U.S. MIGRATION POLICIES IN THE WESTERN HEMISPHERE SINCE 2022

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Necoclí, Colombia, 2023, Photo by Author

Migration in the Americas Project is a policy and research collective of the **University of Wisconsin-Madison** focused on assessing migration policy and developing ways to reduce risk and harm to make movement and residence safer for migrants throughout the Western Hemisphere.
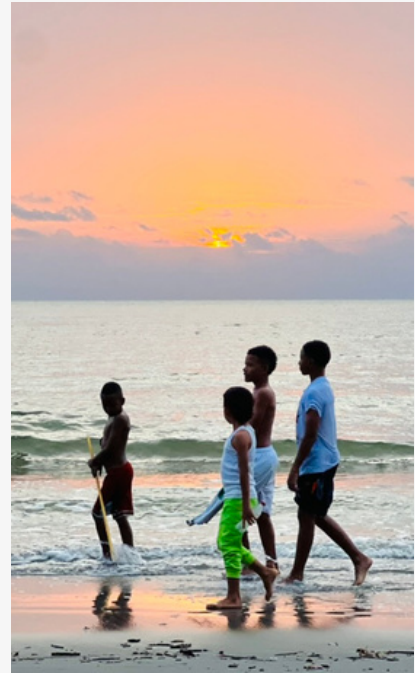

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POLICY REVIEW

In collaboration with governments and agencies outside of the United States, in 2022 the Biden Administration began to implement a series of new immigration programs, policy, and new rules to address what has been billed a migration crisis in the Americas (House, 2022). We summarize the new programs, policies, and rules and assess their implementation thus far.

Necoclí, Colombia, 2023, Photo by Author

The administration doubled down on efforts developed by previous U.S. presidents to deter irregular migration to the country, including the expanded use of deportation, expedited removal back to Mexico for non-Mexican migrants (House, 2023b), and exclusion from regular immigration programs for those who do not use the available formal channels (House, 2023a). One significant ground for exclusion is what has popularly come to be known as the "asylum ban" or the "asylum transit ban" policy. This gives U.S. officials the right refuse to process asylum cases from migrants who do not enter the United States at official ports of entry, and who do not apply and receive a denial for asylum in a country they transited through en route to the U.S.-Mexico border. There is a current challenge in U.S. courts to this policy, so it's future remains unclear (ACLU, 2023).

In conjunction with this policy, the Biden administration established several programs for regular migration from Central and South American countries, including:

POLICIES & PROGRAMS

- ·A sponsorship program where U.S. citizens and other residents in status who agree to be financially responsible for applicants can sponsor migrants for humanitarian parole. The program was originally only open to **Cubans**, but has been expanded to those from **Haiti, Nicaragua, and Venezuela**. The program has a cap of 30,000 application acceptances a month for the next two years. As of June 2023, 160,000 migrants had been admitted to the United States through the program since 2022 when it opened for Venezuelan applicants (DHS, 2023). Reports suggest a significant backlog in case reviewing, estimating upwards of 1.5 million application files and waiting to be processed (Montoya-Galvez, 2023). Half the accepted cases each month are drawn from a lottery of the pool of all cases, the other half processed based on the earliest filing date (DHS, 2023). As of May 11, migrants from these countries who irregularly cross into Panama, Mexico, or the United States would be ineligible for this parole process. Unaccompanied minors are not eligible for this process, but will instead be processed via refugee resettlement, discussed below.
- ·Starting July 31, 2023, a family reunification parole (FRP) program for nationals from **Colombia, El Salvador, Guatemala, and Honduras** (USCIS, 2023). It is too early to assess the efficacy of this program.
- ·The expansion of the U.S. refugee resettlement program to migrants from the Western Hemisphere. The Biden administration announced that starting with the 2023-2024 year, the U.S. would welcome 20,000 refugees from the Western Hemisphere. So far, there is no evidence that refugees have been resettled through this program, though annual programs for U.S. refugee resettlement typically begin in September, so we will assess progress later.

- ·The establishment of regional immigrant processing centers in Central and South America called "Safe Mobility Offices" so that migrants in transit from those places to the United States might have access to regular routes to U.S. immigration, rather than continuing with the very dangerous, irregular routes through the Darien Gap of Panama, Central America, and Mexico to arrive at the U.S.-Mexico border (Ainsley & De Luce, 2023). Safe Mobility Offices are paired with expansion of the refugee resettlement program. It is unclear how many Safe Mobility Offices are up and running in Colombia, Costa Rica, and Guatemala or when they will begin processing cases for those individuals to be resettled as refugees or receive other humanitarian forms of immigration protection (Ainsley & De Luce, 2023).
- ·The expansion of technology, including the CBP One app and the website Movilidad Segura, for migrants to apply for U.S. programs, be processed, and schedule appointments from locations outside of the United States. Reports indicate numerous issues with this application's implementation and use (Abi-Habib et al., 2023; Dikler et al., 2023; International, 2023; Robles, 2023). The reliance on technology to process immigration claims is a key element being challenged in U.S. Courts (Rose, 2023).

The **Migration in the Americas Project** is focused on analyzing migration policy and developing ways to reduce risk to make movement and residence safer for migrants throughout the Western Hemisphere. We will continue to assess the implementation of these and other options for regular migration and share information as it becomes available.

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