

POLICY BRIEF

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

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STATEMENT OF ISSUE

Unauthorized migration has increased rapidly in recent years, but a growing body of research suggests that expanding legal pathways could reduce pressure on unauthorized migration. Policymakers in the Western Hemisphere have sought to address this issue, particularly through initiatives such as the Collaborative Migration Management Strategy. Existing evidence indicates that destination countries that leverage legal channels to offer a safe and organized alternative to unauthorized migration have a better ability to manage migration effectively. Thus, the primary goal of this study is to examine visa options, assess how they are being utilized, and evaluate the potential expansion for Mexican and Northern Central Americans within the United States.

KEY FINDINGS

- Immigration across the Southern border has historically come from Mexico, El Salvador, Guatemala, and Honduras. Mexicans are reported as the largest share of arrivals in FY 2023, while Hondurans and Guatemalans were in the top five.
- Legal pathways are separated into immigrant visas and nonimmigrant visas. The former, known as the green card, grants permanent residency while the latter allows migrants to enter the country for a predetermined period.
- Family sponsorship is one of the top two most used legal pathways as it accounts for more than 40% of new immigrant visas issued annually. Once sponsored, the individual becomes a lawful permanent resident (LPR). Around 11-16% of LPR's are comprised of Mexican immigrants, while Northern Central Americans comprise roughly 4-7% of all LPR's.
- In FY 2021, the four countries formed 28% of all non-immigrant visas, with the largest shares being the H-2A and H-2B visas. Both visas are for temporary agricultural and non-agricultural workers, whose issuance has grown since FY 2010.
- Most H-1B visas are offered to Indian and Chinese citizens who received 84% of all H-1B visas in FY 2023, Mexicans and Northern Central Americans account for approximately 1% within that year. H-1B visas are defined as temporary residency for workers in specialty occupations in fields requiring highly specialized knowledge.
- Mexican citizens have the additional option of migrating through the TN visa, a non-immigrant visa, negotiated through the North American Free Trade Agreement (NAFTA). In FY 2023, Mexicans constituted for 6-7% of all TN visas.
- Humanitarian pathways are utilized by immigrants seeking asylum. In FY 2024, nearly 5,000 Northern Central Americans, primarily Guatemalans, were resettled. Though this number only serves as a fraction of the total 68,000 refugees resettled within that same period.

POLICY RECOMMENDATIONS

- Provide additional alternatives and increase pathways for legal migration to decrease unauthorized migration and bring greater order in human mobility.
- Increase TN visas to recruit high-skilled Mexican workers to combat labor shortages in high-skilled fields such as nursing.
- Increase H-2A and H-2B visas to Mexican and Northern Central Americans to supply growing U.S. labor demand.