

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1690

[Report No. 118-]

To authorize the Secretary of State to negotiate regional immigration agreements, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2023

Mr. McCAUL introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MAY --, 2023

Reported from the Committee on Foreign Affairs with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 22, 2023]

# **A BILL**

To authorize the Secretary of State to negotiate regional immigration agreements, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Orderly Requirements*  
5 *Designed to Enforce and Regulate Latin American Migra-*  
6 *tion Act” or the “ORDER Act”.*

7 **SEC. 2. UNITED STATES POLICY REGARDING WESTERN**  
8 **HEMISPHERE COOPERATION ON IMMIGRA-**  
9 **TION AND ASYLUM.**

10 *It is the policy of the United States to enter into agree-*  
11 *ments, accords, and memoranda of understanding with sov-*  
12 *ereign countries in the Western Hemisphere, the purposes*  
13 *of which are to advance the interests of the United States*  
14 *by reducing costs associated with illegal immigration and*  
15 *to protect the human capital, societal traditions, and eco-*  
16 *nomie growth of other sovereign nations in the Western*  
17 *Hemisphere. It is further the policy of the United States*  
18 *to ensure that humanitarian and development assistance*  
19 *funding aimed at reducing illegal immigration is not ex-*  
20 *pende on programs that have not proven to reduce illegal*  
21 *immigrant flows in the aggregate.*

22 **SEC. 3. NEGOTIATIONS BY SECRETARY OF STATE.**

23 *(a) AUTHORIZATION TO NEGOTIATE.—The Secretary*  
24 *of State shall seek to negotiate agreements, accords, and*  
25 *memoranda of understanding between the United States,*

1 *Mexico, Honduras, El Salvador, Guatemala, and other*  
2 *countries in the Western Hemisphere with respect to co-*  
3 *operation and burden sharing required for effective regional*  
4 *immigration enforcement, expediting legal claims by aliens*  
5 *for asylum, and the processing, detention, and repatriation*  
6 *of foreign nationals seeking to enter the United States un-*  
7 *lawfully. Such agreements shall be designed to facilitate a*  
8 *regional approach to immigration enforcement and shall,*  
9 *at a minimum, provide that—*

10           (1) *the Government of Mexico authorize and ac-*  
11 *cept the rapid entrance into Mexico of nationals of*  
12 *countries other than Mexico who seek asylum in Mex-*  
13 *ico, and process the asylum claims of such nationals*  
14 *inside Mexico, in accordance with both domestic law*  
15 *and international treaties and conventions governing*  
16 *the processing of asylum claims;*

17           (2) *the Government of Mexico authorize and ac-*  
18 *cept both the rapid entrance into Mexico of all na-*  
19 *tionals of countries other than Mexico who are ineli-*  
20 *gible for asylum in Mexico and wish to apply for asy-*  
21 *lum in the United States, whether or not at a port*  
22 *of entry, and the continued presence of such nationals*  
23 *in Mexico while they wait for the adjudication of*  
24 *their asylum claims to conclude in the United States;*

1           (3) *the Government of Mexico commit to provide*  
2 *the individuals described in paragraphs (1) and (2)*  
3 *with appropriate humanitarian protections;*

4           (4) *the Government of Honduras, the Govern-*  
5 *ment of El Salvador, and the Government of Guate-*  
6 *mala each authorize and accept the entrance into the*  
7 *respective countries of nationals of other countries*  
8 *seeking asylum in the applicable such country and*  
9 *process such claims in accordance with applicable do-*  
10 *mestic law and international treaties and conventions*  
11 *governing the processing of asylum claims;*

12           (5) *the Government of the United States commit*  
13 *to work to accelerate the adjudication of asylum*  
14 *claims and to conclude removal proceedings in the*  
15 *wake of asylum adjudications as expeditiously as pos-*  
16 *sible;*

17           (6) *the Government of the United States commit*  
18 *to continue to assist the governments of countries in*  
19 *the Western Hemisphere, such as the Government of*  
20 *Honduras, the Government of El Salvador, and the*  
21 *Government of Guatemala, by supporting the en-*  
22 *hancement of asylum capacity in those countries; and*

23           (7) *the Government of the United States commit*  
24 *to monitoring developments in hemispheric immigra-*  
25 *tion trends and regional asylum capabilities to deter-*

1       *mine whether additional asylum cooperation agree-*  
2       *ments are warranted.*

3       **(b) NOTIFICATION IN ACCORDANCE WITH CASE-ZA-**  
4       **BLOCKI ACT.**—*The Secretary of State shall, in accordance*  
5       *with section 112b of title 1, United States Code, promptly*  
6       *inform the relevant congressional committees of each agree-*  
7       *ment entered into pursuant to subsection (a). Such notifica-*  
8       *tions shall be submitted not later than 48 hours after such*  
9       *agreements are signed.*

10       **(c) ALIEN DEFINED.**—*In this section, the term “alien”*  
11       *has the meaning given such term in section 101 of the Im-*  
12       *migration and Nationality Act (8 U.S.C. 1101).*

13       **SEC. 4. MANDATORY BRIEFINGS ON UNITED STATES EF-**  
14       **FORTS TO ADDRESS THE BORDER CRISIS.**

15       **(a) BRIEFING REQUIRED.**—*Not later than 90 days*  
16       *after the date of the enactment of this Act, and not less fre-*  
17       *quently than once every 90 days thereafter until the date*  
18       *described in subsection (b), the Secretary of State, or the*  
19       *designee of the Secretary of State, shall provide to the ap-*  
20       *propriate congressional committees an in-person briefing on*  
21       *efforts undertaken pursuant to the negotiation authority*  
22       *provided by section 3 to monitor, deter, and prevent illegal*  
23       *immigration to the United States, including by entering*  
24       *into agreements, accords, and memoranda of understanding*  
25       *with foreign countries and by using United States foreign*

1 *assistance to stem the root causes of migration in the West-*  
2 *ern Hemisphere.*

3       **(b) TERMINATION OF MANDATORY BRIEFING.**—*The*  
4 *date described in this subsection is the date on which the*  
5 *Secretary of State, in consultation with the heads of other*  
6 *relevant Federal departments and agencies, determines and*  
7 *certifies to the appropriate congressional committees that*  
8 *illegal immigration flows have subsided to a manageable*  
9 *rate.*

10       **(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
11 *FINED.*—*In this section, the term “appropriate congres-*  
12 *sional committees” means the Committee on Foreign Affairs*  
13 *of the House of Representatives and the Committee on For-*  
14 *eign Relations of the Senate.*