

U.S. Legal Pathways for Mexican and Central American Immigrants, by the Numbers

FACT SHEET

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Executive Summary

An emerging body of research suggests that providing legal pathways for migration may reduce unauthorized migration pressures, especially when coupled with targeted enforcement measures. The U.S. government has explicitly made expansion of legal pathways a part of its Collaborative Migration Management Strategy, which focuses on managing migration cooperatively with Mexico and Central America. This aim also features among the commitments that the U.S. and other governments in the Americas have made as signatories of the Los Angeles Declaration on Migration and Protection and as participants in the North American Leaders' Summit.

As policymakers across the region assess the possibilities for expanding legal mobility pathways, understanding the pathways that exist currently and how they are used is a vital starting point.

What legal pathways exist to the United States from Mexico, El Salvador, Honduras, and Guatemala, which have long been among the top sources of unauthorized migration to the United States? Analysis of U.S. government data and other sources points to three main pathways: permanent residen-

cy via family petitions, seasonal labor migration through H-2A and H-2B visas, and more recently, refugee resettlement and humanitarian parole at the border via the CBP One app. Mexican citizens have an additional option in the form of TN visas for high-skilled workers, created as part of the North American Free Trade Agreement and included in its successor, the U.S.–Mexico–Canada Agreement. Other existing pathways, including visas for study and educational exchange, intra-company transfers, other high-skilled work, and crewmembers of sea vessels and airplanes, are much less used. As policymakers across the region assess the possibilities for expanding legal mobility pathways, understanding the pathways that exist currently and how they are used is a vital starting point.

1 Introduction

There is a dynamic relationship between the existence of accessible legal migration pathways and a country's ability to enforce border controls. The available evidence suggests that destination countries are more able to manage migration effectively when they leverage legal channels to provide potential migrants an orderly, safe, and regular alternative to unauthorized migration, although debate persists on the specific ways legal pathways and enforcement measures interact to achieve this under different circumstances.¹ Countries also use legal migra-

tion pathways to further a variety of other national interests, including meeting employer demand for workers with certain skills, reuniting families, and upholding legal obligations to assist people facing persecution.

Policymakers in the United States and across the Western Hemisphere are increasingly focused on how to leverage legal migration pathways as a key element of managing migration. This idea is central to the Los Angeles Declaration on Migration and Protection,² agreed on by 22 governments in June 2022; the Biden administration's Collaborative Migration Management Strategy,³ published in July 2021; and the deliverables of the 2023 North American Leaders' Summit.⁴ In the context of these discussions, "pathways" generally refer to available visas as well as certain other legal channels for entering a country.⁵

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Unauthorized migration to the United States has historically come principally from Mexico and, over the last ten years, also from the three northern Central American countries of El Salvador, Guatemala, and Honduras. The origins and volume of irregular migration at the U.S.-Mexico border have shifted over the last three years—with migrants from beyond Mexico and northern Central America, for the first time on record, accounting for more than half of all irregular arrivals in U.S. fiscal year (FY) 2023⁶—but citizens of these four countries remain among the most frequently encountered nationalities. Mexicans made up the largest share of arrivals of any single national group in FY 2023, for example, and Guatemalans and Hondurans were in the top five. This trend has continued in FY 2024.⁷ Therefore, exploring what legal pathways exist for citizens of these

countries to migrate temporarily or permanently to the United States, how widely they are used, and how this has changed over time is imperative to the ongoing, and increasingly regional, policy debate.

To that end, this fact sheet offers an overview of the U.S. visas and humanitarian pathways available to Mexicans and northern Central Americans, analyzing U.S. government data and other sources to understand their use to date. This includes immigrant visas issued to migrants who intend to live permanently in the country; nonimmigrant visas issued to those who seek to enter temporarily for seasonal work, study, business, or tourism; and refugee resettlement and humanitarian parole. The fact sheet concludes by offering some key considerations for policymakers weighing the options for expanding these pathways in the future.

2 Immigrant Visas

Family and employer sponsorship are the primary ways migrants receive a U.S. immigrant visa, though in certain cases they may be able to submit a petition on their own behalf.⁸ Notably, U.S. citizens sponsoring immediate family members typically accounts for more than 40 percent of new immigrant visas issued each year.⁹ There are two paths available to receive immigrant visas: The first is for sponsored individuals who live abroad to be granted a visa and present it at a U.S. port of entry upon *arrival*, and if reviewed and endorsed by a U.S. Customs and Border Protection (CBP) officer, the individual becomes a lawful permanent resident (LPR, also known as a green-card holder). The second path is through *adjustment of status* for sponsored individuals who are already in the United States and who become LPRs upon approval of their application.

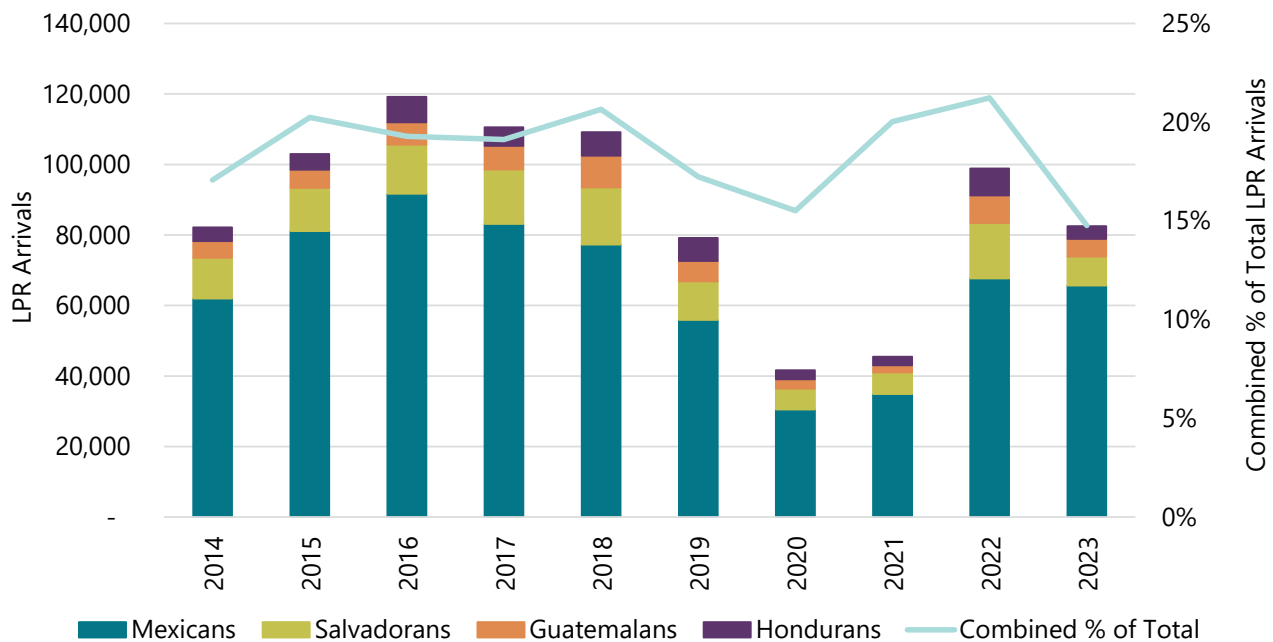
Mexicans and northern Central Americans together make up a significant number and share of new LPR arrivals to the United States. Over the last decade,

the total number has ranged from about 80,000 to 120,000 annually, with the exception of FY 2020 and FY 2021, when visa processing slowed because of processing delays and travel restrictions related to the COVID-19 pandemic (see Figure 1). Mexican citizens make up by far the largest number of these LPR arrivals each year, representing anywhere from 11 percent to 16 percent of total arrivals. This is hardly surprising, since long-standing patterns of migration from Mexico mean the United States has a large Mexican diaspora that includes U.S. citizens and green-card holders eligible to sponsor relatives through family petitions.¹⁰

Although the number of northern Central American LPR arrivals fell between FY 2022 and FY 2023, they have remained relatively consistent since FY 2014. In fact, Guatemalans, Honduras, and Salvadorans combined have accounted for roughly 4 percent to 7 percent of total LPR arrivals since then. Among Central Americans, Salvadorans have received the largest number and share of these visas, likely because their long history of migration to the United States, which dates to the 1980s and 1990s and, as with Mexican migration, has led to the development of a sizeable diaspora community.¹¹ While Guatemalans and Hondurans began migrating to the United

FIGURE 1

Number and Share of Mexicans and Northern Central Americans among Arriving Lawful Permanent Residents, FY 2014–23



Sources: Migration Policy Institute (MPI) calculations based on lawful permanent residence (LPR) data from the U.S. Department of Homeland Security (DHS) Office of Homeland Security Statistics, “[LPR Yearbook Tables 8 to 11 Expanded](#),” updated November 20, 2023; DHS Office of Homeland Security Statistics, “[Legal Immigration and Adjustment of Status Report Fiscal Year 2023, Quarter 4](#),” updated May 8, 2024; Ryan Baugh, “[U.S. Lawful Permanent Residents: 2022](#)” (annual flow report, DHS Office of Homeland Security Statistics, November 2023).

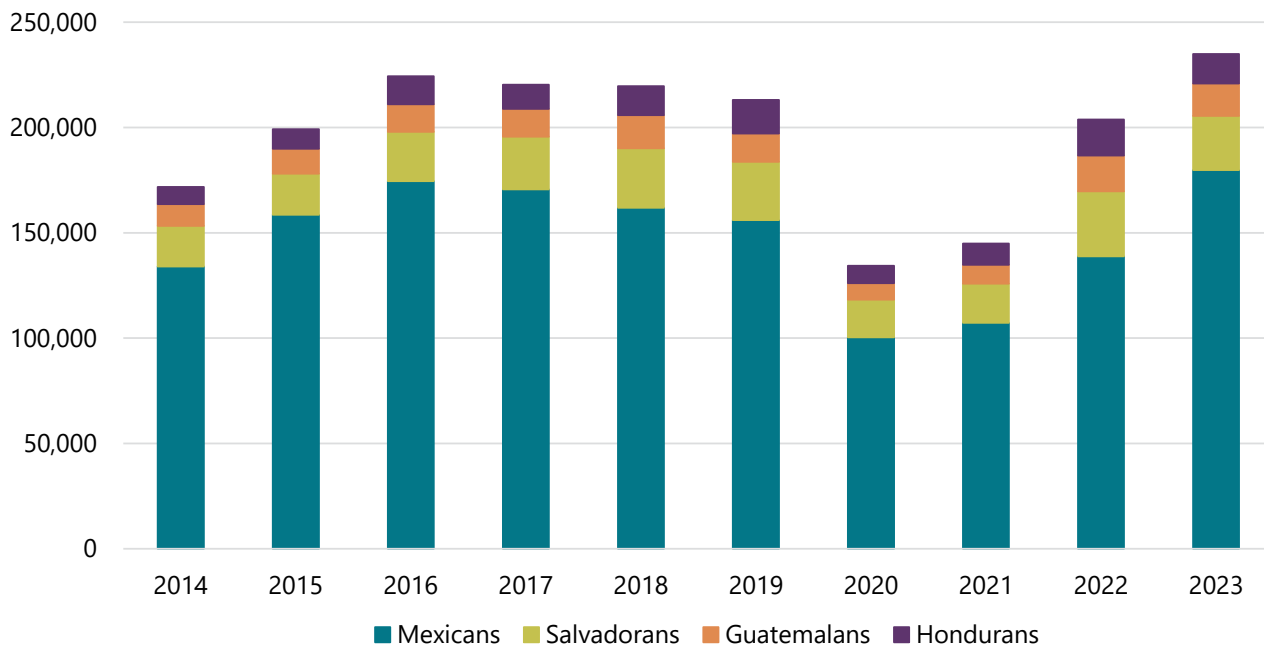
States around the same time, it was not until about 2013 that nationals of these two countries began immigrating in larger numbers, contributing to their more modest immigrant visa issuances.

Almost every year in the last ten years, nearly 1 million people from around the world have been issued immigrant visas and become LPRs either on arrival or through status adjustment (the exceptions being FY 2020 and FY 2021, at the height of pandemic travel restrictions). Between 130,000 and 180,000

Mexicans usually become LPRs each year—the largest number of any nationality—and they represent between 13 percent and 15 percent of all new LPRs (see Figure 2). The total number of Salvadorans, Guatemalans, and Hondurans to receive immigrant visas is significantly lower, but it has been gradually increasing since FY 2014. About 5 percent of all new LPRs in recent year have been from northern Central America, and together with Mexicans, they make up one of every five new LPRs each year.

FIGURE 2

Total New Lawful Permanent Residents from Mexico and Northern Central America, FY 2014–23



Sources: MPI calculations based on LPR data from DHS Office of Homeland Security Statistics, “LPR Yearbook Tables 8 to 11 Expanded”; DHS Office of Homeland Security Statistics, “Legal Immigration and Adjustment of Status Report”; Baugh, “U.S. Lawful Permanent Residents: 2022.”

3 Nonimmigrant Visas

The second and broader legal mobility pathway to the United States is nonimmigrant visas, which allow migrants to work or study in the country for a predetermined period of time. The system includes many different visa types for distinct travel purposes, each with different eligibility requirements and validity periods. Among the visas most widely used by Mexicans and northern Central Americans (and other Latin Americans) are the H-1, H-2, F-1, J-1, and P-1 visas (see Table 1).

Since FY 2012, nonimmigrant visa issuances (not including B-1/B-2 tourist visas) to Mexicans and northern Central Americans have been gradually increasing in number and as a share of total nonimmigrant visas issued across all nationalities. The

U.S. government more than doubled the number of nonimmigrant visas it issued to these four nationalities between FY 2012 (177,000) and FY 2019 (364,000), increasing their share of all nonimmigrant visa issuances from 9 percent to 16 percent over the seven-year span (see Figure 3). Most of this growth is due to sharp increases in legal migration from Mexico. Even as the issuance of visas in other categories fell following the onset of the pandemic, the number issued to Mexicans and northern Central Americans rebounded quickly and accounted for 28 percent of all nonimmigrant visas issued in FY 2021. This reflects, in part, the United States’ reliance on seasonal farmworkers and those workers being considered essential workers, meaning they were prioritized for admission. Since then, the share appears to be stabilizing as nonimmigrant visa issuance to migrants from other parts of the world has picked back up.

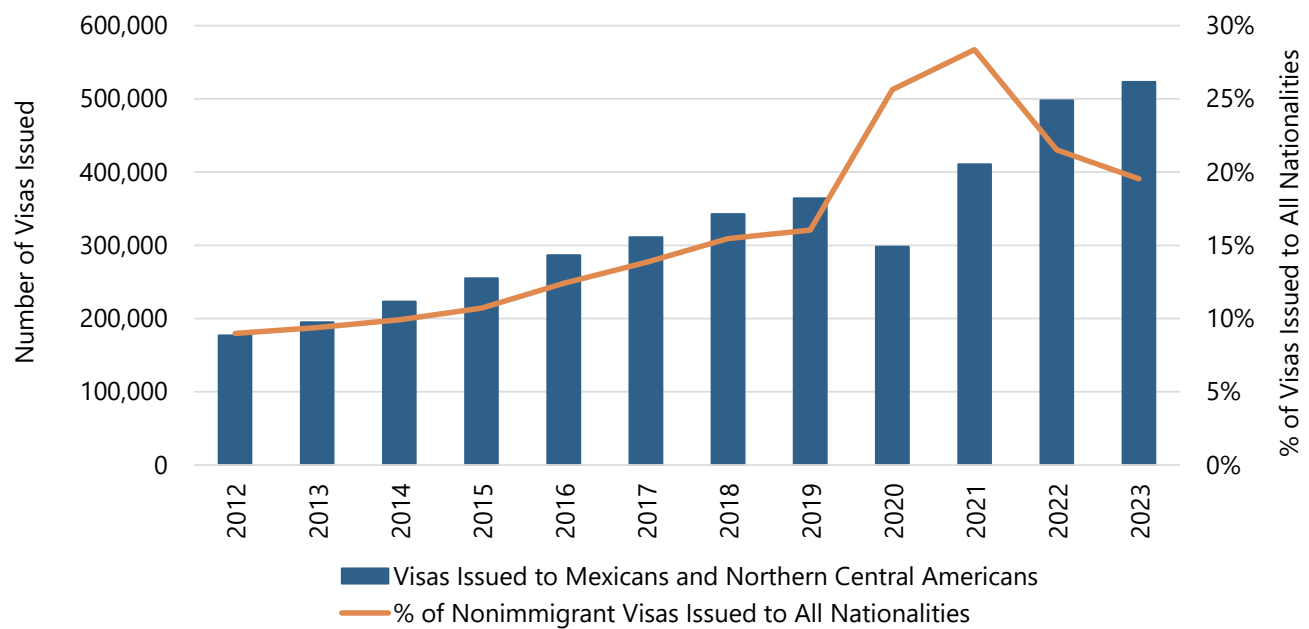
TABLE 1
Selected U.S. Nonimmigrant Visa Categories

Visa Category	Purpose of Travel
C-1/D	Transit of crewmembers of sea vessels and international airlines
F-1/M-1	Academic and vocational students
H-1B	Temporary workers in specialty occupations in fields requiring highly specialized knowledge
H-2A	Temporary agricultural workers
H-2B	Temporary workers performing other, nonagricultural services or labor of a temporary or seasonal nature
J-1	Exchange visitors (including students; professors, scholars, and teachers; physicians; au pairs; and trainees)
L-1	Intracompany transferees
P-1	Temporary workers performing as athletes, artists, and entertainers

Note: This table lists the most common, but not all, travel purposes for each visa category.
Source: U.S. Department of State, “[Directory of Visa Categories](#),” accessed March 24, 2024.

FIGURE 3

Number of U.S. Nonimmigrant Visas Issued to Mexicans and Northern Central Americans and Share of Total Nonimmigrant Visas Issued, FY 2012–23



Source: MPI calculations based on data from the U.S. Department of State, “Nonimmigrant Visa Issuances by Visa Class and by Nationality,” accessed July 30, 2024.

Of the various nonimmigrant visa categories, Mexicans and northern Central Americans receive sizeable shares of H-2A visas for temporary agricultural workers (especially Mexicans) and H-2B visas for temporary nonagricultural workers (both groups). On the other hand, Mexicans and northern Central Americans make up much lower shares in all other

nonimmigrant visa categories except for P-1s, which go to athletes, artists, and entertainers; Mexicans received 24 percent of P-1 visas issued in FY 2023.

Because of long-established networks and recruitment practices, H-2 visas continue to go overwhelmingly to Mexican workers, even as an increasing

TABLE 2

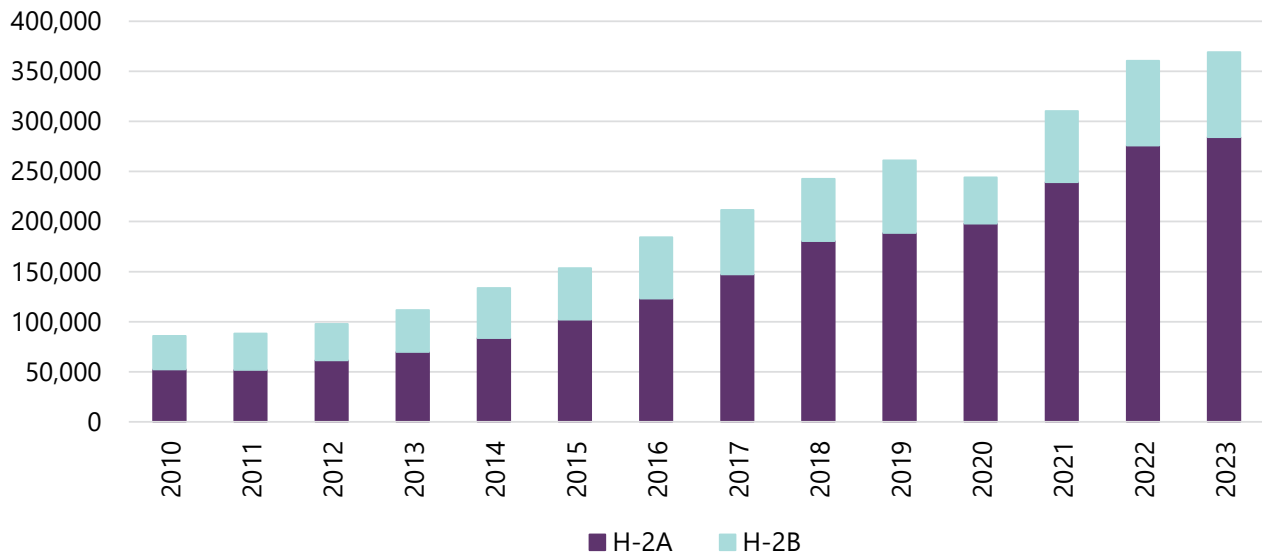
Total Number of U.S. Nonimmigrant Visas Issued to Mexicans and Northern Central Americans and Share of Total Nonimmigrant Visas, by Visa Category, FY 2023

	All Visas (Excluding Tourism)	H-1B	H-2A	H-2B	F-1	L-1	M-1	J-1	C-1/D	P-1
Total Visas Issued	2,677,500	265,777	310,676	131,704	445,418	76,671	6,052	316,693	353,164	24,165
Mexican Share	18%	1%	92%	64%	2%	5%	4%	5%	1%	24%
Northern Central America Share	1%	0%	2%	18%	0%	0%	1%	0%	0%	1%
Combined Share	20%	1%	93%	82%	2%	5%	5%	6%	2%	25%

Note: The Mexican and northern Central American shares shown here may not sum to the combined share due to rounding.

Source: MPI calculations based on data from the U.S. Department of State, “Nonimmigrant Visa Issuances.”

FIGURE 4

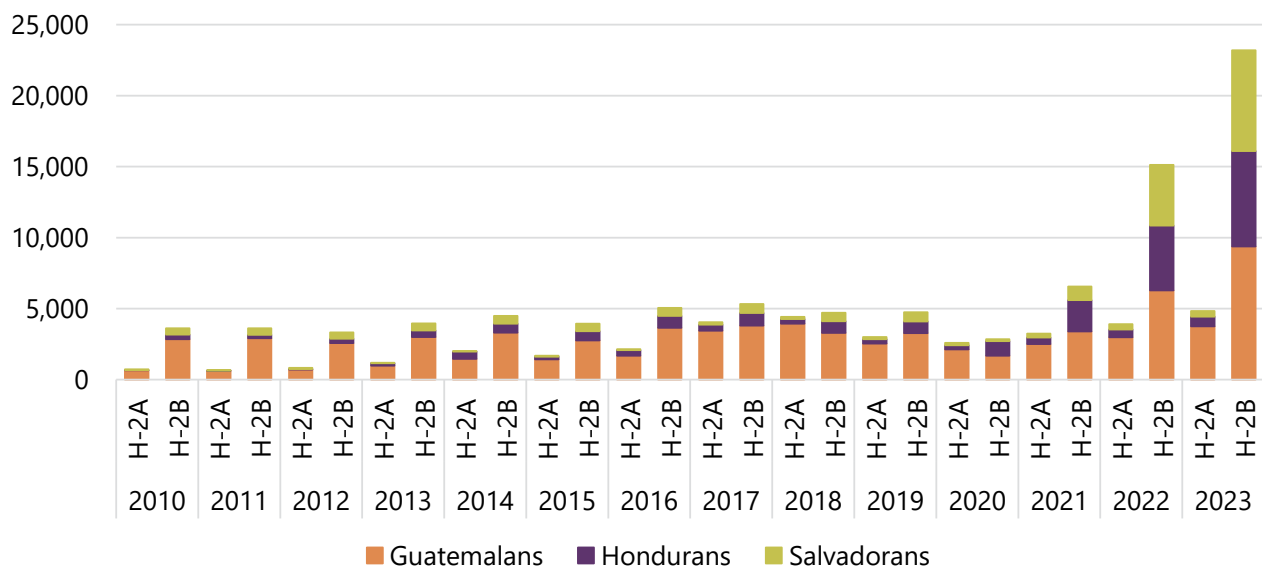
Number of H-2A and H-2B Visas Issued to Mexicans, FY 2010–23

Source: MPI calculations based on data from the U.S. Department of State, "Nonimmigrant Visa Issuances."

share are granted to Central Americans. For years, more than 90 percent of H-2A visas and more than 70 percent of H-2B visas have been issued to Mexicans.¹² Since FY 2010, the number of H-2 visas issued to Mexicans has been on the rise, driven by steadily

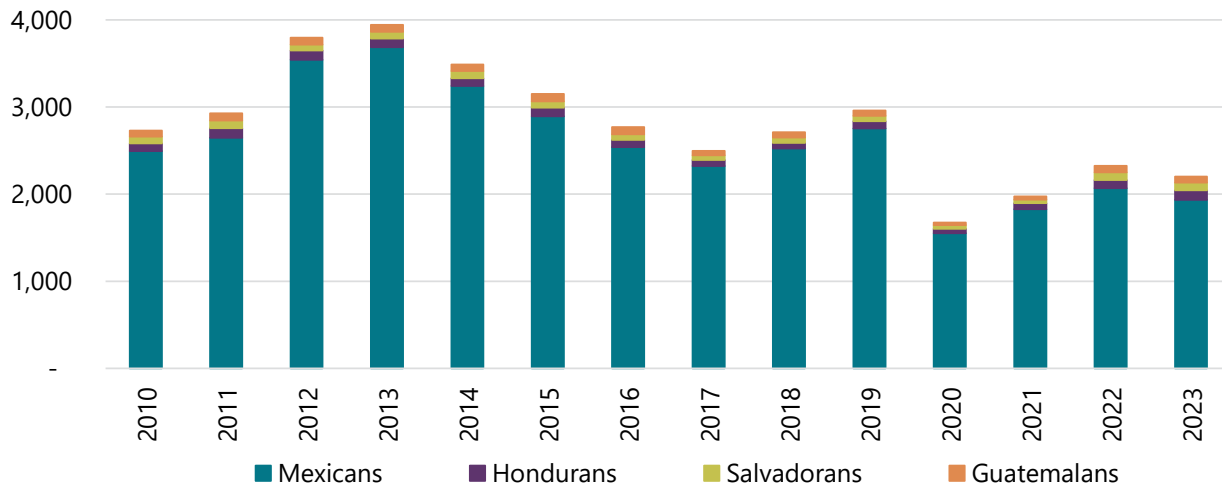
increasing H-2A numbers; H-2B visa issuance has seen much more modest growth and was more heavily affected by the pandemic (see Figure 4). In FY 2023, about 369,000 Mexican workers were hired under the H-2 program, representing 83 percent of

FIGURE 5

Number of H-2A and H-2B Visas Issued to Northern Central Americans, FY 2010–23

Source: MPI calculations based on data from the U.S. Department of State, "Nonimmigrant Visa Issuances."

FIGURE 6

Number of H-1B Visas Issued to Mexicans and Northern Central Americans, FY 2010–23

Source: MPI calculations based on data from the U.S. Department of State, “Nonimmigrant Visa Issuances.”

all H-2 visas issued that year. And Mexicans along with Guatemalans, Hondurans, and Salvadorans comprised about 90 percent of all workers participating in the program.¹³

Since FY 2021, northern Central American workers have received a growing number and share of H-2 visas (see Figure 5), mostly as a result of increases in H-2B visas. Salvadorans, Guatemalans, and Honduras accounted for 18 percent of all H-2B visa issuances in FY 2023, compared to 5 percent in FY 2020—a significant increase over just three years.¹⁴ This rise of Central American H-2B workers is due in large part to the U.S. Department of Homeland Security (DHS) allocating additional H-2B visas beyond the standard 66,000 cap per fiscal year since FY 2021 and setting aside a certain number for nationals of these countries, among others. For FY 2024, DHS has raised the cap by an additional 65,000 visas, for a total of approximately 130,000, and again set aside some of those visas, suggesting the increase in issuances for Central Americans will continue.¹⁵

In addition to H-2 visas for shorter-term and seasonal work, the United States issues H-1B visas for high-skilled workers for a renewable three-year pe-

riod. However, few Latin American workers receive these visas each fiscal year. Of the 266,000 H-1B visas issued in FY 2023, for example, Mexicans and northern Central Americans combined received slightly more than 2,000, about 1 percent of the total. And of these four nationalities, Mexicans have consistently received the most H-1Bs, peaking at nearly 4,000 in FY 2013, while Guatemalans, Hondurans, and Salvadorans have each received fewer than 120 per year (see Figure 6). In recent years, the bulk of H-1B beneficiaries have worked in computer-related occupations (65 percent in FY 2023, for example), where Mexicans and northern Central Americans are underrepresented. Indian and Chinese citizens, by contrast, are much more well-represented in such occupations and received 84 percent of H-1B visas that year.¹⁶

Slightly more Latin Americans—primarily from Mexico, Colombia, and Brazil—receive J visas, which go to people participating in exchange programs and temporary learning experiences (e.g., fellowships at universities, work at nonprofits, and summer camp jobs). A small but growing number of Latin Americans, again mostly from Brazil, Mexico, and Colombia, also obtain C-1/D visas for working on cruise

FIGURE 7

Number of TN Visas Issued to Mexicans and TN Share of All Visas Issued to Mexicans, FY 2010–23

Source: MPI calculations based on data from the U.S. Department of State, “Nonimmigrant Visa Issuances.”

ships for short periods of time. Considering these countries are important ports for cruise ships, some observers have suggested there may be potential to expand access to these visas as an alternative to irregular migration.¹⁷

Notably, while Mexicans do not receive particularly large numbers of H-1B visas, they do have access to a different, more targeted high-skilled visa: the TN visa. This visa category is reserved for Mexican and Canadian citizens, having been initially negotiated as part of the North American Free Trade Agreement (NAFTA) and then included in its successor, the U.S.–Mexico–Canada Agreement (USMCA). The number of TN visas has grown gradually since they were first implemented, and more than 30,000 were issued to Mexican nationals in FY 2022 and in FY 2023 (see Figure 7). These visas thus now make up between 6 percent and 7 percent of all U.S. visas issued to Mexicans.

4 Humanitarian Pathways

Refugee resettlement and humanitarian parole are becoming increasingly important mechanisms to provide Mexicans and Central Americans protection and alternatives to irregular migration. The 1980 *Refugee Act* created the modern U.S. refugee resettlement system, which allows the U.S. government to screen and process protection seekers abroad for entry to the United States. Since FY 2010, the number of refugees the United States has resettled annually from northern Central America has increased gradually, from nearly zero through FY 2015 to approximately 1,000 by FY 2021.¹⁸

This increase in refugee resettlement from the region was partially a product of the Central American Minors (CAM) Program, which was relaunched in 2021 and allows parents and legal guardians who

are legally present in the United States to sponsor the entry of their own minor children from El Salvador, Guatemala, or Honduras as refugees.¹⁹ Moreover, among other efforts by the Biden administration to promote collaborative migration management in the Americas, the 2023 launch of a Safe Mobility Office (SMO) in Guatemala that facilitates expedited refugee processing (along with providing information to would-be migrants on other, non-humanitarian legal pathways for which they may qualify) has notably increased the numbers of refugees, primarily Guatemalans, the United States resettles from northern Central America, reaching nearly 5,000 in the first nine months of FY 2024.²⁰ Still, these numbers represent a relatively small share all refugees resettled to the United States, who numbered 68,000 over the same period.

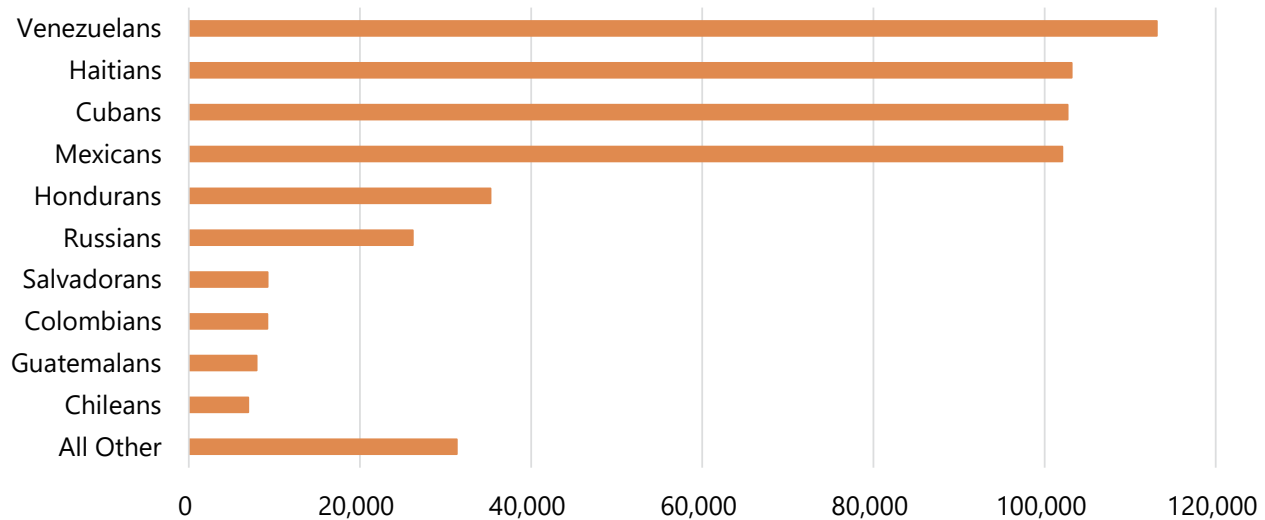
Separately, humanitarian parole is a discretionary authority that allows the executive branch to admit people to the United States who it deems to have special humanitarian needs.²¹ Historically, humanitarian parole was used by the U.S. government to admit people in need of international protection, often in broad classes tied to specific national groups. But after the passage of the 1980 *Refugee Act* and the creation of the refugee resettlement program, humanitarian parole was used far more sparingly to admit only a few people each year who had specific, individual circumstances that were deemed to warrant admission.²² That has changed under the Biden administration, which has increased the use of humanitarian parole through programs such as Uniting for Ukraine and the Cuban, Haitian, Nicaraguan, and Venezuelan (CHNV) parole program. Though northern Central Americans are not eligible for these programs, some are granted humanitarian parole through the CAM program, which allows qualifying

parents and legal guardians to request that their children be considered for humanitarian parole if they are found to be ineligible for refugee resettlement.²³

As part of this broader use of humanitarian parole, the Biden administration in January 2023 began implementing an online scheduling tool known as the CBP One app for people seeking admission at a U.S. port of entry.²⁴ This system, which is designed to discourage migrants from crossings the border without authorization between ports of entry, currently allows up to 1,500 people per day to schedule a security screening appointment through the online system. Those who pass this screening are allowed to enter with a two-year humanitarian parole, are placed in immigration proceedings, and once in the country, have the opportunity to apply for asylum.

From the implementation of CBP One in January 2023 through March 2024, Mexicans were the fourth largest nationality group of migrants receiving appointments to present themselves at U.S. ports of entry (see Figure 8). Hondurans, Salvadorans, and Guatemalans were in the top ten but had much lower numbers, in part because they are subject to Mexican migration enforcement measures and thus less likely to reach Mexico City or northern Mexico, where individuals must be physically present to schedule a CBP One appointment. Combined, these four nationalities scheduled approximately 154,000 CBP One appointments between January 2023 and March 2024, accounting for about 28 percent of all appointments.²⁵ Because almost all migrants who receive CBP One appointments are screened and granted two-year parole, this process has become a legal pathway to the United States for tens of thousands of Mexicans and northern Central Americans.

FIGURE 8

CBP One App Appointments, by Nationality, January 2023–March 2024

Source: MPI calculations based on data from the U.S. Department of Homeland Security, “[Immigration Enforcement and Legal Processes Monthly Tables, March 2024](#),” updated July 5, 2024.

5 Implications and Opportunities

The pathways available for Mexicans and northern Central Americans seeking to enter the United States legally have grown gradually in recent years. These include visas for seasonal work and, in the case of Mexican citizens, high-skilled work; green cards for family members of those already living permanently in the United States; and refugee resettlement and humanitarian parole for people seeking safety. These pathways account for a small but growing proportion of all migration from these countries; unauthorized migration remains larger, but they hold the potential to increase over time and provide lawful alternatives to otherwise dangerous journeys.

There is a significant degree of integration between the U.S. and Mexican economies, for example, but the legal pathways to facilitate greater integration between the workforces in the two countries have

not necessarily followed.²⁶ There are surprisingly few Mexican students studying at U.S. universities, given the size and closeness of the country, and the TN visa has not yet been used extensively to admit high-skilled Mexican workers in certain fields facing labor shortages, such as nursing. These are two areas where pathways might expand in the future. It is also likely that the United States will continue to grant large numbers of H-2A visas to Mexican agricultural workers and H-2B visas to both Mexican and Central American temporary nonagricultural workers, based on growing demand among U.S. employers. And with large Mexican and Central American diasporas in the United States and with displacement an ongoing challenge in the region, family reunification and protection pathways will similarly remain important. This fact sheet lays out the state of play, but there are significant opportunities to build on what currently exists to better leverage migration to complement changes in the U.S. labor market and to bring greater order to the human mobility that has long been a part of the region’s shared history.

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- 3 National Security Council, *Collaborative Migration Management Strategy* (Washington, DC: National Security Council, 2021).
- 4 White House, "Key Deliverables for the 2023 North American Leaders' Summit" (fact sheet, January 10, 2023).
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