage migration to ensure it is safe, orderly and legal.”

Using legal pathways prevents migrants from dying on unsafe journeys to the border and keeps cities from being burdened by unscheduled migrant arrivals. Admitting more legal workers benefits Americans by expanding the labor supply, which is essential to economic growth as U.S. population growth falls to low levels. The historic refugee flows from Latin America, driven by economic hardship and political repression in Venezuela, Cuba, Nicaragua and other countries, are unlikely to be stopped by harsh means but can be managed by expanding legal pathways and through regional cooperation, the study found. The strong U.S. economy after the Covid-19 pandemic has contributed to the refugee flows.

Among the findings in the research:

- After the Biden administration introduced humanitarian parole programs, Border Patrol encounters declined by 92% for Cubans, Haitians and Nicaraguans as a group between December 2022 (the month before the parole programs started) and November 2023 compared to an 18% increase for nationals of non-parole countries, according to an NFAP analysis. The programs require a U.S. sponsor, flying to an interior port of entry and the possibility of employment authorization.
- After the Biden administration introduced the parole program for Venezuelans in October 2022, Border Patrol encounters declined by 90% for Venezuelans between September 2022 (the month before the parole programs started) and March 2023 compared to a 24% increase for nationals of non-parole countries. The low 30,000 monthly limit reduced the program’s effectiveness for Venezuelans after March because the demand exceeded the available monthly slots to enter legally via parole.

- During the Trump administration, which relied on enforcement-only policies, Border Patrol apprehensions at the Southwest border, a proxy for illegal entry, [increased](#) 108% between [FY 2016](#) and [FY 2019](#) (from 408,870 to 851,508).¹
- 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.²
- The Trump administration's immigration policies did not override people's need for protection and their motivations. Pending asylum cases rose 276% between FY 2016 and FY 2020 (from 163,451 to 614,751), according to Syracuse University's [TRAC](#).
- Forcing asylum seekers to "Remain in Mexico" in unsafe conditions under the "Migrant Protection Protocols" (MPP) beginning in January 2019 did not reduce illegal entry. Border Patrol apprehensions along the Southwest border increased by 162% between December 2018 (the month before Remain in Mexico started) and May 2019. Eight months after the start of MPP, Border Patrol apprehensions along the Southwest border in September 2019 were almost identical to those of September 2018.³ In contrast, the Biden administration's parole programs showed immediate and significant declines in illegal entry.
- Providing Haitians the option to enter the United States legally at a port of entry significantly reduced illegal entry. After Haitians started receiving permission and waivers to enter lawfully at ports of entry, Border Patrol encounters fell from 7,762 in May 2022 to 145 in June 2022. In November 2023, there were only 102 Border Patrol encounters of Haitians at the Southwest border. The exceptions to Title 42 expulsion authority and using the CBP One app, not Title 42, reduced unlawful migration from Haiti. "What this says is that legal pathways can work better than deterrence," said Tom Cartwright of Witness at the Border.
- The Bracero program is likely the most effective policy the U.S. government has 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. "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.
- The United States has a limited availability of temporary work visas, including only 66,000 annual nonagricultural seasonal visas. If given the option, migrants from Latin America and elsewhere would use legal visas. According to community surveys in a recent report funded by USAID, 92% or more of Guatemalans agreed with the statement, "Visas are a better way to migrate than migration without documentation." Among the authors' conclusions: "[R]egular temporary migration is considered preferable to irregular migration in a very marked way. . . the results also support the idea that the availability of visas can reduce irregular migratory intention."

¹ Department of Homeland Security. See also Stuart Anderson, "GOP State Lawsuit Could Stop Sound Way To Reduce Illegal Immigration," *Forbes*, March 21, 2023.

² Ibid. The Border Patrol reported encounters in place of apprehensions beginning in March 2020 due to using the Title 42 health authority.

³ <https://www.cbp.gov/newsroom/stats/sw-border-migration/fy-2018>; <https://www.cbp.gov/newsroom/stats/sw-border-migration/fy-2019>.

Low U.S. population growth means admitting more legal workers as immigrants, refugees and temporary workers would benefit the U.S. economy. “Without continued net inflows of immigrants, the U.S. working-age population will shrink over the next two decades and by 2040, the United States will have over 6 million fewer working-age people than in 2022,” according to economist Madeline Zavodny in a 2023 NFAP [study](#).

Beyond the economic benefits, there are humanitarian reasons for increasing legal pathways. Since 1998, traveling across the border has become more dangerous, leading to over 9,000 [deaths among migrants](#). “In FY 2022, more than 750 migrants died attempting to enter the United States across the Southwest border,” according to DHS.

Parole programs or any legal pathways are most effective if the numbers are sufficient to meet the demand. In the case of Venezuela and possibly other countries, the 30,000 per month limit is too low. DHS concedes the numbers are insufficient and have been short since at least April or May 2023, around the time Border Patrol encounters of Venezuelans increased significantly following several months of decline.

Reducing or eliminating humanitarian parole programs and the legal pathway they provide could lead to additional tens of thousands of migrants attempting to cross unlawfully each month unless other legal avenues take their place. Supporters of work visas and humanitarian parole programs can point to examples of 90% or higher reductions in illegal entry, but advocates of enforcement-only border policies cannot identify similar successful reductions in illegal entry from their recommended policy approach, as evidenced by the significant rise in illegal immigration during the Trump administration before the pandemic.

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)

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