

Union Calendar No. 30

118TH CONGRESS
1ST SESSION

H. R. 1690

[Report No. 118–46, Part I]

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 5, 2023

Additional sponsors: Mrs. WAGNER, Mr. McCORMICK, Mr. SELF, Mrs. RADEWAGEN, Mr. MILLS, Mr. MORAN, Mr. BAIRD, Mrs. KIM of California, Mr. MAST, Mr. SMITH of New Jersey, Mr. WALTZ, Ms. SALAZAR, Mr. WILSON of South Carolina, Mr. GREEN of Tennessee, Mr. BARR, Mr. HUIZENGA, Mr. ISSA, and Mr. KEAN of New Jersey

MAY 5, 2023

Reported from the Committee on Foreign Affairs with an amendment

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

MAY 5, 2023

Committee on the Judiciary discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[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.*

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