



## Biden's Parole Abuse Is Driving the Border Crisis

### Description

**US : Joe Biden could reduce the number of migrants coming into the United States by a million a year, no Congressional action (except cheering by Republican members) necessary. Here's how.**

More than one million people have been allowed to enter the U.S. under Biden administration programs based on humanitarian parole authority.

Since 2021, Biden has used parole on a historic scale, invoking the 1952 law to welcome hundreds of thousands of foreigners fleeing conflict in Afghanistan and Ukraine, or perpetual political and economic crises in countries like Haiti and Venezuela.

In 2023, the administration opened this path to immigrants from Ecuador, adding that country to a long list that includes Colombia, Cuba, El Salvador, Guatemala, and Honduras.

In FY2023, the Border Patrol apprehended over 99,000 Ecuadorians who entered the U.S. without authorization, a 312 percent spike from FY2022 and an annual record. By sweeping people from these countries into the humanitarian parole program they are automatically made "legal" with work permits for one or two years.

During that time they are able to apply for asylum, or wait out an immigrant visa application filed by a relative, bypassing the family reunification-based visa system, massively backlogged and numerically limited. Or they can just disappear into the heartland.

The Biden theory is that the humanitarian parole route draws people away from the southern border. The problem is that it draws them directly into America. Biden administration officials say they've acted unilaterally since Congress has not expanded legal immigration pathways since 1990.

Biden is also using the parole law to process 1,500 asylum-seekers along the U.S.-Mexico border each day who secured an appointment to apply through a phone app.

The underlying program, which began in fall 2022, has admitted more than 357,000 people from Cuba,

Haiti, Nicaragua, and Venezuela as of this January—74,000 Cubans, 138,000 Haitians, 58,000 Nicaraguans, and 86,000 Venezuelans.

Homeland Security secretary Alejandro Mayorkas called the program “a key element of our efforts to address the unprecedented level of migration throughout our hemisphere.”

So what is this humanitarian parole authority Biden has repurposed into a fire hose driving migrant numbers?

Humanitarian parole refers to a discretionary mechanism employed by the U.S. Citizenship and Immigration Services to allow individuals to remain in the United States on a (theoretically) temporary basis for urgent humanitarian reasons or significant public benefit.

It was never intended to replace regular visas or green [cards but](#) rather to be a form of temporary relief.

Prior to Biden, humanitarian parole was typically granted in cases involving medical emergencies, for humanitarian reasons, or for significant public benefit.

Examples of situations warranting parole include medical treatment that is not available in the individual's home country, urgent family needs, or situations where the person can contribute significantly to the public interest in the United States, say as an artist fleeing a repressive government. Pre-Biden, it is [important to](#) note that the decision to grant humanitarian parole was mostly made on a case-by-case basis.

The previous two administrations averaged about 5,000 individually selected cases per year. Past uses of mass parole include the one-time flood of migrants after the Vietnam War (340,000 people) and the Mariel Boatlift (125,000) from Cuba.

Every administration, Republican and Democratic, has used parole in emergencies; none had made it the cornerstone of an ongoing mass migration program before Biden.

Trump said during his campaign he would end this “outrageous abuse of parole” if re-elected. Until then, absent new law from Congress, it looks like only Texas can stop Joe.

Earlier in March a federal judge allowed the Biden administration to continue the program against Texas's wishes. Judge Drew Tipton—a Trump appointee who previously ruled against a Biden initiative, a proposed 100-day moratorium on most deportations—of the U.S. District Court for the Southern District of Texas sided with the administration, saying the states failed to establish they had standing on any of their claims to force Biden to end the parole program.

The 19 states that signed onto the lawsuit, including Florida, Tennessee, and Arkansas, argued the program burdened them with additional costs for health care, education, and law enforcement.

They also argued the Biden administration was simply re-categorizing people who otherwise would have entered the country illegally to come to the United States quasi-legally and thus does little to address the underlying issues along the southern border. They asserted the policy flouts the limits Congress placed on legal immigration.

Texas is almost certain to appeal the decision, and the case could end up in the Supreme Court, as it

can be read as addressing the limits of state power on traditionally federal issues like immigration.

Texas has not gone away quietly, pursuing other avenues to stop Biden's parade. Operation Lone Star is Texas Governor Abbott's multi-billion-dollar border security initiative.

A new section of border wall was built. The Texas legislature supported the operation by increasing penalties for smuggling. The initiative establishes a Texan law enforcement presence on the Rio Grande and empowers state and local law enforcement officers to jail migrants on trespassing charges—a provision recently temporarily upheld by the Supreme Court, then struck down by the appeals court.

Another measure is Texas Senate Bill 4, which makes it a state crime for migrants to cross the U.S.–Mexico border into Texas without legal documentation. It also authorizes Texas to deport undocumented illegals.

A judge put the law on hold in February, saying it violates the constitutional requirement that the Federal government, not the states, regulate immigration and the border.

The U.S. Court of Appeals for the 5th Circuit blocked the judge's decision and said the law could take effect while the litigation proceeded. The Supreme Court let the law stay in temporary effect, until an appeals court re- reinstated the block.

**Bottom Line:** while the battle is being fought in the courts, Texas is currently barred from making arrests and effecting deportations. The flow of migrants into America continues unabated.

The city of Eagle Pass became another focal point of state efforts, seeing Texas National Guardsmen unspool razor wire and deploy river buoys to stop migrants.

In January, the Guard took over a municipal park, blocking border agents from the riverfront. Authorities from other Republican states sent their own Guardsmen to help. Plans are also in the works to create an 80-acre operating base.

Texas sued the Biden administration to prevent Federal border agents from removing or cutting the wire barriers. A district judge sided with Texas, finding that the barriers limit illegal crossings, which impose costs on the state.

Ultimately, however, the Supreme Court sided with the Biden administration, saying border agents may remove the barriers as needed until their legality is fully resolved in lower courts.

Texas's most nationally visible and certainly most controversial measure to do something about the flow of migrants has been to put them on buses and internally deport them to sanctuary cities like New York.

Since April 2022, Texas has bused more than 100,000 migrants to at least six cities. Spreading the migrant crisis northward has been a genius move by Texas, turning a regional humanitarian crisis into a national one sure to drive votes in November. Before Biden, immigration had never polled as a number one concern for Americans.

So, when angry Joe Biden says that there is nothing he can do about the southern border without

Congress acting, he is lying. The border crisis is caused solely by Biden's decision to employ humanitarian parole on a large scale, a decision that can be rescinded anytime.

There are also interim measures like razor wire to dampen the flow. Biden could solve the problem today. If he is still not sure how, he could always ask Texas.

**BY Peter Van Buren**

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