

Administrative Constraints in U.S. Immigration Governance

Institutional Analysis of Systemic Constraints

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Abstract

Immigration governance in the United States operates within one of the most complex administrative systems of the federal government. Public debates surrounding migration policy often focus on the intensity of enforcement measures or the expansion of humanitarian protections. However, these discussions frequently overlook a structural dimension of governance: the institutional architecture through which migration policies are implemented.

This paper examines immigration governance from an administrative and institutional perspective. Rather than evaluating normative policy preferences, the analysis investigates how the organization of administrative authority influences systemic stability within migration systems. Drawing on insights from institutional theory, public administration, and administrative law scholarship, the study introduces three analytical concepts: structural volatility, administrative sequencing, and institutional durability.

The paper argues that recurring cycles of executive policy reversal, regulatory litigation, and institutional congestion may reflect structural weaknesses in the procedural organization of migration administration rather than solely political disagreement over policy goals. When administrative systems lack coherent procedural sequencing and institutional alignment, expansions of operational capacity often fail to generate durable governance outcomes.

By shifting the analytical focus from enforcement intensity to administrative architecture, this study contributes to a structural understanding of migration governance and highlights the potential importance of institutional design in achieving greater administrative stability. The analysis engages with empirical evidence drawn from U.S. immigration policy over the past three decades, situating its findings within the broader literature on institutional governance, regulatory theory, and comparative migration studies.

Keywords: *Immigration governance; Administrative sequencing; Institutional volatility; Migration policy; Administrative law; United States immigration system; Institutional durability; Policy architecture.*

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1. Introduction

The governance of immigration in the United States represents one of the most complex administrative systems within the federal government. Multiple institutions are responsible for border enforcement, interior enforcement, immigration benefits adjudication, and judicial review of immigration cases. Together, these entities form a large and multifaceted administrative apparatus operating across several branches of government.

Immigration governance in the United States is distributed across multiple federal agencies with distinct responsibilities, mandates, and budget structures.

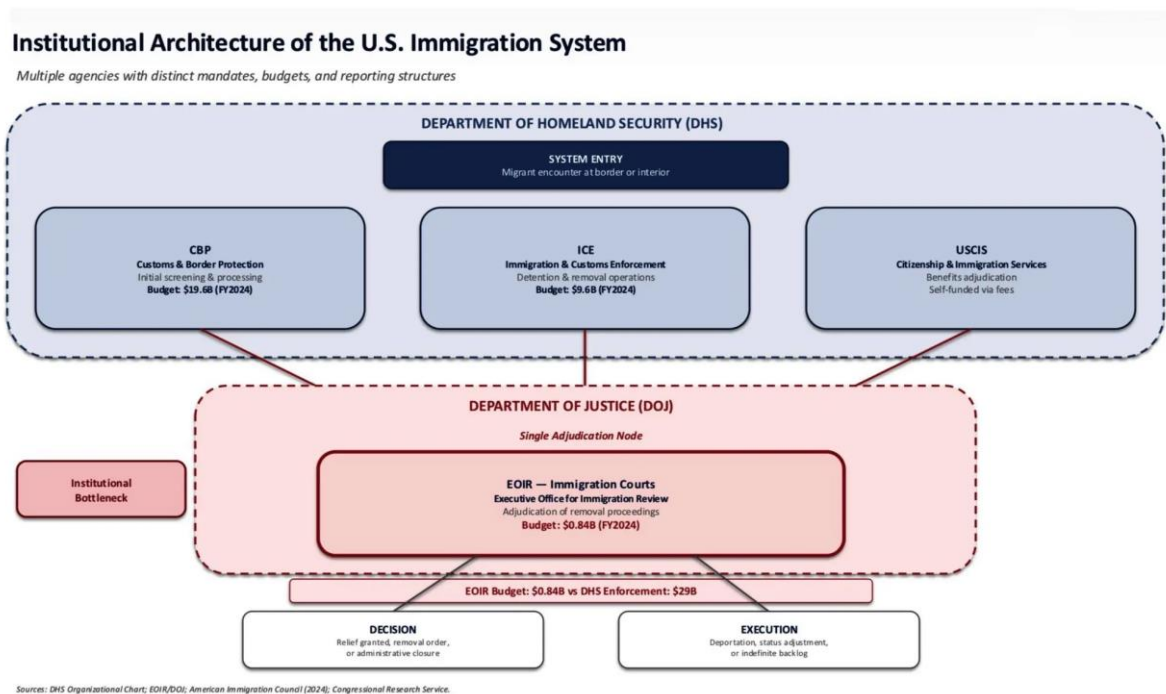


Figure 2 — Institutional Architecture of the U.S. Immigration System

Source: DHS Organizational Chart; EOIR/DOJ; American Immigration Council (2024); Congressional Research Service.

Over the past decades, however, the operational environment surrounding immigration governance has changed significantly. Migration flows have increased in scale and complexity, while policy responses have frequently shifted across electoral cycles. As a result, the institutional framework responsible for managing immigration has been subjected to growing administrative pressure. The United States is not alone in this experience: advanced democracies across Europe, North America, and the Asia-Pacific region have similarly confronted the challenge of governing increasingly complex migration flows within institutional architectures that were often designed for different historical conditions (OECD Migration Outlook, 2022; Hollifield, Martin & Orrenius, 2014).

Public debates surrounding immigration policy often focus on normative or political questions — whether enforcement should be intensified or relaxed, whether humanitarian protections should be expanded or restricted. Yet many of the most persistent challenges within the system appear to stem

not solely from policy choices but from structural characteristics of the administrative architecture itself. Institutional fragmentation, adjudication bottlenecks, and recurring cycles of policy reversal have created conditions that limit the system's ability to produce stable and predictable outcomes (Meissner et al., 2013; Kerwin, 2018).

Why does institutional architecture matter for policy stability? The answer lies in the distinction between operational capacity and organizational coherence. A system may possess substantial enforcement resources — personnel, infrastructure, legal authority — and yet remain institutionally fragile if its procedural architecture is poorly organized. When administrative stages are misaligned, when different agencies operate under incompatible procedural logics, or when eligibility criteria remain ambiguous, even well-resourced systems tend to generate recurring cycles of disruption (Wilson, 1989; Fukuyama, 2014).

The implications of this structural fragmentation extend beyond operational efficiency. When administrative architecture lacks coherent procedural sequencing, policy changes — however well-intentioned — tend to produce cascading institutional disruptions. Executive programs are introduced, challenged in federal court, suspended, reinstated, and ultimately revised, generating cycles of regulatory uncertainty that impose costs on agencies, individuals, and the broader governance system (Pierson, 2004; Moe, 1990).

This paper examines these institutional dynamics from an administrative and structural perspective. Rather than proposing specific legislative reforms, the analysis focuses on how the current configuration of federal institutions shapes operational outcomes within the immigration system. By examining institutional structure, administrative sequencing, and systemic constraints, this analysis seeks to clarify the structural pressures currently affecting U.S. immigration governance and to highlight the potential relevance of alternative administrative architectures capable of addressing these limitations.

Although this study focuses primarily on the institutional architecture of U.S. immigration governance, limited references to other migration systems are included for comparative context. In particular, recent developments in several advanced democracies illustrate how sustained administrative volatility and large-scale irregular migration can place significant pressure on existing institutional frameworks. These comparisons are not intended as a comprehensive evaluation of other systems, but rather as contextual illustrations of broader governance challenges.

2. Executive Summary

Immigration Governance and Structural Administrative Stability

*Administrative Durability as a Missing Variable in Migration Governance
Institutional Volatility, Procedural Sequencing, and Administrative Architecture*

Migration governance in contemporary democracies has largely been framed as a contest between two principal poles: the intensification of enforcement and the expansion of humanitarian accommodation mechanisms. Although this framing dominates public and legislative debate, it frequently overlooks a more fundamental institutional variable: the administrative durability of migration systems.

Over the past three decades, immigration policy in the United States has exhibited recurring cycles of executive expansion, administrative reversal, and judicial contestation. Shifts in policy orientation between administrations frequently result in program revisions, regulatory reinterpretations, and prolonged litigation. The cumulative effect of these cycles is not merely political but structural: they generate procedural volatility within the agencies responsible for implementing immigration policy.

Institutional indicators suggest that this volatility manifests across multiple dimensions. The backlog in the immigration court system surpassed three million cases in 2023, according to data from the Executive Office for Immigration Review (EOIR). At the same time, litigation related to federal immigration policy has increased significantly over the past two decades, often resulting in nationwide federal injunctions that suspend or alter administrative programs (Congressional Research Service, 2022).

This dynamic is not unique to the United States. Comparative research on migration governance indicates that immigration systems in other advanced democracies also experience cycles of institutional instability when executive policies are frequently revised or subjected to judicial challenge. European refugee relocation programs implemented after the 2015 migration crisis, for example, encountered similar difficulties related to administrative implementation, political contestation, and institutional inconsistency among member states (OECD Migration Outlook, 2018; Geddes & Scholten, 2016).

The central argument of this study is that migration governance remains structurally unstable because enforcement intensity has been treated as the primary instrument of control, while the architectural design of migration administration remains comparatively underdeveloped. Expansions of operational capacity — such as increases in border enforcement personnel or the expansion of detention infrastructure — often respond to immediate political pressures but rarely reorganize the institutional incentives that generate administrative instability.

This study proposes that institutional durability should be treated as a central design variable in migration governance. Durability refers to the capacity of an administrative system to remain functionally coherent across political transitions, judicial review, and fluctuating operational pressures. Rather than relying exclusively on the expansion or relaxation of enforcement

instruments, durable systems organize administrative authority in a sequenced, predictable, and institutionally aligned manner.

The analysis developed in this study introduces three interrelated concepts: structural volatility, administrative sequencing, and institutional durability. Taken together, these concepts provide an analytical lens for understanding why migration systems frequently experience recurring cycles of instability even when operational resources are expanded.

Although the objective of this study is primarily conceptual, the analysis engages with empirical evidence from recent immigration policies. Executive programs implemented over the past two decades — including initiatives related to asylum processing, enforcement priorities, and temporary protection mechanisms — have frequently been suspended, revised, or challenged in court. These episodes illustrate how the absence of durable administrative architecture can generate significant institutional costs, including operational disruption, prolonged litigation, and regulatory uncertainty.

The literature on institutional governance suggests that durable administrative systems tend to exhibit greater stability across political cycles. Classical studies in public administration emphasize that robust institutions depend not only on legal authority but also on organizational coherence and procedural predictability (Wilson, 1989; Fukuyama, 2014; North, 1990).

By shifting the focus of the migration debate from enforcement intensity to institutional architecture, this study seeks to contribute to a more structural approach to migration governance. Long-term stability may depend less on the expansion of operational instruments and more on the disciplined organization of administrative authority within existing legal frameworks.

Contributions of the Paper

This study offers three principal contributions to the contemporary debate on migration governance.

First, it introduces the concept of structural administrative volatility as an explanatory variable for recurring cycles of institutional instability in immigration policy. Rather than interpreting institutional change solely as a reflection of political disputes, the study examines how executive oscillations and judicial litigation produce cumulative effects on administrative predictability.

Second, it develops the theory of administrative sequencing as an analytical lens for understanding the institutional organization of immigration policy. By treating the procedural ordering of administrative decisions as a structural variable, the analysis suggests that systemic stability depends not only on substantive rules but also on how those rules are operationalized over time.

Third, the study proposes that institutional durability should be considered a guiding principle in the design of complex administrative systems. This perspective shifts the debate from the intensity of control instruments toward the institutional architecture that sustains their application.

By emphasizing the importance of administrative architecture, the study aims to contribute to a broader understanding of contemporary migration governance. Systems capable of maintaining institutional coherence across political transitions may reduce recurring cycles of instability and increase the predictability of migration administration.

3. Literature Review: Institutional Governance and Migration Policy

The study of immigration governance has evolved considerably over the past three decades, expanding from a predominantly legal and normative focus toward a broader institutional and administrative perspective. This section situates the present analysis within the relevant scholarly literature, identifying key theoretical traditions and empirical contributions that inform the conceptual framework developed in subsequent sections.

3.1 Migration Governance and Institutional Theory

Early scholarship on immigration policy tended to focus on the determinants of policy outcomes — the political, economic, and demographic factors that shape admission criteria, enforcement priorities, and humanitarian protections (Hollifield, 1992; Freeman, 1995). More recent contributions have shifted attention toward the institutional mechanisms through which policies are implemented, highlighting the role of bureaucratic capacity, interagency coordination, and administrative design in shaping governance outcomes (Meissner et al., 2013; Kerwin, 2018).

The Migration Policy Institute has produced extensive research documenting the operational challenges facing U.S. immigration agencies, including the structural fragmentation of responsibilities across DHS sub-agencies and the EOIR. These analyses consistently identify coordination failures and procedural inconsistencies as significant contributors to system inefficiency (Meissner et al., 2013; Chishti & Bolter, 2020). Similarly, the Brookings Institution has examined the relationship between immigration enforcement and administrative capacity, noting that enforcement expansions without corresponding institutional reorganization tend to produce limited durable effects (Singer, 2012).

3.2 Administrative State Theory and Bureaucratic Capacity

The theoretical foundations of this study draw substantially from the literature on the administrative state and bureaucratic organization. Wilson's (1989) foundational analysis of government bureaucracies emphasizes that organizational structure — rather than resources alone — determines the capacity of agencies to achieve their mandated objectives. Fukuyama's (2014) comparative study of political institutions similarly argues that state capacity depends on the coherence of administrative organization, not merely on the formal authority delegated to executive agencies.

North's (1990) institutional economics framework provides a complementary perspective, emphasizing that the rules governing institutional behavior — both formal and informal — shape the incentive structures within which administrative actors operate. When institutional rules are frequently revised or inconsistently applied, the predictability of administrative outcomes declines, generating what North describes as institutional uncertainty. This concept resonates directly with the structural volatility observed in U.S. immigration governance.

Moe's (1990) analysis of the politics of structural choice offers an additional theoretical lens, arguing that administrative structures are often designed with political rather than efficiency objectives in mind. In politically contested policy domains — such as immigration — this tendency may produce institutional architectures that are deliberately fragmented or ambiguous, making them vulnerable to recurring cycles of revision and litigation.

3.3 Policy Volatility and Administrative Durability

The concept of policy volatility has received increasing attention in the public administration literature. Pierson (2004) argues that political institutions are characterized by path dependence — the tendency for institutional arrangements to persist over time even when they become suboptimal. However, in policy domains subject to intense political contestation, this path dependence may be disrupted by recurring cycles of executive reversal, generating what the present study terms structural volatility.

Comparative research on migration governance confirms that policy volatility is not unique to the United States. The OECD's International Migration Outlook series documents recurring patterns of policy instability across advanced democracies, particularly in response to fluctuations in migration flows and shifts in political orientation (OECD, 2018; 2022). Geddes and Scholten (2016) similarly identify institutional inconsistency as a central challenge in European migration governance, particularly in the context of the 2015 refugee crisis.

The concept of administrative durability — the capacity of institutional systems to maintain functional coherence across political transitions — has been explored in the broader governance literature, though it has received comparatively limited attention in the specific context of migration policy. Ostrom's (1990) work on governing the commons provides a relevant framework, emphasizing that durable institutional arrangements tend to exhibit clear rules, consistent enforcement, and mechanisms for conflict resolution. These characteristics align closely with the principles of institutional durability developed in the present study.

3.4 Enforcement versus Institutional Architecture

A recurring theme in the immigration governance literature concerns the relationship between enforcement intensity and institutional stability. Massey, Durand, and Malone (2002) argue that enforcement-centered approaches to immigration control have frequently produced unintended consequences, including the displacement of migration flows and the entrenchment of irregular migration networks. More recent scholarship has extended this critique to the institutional level, arguing that enforcement expansions without corresponding reorganization of administrative architecture tend to generate operational bottlenecks rather than systemic stability (Meissner et al., 2013; Kerwin & McCabe, 2011).

The present study builds on these contributions by introducing a more explicit analytical distinction between enforcement capacity and administrative architecture. While the existing literature has identified the limitations of enforcement-centered approaches, it has devoted comparatively less attention to the structural principles that characterize more durable institutional arrangements. The concepts of administrative sequencing and institutional durability developed in this paper seek to address this gap.

4. Conceptual Framework

This study introduces three interrelated analytical concepts that together constitute the conceptual framework for examining structural dynamics in migration governance. Each concept is defined below with precision, its analytical purpose is explained, and its relevance to the interpretation of migration governance systems is described.

4.1 Structural Volatility

Structural volatility refers to a condition in which the institutional architecture of an administrative system is subject to recurring, disruptive reorganizations that undermine procedural predictability and operational coherence. Unlike ordinary policy change — which is inherent to democratic governance — structural volatility denotes a pattern of instability that originates in the organizational design of the administrative system itself, rather than solely in shifts in political preferences.

Analytically, structural volatility serves as an explanatory variable for the persistence of institutional dysfunction in migration governance. It directs attention away from the content of specific policies and toward the procedural and organizational conditions under which those policies are implemented. In migration systems characterized by structural volatility, even well-designed policies may fail to produce durable outcomes because the institutional environment in which they operate lacks the coherence necessary to sustain their implementation.

4.2 Administrative Sequencing

Administrative sequencing refers to the structured ordering of procedural steps within a governance system in order to ensure institutional predictability and stability.

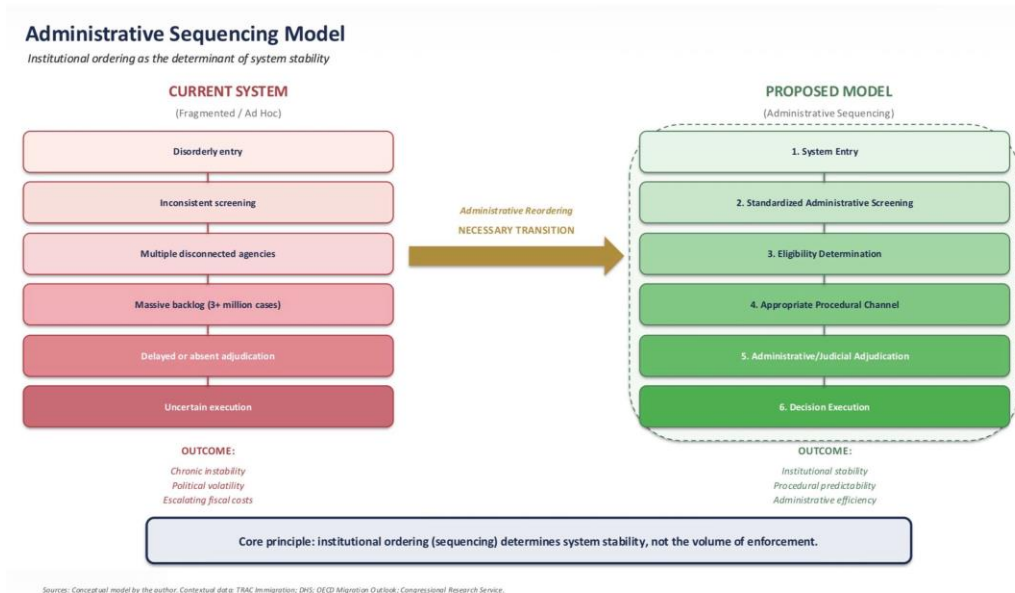


Figure 3 — Administrative Sequencing Model

Source: Conceptual framework for institutional stabilization in migration governance.

Administrative sequencing refers to the logical and temporal ordering of procedural stages within an administrative system — the structured sequence through which individuals enter the system, decisions are made, and different institutions coordinate their respective functions. In migration governance, sequencing encompasses the chain of administrative interactions from initial entry screening through eligibility determination, adjudication, and the execution of final decisions.

The analytical purpose of this concept is to treat procedural order as a structural variable with independent explanatory power. Systems in which administrative sequencing is clear, consistent, and institutionally aligned tend to exhibit greater operational stability than those in which procedural stages are ambiguous, frequently revised, or interinstitutionally misaligned. By examining sequencing as a governance variable, the analysis moves beyond a focus on substantive rules to examine the organizational logic through which those rules are operationalized.

4.3 Institutional Durability

Institutional durability refers to the capacity of an administrative system to maintain functional coherence across political transitions, judicial review, and fluctuating operational pressures. A durable system is not one that is immune to change — in constitutional democracies, policy change is both inevitable and legitimate. Rather, durability denotes the capacity of the system's organizational architecture to absorb such changes without generating recurring cycles of structural disruption.

In the context of migration governance, institutional durability is particularly relevant because immigration policy is subject to intense political contestation and frequent judicial scrutiny. Systems that lack durability tend to experience amplified instability in response to political transitions, as each change in executive orientation triggers a cascade of administrative revisions, regulatory reinterpretations, and litigation. Durable systems, by contrast, are capable of accommodating shifts in political priorities without requiring a complete reconstruction of the administrative architecture.

5. Methodological Approach

This study employs a qualitative, institutional analysis methodology. The research design is oriented toward conceptual development and structural interpretation rather than quantitative causal inference. The analysis draws on four complementary methodological approaches.

First, institutional analysis is used to examine the organizational structure of U.S. immigration governance, identifying the distribution of administrative functions across federal agencies, the procedural relationships among those agencies, and the structural conditions that generate or mitigate institutional instability. This approach draws on the theoretical traditions of institutional economics (North, 1990), organizational theory (Wilson, 1989), and public administration scholarship (Fukuyama, 2014).

Second, legal-administrative review is employed to examine the statutory and regulatory framework governing U.S. immigration administration. This includes analysis of the Immigration and Nationality Act (INA), the Administrative Procedure Act (APA), and relevant federal court decisions that have shaped the procedural parameters of immigration governance. The purpose of this review is to identify the legal boundaries within which institutional reorganization may occur.

Third, the study draws on comparative governance observations to situate the U.S. experience within a broader international context. References to migration governance in other advanced democracies — particularly in Europe — serve an illustrative rather than a systematic comparative purpose. The objective is to demonstrate that the structural dynamics identified in the U.S. context are not idiosyncratic but reflect broader patterns in migration governance across democratic systems.

Fourth, policy architecture evaluation is used to assess the structural characteristics of specific immigration programs and administrative arrangements. This involves examining how particular policy initiatives were designed, implemented, and subsequently revised, with attention to the institutional conditions that contributed to their success or instability.

It is important to note that the analysis focuses on institutional design rather than ideological policy debate. The study does not evaluate the normative merits of specific immigration policies, nor does it advocate for particular enforcement or humanitarian approaches. The analytical objective is to examine the structural conditions that influence the stability and durability of migration governance systems, regardless of their specific policy orientation.

6. The Problem of Structural Volatility

Migration governance in contemporary democracies has increasingly exhibited a pattern of structural volatility. While policy debates frequently focus on the magnitude of migration flows or the intensity of enforcement measures, less attention has been devoted to the institutional instability that emerges from recurring shifts in administrative direction, legal interpretation, and procedural sequencing.

Institutional indicators reflect this instability. The backlog in the U.S. immigration court system has grown dramatically in recent years.

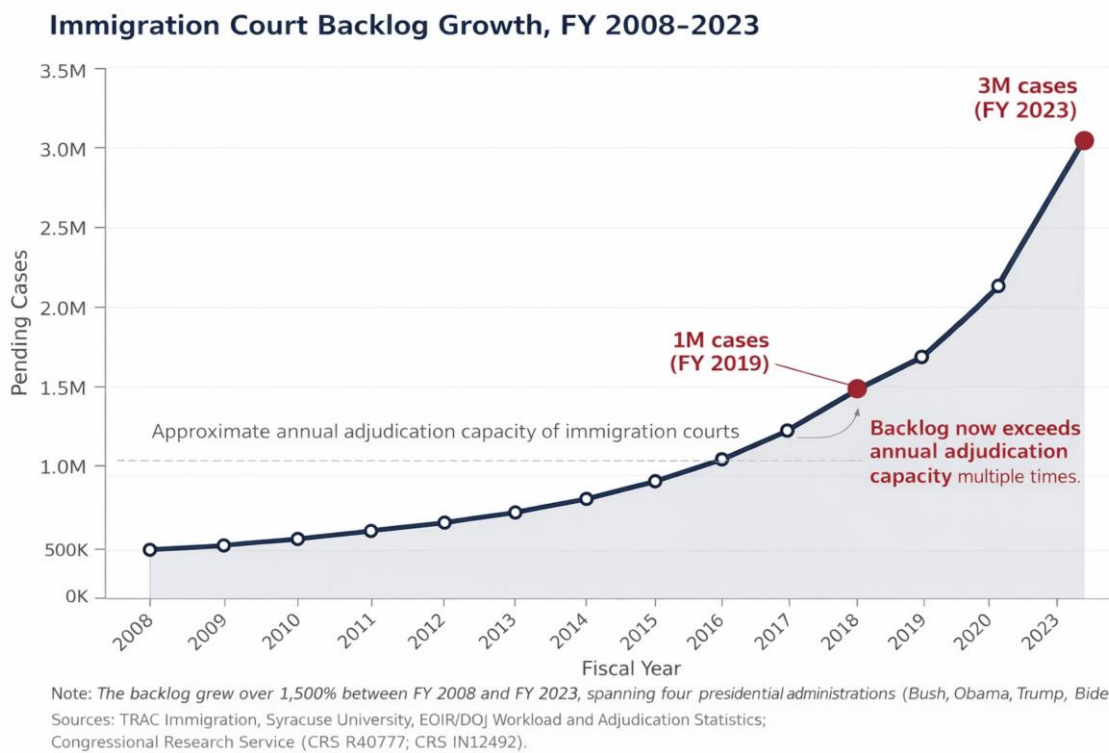


Figure 4 — Immigration Court Backlog Growth (FY 2008–2023)
Source: Transactional Records Access Clearinghouse (TRAC) at Syracuse University.

In the United States, immigration policy over the past three decades provides numerous examples of this dynamic. Executive programs, administrative rules, and enforcement priorities have frequently undergone significant revisions between successive administrations. One emblematic example is the Deferred Action for Childhood Arrivals (DACA) program, introduced in 2012. Since its creation, the program has been the subject of extensive federal litigation and multiple attempts at executive reversal. In 2020, the United States Supreme Court concluded that the attempt to terminate the program had failed to comply with the procedural requirements established under the Administrative Procedure Act (*Department of Homeland Security v. Regents of the University of California*, 2020).

Another relevant example involves the Migrant Protection Protocols (MPP), commonly referred to as the 'Remain in Mexico' policy. Introduced in 2019 as an administrative measure intended to

address asylum claims at the southern border, the program was subsequently suspended, reinstated following judicial intervention, and ultimately terminated again in 2022 after further administrative review. This sequence illustrates how executive changes combined with judicial litigation can generate prolonged periods of administrative uncertainty.

Similar dynamics can be observed in other recent episodes of U.S. immigration policy. The Zero Tolerance policy introduced in 2018 was rapidly modified following legal challenges and political pressure related to family separations at the border. In a comparable manner, the application of public health authority under Title 42, used during the COVID-19 pandemic to restrict migrant entry at the southern border, became the subject of successive judicial disputes and administrative revisions between 2020 and 2023.

Institutional volatility is also reflected in the growing administrative burden faced by institutions responsible for adjudicating immigration cases. According to data from the Transactional Records Access Clearinghouse (TRAC) at Syracuse University, the immigration court backlog exceeded three million cases in 2023, representing a substantial increase from approximately 350,000 pending cases recorded in 2008. This expansion reflects not only fluctuations in migration flows but also institutional transformations in the way cases are processed, prioritized, and contested through judicial review.

Another central component of structural volatility is the increasing judicialization of immigration policy. Analyses conducted by the Congressional Research Service indicate that federal immigration policies have been the subject of frequent litigation over the past two decades, often resulting in nationwide federal injunctions that suspend or modify administrative rules. Such judicial decisions frequently require federal agencies to redesign regulatory frameworks under compressed institutional timelines.

In addition, reports from the Government Accountability Office (GAO) indicate that frequent changes in immigration policy can generate substantial administrative costs. The implementation of new directives requires updates to agency guidelines, personnel training, and reconfiguration of administrative systems — processes that consume organizational resources and divert institutional capacity from operational management.

Beyond institutional impacts, regulatory volatility also influences the behavior of individuals interacting with migration systems. Research on regulatory governance suggests that institutional environments characterized by frequent rule changes tend to reduce administrative predictability and encourage short-term adaptive strategies among system participants (Pierson, 2004; Ostrom, 1990).

The central issue, therefore, is not simply that immigration policy evolves over time. Policy change is inherent to democratic systems. The problem arises when the administrative architecture itself remains vulnerable to abrupt oscillations, generating recurring cycles of institutional reorganization. This structural dimension shifts the analytical focus of the migration debate from policy preference to institutional architecture.

The international refugee protection system was developed in a historical context significantly different from the contemporary migration environment. Established in the aftermath of the Second World War, the regime created by the 1951 Refugee Convention was primarily designed to address

individual cases of political or religious persecution. In recent decades, however, more complex migration flows — often involving combinations of forced displacement, economic migration, and transnational mobility networks — have placed increasing pressure on asylum systems originally designed for different institutional conditions (UNHCR, 2022; Geddes & Scholten, 2016).

This misalignment between historical legal architecture and contemporary migration dynamics has generated significant administrative challenges for many countries, including institutional overload, prolonged decision-making processes, and recurring political disputes regarding the management of international protection systems. Recognizing this structural dimension shifts the analytical focus of the migration debate. Rather than asking only whether enforcement should be expanded or reduced, it becomes necessary to examine whether the administrative architecture that sustains migration policy is capable of maintaining institutional coherence across changing political cycles.

7. Enforcement versus Administrative Architecture

Much of the contemporary debate on immigration is structured around the intensity of enforcement. Public discussions frequently focus on visible metrics such as the number of border agents, detention capacity, the volume of removals, or the expansion of surveillance infrastructure. These indicators carry significant political visibility and are easily communicated to both the public and policymakers.

However, the predominance of this framing may obscure a fundamental conceptual distinction between operational capacity and administrative architecture. While enforcement represents an essential instrument of state sovereignty, it constitutes only one component within a broader administrative system. The institutional effectiveness of a migration regime depends not only on the intensity of law enforcement but also on the organizational structure that determines how, when, and in what sequence that authority is exercised.

While enforcement capacity expanded significantly across DHS agencies, adjudication capacity within the immigration court system did not increase proportionally. Immigration courts receive significantly less funding than enforcement agencies.

Enforcement Spending vs. Court Capacity and Backlog, FY 2003–2023

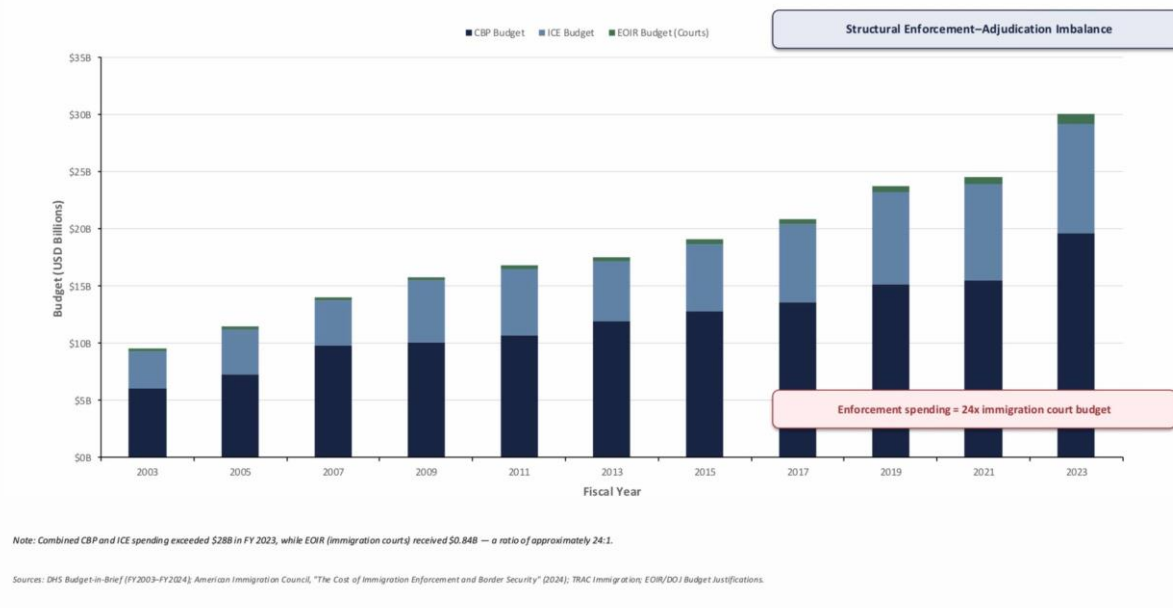


Figure 1 — Enforcement Spending vs. Court Capacity and Backlog, FY 2003–2023

Source: DHS Budget-in-Brief (FY2003–2024); American Immigration Council (2024); TRAC Immigration; EOIR/DOJ Budget Justifications.

In the migration context, enforcement refers to the capacity of the state to monitor, detain, process, and remove individuals in accordance with existing legal parameters. This set of capabilities involves operational resources, including personnel, physical infrastructure, information systems, and investigative mechanisms. Expanding these capabilities can increase the visibility of state control and respond to immediate political pressures associated with migration flows.

Administrative architecture, by contrast, refers to the institutional design that organizes the exercise of this authority. It encompasses the sequencing of administrative procedures, coordination among different government agencies, regulatory predictability, and the institutional consistency of the stages that connect investigation, adjudication, and enforcement. In complex administrative systems, institutional architecture often exerts a deeper influence on stability than the mere expansion of operational resources.

Recent developments in U.S. immigration policy illustrate this distinction. The budget of U.S. Customs and Border Protection (CBP) increased from approximately \$5.9 billion in 2003 to more than \$17 billion in 2023, according to data from the Congressional Research Service and the Department of Homeland Security. Over the same period, the number of U.S. Border Patrol agents nearly doubled.

Despite this substantial expansion of operational capacity, institutional indicators suggest that the stability of the immigration system has remained limited. The backlog in immigration courts has continued to grow over the past two decades, federal litigation involving immigration policies has become more frequent, and recurring administrative changes have continued to generate cycles of

regulatory revision. This contrast suggests that intensifying enforcement may expand the operational capacity of the system without necessarily addressing underlying structural vulnerabilities.

Enforcement-generated caseloads increasingly exceed the adjudication capacity of immigration courts. Court capacity has grown much slower than enforcement activity.

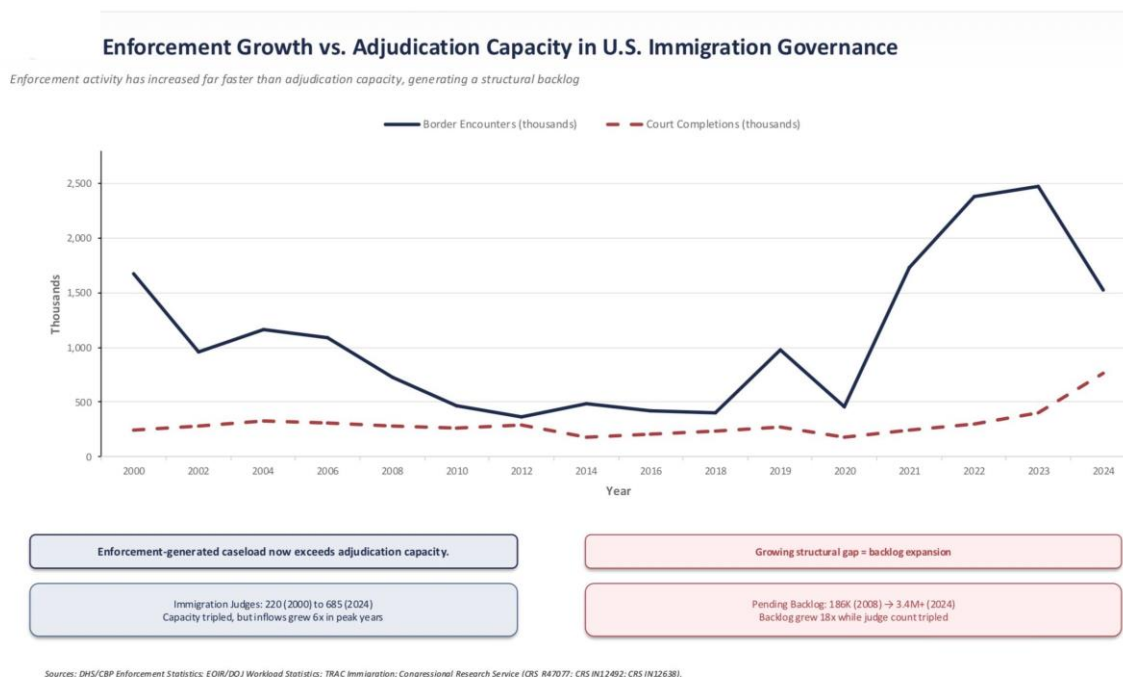


Figure 7 — Enforcement Growth vs. Adjudication Capacity in U.S. Immigration Governance *Source: Comparison of border enforcement encounters vs. immigration court adjudication capacity.*

When eligibility criteria remain ambiguous, when different agencies operate under divergent procedural logics, or when administrative priorities change rapidly, expansions of capacity tend to produce temporary operational effects rather than durable institutional stability. Another central element of this distinction concerns interinstitutional coordination. Immigration governance in the United States involves multiple federal entities with distinct responsibilities.

Comparative Overview: Enforcement-Intensity vs. Architecture-Based Approaches

Dimension	Intensity-Based Approach	Architecture-Based Approach
Primary focus	Expansion of operational resources	Institutional organization of the system
Predominant instruments	Increase in agents, detention capacity, and infrastructure	Procedural sequencing and institutional coordination
Time horizon	Response to immediate pressures	Medium- and long-term stability
Vulnerability to political change	High	Moderate
Risk of institutional congestion	Elevated in fragmented systems	Reduced when institutional alignment is present
Dependence on litigation for adjustment	Frequent	Lower when procedural predictability exists
Administrative cost of policy	High — requires full system	Lower — sequencing absorbs

transitions	reconfiguration	change incrementally
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The analysis of this distinction suggests that debates focused exclusively on enforcement intensity may limit the capacity to formulate durable institutional solutions. Although law enforcement is an essential component of migration governance, its effectiveness depends on the administrative system within which it operates. Institutional architecture establishes the parameters that organize the exercise of state authority, defining the order of administrative decisions, the coordination among different agencies, and the predictability of procedural transitions.

When these elements are structured coherently, administrative systems tend to absorb political changes with a lower degree of operational disruption. Conversely, when migration governance depends primarily on the periodic intensification of operational instruments, the system tends to enter recurring cycles of expansion and recalibration. These cycles often respond to immediate political pressures but rarely alter the structural conditions that generate institutional instability.

This observation does not imply that enforcement is dispensable. The credibility of any migration system depends on the state's ability to enforce the law consistently. However, enforcement alone rarely produces systemic stability. It must operate within an administrative architecture that organizes its application in a predictable manner. This distinction introduces an important shift in analytical perspective: rather than asking only how much enforcement is necessary, it becomes relevant to examine how administrative authority is organized within the migration system.

This dynamic is not unique to the United States. Comparative research on migration governance in advanced democracies indicates that expansions of enforcement frequently produce limited institutional effects when they are not accompanied by structural reorganization of the administrative system. Studies conducted by the Organisation for Economic Co-operation and Development (OECD) indicate that more stable migration policies tend to combine operational capacity with coherent institutional design (OECD Migration Outlook, 2022).

8. Theory of Administrative Sequencing

The stability of complex administrative systems depends not only on the legal authority that supports their decisions but also on the institutional order in which that authority is exercised. In modern regulatory regimes, the way procedures are organized over time can directly influence institutional predictability, administrative coherence, and the legitimacy of decision-making processes. This structural dimension remains relatively underexplored in contemporary debates on migration governance.

The theory of administrative sequencing is based on the premise that effective governance requires more than the definition of substantive criteria or the expansion of operational instruments. It also requires the disciplined organization of the procedural stages that make those rules operational in practice. In this context, sequencing refers to the logical and temporal structure that determines how individuals enter the administrative system, how decisions are made, and how different institutions coordinate their respective functions.

In migration systems, this institutional chain is particularly relevant. Migration governance involves multiple points of decision, including initial screening, eligibility verification, benefits processing, administrative or judicial adjudication, and the execution of the final decision. Each of these stages influences both the behavior of individuals interacting with the system and the distribution of institutional resources among agencies.

When the order of these stages is clear and predictable, the system tends to generate more stable institutional incentives. Administrators are able to plan resource allocation with greater precision, while individuals subject to the system can better anticipate the institutional consequences of their decisions. By contrast, when institutional sequencing is fragmented or frequently altered, administrative incentives become more volatile.

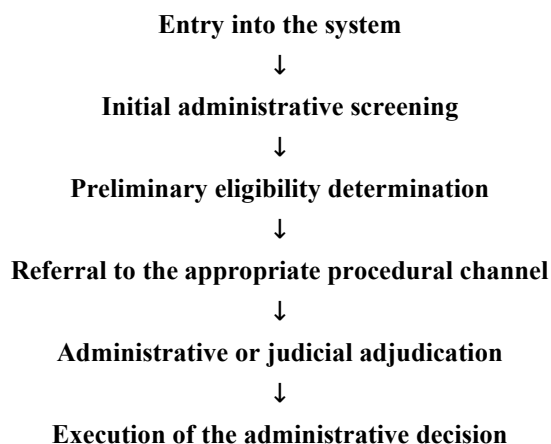
The literature on regulatory governance suggests that stable administrative systems commonly exhibit three principal structural characteristics: procedural coherence, interinstitutional alignment, and predictability of transitions between stages. These characteristics do not necessarily depend on broad legislative reforms. In many cases, they can emerge from the disciplined organization of existing administrative structures (North, 1990; Wilson, 1989).

Procedural coherence refers to the compatibility between different phases of the administrative process. Eligibility criteria, investigative procedures, and review mechanisms must operate under relatively consistent parameters in order to avoid contradictory incentives. In fragmented systems, changes at one point in the decision chain can produce unintended effects at other stages.

Interinstitutional alignment involves coordination among agencies with distinct responsibilities. In the U.S. immigration system, administrative functions are distributed across multiple federal entities. Customs and Border Protection (CBP) is responsible for border enforcement, Immigration and Customs Enforcement (ICE) conducts internal investigations and removals, United States Citizenship and Immigration Services (USCIS) processes immigration benefits, and the Executive Office for Immigration Review (EOIR) conducts immigration court proceedings. The absence of procedural alignment among these institutions can generate administrative bottlenecks or inconsistent institutional incentives.

Predictability of transitions refers to institutional clarity regarding when and how individuals move from one administrative stage to another. Systems with unclear procedural transitions may generate the accumulation of pending cases, multiple parallel channels of decision-making, or jurisdictional disputes among different agencies.

Simplified Flow of Administrative Sequencing



Within this model, each stage performs a specific institutional function and contains relatively clear criteria governing transition to the next phase. The stability of the system depends on the consistency of these transitions over time.

Administrative sequencing seeks to organize these dimensions within a coherent institutional framework. It does not eliminate administrative discretion, but it establishes structural parameters within which that discretion is exercised. Individual decisions continue to reflect the substantive criteria established by law; what changes is the organizational logic that structures their application.

It is important to distinguish administrative sequencing from mere bureaucratic expansion. A system may contain multiple procedural stages and still lack a clear institutional logic. Effective sequencing does not imply an increase in administrative complexity but rather the rational organization of existing stages.

Research on regulatory behavior suggests that institutional predictability often increases incentives for compliance, while environments characterized by regulatory uncertainty may encourage short-term strategic behavior among participants in the system (Ostrom, 1990). This observation establishes a direct connection between administrative sequencing and institutional durability, which is examined in the following sections.

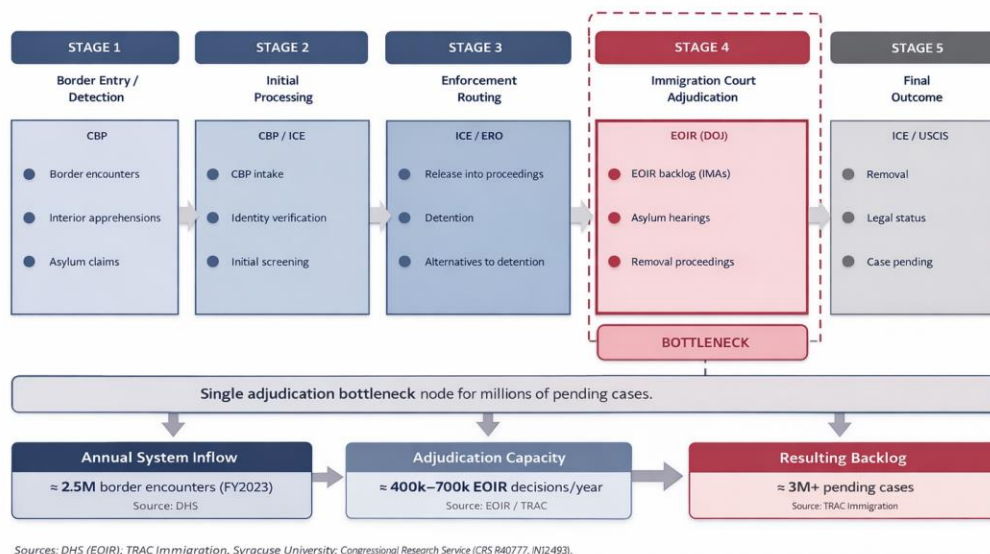
9. Administrative Sequencing in Migration Governance

When institutional sequencing is altered frequently or inconsistently, administrative predictability tends to decline. Changes in executive priorities, regulatory revisions, or judicial interventions may modify the order of procedural stages or the criteria governing transitions between them. Such changes often require internal reorganization within the responsible agencies and may alter behavioral incentives among individuals interacting with the system.

After an initial encounter with immigration authorities, cases move through several administrative stages before reaching final adjudication.

Current Institutional Processing Pipeline in the U.S. Immigration System

Structural flow from border encounter to final outcome, highlighting the adjudication bottleneck



Sources: DHS (EOIR); TRAC Immigration, Syracuse University; Congressional Research Service (CRS R40777, IN12493).

Figure 6 — Current Institutional Processing Pipeline in the U.S. Immigration System
 Source: DHS (EOIR); TRAC Immigration, Syracuse University; Congressional Research Service (CRS R40777, IN12493).

Recent empirical examples illustrate this phenomenon. Administrative changes related to the processing of asylum claims at the southern border of the United States have, at different points over the past decade, altered the sequence through which individuals were processed, referred to judicial proceedings, or subjected to alternative administrative measures. Each change required institutional adjustments within the responsible agencies, frequently accompanied by logistical challenges and judicial contestation.

In addition, the growth of the immigration court backlog also partially reflects the complexity of institutional sequencing. Data from the Transactional Records Access Clearinghouse (TRAC) indicate that the number of pending cases has increased substantially over the past two decades. Although multiple factors contribute to this growth — including institutional resource constraints and fluctuations in migration flows — the organization of administrative stages also plays a relevant role in the emergence of these institutional bottlenecks.

The theory of administrative sequencing suggests that the institutional order of decision-making can directly influence systemic functioning. When procedural stages are organized in a predictable manner, administrative systems tend to absorb variations in operational workload with a lower degree of institutional disruption. By contrast, when the institutional order is frequently altered, each adjustment tends to generate unexpected redistributions of administrative resources.

Another important dimension of sequencing concerns institutional signaling. Administrative systems communicate expectations not only through formal rules but also through the structure of their procedures. Stable institutional sequences tend to signal regulatory consistency, whereas frequently modified sequences may signal administrative uncertainty. This signaling function has

direct implications for the behavior of individuals interacting with the system, as well as for the broader credibility of the administrative framework.

By treating procedural order as a structural variable, the theory of administrative sequencing offers a new analytical lens for examining migration governance. Rather than focusing exclusively on the substantive content of rules or on the intensity of enforcement, this approach examines how administrative authority is organized over time. This perspective also has direct implications for institutional stability: systems in which administrative sequencing remains relatively consistent tend to experience lower levels of operational volatility in the face of political change.

10. Principles of Institutional Durability

Contemporary debates on migration governance frequently concentrate on visible public policy instruments, such as the expansion of enforcement, legislative reforms, or changes to eligibility criteria. These elements are relevant and often dominate political discourse. However, they operate primarily at the tactical level. What remains less explored is the structural variable that determines whether such interventions will produce institutional stability over time: administrative durability.

Durability, in the context of public governance, refers to the capacity of an administrative system to maintain functional coherence across political transitions, judicial review, and fluctuating operational pressures. It does not imply normative immobility or institutional rigidity. Durable systems are those capable of absorbing shifts in political priorities without experiencing recurring structural disruptions.

The literature on regulatory governance and public administration identifies several principles that tend to support greater institutional durability in complex administrative systems. These principles do not necessarily require expansion of statutory authority. In many cases, they can emerge from the disciplined organization of administrative authority within existing legal frameworks.

1. Clear procedural sequencing

Durable systems tend to organize their administrative stages in a relatively predictable sequence. When the institutional order of decisions remains consistent, political changes can occur without fully disrupting the decision-making flow. Clear sequencing reduces institutional ambiguity and facilitates administrative planning.

2. Interinstitutional alignment

Migration governance involves multiple federal agencies with distinct responsibilities. Institutional durability depends on coordination among these entities. When different institutions operate under incompatible procedural logics, administrative changes in one part of the system may generate congestion or inconsistency in others.

3. Regulatory predictability

Institutional predictability does not mean the absence of change. In constitutional democracies, policy change is inevitable. However, durable systems tend to structure such changes within relatively clear administrative processes. This reduces the likelihood of abrupt revisions or frequent litigation over administrative procedures.

4. Institutional absorption capacity

Complex administrative systems frequently face significant variations in operational workload. In the migration context, migration flows may fluctuate over time due to economic, geopolitical, or humanitarian factors. Durable systems possess the institutional capacity to absorb these variations without generating systemic disruption.

5. Procedural consistency across political cycles

In democracies characterized by regular alternation of governments, changes in political orientation are unavoidable. However, administrative architecture can be designed to reduce the amplitude of these oscillations. Durable systems tend to preserve certain procedural structures even when executive priorities shift.

6. Reduction of contradictory institutional incentives

When different components of the administrative system generate inconsistent regulatory signals, individuals may adopt adaptive strategies that increase institutional complexity. Durable systems seek to minimize these contradictory incentives through procedural alignment and institutional clarity.

11. Durability and Institutional Costs

The absence of administrative durability can also generate measurable institutional costs. Frequent policy changes require continuous updating of administrative guidelines, personnel training, adjustments to processing systems, and reallocation of institutional resources.

In addition, litigation involving immigration policies often entails extensive procedural review. Judicial decisions questioning the procedural compliance of administrative changes may require agencies to redesign regulations or repeat administrative stages. These processes can generate significant delays in the implementation of public policies.

Reports from the Congressional Research Service note that judicial disputes involving federal immigration policies have increased considerably over the past two decades. While judicial review is a normal component of the U.S. constitutional system, the frequency of such disputes may partly reflect weaknesses in the underlying administrative architecture.

By incorporating durability as a guiding principle, migration systems may reduce the likelihood of recurring cycles of institutional revision. Administrative stability does not eliminate political disagreement or judicial scrutiny, but it can reduce the scale of operational disruptions that accompany such disputes. The cumulative effect of reduced institutional costs may, over time, free administrative capacity for more effective operational management.

12. Durability and Systemic Stability

Contemporary migration governance operates in an environment characterized by high institutional complexity. Transnational migration flows, multiple administrative jurisdictions, and continuous judicial scrutiny create conditions in which relatively small institutional changes may produce amplified effects across the system.

Within this context, administrative durability emerges as a central element of systemic stability. When procedural structures remain relatively consistent, policy changes can occur without triggering a complete reorganization of the administrative system. This observation does not imply that durability automatically resolves substantive debates on migration policy. Questions related to eligibility, humanitarian protection, or enforcement priorities will continue to generate legitimate political disagreements. However, durable systems can provide a more stable institutional framework within which those debates can occur.

By shifting the analytical focus from the intensity of policy instruments to the institutional architecture that organizes them, the concept of durability offers a new perspective on migration governance. Systemic stability may depend less on the immediate direction of policy and more on the disciplined organization of administrative authority within the system. This perspective also carries implications for future institutional design: migration systems capable of absorbing political change without structural disruption may reduce recurring cycles of administrative volatility.

13. Political Polarization and Administrative Volatility

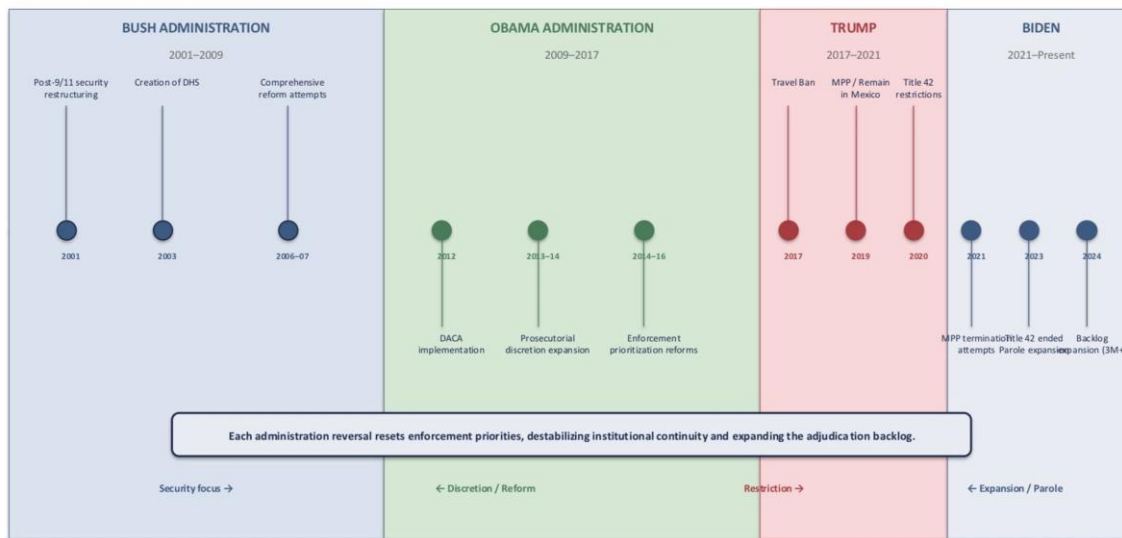
In representative democracies, legislators and executive authorities are elected with the mandate to address structural challenges affecting society and the national economy. However, in highly politicized areas of public policy, such as migration governance, the formulation of institutional solutions frequently occurs within an environment characterized by strong political polarization and recurring cycles of administrative reversal.

When administrative programs are continually reconstructed, dismantled, or reinterpreted with each shift in political orientation, the system begins to operate under conditions of structural volatility. These cycles of frequent reorganization generate costs that extend beyond the immediate political debate.

Immigration governance in the United States has become increasingly sensitive to political turnover, with major policy shifts occurring between presidential administrations.

U.S. Immigration Policy Volatility Across Administrations (2001–2025)

Frequent administrative reversals contribute to structural volatility in immigration governance.



Sources: DHS; Congressional Research Service; Migration Policy Institute; Executive Orders and Presidential Memoranda (2001–2025).

Figure 5 — U.S. Immigration Policy Volatility Across Administrations (2001–2025)

Source: Timeline of policy shifts across Bush, Obama, Trump, and Biden administrations.

First, recurring changes demand substantial administrative resources. Policy reforms often require updates to regulations, reconfiguration of administrative systems, personnel training, and operational adjustments across multiple government agencies. These processes consume organizational time as well as financial resources drawn from the public budget.

Second, regulatory instability can reduce the efficiency of public administration. When policies are continually revised or contested, administrative capacity that could otherwise be directed toward the effective management of everyday operational challenges is instead devoted to managing repeated institutional transitions.

These costs highlight the importance of administrative structures capable of reducing the amplitude of political oscillations without eliminating legitimate democratic debate over migration policy. In durable administrative systems, political disagreement continues to exist, but the underlying organizational architecture remains sufficiently stable to prevent continuous cycles of structural reorganization.

In this context, institutional solutions that demonstrate operational capacity, legal consistency, and broad systemic benefits tend to possess greater potential for bipartisan acceptance. Administrative programs designed around principles of procedural predictability and institutional neutrality may reduce incentives for excessive politicization and facilitate cooperation among different political perspectives.

This perspective does not eliminate ideological disagreement over migration policy. It does suggest, however, that certain structural components of administrative governance — particularly those related to organizational efficiency, regulatory predictability, and procedural stability — may

constitute common ground for cooperation across political orientations. Institutional initiatives capable of demonstrating broad benefits for public administration, the national economy, and the effective management of migration flows are more likely to receive cross-partisan support within the political system.

14. Legal Anchoring: Administrative Authority and Statutory Limits

Any proposal for institutional reorganization in migration governance must operate within the limits of existing delegated authority. In the United States, migration policy is structured through a combination of statutory legislation, administrative regulation, and judicial interpretation.

This distinction is fundamental for understanding both the limits and the possibilities of institutional reorganization in migration policy. While legislative changes require significant political consensus and often face prolonged partisan deadlock, administrative adjustments can occur within the scope of authority already granted to executive agencies.

The principal legal framework structuring this authority is the Immigration and Nationality Act (INA). The INA establishes broad statutory parameters for admissibility, removal, humanitarian protection, and adjudication of immigration benefits. However, within these parameters, Congress has delegated considerable administrative discretion to the executive branch to organize the procedural implementation of these provisions.

This delegation is complemented by the Administrative Procedure Act (APA), which regulates the process by which federal agencies adopt, modify, or repeal administrative rules. The APA requires that regulatory changes follow specific procedures, including public notice, a comment period, and a rational administrative justification. Failure to comply with these requirements can lead to judicial invalidation of administrative policies.

The interaction between delegated statutory authority and judicial oversight creates an institutional environment in which administrative reorganizations are possible but must be carefully anchored in sound procedural justifications. Recent Supreme Court decisions illustrate this dynamic.

In *Department of Homeland Security v. Regents of the University of California* (2020), the Supreme Court concluded that the Department of Homeland Security's attempt to terminate the Deferred Action for Childhood Arrivals (DACA) program had failed to adequately follow the procedural requirements of the APA. The decision did not state that the program was immutable, but it established that administrative changes must be accompanied by appropriate procedural justification.

Similarly, in *Department of Homeland Security v. Texas* (2022), the Supreme Court examined disputes related to the Migrant Protection Protocols (MPP) program. The ruling again emphasized the importance of clear procedural foundations when federal agencies modify existing administrative programs.

These precedents demonstrate that institutional stability in migration governance depends not only on substantive executive authority but also on how that authority is exercised within the procedural parameters established by administrative law.

15. Delegated Authority and Administrative Organization

Within these legal limits, the executive branch retains significant latitude to organize the procedural structure of migration governance. The INA delegates authority to immigration-related agencies to establish regulations, define administrative priorities, and structure adjudication processes.

For example, the Department of Homeland Security (DHS) possesses authority to establish enforcement priorities, organize administrative screening procedures, and coordinate operations among its sub-agencies, including Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), and United States Citizenship and Immigration Services (USCIS). In addition, the Department of Justice, through the Executive Office for Immigration Review (EOIR), administers immigration courts and conducts adjudicatory proceedings related to removal and immigration protection.

This fragmented institutional structure means that much of migration governance depends on administrative coordination among different federal entities. Although the INA establishes substantive parameters, the manner in which these parameters are operationalized largely depends on the procedural organization adopted by the responsible agencies.

Consequently, administrative reorganizations frequently involve changes in institutional sequencing — that is, the order in which administrative decisions are made and the criteria that determine transitions between different procedural stages. The capacity of the executive branch to reorganize these sequences within existing statutory authority represents a significant, and often underutilized, instrument for improving institutional stability.

16. Administrative Sequencing and Legal Compliance

Reorganizing administrative sequencing must respect two central legal principles.

First, compliance with delegated statutory authority. Executive agencies cannot create new eligibility categories or remove protections explicitly established by Congress. However, they often possess authority to organize administrative procedures that determine how and when different decisions are made within the migration system.

Second, compliance with procedural requirements of the APA. Significant administrative changes must follow the procedures established by the Administrative Procedure Act. This includes providing rational justification for regulatory changes, considering relevant impacts, and observing rulemaking procedures when necessary.

When these requirements are satisfied, administrative reorganizations may occur within existing legal limits. In many cases, such reorganizations involve adjustments in institutional prioritization, coordination among agencies, or the procedural sequencing of administrative decisions. The legal framework, properly understood, does not preclude institutional reorganization — it defines the procedural parameters within which such reorganization must occur.

17. Administrative Litigation and Institutional Stability

The increasing judicialization of migration policy in recent decades illustrates the importance of clear legal foundations in administrative reorganization.

Reports from the Congressional Research Service indicate that federal migration policies have frequently been the subject of litigation in federal courts. These disputes often result in nationwide injunctions — judicial decisions that suspend the implementation of administrative policies across the entire country.

Although such interventions reflect the normal role of the judiciary in reviewing administrative action, their frequency may also indicate weaknesses in the underlying institutional architecture. Administrative changes lacking robust procedural justification tend to face a higher probability of judicial challenge. Conversely, administrative reorganizations carefully anchored in existing statutory authority and supported by consistent administrative analysis tend to demonstrate greater legal resilience.

The relationship between administrative litigation and institutional stability is therefore not merely reactive. Institutional design choices made at the outset of policy implementation can significantly influence the likelihood of subsequent judicial challenge. Systems that invest in procedural clarity and legal anchoring from the beginning tend to exhibit greater resistance to litigation-driven disruption.

18. Legal Anchoring and Institutional Durability

The concept of legal anchoring refers precisely to this integration between administrative architecture and solid legal foundations. Durable administrative systems seek to structure institutional reorganizations in ways compatible with existing statutory authority and the procedural requirements of administrative law. This approach reduces the likelihood of judicial invalidation and increases institutional stability across political cycles.

In the context of migration governance, legal anchoring also facilitates administrative continuity across different administrations. When procedural structures are anchored in clear legal foundations, shifts in political priorities can occur without requiring a complete reconstruction of the administrative system.

Such institutional stability is particularly important in areas of public policy characterized by intense political contestation and constant judicial scrutiny, as is the case with immigration. By integrating administrative architecture, institutional sequencing, and robust legal foundations, migration systems may reduce recurring cycles of institutional reorganization and administrative litigation.

Legal anchoring, in this sense, is not merely a compliance requirement but a strategic institutional resource. Administrative systems that are carefully grounded in statutory authority and procedural law possess a form of institutional resilience that purely enforcement-centered approaches cannot provide.

19. Conclusion

The structural limitations discussed throughout this analysis indicate that the current U.S. immigration governance system faces challenges that cannot be resolved solely through incremental policy adjustments or by expanding existing operational capacities.

The institutional model currently in place was designed to manage migration flows at a scale and within a context significantly different from those observed in recent decades. As a result, the system now operates under structural pressures that manifest in institutional overload, recurring cycles of policy reversal, and a limited capacity to produce stable and durable outcomes. These conditions suggest that the central issue is not merely one of administrative execution, but of institutional architecture.

This study has introduced three analytical concepts — structural volatility, administrative sequencing, and institutional durability — as a framework for understanding these dynamics. Structural volatility identifies the pattern of recurring institutional disruption that characterizes contemporary U.S. immigration governance. Administrative sequencing highlights the importance of procedural order as a governance variable, distinct from both enforcement intensity and substantive policy content. Institutional durability proposes a design principle for migration systems capable of maintaining functional coherence across political transitions and judicial scrutiny.

The empirical evidence examined in this study — including the immigration court backlog, the frequency of federal litigation over immigration programs, and the recurring cycles of executive reversal and judicial intervention — consistently points to the same underlying structural condition: a migration governance system whose administrative architecture has not kept pace with the operational demands placed upon it.

The implications of this analysis for policy durability are significant. Systems that rely primarily on enforcement intensity as the instrument of control are inherently vulnerable to political oscillation, because enforcement priorities are among the most politically contested dimensions of immigration policy. By contrast, systems that invest in procedural clarity, interinstitutional alignment, and legal anchoring create institutional conditions that are more resistant to disruption regardless of shifts in political orientation.

For governance design, the analysis suggests that administrative reorganization within existing statutory authority represents an underutilized institutional resource. The legal framework governing U.S. immigration — including the INA and the APA — provides significant latitude for the executive branch to reorganize procedural sequencing, improve interagency coordination, and strengthen the legal foundations of administrative programs. Such reorganization does not require legislative reform; it requires institutional discipline in the design and implementation of administrative procedures.

A structural alternative based on the reorganization of administrative mechanisms for processing, verification, and regulatory regularization may have the potential to restore institutional predictability, reduce systemic overload, and reintroduce clear incentives for regulatory compliance. The author of this analysis has developed a detailed administrative architecture intended to address precisely these structural constraints, using exclusively instruments already available within

existing executive authority. Additional technical documentation and operational analysis are available for institutional review upon request.

Limitations of the Analysis

This study focuses primarily on the institutional architecture of immigration governance within the United States. The analysis does not attempt to provide a comprehensive comparative evaluation of migration systems across different jurisdictions, nor does it seek to quantify causal relationships between specific policy instruments and migration outcomes. Instead, the objective of the paper is conceptual and analytical.

Directions for Future Research

Future research may further examine the concepts introduced in this study through empirical institutional analysis, comparative case studies, or quantitative evaluation of administrative outcomes across different migration systems. In particular, systematic comparative analysis of migration governance architectures across advanced democracies — examining the relationship between procedural design and institutional stability — would constitute a valuable contribution to the literature. Additionally, longitudinal studies tracking the administrative costs of policy volatility within specific agencies could provide empirical grounding for the theoretical framework developed here.

Any durable restoration of institutional control over the U.S. immigration system will likely require some form of structural administrative reorganization. Absent a structural administrative reconfiguration, the systemic pressures identified in this analysis are likely to persist regardless of incremental policy adjustments.

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