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Allowing Venezuelan Migrants to Work While They Wait



Jeremy Odrich

Fellow, Social Policy & Politics

[@TWSocialPol](https://twitter.com/TWSocialPol)

In September, the Biden Administration took decisive action to expand legal pathways to work in the United States while enforcing existing immigration law. On September 20, 2023, the Department of Homeland Security (DHS) announced it would extend Temporary Protected Status (TPS) to 470,000 Venezuelan migrants who entered the United States *before* July 31, 2023. Those who apply and fit the criteria can work in the US for the next 18 months while they wait in line for their asylum cases to be heard. Extension of this status will reduce the strain on impacted cities, add needed workers to the workforce, and give Venezuelan asylum seekers the ability to provide for their families as they wait to make their case under US law. Venezuelans who crossed the US border *after* July 31, 2023 and do not establish a legal basis to stay will be returned to Venezuela.

The Biden Administration's Extension of Temporary Protected Status

Temporary Protected Status (TPS) allows nationals from designated countries to live and work in the US without fear of deportation. It's typically granted to migrants from countries experiencing war, environmental disaster, or other extreme conditions. It doesn't provide a pathway to permanent residency or citizenship, it simply allows migrants from countries in distress who are already living in the US to work here legally.

President Biden's decision to grant TPS to half a million Venezuelans is life changing. New York City has had 60,000 Venezuelan migrants living in its shelters who were unable to work. Absent a TPS designation, these Venezuelans would have had to wait almost a year from the time they entered the US to obtain a work permit. Now these migrants can contribute to the community and earn an income rather than relying on city services. Not only does this reduce the strain on New York City's social services, it also combats our nation-wide labor shortage. There are currently over 9 million job openings across the country, far exceeding the number of potential workers we currently have available.

Immigration hard-liners like to fear monger about influxes of migrants and claim they will cause harm to our economy. Fortunately, the facts matter. Data clearly show that immigrants are vital to our collective economic prosperity:

- Recent estimates show immigrants adding approximately \$2 trillion a year to our GDP.
- Studies show immigrants pay about half a billion in taxes a year.
- Nearly half of Fortune 500 companies were started by an immigrant or their child.
- Immigrants do not reduce the wages of US natives and can even augment them.

Immigration has clear benefits for our economy, but those benefits can only occur when migrants are allowed to work. Without TPS, Venezuelans would be forced to wait around in shelters for work permits and for their asylum cases to be processed. This waiting period is a major stress on our social safety net and overwhelmed shelter system. Granting TPS to Venezuelans allows them to contribute to America's economic prosperity.

A Bipartisan History of Temporary Protected Status

The decision to grant TPS to Venezuelans benefits our economy, and it is also consistent with precedent set by both Democratic and Republican administrations. Every president since World War II has offered some form of protection to migrants facing extreme conditions in their home country.

- Harry Truman signed a law helping to resettle refugees displaced by World War II.
- Dwight Eisenhower welcomed 200,000 more immigrants to the US than were allowed under existing visa quotas.
- John F. Kennedy expanded protections for Cubans who fled from the communist revolution.
- Lyndon B. Johnson facilitated the entry of more than 250,000 Cuban refugees.
- Richard Nixon maintained protections for Cuban refugees.
- Gerald Ford allocated over \$400 million to resettle and support 130,000 Vietnamese and Cambodian refugees.
- Jimmy Carter expanded access for those seeking political asylum.
- Ronald Reagan granted amnesty to 4 million migrants who had been in the US since 1982, suspended deportations for 200,000 Nicaraguan refugees, and protected 100,000 families from deportation.
- George H.W. Bush protected 100,000 spouses and children, 80,000 Chinese nationals, and 200,000 El Salvadoran refugees from deportation.
- Bill Clinton halted deportations for 20,000 to 40,000 Haitians.
- George W. Bush granted TPS to 150,000 Salvadorans after a series of earthquakes.

- Barack Obama granted TPS to over 100,000 eligible Haitians.
- Donald Trump deferred deportations for Venezuelans due to deteriorating conditions in Venezuela.

Presidents of both parties have protected vulnerable migrants consistently throughout the last 75 years, just as the Biden administration is doing now.

Temporary Protected Status Does Not Increase Migration

Even when presented with the data demonstrating the importance of immigration to our economy, critics point out concerns unique to TPS. Most prevalent is the concern that if we grant TPS to migrants, we will incentivize future migration to the United States as more migrants will believe they have a chance to come and work in the US. These concerns date back to the introduction of TPS. But studies have shown that TPS has no “magnet” effect on future migration and can even discourage future economically motivated migration.

To prevent a “magnet” effect, Congress ensured that TPS could only be granted to migrants already living in the US prior to the status being granted. In the case of Venezuela, migrants are only eligible for TPS if they have been living in the United States before July 31, 2023. And again, the Biden Administration will send home Venezuelans who entered the US unlawfully after July 31, 2023, and do not establish a legal basis to remain.

The intentional design of TPS to prevent a magnet effect works. A study from the Center for American Progress (CAP) examined migration rates in the ten years after TPS was granted for migrants from Nicaragua, Honduras, and El Salvador and found no increase in migration levels. Similarly, a study published in the Northwestern Journal of Law & Social Policy examined 10 countries that were granted TPS over an 11 year period. Similar to CAP’s findings, the Northwestern study found that a magnet effect was not supported by the data. According to the data, TPS simply does not cause a surge in migration.

Perhaps surprisingly, TPS can actually disincentivize future migration. A study from the University of Virginia examined 12 countries that had been granted TPS status from 1990 to 2015. It found that because TPS recipients are immediately given access to the formal US labor market, they have higher wages on average than non-TPS-eligible migrants. With these higher wages, TPS holders send more money to family and friends back home (known as remittance payments). Remittance payments bolster household income in home countries, decreasing the likelihood for household members to migrate to the United States. In other words, TPS helps to mitigate future migration.

Conclusion

Extending Temporary Protected Status (TPS) to Venezuelans will not fix all our immigration challenges, but it will allow eligible Venezuelan migrants who entered the US prior to July 31, 2023, to provide for themselves and their families. In granting TPS to this group, the Biden Administration is reducing the financial strain on cities, combating our labor shortage, and perhaps even disincentivizing future migration. Venezuelans want to work hard and contribute to our communities while they wait for their cases to be processed, and TPS gives them the tools to do just that.

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