

**Effects of NAFTA/USMCA on the Regional
Governance of Skilled Migration****Efectos del TLCAN/T-MEC en la gobernanza
regional de la migración calificada**Camelia Tigau¹ & Telésforo Ramírez García²**ABSTRACT**

The article contributes to the study of skilled migration in North America, from the perspective of migration governance, analyzing the role of regional agreements in human capital mobility. The findings indicate that the current governance regime reproduces existing regional economic asymmetries by encouraging the outflow of skilled workers from Mexico without establishing an effective framework for the free movement of professionals. A key limitation of the study is that the empirical analysis relies primarily on U.S. visa data due to the lack of comparable statistics across the three countries. The study concludes that a more balanced regional governance framework is needed to promote a more equitable and efficient circulation of talent.

Keywords: 1. skilled migrant, 2. trade agreements, 3. free movement, 4. labor migration, 5. migration policy.

RESUMEN

El objetivo de ese artículo es contribuir al estudio de la migración calificada en América del Norte desde la perspectiva de la gobernanza de las migraciones, analizando el papel de los acuerdos regionales en la movilidad del capital humano. Los resultados muestran que la gobernanza vigente reproduce las asimetrías económicas de la región, favoreciendo la salida de trabajadores calificados desde México sin consolidar un esquema efectivo de libre circulación de profesionistas. Como limitación, el análisis empírico se sustenta principalmente en la información disponible sobre visas estadounidenses, debido a la ausencia de estadísticas comparables para los tres países. Se concluye que el modelo actual requiere mecanismos regionales de gobernanza más equilibrados para promover una la movilidad de talento más equitativa y eficiente.

Palabras clave: 1. migrante calificado, 2. acuerdos comerciales, 3. libre circulación, 4. migración laboral, 5. política migratoria.

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INTRODUCTION³

North America is both a destination region for highly skilled migrants from other parts of the world and a setting for migration flows and mobility among highly skilled workers within the three countries that comprise the region: Mexico, the United States, and Canada. One of the most widely accepted explanations for the migration and regional mobility of highly skilled human capital in North America is wage inequality across countries. In this regard, in 2023, the average annual salary in Mexico, adjusted for purchasing power, was 20 090 USD, nearly three times lower than in the United States and half that of Canada (Datosmacro, n.d.).

This disparity is also reflected in the wages of the region's highly skilled workforce. In Mexico, according to data from the National Survey of Household Income and Expenditure (ENIGH, by its acronym in Spanish) for 2022, the average monthly labor income of individuals holding a bachelor's degree was 16 588 MXN, while those with a graduate degree (master's, specialty, or doctoral degree) earned an average of 34 771 MXN per month (Instituto Nacional de Estadística y Geografía [INEGI], 2022). In Canada, according to census data (Government of Canada, 2022), the corresponding average monthly earnings in 2021 were CAD 6 369 for individuals with a bachelor's degree and CAD 8 999 for those with a graduate degree. In the United States, according to data from the American Community Survey (ACS), individuals with bachelor's and graduate degrees earned average monthly incomes of 3 200 and 6 122 USD, respectively, in 2021 (Ruggles et al., 2021).

In this context, according to the Organisation for Economic Co-operation and Development (OECD, n.d.), Mexico ranked 33rd among OECD member countries in terms of annual wages in 2023. These wage disparities place Mexican professionals at a disadvantage relative to their Canadian and U.S. counterparts, regardless of their educational attainment (bachelor's or graduate degree) or field of professional training. As previous research has shown (Ramírez García & Lozano Ascencio, 2017), such disparities may increase the likelihood that these professionals will choose to migrate to one of these countries. Similar disparities are also evident in investments in education, research, and development, reflecting the pronounced economic asymmetries across the region and helping explain why the United States functions as a magnet for highly skilled human capital from both the south (Mexico) and the north (Canada), with few exceptions.

Regarding this latter point, some scholars (Aragonés Castañer & Salgado Nieto, 2015; Schmieg, 2019; Vereza, 2014) argue that trade agreements can help reduce inequalities among countries and regions by improving migration governance and creating employment opportunities that promote safe, orderly, and regular migration while reducing irregular migration and its negative consequences (Resolution 73/195). In North America, available evidence indicates that irregular

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Mexican migration to the United States increased following the implementation of the North American Free Trade Agreement (NAFTA) in 1994 (Public Law 103-182 of 1993) but has declined significantly in recent years, particularly after the agreement was renegotiated as the Agreement between the United States of America, the United Mexican States, and Canada (USMCA) in 2018 (Protocol of 2018; Vereza, 2014). To date, however, little is known about the effects of these trade agreements on the migration of highly skilled Mexicans to the United States and Canada, and even less is known about highly skilled migration between those two countries or from either of them to Mexico.

In other words, it is important to examine the intraregional migration of professionals, scientists, professors, and researchers who are eligible for a TN nonimmigrant worker visa, established under this trade agreement, to work legally in the United States. Professionals eligible for this visa include healthcare personnel (physicians, nurses, dentists, psychologists, therapists, among others); scientists (astronomers, chemists, physicists, biologists, meteorologists, pharmacists, and others); college, seminary, and university teachers and professors; as well as professionals in administrative and economic fields, engineers, mathematicians, graphic designers, among others) (Protocol of 2018).

Without dismissing the wage differential hypothesis of neoclassical migration theory, which posits that both highly skilled and low-skilled migration respond to national and regional wage disparities (Gordon, 2019), this article aims to contribute to the study of highly skilled migration in North America from a governance perspective. In this context, governance is understood as the set of regional agreements designed to facilitate the mobility of professionals holding bachelor's or graduate degrees and to explain the movement of talented individuals across the region, a process that has primarily benefited the United States and Canada.

This article examines how an agreement such as NAFTA/USMCA can address inequalities in the regional highly skilled labor market. To answer this question, the methodological strategy employed enabled an analysis of the domestic legal frameworks of the three countries, established after World War II and designed to facilitate the entry of foreign workers based on their educational attainment and qualifications. This approach allowed for the identification and comparison of legislative changes aimed at regulating highly skilled migration before and after the signing of NAFTA.

For this purpose, information from the DEMIG Policy database of the International Migration Institute (IMI, 2015) was used. This database compiles legislative initiatives from several OECD countries dating back to the eighteenth century. It should be noted that the initial objective was to complement this legislative analysis with data on visas granted to professional migrants in the three countries. However, because such statistical information is unavailable, the analysis was conducted exclusively using visa records from the U.S. Department of Homeland Security (USDHS) for fiscal years 1997–2023. These data made it possible to test the hypothesis regarding the attraction of Mexican and Canadian professionals to the North American labor market.

The article is structured into four main sections: 1) first, a brief introduction to the theory of international and regional migration governance is presented; 2) then, the historical elements of

regulation for skilled migration in North America are outlined; 3) subsequently, the impacts of NAFTA/USMCA on the mobility of skilled workers are examined; and, finally, 4) some final reflections are presented as conclusions.

INTERNATIONAL AND REGIONAL MIGRATION GOVERNANCE

Studies examining the history of the International Organization for Migration (IOM) provide important insights into efforts to govern migration through global mechanisms, both within and beyond the United Nations system. According to Andrijasevic and Walters (2010), borders are not merely contiguous lines on political maps but rather fluid zones, spaces characterized by varying intensities of control, and sites of contestation. While globalization was initially understood as a process that would weaken and potentially eliminate borders, recent studies argue that it has instead involved a process of (re)bordering, marking a new stage characterized as “closed globalism” (Andrijasevic & Walters, 2010, pp. 977–978). Under these conditions, international organizations such as the IOM play a central role through the development of border control norms, a process also referred to as “international border governance” (Andrijasevic & Walters, 2010, p. 978).

The second stage of globalization consists of the closure of borders, characterized by restrictive domestic legislation aimed at curbing growing and atypical flows of regional migration (Andrijasevic & Walters, 2010). During the period of closed globalism, critical studies on borders (Parker & Vaughn-Williams, 2009) and on policies of fear, anxiety, and insecurity affecting migrants (Andreas & Biersteker, 2014; Coward, 2005) became increasingly prominent. This trend toward border closure intensified further during the global health crisis caused by the COVID-19 pandemic, when most countries closed their borders and, upon reopening, introduced additional vaccination requirements. Moreover, visa processing became more challenging due to the suspension of operations in consular sections. In the case of North America, only the United States and Canada imposed travel restrictions and recognized vaccines approved by the World Health Organization (WHO). Mexico, by contrast, kept its borders open, although it imposed greater entry barriers on certain groups of migrants, such as Central Americans, who were granted access primarily to request asylum in the United States.

Within this framework, from the perspective of migration governance, it is relevant to analyze the harmonization of practices and laws that support regional border management in an unequal region where two of the three countries that comprise it, the United States and Canada, are among the world’s leading destinations for highly skilled migrants. Indeed, according to some studies (Shachar, 2006), Canada has developed increasingly competitive regimes for attracting, retaining, and recruiting migrant labor, seeking to emulate and even surpass its neighbor through more effective policies for attracting human capital.

The study of migration governance at the regional level has previously been addressed by Lavenex et al. (2016), as well as by the authors included in the compilation edited by Te Velde

(2017). In particular, NAFTA, as a North–South agreement, can be situated within the broader context of the new regionalism that came to dominate the political landscape of international cooperation in the late twentieth and early twenty-first centuries. This period was characterized by the emergence of model experiences such as the creation of the European Union (EU), as well as other initiatives with a more limited economic scope, including the Association of Southeast Asian Nations (ASEAN) and the Southern Common Market (MERCOSUR).

Likewise, regional governance of highly skilled migration builds upon existing national visa and work permit policies. In this context, the Blue Cards introduced by the EU in 2009 to promote the intraregional mobility of highly skilled workers represent one of the most significant precedents for this type of policy. However, in 2016, several administrative barriers that had placed this visa in competition with other visa categories were removed, resulting in greater openness and expanded access for workers from countries outside the EU (European Commission, 2021, 2025).

In 2021, the European Union implemented the Blue Card Directive to encourage the recruitment of highly skilled workers from outside the EU by offering more flexible admission conditions, greater benefits and rights, as well as the possibility of moving across different member states. The purpose of this initiative was to address the shortages of certain qualifications, aid economic recovery after the pandemic, and mitigate the negative effects of demographic aging, in order to standardize the criteria for awarding the Blue Card across the member states and streamline application procedures (European Commission, 2021, 2025).

Based on the foregoing, the Blue Card would allow workers to have their credentials recognized and obtain benefits such as the right to social security, freedom of association, and family reunification. In practice, however, other visa categories provide more attractive alternatives by establishing lower salary thresholds and faster processing times (Antoons et al., 2024). Furthermore, among the challenges involved in this European Union initiative is its differentiated implementation by country, as each may establish different requirements regarding salary, qualifications, or work experience. In practical terms, this would mean, for example, that an employee of a multinational company may be able to enter one European country but not another, or that the difference in salary conditions among member states could ultimately encourage competition among these workers. According to Antoons et al. (2024), the central question is whether the European Union will be able to attract talent through a centralized visa system.

Regarding this issue, the Blue Card, which can be compared to some extent with the U.S. TN visa, allows family reunification, employer changes, and mobility across countries for highly skilled workers, unlike the latter. The possibility of a visa offering these benefits would contribute to a greater circulation of talent among the three North American countries and establish more equitable employment conditions for workers in the region, as well as for foreign nationals who choose this pathway. An initiative of this type would represent a significant transformation for regional labor markets and could have a direct impact on the recruitment of foreign workers. Over time, it could provide a labor-market solution to the growing number of migrants arriving in the region, many of whom possess university degrees and/or advanced specialization.

In parallel, the Mercosur Residence Agreement was implemented in 2009. It grants citizens of its member countries (Argentina, Brazil, Paraguay, and Uruguay) the right to reside and work for two years in any of the participating states, with nationals from Bolivia, Chile, Peru, Colombia, and Ecuador subsequently included (Envoy Global, 2023). The agreement was designed to expand opportunities for skilled workers and promote sustainable development in sectors such as technology, agriculture, and environmental protection. According to some estimates, it has contributed to Mercosur becoming the sixth-largest labor market in the world, although it remains smaller than ASEAN (now the Regional Comprehensive Economic Partnership [RCEP]), North America, and the European Union (Broom, 2023).

Other models of action can be implemented at the subregional level within each country. This is the case of the Designated Area Migration Agreements (DAMA), implemented in Australia, through which each province can directly attract talent (Australian Government, 2024). In addition, regional and subregional cooperation agreements, mentioned above, provide for the eventual partial or total liberalization of mobility as a mechanism for the construction of a common market. Through regional consultation processes on this matter, these agreements seek to manage internal and external migration flows (Lavenex et al., 2016; Lavenex, 2019), prioritizing the movement of highly skilled individuals over that of lower-skilled workers.

According to the conceptualization proposed by Lavenex et al. (2016), migration governance in North America has followed a security-based approach that emphasizes the imperatives of migration control and the containment of irregular flows. Although the authors do not frame it in these terms, this article demonstrates that the control of irregular and low-skilled migration contrasts with greater freedom of movement for highly skilled workers, as well as with a broader range of visa options for migrants with university education, whether from within the region or from outside it. Paradoxically, security-based approaches do not contribute to reducing irregular flows, as numerous studies on the securitization of borders have demonstrated (Durand, 2019). Lavenex et al.'s (2016) analysis also supports this argument regarding the limited effectiveness of securitization within regional border regimes.

In general terms, and beyond the particular case of the EU, regions with ambitious free-movement regimes have not experienced a significant increase in migration flows. Ironically, it is regions with more permissive internal mobility regulations that have witnessed the greatest growth in intraregional migration, although often through irregular channels. This was the case following the implementation of NAFTA.

While opening up for particular categories of highly skilled persons, North American economic integration has gone along with an overall decrease of regular migration flows from Mexico to the US but, at the same time, a steep increase of irregular flows. (Lavenex et al., 2016, p. 473)

Indeed, the number of undocumented migrants in the United States increased from 3.5 million in 1990 to a historic peak of 12.2 million in 2007 (Gonzalez-Barrera & Krogstad, 2019), before declining to 10.2 million in 2021. Of this total, 46% were Mexican nationals. Although Mexicans

continue to represent the largest share of the undocumented immigrant population, their proportion declined compared with 2007, when they accounted for 63% of all undocumented immigrants in the country (Van et al., 2023).

By contrast, statistics associated with NAFTA (Public Law 103-182 of 1993) demonstrate the consolidation of a selective model that prioritizes the migration of highly skilled labor without necessarily improving the labor rights of new migrants or undocumented residents. According to ACS data (Ruggles et al., 2023), the number of Mexican immigrants in the United States holding bachelor's or graduate degrees increased from 351 000 in 2001 to slightly more than one million in 2023, representing a 194% increase in relative terms. Regarding areas of professional training or fields of specialization, Cruz-Piñero and Ruiz-Ochoa (2010) note that the professional profile of highly skilled migrants benefiting from TN visas is very similar to that of H-1B visa holders. Therefore, the preferential regulatory framework of TN visas does not differ substantially from that of H-1B visas.

According to Cruz-Piñero and Ruiz-Ochoa (2010), TN visa holders who most frequently migrate to the United States are those who completed undergraduate or graduate studies in administration, engineering, computer science, mathematics, nursing, physics, biology, and other natural sciences. This professional profile closely resembles that of the highly skilled Mexican population residing in the United States and likely reflects the demand for specific types of professionals and specialists in the U.S. labor market.

Regarding this issue, ACS data from 2021 (Ruggles et al., 2021) appear to corroborate the findings of Cruz-Piñero and Ruiz-Ochoa (2010). Specifically, 24% of Mexican and 17% of Canadian highly skilled immigrants in the United States had completed undergraduate or graduate studies in administration, business, or finance; 17 and 13%, respectively, in engineering; 6 and 8% in physics, mathematics, and earth sciences; 4 and 9% in biology and chemistry; and 5 and 8% in medicine and health sciences. As noted above, all of these professional fields are included among the occupations eligible for a TN visa under the NAFTA/USMCA agreements.

Historical Elements of Highly Skilled Migration Regulation in North America

A comprehensive analysis of immigration laws implemented in the United States from 1790 to the present reveals a clear preference for highly skilled migration, as 31 of the 44 laws that mention this type of migration are permissive in nature. Preferential treatment for individuals with specific skills was introduced in 1921, during the presidency of Warren G. Harding (1921–1923), a Republican politician, through the Emergency Quota Act of 1921. Under this legislation, professional actors, singers, artists, professors, ministers of any religious denomination, college or seminary instructors, foreign nationals belonging to a recognized profession acquired through formal study, and domestic employees received preferential treatment in visa applications.

Although some of these occupations are no longer considered highly skilled today, at the time they received preferential treatment, they contributed to the economy of a country undergoing

industrialization. One year after the United States, Canada also sought to promote the arrival of foreign workers, specifically British workers, particularly in agriculture and domestic labor (Bill 87 of 1922). Meanwhile, Mexico adopted a nationalist approach focused on economic protection during the years following the Revolution, restricting the entry of foreigners through the Migration Law of 1926, including through provisions regulating their conduct (Ley de Migración, 1926).

However, it was not until after World War II that certain common patterns emerged in regional migration legislation in North America. Guided by the principles established in the International Refugee Convention, many countries experiencing a demand for highly skilled labor, including the United States and Canada, promoted the recruitment of highly skilled European migrants and subsidized their transportation from countries with labor surpluses, such as Germany, Austria, Spain, Italy, and the Netherlands (Holborn, 1961).

The United States was one of the first countries to introduce legislation that “selected” migrants based on their qualifications. The Immigration and Nationality Act of 1952, better known as the McCarran-Walter Act (Public Law 414 of 1952), established a system that prioritized highly skilled migrants, their spouses, and children, even above family reunification for individuals who already had relatives in the United States. Moreover, the H-1 visa was created for migrants with a specific educational profile and served as a precursor to the current H-1B visa. At the same time, Canada introduced a literacy test for migrants and, like the United States, prioritized economic migration through its own Immigration Act, also enacted in the same year (The Immigration Act of 1952).

Similarly, both countries eliminated literacy tests in the 1960s, as well as discriminatory provisions based on race, skin color, or nationality. Canada, however, established its points-based system for admitting highly skilled migrants in 1967, a system that remains in place today. Under this system, educational attainment, work experience, and knowledge of English and/or French, the country’s official languages, are used to assess and assign scores to individuals seeking to migrate to Canada (Immigration Act of 1967). Thus, the United States and Canada developed parallel processes in which racial discrimination was replaced by a distinction, and arguably a new form of selection, based on applicants’ educational backgrounds.

In 1964, the United States formally ended the Bracero Program and introduced, through the Hart-Celler Act (Public Law 89-236 of 1965), a stricter system for selecting migrants. For several years, both countries maintained an open-door policy toward highly skilled migrants, based on a meritocratic discourse of equal opportunity for capable and hardworking migrants who could integrate relatively easily into the North American labor market. During the 1970s, special visas for intracompany transfers were created (L-1 in the United States), allowing U.S. companies engaged in international business to transfer employees without having to wait for permanent employment visas. Similarly, in 1971, Canada introduced its multiculturalism policy, aimed not only at attracting migrants but also at facilitating coexistence among residents and internal minorities, such as Quebecers and First Nations peoples (House of Commons of Canada, 1971).

Unlike its northern neighbors, Mexico does not have a policy specifically aimed at attracting highly skilled workers. Instead, it has implemented return programs designed to support the reintegration of workers returning from the United States. Foreign nationals in Mexico are admitted based on their good conduct, with restrictions limited primarily to political participation and the requirement of an exit visa. This mechanism remains in place today and provides a reliable record of the nonimmigrant population residing in the country.

Beginning in 1991, under the presidency of Republican George H. W. Bush, the United States implemented several categories of visas for specialized occupations, defined in legislation as those that require,

first, a theoretical and practical application of a body of highly specialized knowledge, and, second, an attainment of a Bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States. (IMI, 2015, cell C192)

Congress also established an annual cap of 65 000 H-1B visas, unlike the predecessor H-1 visa, which was not subject to a numerical limit. The same legislation created other visa categories, such as the O, P, and R visas, also intended for highly skilled migrants. In particular, the O visa is designated for foreign nationals "who possesses extraordinary ability in the sciences, arts, education, business, or athletics, or who has a demonstrated record of extraordinary achievement in the motion picture or television industry and have been recognized nationally or internationally for those achievements" (IMI, 2015, cell C194). The P visa, in turn, is intended for athletes, artists, and entertainers, while the R visa is designated for religious workers. Furthermore, this reform facilitated the entry of individuals holding investor visas, provided that they possessed capital exceeding one million dollars to invest in a business that created jobs for U.S. citizens (IMI, 2015, cell C197).

The quota for highly skilled immigrants was also increased to 140 000, three times the previous limit, and foreign workers with extraordinary abilities were no longer required to provide certification, but only a job offer (IMI, 2015, cell C198). During this period, under the same presidency of H. W. Bush, the Diversity Visa Program was introduced for highly skilled workers, to provide permanent residence to highly skilled migrants who held a university degree and at least two years of work experience. The program allowed winners to be admitted together with their immediate families, including spouses and children (IMI, 2015, cell C199). Finally, in the period immediately following the fall of communism, a legislative initiative enacted in 1992 (Public Law 102-509 of 1992) allowed for the entry and permanent residence of 750 scientists from the dissolved Soviet Union so that they could engage in activities related to biology, chemistry, nuclear sciences, or technical positions associated with national security projects.

Beyond U.S. domestic legislation, the decisive shift toward a regional migration regime that primarily favored highly skilled workers occurred through bilateral and trilateral agreements. In this context, an initial stage was the United States-Canada Free Trade Agreement (Public Law 100-449 of 1988), which introduced mechanisms for the mobility of highly skilled labor and business

professionals under terms similar to those later established by NAFTA. Subsequently, in 1993, Mexico joined this agreement and also benefited from provisions facilitating the temporary employment of highly skilled migrants.

Within this framework, the TN visa became emblematic of regional cooperation in the area of highly skilled migration, even though it originated from a domestic provision in the United States. The visa is granted based on a list of priority occupations established with the signing of NAFTA in 1993 (Annex 1603), which remained unchanged in its renewed version, the USMCA. These occupations are divided into three categories: general professionals, physicians and professionals in related medical fields, and scientists. Workers in these categories are exempt from labor market authorization requirements, although certification requirements vary according to each profession and the specific conditions of the recruitment process.

Similarly, each country retains the right to protect its national workforce, implement its own immigration policies, and safeguard border security. For example, U.S. and Canadian business people are granted temporary visitor status in Mexico, with a residence permit valid for up to one year and subject to certain conditions regarding financial resources. The TN visa is linked to the TD visa, which is designed for the direct dependents of TN visa holders, thereby facilitating family migration.

For ten years, TN visas were subject to an annual cap of 5 500 for Mexican nationals, a restriction that was eliminated in 2014 (Tigau, 2017). In addition to NAFTA provisions, the three signatory countries also established certification agreements for certain professions, such as accounting, architecture, and engineering. The agreement also created a Temporary Entry Working Group, composed of representatives from each country, including immigration officials, who met annually to monitor implementation and discuss possible measures to facilitate the reciprocal temporary entry of business professionals (Malpert & Petersen, 2000).

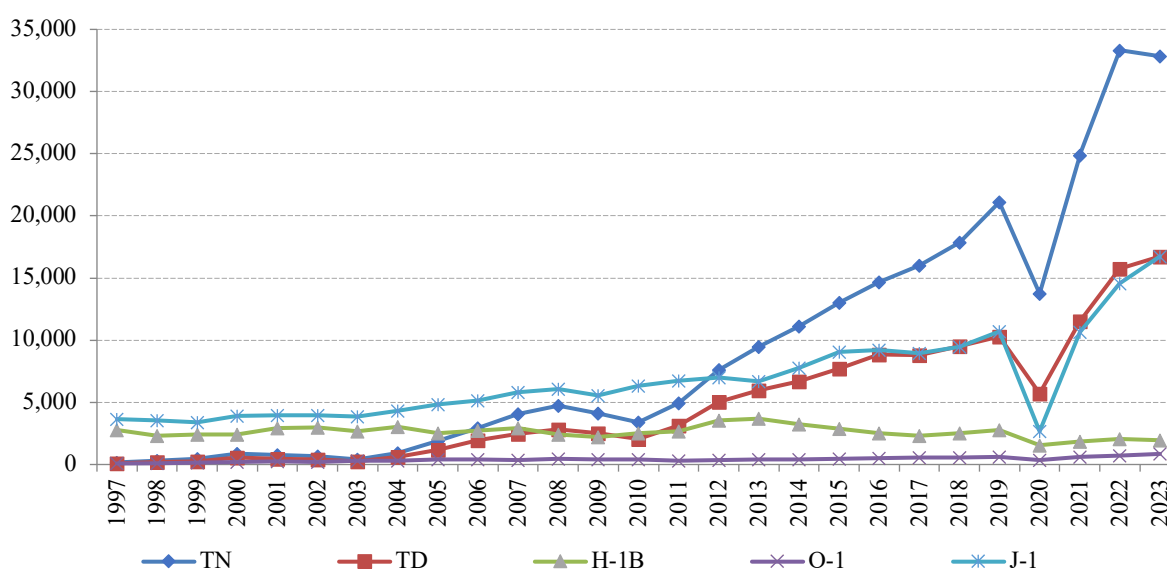
As with its predecessor, NAFTA, the USMCA seeks to facilitate the entry of business professionals in order to avoid hindering or delaying the exchange of goods and services, as well as investment activities among the countries party to the agreement (Protocol of 2018, Chapter 16). These measures refer not only to the streamlining of procedures but also to limiting visa costs by charging only amounts equivalent to the cost of services provided during the application process and eliminating requirements for labor certifications or similar assessments for admission into a country.

One of the problems associated with TN visas during the period in which NAFTA was in effect was the exploitation of Mexican workers through subcontracting arrangements, whereby a veterinarian, for example, could end up performing low-skilled agricultural labor under the threat of dismissal (Redacción, 2019). Chapter 23 of the new USMCA establishes the possibility for migrant workers to organize in labor unions and recognizes other labor rights in order to prevent, among other issues, the improper manipulation of wages and gender discrimination (Protocol of 2018). However, the effects of these provisions remain to be assessed over the medium term. The following section analyzes the statistical details and operational functioning of TN visas.

Impacts of NAFTA/USMCA on the Mobility of Highly Skilled Workers

Both NAFTA and the USMCA have had a significant impact on the mobility of highly skilled labor in North America, particularly among workers originating from Mexico and, to a lesser extent, Canada, who are primarily destined for the United States. According to data from the U.S. Department of Homeland Security (USDHS, n.d.), TN visas granted to Canadian citizens increased from 3 in 1997 to 54 in 2023, while among Mexican citizens, this type of visa increased from 168 to 32 851 during the same period (Graph 1).

Graph 1. Trends in Visas Granted to Mexican Professionals in the United States (Fiscal Years 1997–2023)



Source: Own elaboration based on data from the USDHS (n.d.).

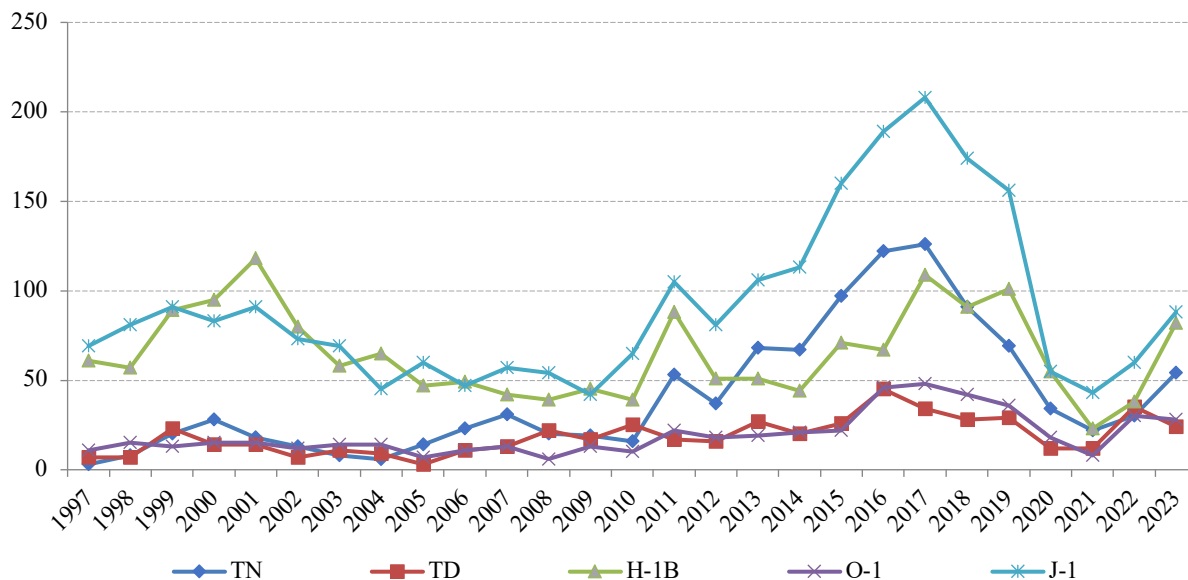
This growth, in absolute terms, reinforces the hypothesis proposed in previous studies, which argue that NAFTA increased labor migration among workers across all educational levels and skill categories. Specifically, Vereza (2014) explains this phenomenon through wage differentials and insufficient economic growth in Mexico, which contributed to an increase in irregular and low-skilled migration. According to the author, NAFTA as “an expression of the economic ties among these three countries, undoubtedly did create a space for greater formal and informal, documented and undocumented labor mobility than expected when it was conceived” (Vereza, 2014, p. 134).

Although, at the time of the article’s publication, the author emphasized the importance of revising the agreement to provide greater benefits to Mexican workers and strengthen commercial ties with the United States and Canada, it can now be argued that the renegotiated agreement did not fully achieve this objective in terms of workers’ needs. Its impact on mobility provisions was limited, although available statistics do show an increase in Mexican highly skilled migration through TN and TD visas, particularly after the two years of economic and health crises caused by

the COVID-19 pandemic (Graph 1). In the case of Canadian highly skilled migration to the United States through TN and TD visas, although it has also shown an upward trend over the past three years, its magnitude remains considerably lower than that recorded for Mexican migration.

It is important to note that these visas are not the only options available to, or used by, professionals from both countries to migrate to the United States. In fact, as shown in Graphs 1 and 2, many highly skilled migrants have opted for other visa categories, such as the O-1 visa, the issuance of which has increased notably among Mexican nationals in recent years, as well as H-1B and J-1 visas, which have maintained relatively stable trends among both groups of professionals. This may be explained by the fact that TN visas must be renewed annually, whereas other visa categories have longer validity periods of three years, with the possibility of extensions of up to six years, as is the case with the H-1B visa.

Graph 2. Trends in Visas Granted to Canadian Professionals in the United States (Fiscal Years 1997–2023)



Source: Own elaboration based on data from the USDHS (n.d.).

However, it is undeniable that the implementation of TN and TD visas has transformed the landscape of highly skilled migration from Mexico and, to a lesser extent, Canada, to the United States. Based on statistical data from the U.S. Department of Homeland Security (USDHS, n.d.), a gradual increase in TN visas issued to Mexican nationals can be observed between 2010 and 2023, rising from 4 918 to 32 851, which represents an increase of 567 percent during this period, although a slight decline occurred in 2023. TN visas issued to highly skilled Canadian citizens show a similar pattern, although the upward trend for both visa categories is less pronounced than that observed among Mexican nationals.

Likewise, growth in the TD visa category was consistent for both groups of highly skilled migrants throughout the entire period (Tables 1 and 2). Unfortunately, the data source used does

not provide information on the types of professionals who most frequently applied for TN visas. However, based on the findings of Cruz-Piñero and Ruiz-Ochoa (2010), together with information reported by the ACS (Ruggles et al., 2021), it can be established that the professional profile of TN visa holders is very similar to that of the highly skilled Mexican and Canadian immigrant populations residing in the United States.

Table 1. TN Visas Issued to Canadian and Mexican Citizens (Fiscal Years 1997–2023)

<i>Fiscal year</i>	<i>Total</i>		<i>Canada</i>		<i>Mexico</i>	
	<i>Total number of TN visas</i>	<i>Annual growth (%)</i>	<i>Total</i>	<i>Annual growth (%)</i>	<i>Total</i>	<i>Annual growth (%)</i>
1997	171	—	3	—	168	—
1998	295	72.5	8	166.7	287	70.8
1999	483	63.7	20	150	463	61.3
2000	906	87.6	28	40	878	89.6
2001	787	-13.1	18	-35.7	769	-12.4
2002	699	-11.2	13	-27.8	686	-10.8
2003	423	-39.5	8	-38.5	415	-39.5
2004	908	114.7	6	-25	902	117.3
2005	1 902	109.5	14	133.3	1 888	109.3
2006	2 972	56.3	23	64.3	2 949	56.2
2007	4 091	37.7	31	34.8	4 060	37.7
2008	4 761	16.4	20	-35.5	4 741	16.8
2009	4 124	-13.4	19	-5	4 105	-13.4
2010	3 392	-17.7	16	-15.8	3 376	-17.8
2011	4 971	46.6	53	231.3	4 918	45.7
2012	7 638	53.7	37	-30.2	7 601	54.6
2013	9 548	25	68	83.8	9 480	24.7
2014	11 207	17.4	67	-1.5	11 140	17.5
2015	13 093	16.8	97	44.8	12 996	16.7
2016	14 768	12.8	122	25.8	14 646	12.7
2017	16 119	9.1	126	3.3	15 993	9.2
2018	17 950	11.4	91	-27.8	17 859	11.7
2019	21 191	18.1	69	-24.2	21 122	18.3
2020	13 769	-35	34	-50.7	13 735	-35
2021	24 903	80.9	22	-35.3	24 881	81.2
2022	33 360	34	30	36.4	33 330	34
2023	32 905	-1.4	54	80	32 851	-1.4

Source: Own elaboration based on data from the USDHS (n.d.).

Table 2. TD Visas Issued to Canadian and Mexican Citizens (Fiscal Years 1997–2023)

<i>Fiscal year</i>	<i>Total</i>		<i>Canada</i>		<i>Mexico</i>	
	<i>Total number of TD visas</i>	<i>Annual growth (%)</i>	<i>Total</i>	<i>Annual growth (%)</i>	<i>Total</i>	<i>Annual growth (%)</i>
1997	106		7		99	
1998	212	100	7	0	205	107.1
1999	297	40.1	23	228.6	274	33.7
2000	558	87.9	14	-39.1	544	98.5
2001	485	-13.1	14	0	471	-13.4
2002	421	-13.2	7	-50	414	-12.1
2003	285	-32.3	11	57.1	274	-33.8
2004	602	111.2	9	-18.2	593	116.4
2005	1 194	98.3	3	-66.7	1 191	100.8
2006	1 943	62.7	11	266.7	1 932	62.2
2007	2 483	27.8	13	18.2	2 470	27.8
2008	2 867	15.5	22	69.2	2 845	15.2
2009	2 526	-11.9	17	-22.7	2 509	-11.8
2010	2 098	-16.9	25	47.1	2 073	-17.4
2011	3 148	50	17	-32	3 131	51
2012	5 034	59.9	16	-5.9	5 018	60.3
2013	5 975	18.7	27	68.8	5 948	18.5
2014	6 714	12.4	20	-25.9	6 694	12.5
2015	7 743	15.3	26	30	7 717	15.3
2016	8 908	15	45	73.1	8 863	14.9
2017	8 847	-0.7	34	-24.4	8 813	-0.6
2018	9 543	7.9	28	-17.6	9 515	8
2019	10 346	8.4	29	3.6	10 317	8.4
2020	5 702	-44.9	12	-58.6	5 690	-44.8
2021	11 525	102.1	12	0	11 513	102.3
2022	15 796	37.1	35	191.7	15 761	36.9
2023	16 759	6.1	24	-31.4	16 735	6.2

Source: Own elaboration based on data from the USDHS (n.d.).

On the other hand, the trend in TN and TD visas among both Mexican and Canadian nationals declined during four periods: 2001–2003, 2009–2010, 2017, and 2020 (USDHS, n.d.). These declines can be explained by four types of political, economic, and/or social crises that occurred during those years. Between 2001 and 2003, the decline was associated with concerns regarding national security in the United States following the September 11, 2001 attacks. Between 2008 and 2010, it reflected the effects of the 2008 economic and housing crisis, which originated in the

United States and severely affected the country's economy and labor market. In 2017, it was related to the measures and effects of the anti-immigration populist discourse during Donald Trump's first administration. Finally, in 2020, the decline corresponded to the health and economic crises caused by the COVID-19 pandemic. The following section presents a brief discussion of these four factors that contributed to changes in the trends of TN and TD visas issued to Mexican and Canadian professionals, while also highlighting their implications for the North American region.

First Period: The Impact of Migration Security Policy (2001–2003)

The guidelines governing the admission of highly skilled migrants in the United States were established in the American Competitiveness in the Twenty-First Century Act (Senate Judiciary Committee, 2001), signed in October 2000, shortly before the end of Democratic President Bill Clinton's administration, but implemented under Republican President George W. Bush in 2001. The Act increased the H-1B visa cap to 115 000 in 2000 in order to address the demand for technology-related positions, reaching a limit of 195 000 new visas between 2001 and 2003 for all nationalities. However, the USA Patriot Act (Public Law 107-56 of 2001), enacted after the September 11 attacks and aimed at strengthening border security to prevent terrorist acts, tightened registration procedures for foreign students and workers through the Student and Exchange Visitor Information System (SEVIS). This system was created to centralize and collect information on the institutions where these individuals study, as well as their entries into and departures from the United States.

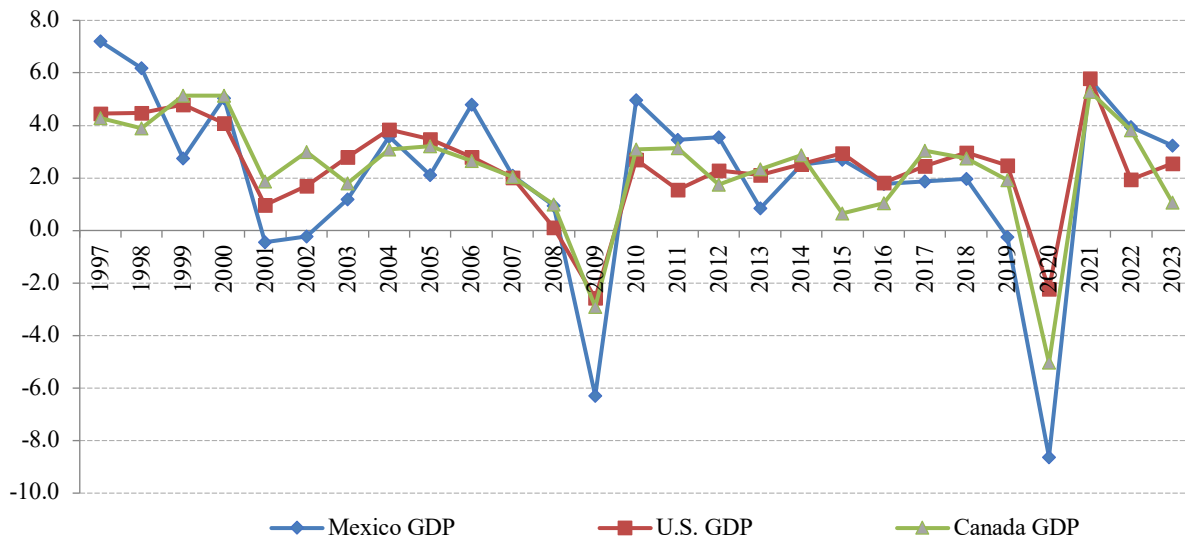
The following year, President Bush established the Department of Homeland Security, consolidating several federal security agencies (USDHS, 2023). Beginning in 2003, the cap on new H-1B visa applications was again reduced to 65 000 annually for all countries, and stricter rules were implemented for intracompany transfers. These measures also help explain the temporary decline observed in Graphs 1 and 2. In 2009, reforms were applied to L-1 and H-1B visas through the so-called Omnibus Appropriations Act (Public Law 111-8 of 2009), requiring employers to pay the first salary in advance and introducing penalties for fraud and unlawful L-1 visa applications. The Act also promoted the participation of foreign nationals in education and research by providing an additional 20 000 H-1B visas for master's and doctoral graduates beyond the 65 000 cap for new applications from abroad, while also extending the duration of J-1 visa stays for researchers from three to five years.

Second Period: The Effects of the 2008 Crisis (2009–2010)

The second period of decline in TN and TD visas cannot be explained by legislative changes, but rather by the global economic conditions prevailing at the time. Indeed, in 2009, the three economies in the region experienced economic contraction, although it was more pronounced in

Mexico (-6.3%), approximately twice the decline reported in the United States (-2.6%) and Canada (-2.9%), as shown in Graph 3.

Graph 3. GDP Growth in North America, 1997–2023



Source: Own elaboration based on data from the World Bank Group (n.d.).

A substantial body of literature demonstrates the effects of economic crises and their relationship with the contraction of migratory flows, initially affecting highly skilled immigrant workers in the United States. Concerning this point, Tilly (2011) shows how migratory flows decline during periods of recession, as well as the economic and social implications associated with the marginalization of migrants.

Similarly, Ayón and Becerra (2013) examine the challenges faced by Latino-origin families in the United States during periods of crisis, highlighting declines in their well-being and quality of life. Based on focus groups, their study found that: “The economic crisis combined with new anti-immigration policies and harsh enforcement strategies may exacerbate the stress and anxiety Latino immigrant families already endure as a result of discrimination and financial hardships” (Ayón & Becerra, 2013, p. 206). In particular, migrants with lower levels of English proficiency and those from different racial backgrounds were disproportionately affected, experiencing greater exposure to institutional and interpersonal discrimination.

Third Period: Donald Trump’s Anti-Immigration Discourse, 2017

The third period of decline in TN and TD visas, although not negative for the former category, as shown in Table 1, coincided with the inauguration of Republican President Donald Trump in 2017. During his campaign, Trump argued that native-born highly skilled workers were disadvantaged by the hiring of foreign workers earning lower wages and therefore threatened to eliminate H-1B visas. After his arrival at the White House, the application process for these visas was suspended

several times in 2017 and 2018, as well as in 2020 and 2021, resulting in significant changes to the application procedure, which became an exclusively electronic process.

However, due to lobbying efforts by high-technology companies and universities, both visa categories recovered their previous levels of applicants in subsequent years. Additionally, the TD visa was not eliminated, despite the U.S. president's accusations that its use promoted family migration or "chain migration." Some studies have shown that the effects of Donald Trump's discourse could, in the long term, lead to a decline in U.S. competitiveness due to reduced recruitment of foreign talent and the relocation of Indian and Canadian nationals to other labor markets (Zwetsloot, 2019). Nevertheless, the long-term effects of this restrictive approach to migration policy remain to be assessed.

Fourth Period: The COVID-19 Pandemic, 2020

Regarding the final period, during the pandemic, the United States suspended visa processing on several occasions throughout 2020 and 2021, as well as economic activities not considered essential, affecting the stock of immigrant professionals in the country. Gradually, borders were reopened for certain occupations deemed essential, such as healthcare, and even Democratic New York Governor Andrew Cuomo called on health workers to assist in his state if they were not facing a health crisis in their own countries, given the high number of infections and hospitalizations (Allyn, 2020). However, it should be noted that the new conditions of virtual work also benefited highly skilled workers, particularly those employed in occupations that could be performed remotely. Rather than relying exclusively on physical migration, which Aneesh (2008) described as the "body-shopping" of migrants, many of these workers were able to return to their home countries and continue working remotely for North American companies.

Indeed, the pandemic also expanded opportunities for telemigration, examined by Tsapenko and Grishin (2022) as the virtualization of cross-border migration, which allows individuals to cross only the virtual borders of states without leaving their country of residence. During the COVID-19 pandemic, the circulation of intellectual labor intensified considerably, in contrast to traditional employment relationships. Contrary to the assumption that telemigration would reduce inequality, Tsapenko and Grishin's study demonstrates that this form of migration is also associated with persistent imbalances and generates new sources of social tension, including global socioeconomic asymmetries, emerging areas of competition, and insufficient social protection for remote workers.

After the pandemic, the concept of governance acquired new meanings in relation to highly skilled migration, given the possibilities created by virtual migration and remote work. Some North American workers were able to return to their countries of origin, while the region also experienced greater circulation of talent, with virtual nomads from the United States and Canada choosing to settle in Mexico during the pandemic to work remotely from locations offering a more favorable climate, lower rents, and a different cultural environment. Because Mexico did not close its

borders, short-term residencies and the tourism industry benefited in the short term from the presence of a mobile professional population from the northern part of the continent.

Other studies on the impact of the pandemic on highly skilled migration have highlighted how remote intellectual work contributes to the deterioration of workspaces (Rymaniak et al., 2021), generating challenges related to information security (Nikolaiets et al., 2023). More relevant from a governance perspective, Nardon et al. (2022) examine the effects of the pandemic on deskilling and downward occupational mobility, disproportionate domestic burdens, disrupted career trajectories, and the segmentation of occupations and organizations, all of which disproportionately affect women. These issues should be considered in future renegotiations of highly skilled migration arrangements in the region, given that in-person mobility has increasingly been complemented by telemigration.

CONCLUSIONS

The theoretical background, together with the legislative and statistical analysis conducted, makes it possible to frame the current regional governance of borders in North America as operating within a restrictive context that appears to constrain the mobility of highly skilled human capital. Specifically, the findings show an increase in TN and TD visas established through the NAFTA/USMCA trade agreements, as well as in H-1B, O-1, and J-1 visas. These trends help explain the sustained growth of highly skilled migration from Mexico to the United States since the mid-1990s and, to a much lesser extent, Canadian highly skilled migration as well. Similarly, the data examined support the hypothesis that regional inequality can generate a transfer of talent, as occurs in the case of the United States and Canada, alongside a corresponding loss of talent in Mexico. This outcome is undoubtedly related to the fact that the former two countries have developed talent-attraction policies, whereas Mexico has primarily pursued talent-retention policies.

In fact, it could be argued that regional disparities, present at both the economic and political levels, were also reflected in the negotiation processes of NAFTA and the USMCA, and that their implementation has been associated with an increase in highly skilled emigration from Mexico without fostering genuine talent circulation within the region. However, it is worth emphasizing that the patterns and trends identified in this article may change in the long term due to the virtualization of remote work, which gained momentum after the COVID-19 pandemic.

This situation even led some U.S. and Canadian professionals to work remotely during the pandemic and later establish themselves in Mexico. It is now necessary for governmental institutions in the three countries to reconsider the governance of highly skilled human capital, which no longer necessarily requires physical migration in order to participate in the labor markets of any of the three countries. Such a shift could benefit the regional talent market by promoting greater circulation and labor mobility of highly skilled workers across the three countries, despite the recent visa and entry restrictions imposed by the U.S. government.

Overall, the evidence shows that regional governance of highly skilled migration in North America has contributed more to reproducing asymmetries among Mexico, the United States, and Canada than to consolidating a regional talent market. The study's main contribution is to demonstrate that these inequalities result not only from economic factors but also from the institutional design of migration governance established through NAFTA/USMCA. These findings highlight the need to move toward regional cooperation mechanisms that promote more equitable talent circulation and strengthen the development, retention, and mobility of human capital within the context of emerging dynamics in the North American labor market.

Translation: Erika Morales.

REFERENCES

- Allyn, B. (2020, March 30). Cuomo makes plea to medical workers nationwide: “Please come help us in New York.” *NPR*. <https://www.npr.org/sections/coronavirus-live-updates/2020/03/30/823970536/cuomo-makes-plea-to-medical-workers-nationwide-please-come-help-us-in-new-york>
- Andreas, P., & Biersteker, T. J. (2014). *The rebordering of North America: Integration and exclusion in a new security context*. Routledge.
- Andrijasevic, R., & Walters, W. (2010). The International Organization for Migration and the international government of borders. *Environment and Planning D: Society and Space*, 28(6), 977–999. <https://doi.org/10.1068/d1509>
- Aneesh, A. (2008). Book review [Review of the book *Global “body shopping”: An Indian labor system in the information technology industry*, by X. Biao]. *International Review of Modern Sociology*, 34(1), 134–136. <https://www.jstor.org/stable/41421663>
- Antoons, J., Vanderwegen, I., Wambacq, W., & Winant, C. (2024, January 9). EU Blue Card scheme: The impact of inconsistent implementation. *Fragomen*. <https://www.fragomen.com/insights/eu-blue-card-scheme-the-impact-of-inconsistent-implementation.html>
- Aragónes Castañer, A. M., & Salgado Nieto, U. (2015). Migración laboral México-Estados Unidos a veinte años del Tratado de Libre Comercio de América del Norte. *Revista Mexicana de Ciencias Políticas y Sociales*, 60(224), 279–313. [https://doi.org/10.1016/S0185-1918\(15\)30011-8](https://doi.org/10.1016/S0185-1918(15)30011-8)
- Australian Government. (2024). *Designated area migration agreements*. Department of Home Affairs. <https://immi.homeaffairs.gov.au/visas/employing-and-sponsoring-someone/sponsoring-workers/nominating-a-position/labour-agreements/designated-area-migration-agreements>
- Ayón, C., & Becerra, D. (2013). Mexican immigrant families under siege: The impact of anti-immigrant policies, discrimination, and the economic crisis. *Advances in Social Work*, 14(1), 206–228. <https://doi.org/10.18060/2692>
- Bill 87 of 1922 [Empire Settlement Act]. To make better provisions for further British settlement in His Majesty’s oversea dominions. May 31, 1922 (United Kingdom). <https://pier21.ca/research/immigration-history/empire-settlement-act-1922>
- Broom, D. (2023, April 28). *These are the world’s biggest trading blocs*. World Economic Forum. <https://www.weforum.org/stories/2023/04/growth-summit-2023-world-biggest-trading-blocs>
- Coward, M. (2005). The globalisation of enclosure: Interrogating the geopolitics of empire. *Third World Quarterly*, 26(6), 855–871. <https://doi.org/10.1080/01436590500089190>
- Cruz-Piñero, R., & Ruiz-Ochoa, W. (2010). Migración calificada de mexicanos a Estados Unidos mediante visado preferencial. *Papeles de Población*, 16(66), 103–135. <https://rppoblacion.uaemex.mx/article/view/8489>

- Datosmacro. (n.d.). *Comparar países: Estados Unidos y México* [Dataset]. Expansión. <https://datosmacro.expansion.com/paises/comparar/usa/mexico?sc=XEAA>
- Durand, J. (2019). Los migrantes como amenaza. Construcción ideológica, política-electoral y legal del nativismo. In A. M. Aragonés Castañer (Ed.), *Nuevos escenarios migratorios. Desafíos para México* (pp. 25–50). Universidad Nacional Autónoma de México-Instituto de Investigaciones Económicas. https://libros.iiec.unam.mx/ana-maria-aragones_escenarios-migratorios-mexico
- Emergency Quota Act of 1921. An Act to limit the immigration of aliens into the United States. May 19, 1921 (United States). <https://govtrackus.s3.amazonaws.com/legislink/pdf/stat/42/STATUTE-42-Pg5.pdf>
- Envoy Global. (2023, May 9). *Mercosur Residence Agreement: Simplified work and residence for South Americans*. <https://www.envoyglobal.com/news-alert/mercosur-residence-agreement-simplified-work-and-residence-for-south-americans/>
- European Commission. (2021, May 16). *EU Blue Card: Commission welcomes political agreement on new rules for highly skilled migrant workers* [Press release]. Universidad Nacional Autónoma de México-Instituto de Investigaciones Económicas. https://ec.europa.eu/commission/presscorner/detail/en/ip_21_2522
- European Commission. (2025, May 1). *EU Blue Card: Attracting highly qualified talent to the EU*. Migration and Home Affairs. https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/work/eu-blue-card_en
- Gonzalez-Barrera, A., & Krogstad, J. M. (2015). *What we know about illegal immigration from Mexico*. Pew Research Center. <https://www.pewresearch.org/short-reads/2019/06/28/what-we-know-about-illegal-immigration-from-mexico/>
- Gordon, J. (2019). *Investing in low-wage jobs is the wrong way to reduce migration. The FLASH: The Fordham Law Archive of Scholarship and History*. https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=2010&context=faculty_scholarship
- Government of Canada. (2022, December 15). Employed labour force who worked full year, full time and reported employment income in 2020, 2021 Census [Dataset]. <https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/dv-vd/occ-pro/index-en.cfm>
- Holborn, L. W. (1961). Intergovernmental partnership for planned migration. *Migration*, 1(2), 5–17. <https://doi.org/10.1111/j.1468-2435.1961.tb00002.x>
- House of Commons of Canada. (1971, October 8). Announcement of implementation of Policy of Multiculturalism within bilingual framework [Declaration of Prime Minister P. E. Trudeau] (28th Parliament, 3rd session, vol. 8). <https://pier21.ca/research/immigration-history/canadian-multiculturalism-policy-1971>
- Immigration Act of 1967. Immigration regulations, part 1, amended. August 16, 1967 (Canada). <https://pier21.ca/research/immigration-history/immigration-regulations-order-in-council-pc-1967-1616-1967>

- Instituto Nacional de Estadística y Geografía (INEGI). (2022). *Encuesta Nacional de Ingresos y Gastos de los Hogares* [Dataset]. <https://www.inegi.org.mx>
- International Migration Institute (IMI). (2015). *DEMIG policy data downloads. Country files: United States* [Excel data sheet]. <https://www.migrationinstitute.org/data/demig-data/demig-policy-1/download-the-data/demig-policy-data-downloads>
- Lavenex, S., Givens, T. E., Jurje, F., & Buchanan, R. (2016). Regional migration governance. In T. A. Börzel, & T. Risse (Eds.), *Oxford handbook of comparative regionalism* (pp. 457–485). Oxford University Press. <https://doi.org/10.1093/oxfordhb/9780199682300.013.21>
- Lavenex, S. (2019). Regional migration governance—building block of global initiatives? *Journal of Ethnic and Migration Studies*, 45(8), 1275–1293. <https://doi.org/10.1080/1369183X.2018.1441606>
- Ley de Migración, reformed, *Diario Oficial de la Federación*, March 13, 1926 (Mexico). https://www.dof.gob.mx/nota_to_imagen_fs.php?codnota=4474652&fecha=13/03/1926&cod_diario=189617
- Malpert, R. A., & Petersen, A. (2000). *Business immigration law: Strategies for employing foreign nationals*. Law Journal Press.
- Nardon, L., Compion, S., & Schecter, A. (2022). Skilled immigrant women’s career trajectories during the COVID-19 pandemic in Canada. *Equality, Diversity and Inclusion: An International Journal*, 41(1), 112–128. <https://doi.org/10.1108/EDI-09-2020-0255>
- Nikolaiets, K., Shevchuk, H., & Kolomiiets, V. (2023). Virtual labor migration: Current trends and development prospects. *Financial and Credit Activity: Problems of Theory & Practice*, 5(52), 370–382. <https://doi.org/10.55643/fcaptp.5.52.2023.4175>
- Organisation for Economic Co-operation and Development (OECD). (n.d.). *Average annual wages* [Dataset]. <https://www.oecd.org/en/data/indicators/average-annual-wages.html>
- Parker, N., & Vaughan-Williams, N. (2009). Lines in the sand? Towards an agenda for critical border studies. *Geopolitics*, 14(3), 582–587. <https://doi.org/10.1080/14650040903081297>
- Protocol of 2018. Replacing the North American Free Trade Agreement (NAFTA) with the Agreement between Canada, The United States of America, and The United Mexican States (USMCA). November 30, 2018. https://ustr.gov/sites/default/files/files/agreements/FTA/USMCA/Text/USMCA_Protocol.pdf
- Public Law 414 of 1952 [Immigration and Nationality Act]. An Act to revise laws relating to immigration, naturalization, and nationality; and for other purposes. June 27, 1952 (United States). <https://www.govinfo.gov/content/pkg/STATUTE-66/pdf/STATUTE-66-Pg163.pdf>
- Public Law 89-236 of 1965 [Hart-Celler Act]. To amend the Immigration and Nationality Act, and for other purposes. October 3, 1965 (United States). <https://www.govinfo.gov/content/pkg/STATUTE-79/pdf/STATUTE-79-Pg911.pdf>

- Public Law 100-449 of 1988. An Act to implement the United States-Canada Free Trade Agreement. September 28, 1988. <https://www.congress.gov/bill/100th-congress/house-bill/5090/text>
- Public Law 102-509 of 1992 [Soviet Scientists Immigration Act]. As amended through P.L. 107-228, enacted September 30, 2002. October 24, 1992 (United States). <https://www.govinfo.gov/content/pkg/COMPS-1385/pdf/COMPS-1385.pdf>
- Public Law 103-182 of 1993. An Act to implement the North American Free Trade Agreement (NAFTA). December 8, 1993 (United States). <https://www.congress.gov/bill/103rd-congress/house-bill/3450/text>
- Public Law 107-56 of 2001 [USA Patriot Act]. Uniting and strengthening America by providing appropriate tools required to intercept and obstruct terrorism. October 26, 2001 (United States). <https://www.fincen.gov/resources/statutes-and-regulations/usa-patriot-act>
- Public Law 111-8 of 2009 [Omnibus Appropriations Act]. Making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes. March 11, 2009 (United States). <https://www.congress.gov/111/plaws/publ8/PLAW-111publ8.pdf>
- Ramírez García, T., & Lozano Ascencio, F. (2017). Desigualdad global y migración calificada de México a Estados Unidos. *Carta Económica Regional*, 29(120), 39–65. <https://www.cartaeconomicaregional.cucea.udg.mx/index.php?journal=CER&page=article&op=view&path%5B%5D=708>
- Redacción. (2019, December 7). Granjas de EE. UU. contratan veterinarios mexicanos que terminan como peones. *La Vanguardia*. <https://www.lavanguardia.com/vida/20191207/472078415551/granjas-de-eeuu-contratan-veterinarios-mexicanos-que-terminan-como-peones.html>
- Resolution 73/195. *Global compact for safe, orderly and regular migration*. United Nations General Assembly. January 11, 2019. <https://docs.un.org/en/a/res/73/195>
- Ruggles, S., Flood, S., Foster, S., Goeken, R., Pacas, J., Schouweiler, M., & Sobek, M. (2021). *IPUMS USA (Version 11.0)* [Conjunto de datos]. IPUMS. <https://doi.org/10.18128/D010.V11.0>
- Ruggles, R., Flood, S., Sobek, M., Brockman, D., Cooper, G., Richards, S., & Schouweiler, M. (2023). *IPUMS USA (Version 13.0)* [Dataset]. IPUMS. <https://doi.org/10.18128/D010.V13.0>
- Rymaniak, J., Lis, K., Davidavičienė, V., Pérez-Pérez, M., & Martínez-Sánchez, A. (2021). From stationary to remote: Employee risks at pandemic migration of workplaces. *Sustainability*, 13(13), 7180. <https://doi.org/10.3390/su13137180>
- Schmieg, E. (2019, November). *Connections between trade policy and migration. A sphere of action for the EU* (SWP Research Paper no. 2019/RP 15). Stiftung Wissenschaft und Politik. <https://www.swp-berlin.org/10.18449/2019RP15/>
- Senate Judiciary Committee. (2000, April 11). *American Competitiveness in the Twenty-First Century Act* (Report no. 106-260). U.S. Senate. <https://www.congress.gov/committee-report/106th-congress/senate-report/260/1>

- Shachar, A. (2006). The race for talent: Highly skilled migrants and competitive immigration regimes. *NYUL Review*, 81(1), 148–206. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/nylr81&div=16&id=&page=>
- Te Velde, D. W. (Ed.). (2017). *Regional integration and poverty*. Routledge.
- The Immigration Act of 1952 [1 Elizabeth II, chap. 42]. An Act respecting immigration. July 4, 1952 (Canada). <https://pier21.ca/research/immigration-history/immigration-act-1952>
- Tigau, C. (2017, April 25). *U.S. visas for foreign professionals: Insights on H-1B and TN visas* (Issue Brief no. 04.25.17). Rice University's Baker Institute for Public Policy. https://scholarship.rice.edu/bitstream/handle/1911/97756/BI-Brief-042517-MEX_Visas.pdf?sequence=1
- Tilly, C. (2011). The impact of the economic crisis on international migration: A review. *Work, Employment and Society*, 25(4), 675–692. <https://doi.org/10.1177/0950017011421799>
- Tsapenko, I. P., & Grishin, I. V. (2022). Virtualization of cross-border labor migration. *Herald of the Russian Academy of Sciences*, 92(5), 580–589. <https://doi.org/10.1134/S1019331622050069>
- U.S. Department of Homeland Security (USDHS). (n.d.). *Yearbook of immigration statistics*. Office of Immigration Statistics [Yearbooks 1997–2023]. <https://www.dhs.gov/immigration-statistics/yearbook>
- U. S. Department of Homeland Security (USDHS). (2023). *Creation of the Department of Homeland Security*. <https://www.dhs.gov/creation-department-homeland-security>
- Van, J., Gelatt, J., & Ruiz-Soto, A. (2023). *A turning point for the unauthorized immigrant population in the United States*. Migration Policy Institute. <https://www.migrationpolicy.org/news/turning-point-us-unauthorized-immigrant-population>
- Verea, M. (2014). Immigration trends after 20 years of NAFTA. *Norteamérica*, 9(2), 109–143. <https://doi.org/10.20999/nam.2014.b005>
- World Bank Group. (n.d.). *GDP per capita (current US\$)* [Dataset]. <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD>
- Zwetsloot, R. (2019). *Strengthening the U.S. AI workforce: A policy and research agenda*. Center for Security and Emerging Technology, Georgetown University. https://cset.georgetown.edu/wp-content/uploads/CSET_US_AI_Workforce.pdf