

Trump Didn't Actually Accomplish Much on Immigration

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President Joe Biden has come into office committed to undo most of what his predecessor accomplished on immigration. Which raises an important question: What did Donald Trump accomplish on immigration?

A simple answer, offered up recently by Alex Nowrasteh, director of immigration studies at the libertarian and very pro-immigration Cato Institute, is that “President Trump reduced legal immigration. He did not reduce illegal immigration.” Those are both accurate statements, but there are other spins one can put on the data. One is that Trump reduced immigration a little before the Covid-19 pandemic reduced it a lot. Another is that he sharply reduced immigration flows that are easy for a president to control — refugees being the most obvious example — and struggled with the rest.

These assessments are all based on immigration numbers available from the Department of Homeland Security, State Department and other sources, which is not the only valid way to evaluate performance. But with most of the attention over the past four years focused on the words and actions of Trump and his subordinates, the numbers do provide an enlightening, and at times surprising, alternative history.

Illegal immigration

Since 2010, estimates of how many immigrants are living in the U.S. without authorization have shown a steady decline — that is, a net outflow of unauthorized immigrants. If anything, that's slowed slightly during Trump's presidency. (Where practical, I will highlight 2017 in the charts to make it easier to see when that presidency began.)

Past the Peak in Illegal Immigration

These are of course not exact counts. The most-oft-cited estimates on illegal immigration are those of the Pew Research Center, which takes the number of foreign-born U.S. residents as estimated in the Census Bureau's annual American Community Survey, subtracts the number of immigrants known to be here legally, then makes an upward adjustment based on data from

Mexico and elsewhere to reflect people that it thinks the ACS missed. The chart above uses Pew estimates for 1990, 1995 and 2000, and for 2003-onward relies on estimates made by Nowrasteh using a method developed by economist Christian Gunadi that also starts with ACS data but identifies legal immigrants by means of various screens such as whether they receive Social Security benefits or work for the government, then counts what's left.

The two methods deliver similar results, as does that of the Department of Homeland Security. I used Nowrasteh's numbers because Pew's are available only through 2017 and the DHS's through 2015. In 2018, a trio of statistical modeling experts from Yale University and the Massachusetts Institute of Technology did publish a study based on a wide array of other indicators that estimated the number of undocumented immigrants to be about twice the above counts, but that estimate has not been widely embraced and, more to the point, it shows the same downward trajectory over the past decade that the others do.

By every one of these estimations, then, the huge illegal immigration wave of the 1990s and 2000s ended with the Great Recession and has shown little sign of returning since.

Another, more sensitive, gauge did show an apparent jump in illegal border crossings in the 2019 fiscal year, but it receded quickly and paled in comparison with those of the 1990s and 2000s.

Crossing the Border

Border apprehensions aren't exactly the same as crossings, and fluctuations in the former can sometimes be mainly about changes in enforcement policy. That's what the big increase in apprehensions in the early 1950s was about, for example. But all accounts I've read of the 2019 increase attribute it mainly to increased border flows rather than increased enforcement.

Another enforcement data set that's more reflective of policy choices shows a modest increase in deportations under Trump — until the pandemic — but to nowhere near the levels that prevailed during the late George W. Bush and early Barack Obama years.

A Slowdown in Immigration Enforcement

All in all, then, the measurable Trump effect on illegal immigration seems to have been just about nil. There wasn't much new illegal immigration to begin with, so one can't really paint that as a failure. But it did leave unresolved the question of what to do about the 10.9 million or more unauthorized immigrants who are already here. A president vociferously opposed to illegal immigration, with his party in control of both houses of Congress for the first half of his term and an immigration-control bureaucracy largely sympathetic with his aims, wasn't even able to match the pace of deportations under his Democratic predecessor. Whether one attributes this to Trump's haplessness, the machinations of the "deep state" or other causes, it does seem like a sign that the political will may simply not exist in the U.S. to send away millions of people who in many cases have been living, working and paying taxes here for decades.

Asylees and refugees

What about all that drama along the border with Mexico — the migrant caravans, the detention centers, the family separations? Well, those people were for the most part attempting to immigrate legally via the U.S. asylum process. Asylum applications were already rising sharply before Trump took office, and rose some more during his tenure before collapsing last year because of the pandemic.

The Asylum Boom

Asylum is available only to people who are already in the U.S. or at the border, and there are two ways to claim it: by “affirmatively” filling out an application form and submitting it to the U.S. Customs and Immigration Service or “defensively” making your case in removal proceedings before an immigration judge after (1) the USCIS turns down your application and refers you there, (2) you are accused of immigration violations or (3) you try to enter the U.S. without proper documents and are found to have a “credible fear of persecution or torture.”

Defensive cases are responsible for all of the rise in asylum applications since 2016, with people from Central America and Mexico accounting for 65% of them in fiscal 2019. As their numbers have grown in recent years, the percentage of asylum requests being rejected in court has gone up too.

More Denials in Asylum Cases

This rise in the rejection rate started before Trump took office and may have something to do with what asylum claimants from Central America and Mexico are fleeing — often gang violence rather than the government oppression, ethnic persecution and civil wars that asylum claims are traditionally based upon. From 2017 onward, Trump administration policies and Trump-appointed immigration judges played a role, too. One telling statistic from Syracuse University’s Transactional Records Access Clearinghouse: in fiscal year 2020, 76.7% of asylum claimants from China won their court cases, while only 12.7% of those from Honduras did.

Even with all the rejections, the number of people receiving asylum in the U.S. more than doubled from fiscal 2016 to 2019, to 48,527 from 22,168. There is also now a huge backlog of yet-to-be-resolved cases, with 339,834 affirmative applications pending at USCIS as of September 2019, compared with 194,986 three years earlier, and nearly 1.3 million deportation cases pending in immigration courts as of last month, compared with 516,031 at the end of 2016. These comparisons are slightly misleading in that the Obama administration had simply closed tens of thousands of asylum cases where it didn’t think deportation needed to be a priority, and the Trump administration reopened them. But the overall picture on asylum seems to be one of President Trump inheriting a messy situation and leaving an even messier one for his successor.

Refugees come to the U.S. for the same reasons that asylum-seekers want to stay here. But their number — or at least the annual upper limit to it — is almost entirely in the hands of the president. The number of refugees admitted in fiscal year 2020 was the lowest since the passage of the 1980 law that established current refugee procedures, and while that partly reflected the impact of the pandemic, the fiscal 2018 and 2019 numbers were historically low too. (The big drop in fiscal years 2002 and 2003 was due not to changes in the presidentially set refugee ceiling but to new security measures in the wake of the Sept. 11, 2001 terrorist attacks that “considerably lengthened refugee processing time and significantly interrupted admissions.”)

The Refugee Shutdown

The Trump administration has justified its reductions in the refugee ceiling as necessitated by “the urgent need to address the border security and humanitarian crisis caused by the massive surge of aliens seeking protection at the U.S. southern border.” That is, because the asylum numbers are going up, refugee numbers should go down. Indeed, if you add up asylum grants

and refugee admissions for the years for which data for both are available, the Trump-era decline isn't as dramatic. But it's still a decline.

Asylees and Refugees

Green cards

For all the attention they've gotten in recent years, asylees and refugees usually make up a modest share (13% from 2013 through 2017) of those granted permanent U.S. residence. Family members of people already here are the majority of these "green card" recipients, with employment-related visas the one other large category and the diversity visa (aka the green-card lottery) a small but controversial one. The number of visas granted in most of these categories is determined by law, and while President Trump endorsed legislation that would have cut green-card issuance in half by reducing family visas and eliminating the diversity visa, while instituting a points system to favor the most-skilled applicants for employment visas, it appeared to stand no chance of passage even when Republicans controlled both the House and Senate.

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What the administration did instead, in addition to the asylum and refugee policies discussed above, was attempt to slow the granting of green cards with a few executive orders and a lot of petty administrative changes of which the epitome was probably the "no blanks" rule documented by Washington Post columnist Catherine Rampell: if you left any box blank on the application — even the one for siblings if you're an only child — it was rejected. Looking at the number of green cards issued through fiscal 2019 (the most recent data available), though, it is remarkable how little effect this had on the overall numbers.

The Flow of Green Cards

New U.S. legal permanent residents by fiscal year

Source: Migration Policy Institute tabulation of U.S. Department of Homeland Security Office of Immigration Statistics data

The past year has been another matter, of course, with the pandemic shutting down State Department visa offices overseas for several months and giving the Trump administration occasion to implement border closures and other immigration-restricting moves. The State Department's timelier statistics on immigrant visas granted by its overseas offices show a nearly 50% drop in fiscal 2020, as well as a steeper decline even before the pandemic than that displayed in the overall green card totals.

Slowing Down Even Before the Pandemic

Immigrant visas issued by the U.S. State Department, by fiscal year

Source: U.S. State Department

Still, the overall effect pre-pandemic was to bring immigrant-visa issuance back to about the level that prevailed from 2008 through 2014, which isn't exactly what you'd call a sea change.

Yes, certain after-effects of Trump policies will probably be working their way through the immigration statistics for a while yet. He got some some new and improved barriers built along the border with Mexico, and his actions and behavior may have left the U.S. a less attractive immigrant destination than it was before. But the failure to pass immigration legislation, or to come up with ways of dealing with illegal immigration or asylum claims that were any more effective than those of the previous administration, suggest that there may not be all that much of a Trump immigration legacy for his successor to undo. The most important legacy may be the 2018 Supreme Court decision upholding Trump's ban on travel from several mostly Muslim countries, which affirmed the president's "broad discretion" to decide who may or may not enter the country. But that broad discretion now rests with Joe Biden, who revoked the travel ban on his first day in office.

The long view

Trump's impact is, not surprisingly, even harder to detect when considered in the context of the 200 years for which we have reliable U.S. immigration statistics. Unless immigration continues to fall over the next four years, which seems unlikely, his time in office will barely register.

Two Centuries of Immigration Flows

New legal permanent residents as a percentage of U.S. population*

Sources: Migration Policy Institute tabulation of U.S. Department of Homeland Security statistics, U.S. Census Bureau, author's calculations

*Immigration statistics by fiscal year, population estimates by calendar year

These numbers don't include illegal immigration, except for that big spike peaking in 1991 as 2.7 million previously unauthorized immigrants took advantage of the amnesty provisions of the 1986 immigration law to gain legal residency. An accounting that did include unauthorized immigrants would presumably show a big wave from the 1970s through 2000s, with a marked decline over the past decade.

Americans seem to understand that immigration flows have declined, with Gallup polling last year for the first time showing more support for increasing immigration than for decreasing it.

Americans' Changing Immigration Attitudes

"Should immigration be kept at its present level, increased or decreased?"

Public opinion on immigration doesn't necessarily translate into political action. Congress approved major easings of immigration restrictions in 1965, 1986 and 1990 despite apparent lack of public support for such changes, while similar efforts fell short in 2006 and 2013 despite increasing pro-immigration sentiment. Trump spent four years trying to reduce legal immigration, even though only 28% to 35% of Americans said they wanted that. But now he's gone from Washington, and it looks like most of his immigration changes soon will be too.