



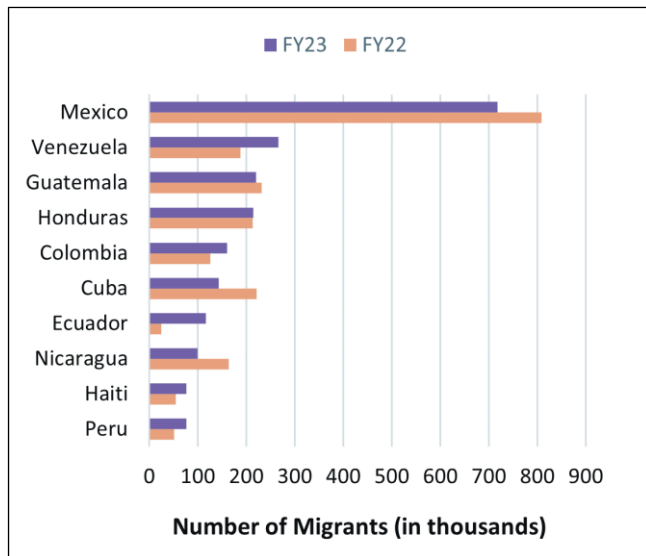
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U.S. Efforts to Manage Western Hemisphere Migration Flows

In FY2023, U.S. Customs and Border Protection (CBP) enforcement encounters at the Southwest border reached 2.5 million. CBP reports that those persons encountered were either placed into removal proceedings under Title 8 of the *U.S. Code*, where they could potentially seek asylum or related relief, or expelled from the United States under Title 42 for public health reasons. Encounters initially fell after the end of COVID-19-related border entry restrictions in May 2023 but have increased steadily since June 2023. FY2023 marked the first time the majority of migrants originated from outside Mexico and Central America, with more than 408,000 migrants traveling from South America through Panama’s dangerous Darién Gap jungle between January and September 2023.

The Biden Administration has launched foreign policy initiatives aimed at managing migration in the Western Hemisphere and has requested FY2024 base and supplemental funds to implement them. Congress is considering legislation and appropriations that could affect those policies while overseeing existing regional migration management efforts.

Figure 1. U.S. Southwest Border Encounters:
FY2023 Top 10 Western Hemisphere Countries of Origin
Figure is interactive in the HTML version of this In Focus.



Source: CRS using U.S. Customs and Border Protection data.

U.S. Regional Migration Management

The Biden Administration’s approach to regional migration challenges initially focused on Central America, a top source of U.S.-bound migrants over the prior decade. In July 2021, pursuant to the United States-Northern Triangle Enhanced Engagement Act (P.L. 116-260, Division FF, Subtitle F) and Executive Order 14010, the Administration

released a U.S. Strategy for Addressing the Root Causes of Migration in Central America. Its stated aim is to address socioeconomic, governance, and security challenges in the subregion. The Administration also created a Collaborative Migration Management Strategy that seeks to build a regional framework for “safe, orderly, and humane migration” in North and Central America.

The Administration subsequently broadened its engagement on migration issues beyond Central America to other countries in the Western Hemisphere in the context of increasingly diverse migrant flows (See **Figure 1**). Secretary of State Antony Blinken gathered with his counterparts in the region for a series of meetings resulting in the Los Angeles Declaration for Migration and Protection, signed by the United States and 20 other Western Hemisphere countries in June 2022. The declaration recognizes migration management as a shared responsibility and seeks to bolster regional efforts to improve border controls, create legal migration and protection pathways, support migrants and host communities, and coordinate mass migration responses. U.S. efforts to implement the Los Angeles Declaration include the following measures.

Foreign Assistance

The Biden Administration has used foreign assistance to advance its migration management strategies. In FY2022, the Administration allocated at least \$704.9 million to support the implementation of the root causes strategy in Central America. It also allocated \$295.6 million in humanitarian assistance to respond to the needs of vulnerable populations in Central America and Mexico, as well as \$656.3 million in humanitarian assistance to countries hosting the more than 6.5 million Venezuelan migrants and refugees in the Western Hemisphere. Full-year FY2023 allocations are not yet available. For FY2024, the Administration requested at least \$945.8 million to continue implementation of the root causes strategy in Central America, at least \$83.0 million to support the integration of Venezuelan migrants in South America, and \$51.4 million for migration management. The United States and some partner governments also are working with the Inter-American Development Bank to provide grants to support infrastructure and social programs for migrants and host communities in the region.

The Administration requested \$1.3 billion in FY2024 emergency supplemental assistance to respond to irregular migration in the hemisphere. Among other activities, the funds would support public messaging about the dangers of the journey and partner governments’ migrant screening, regularization, and integration efforts. Funds also would support the creation and operations of Safe Mobility Offices (SMOs) in the region to vet potential candidates for refugee

resettlement or other legal migration options to the United States or other countries, such as Canada or Spain.

Legal Pathways, Stiffer Penalties

The Biden Administration has expanded legal pathways for migrants to enter the United States, while increasing penalties for those who enter the country illegally. In January 2023, the Administration expanded a humanitarian parole program, which began in October 2022 for migrants from Venezuela, to include migrants from Cuba, Haiti, and Nicaragua (CHNV). With U.S. funding, U.N. agencies have created SMOs in Colombia, Guatemala, Costa Rica, and Ecuador. At SMOs, potential migrants can determine whether they may qualify for refugee status, family reunification parole, temporary worker visas, or other legal pathways. The overall impact of SMOs is limited by several factors: They serve only citizens from specific countries, most migrants are unlikely to qualify for a legal pathway, and, for those who do, the processing time may be lengthy.

The Department of Homeland Security (DHS) has instituted the CBP One app, which appears to have contributed to more migrants arriving by appointment at U.S. ports of entry. As Title 42 ended, DHS announced greater use of expedited removal for inadmissible aliens at the Southwest border. The Administration also issued a final rule making some who arrive at the border without valid entry documents after traveling through another country subject to a rebuttable presumption of asylum ineligibility.

Relief from Removal

The Biden Administration has designated Venezuela and Haiti for Temporary Protected Status (TPS), which provides work authorization and protection from removal for individuals already present in the United States who are nationals of countries DHS deems unsafe. The Administration also extended earlier TPS designations for El Salvador, Honduras, and Nicaragua, which the Trump Administration had tried to terminate. Together, these designations allow some 1.2 million individuals to remain in the United States.

Anti-smuggling and Law Enforcement Efforts

The Biden Administration has worked with regional partners to combat migrant smuggling. In June 2021, the Departments of Justice and Homeland Security established Joint Task Force Alpha to enhance efforts against human smuggling groups in Mexico and Central America. Such activities build on existing cooperation mechanisms, such as Transnational Criminal Investigative Units that investigate and prosecute smugglers and human traffickers, and an International Biometric Information-Sharing Program to help governments detect and detain potential security threats before they reach the United States.

Regional Reactions

U.S. migration management policies have prompted a range of reactions among countries in the region. In October 2023, El Salvador instituted visa requirements and a \$1,000 fee for migrants from African countries and India to help curb irregular migration. Nicaragua, by contrast, has allowed an increase in charter flights carrying Haitians,

Cubans, and other migrants who plan to make their way north to the U.S. border. Costa Rica and Panama, lacking the capacity to deal with the large number of migrants arriving in their countries, began bussing migrants to the Nicaraguan border in October 2023 to expedite their travel.

Some countries have consistently backed or opposed U.S. migration control efforts, whereas others have changed their positions over time. Mexico has remained a key partner in U.S. immigration control efforts by, most recently, accepting U.S. removals from CHNV countries. Colombia continues to host 2.9 million Venezuelan migrants, many of whom have received temporary protected status in the country. The Colombian government has asserted that it is futile to attempt to stop migrants from entering the Darién Gap. Instead, its government, like many in the region, has endorsed addressing the root causes of migration. Amid negotiations regarding electoral conditions for 2024, the Venezuelan government, long opposed to receiving U.S. removals, allowed the resumption of U.S. deportation flights in October 2023.

Considerations for Congress

Congress may consider various policy options as part of its legislative and oversight responses to regional migration challenges. For example, Congress is debating the Biden Administration's base and supplemental foreign assistance requests for FY2024. As the appropriations process continues, Congress could set funding levels and objectives for U.S. assistance in Latin America and the Caribbean. It also could determine the relative balance of migration-related assistance among activities to address the root causes of migration, support for migrant integration and regularization, and border security and migration management efforts. Some research suggests that foreign assistance can reduce migration, though the impact is typically modest and the results vary depending on the type of assistance provided.

In May 2023, the House passed H.R. 2, which, among other measures, would direct the Administration to seek to reestablish migration agreements similar to those concluded during the Trump Administration. These include the Migration Protection Protocols (MPP) with Mexico and Asylum Cooperation Agreements (ACA) with Central American countries. Both of these policies have been subject to litigation. Some in Congress support restarting these policies, arguing that they helped reduce U.S. encounters. Others have opposed such policies, arguing that many partner countries lack the capacity to keep asylum-seekers and refugees safe.

More broadly, Congress may consider the extent to which U.S. policy toward Latin America and the Caribbean should potentially be driven by migration concerns, while also considering other U.S. interests in the region, including trade, security, and adherence to democracy and human rights.

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