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Biden Can't Stop Immigration. Time to Embrace It

By David J. Bier

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When Joe Biden became president, he assumed a nearly impossible task: stopping migrants from crossing the U.S.-Mexico border amid a global displacement crisis. Despite his efforts, under his watch the number of people who crossed the border has risen sharply. Republicans have blamed the president, claiming that he has opened the borders.

A recent House Judiciary Committee report shows that of the five million people who were arrested at the southwestern border during Mr. Biden's term through March 31 this year, 49 percent had no confirmed departure date, and 51 percent were already removed.

The Republican-controlled committee's report does not compare these results with what occurred under President Donald Trump's last two years in office. But the Department of Homeland Security has published those statistics, and we at the Cato Institute made the comparison.

In the two years before Mr. Biden took office, the Trump administration released nearly 713,000 immigrants, or a little over 52 percent of the 1.4 million crossers. In other words, Mr. Trump's policies resulted in far fewer removals in absolute terms and a slightly higher percentage of released border crossers than Mr. Biden's.

The data highlights how much of a distraction pinning all migration trends on the executive branch truly is. What's the point in developing a nuanced understanding of the situation when you believe that all that's needed is a new person in the Oval Office to proclaim "Stop!" to the huddled masses yearning to breathe free?

Is a 51 percent expulsion rate high? Well, it is nearly as high as the homicide arrest rate nationwide and much higher than the arrest rates for every other type of crime, and unlike those offenses, immigrating illegally doesn't harm anyone on its own. Even before Mr. Trump, the federal government was spending more on enforcing immigration policy than on any other set of laws.

The response from the president's critics is that it's not about resources; it's about Mr. Biden's effort. But the Republican investigation highlights how the president has in fact held on to many of his predecessor's most extreme policy ideas.

Case in point: Mr. Biden has put the thinnest new coat of paint on Mr. Trump's "asylum ban" and reinstated it. Contrary to the plain language of the asylum law, immigrants are now presumed ineligible for asylum if they cross the border illegally.

Mr. Biden has also transformed Mr. Trump's "remain in Mexico" plan into "deport to Mexico." Under Mr. Trump, some asylum seekers were supposed to wait in the most dangerous cities in Mexico for a hearing north of the border. Under Mr. Biden, some asylum seekers are being permanently deported to Mexico with no chance for asylum, even if they are not Mexican.

That is not all. Mr. Biden has doubled the number of immigrants detained in Immigration and Customs Enforcement detention facilities pending removal, and he has negotiated deals to reopen deportations to Venezuela and Cuba. He has deported more people to Haiti in less than three years than Mr. Trump did in four. Mr. Biden's own administration has stated that all these countries are too unsafe and politically repressive to expect people to live in.

The open-borders myth won't die even though every single day of his administration, Mr. Biden has imposed restrictions on applying for asylum far beyond those required by law. What should he do next? Dispatch his vice president to foreign countries to repeatedly tell people, "Do not come, do not come"? Oh, yeah, he did that, too. Now he's even building Mr. Trump's wall.

No matter how cruel or restrictive Mr. Biden's policies are, they will never be enough to appease his critics. They also aren't working. He can continue to do everything Mr. Trump did and more and still be the "open-borders president." So why try? Instead he should stake his

legacy on something different: legalizing immigration. Let more immigrants come humanely and legally.

America desperately needs immigrants. Population growth is the lowest in American history. We have averaged nearly 10 million job openings over the past two years. Our worker-to-retiree ratio continues to fall. We need more workers, taxpayers and contributors. The president should embrace — not stop — immigration, and that means creating viable ways for people to enter the country legally. This would dramatically cut illegal immigration and solve many related problems.

Mr. Biden's detractors may call it open borders. But they'd call anything that.

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