

117TH CONGRESS  
2D SESSION

# H. R. 7464

To place certain limitations on migrant caravans, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2022

Ms. HERRELL (for herself, Mr. WEBER of Texas, Mr. HIGGINS of Louisiana, Ms. MALLIOTAKIS, Mr. MOONEY, Mrs. MILLER of Illinois, Mrs. BOEBERT, and Mr. BUDD) 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

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## A BILL

To place certain limitations on migrant caravans, 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 “Anti-Caravan Act of  
5 2022”.

6 **SEC. 2. LIMITATIONS ON MIGRANT CARAVANS.**

7 (a) CONTROLLED FLOW POLICY.—

1           (1) FUNDING.—Not later than 90 days after  
2 the date of the enactment of this Act, the Secretary  
3 of State, in consultation with the Secretary of  
4 Homeland Security, shall make such amounts avail-  
5 able in the form of reimbursements to the govern-  
6 ment of a Central American country or Mexico as  
7 may be necessary to cover up to 70 percent of the  
8 cost of any flight to return an alien to the alien’s  
9 country of origin or nationality if such alien is deter-  
10 mined by the appropriate government authorities in  
11 the respective country to have unlawfully entered the  
12 country in a migrant caravan and be in transit to  
13 the United States. The total amount reimbursed to  
14 a government of a Central American country of  
15 Mexico for this purpose shall not exceed the amount  
16 authorized by appropriations for the applicable fiscal  
17 year.

18           (2) CENTRAL AMERICAN COUNTRY DEFINED.—  
19 In this subsection, the term “Central American  
20 country” means a country that has implemented a  
21 controlled flow policy, including—

- 22                   (A) Guatemala;
- 23                   (B) Panama;
- 24                   (C) El Salvador;
- 25                   (D) Costa Rica;

1 (E) Honduras;

2 (F) Nicaragua; and

3 (G) Belize.

4 (b) FOREIGN AID FOR CERTAIN IMMIGRATION AC-  
5 TIVITIES.—

6 (1) IN GENERAL.—Not later than 90 days after  
7 the date of the enactment of this Act, the Secretary  
8 of State, in consultation with the Secretary of  
9 Homeland Security, shall develop a program to pro-  
10 vide direct funding to a Western Hemisphere coun-  
11 try or other country determined by the Secretary of  
12 State to have a policy deterring unlawful travel from  
13 a source country of illegal migration to the United  
14 States. Such funding may be used to fund immigra-  
15 tion detention, processing immigration cases, and re-  
16 patriation flights for foreign nationals to be returned  
17 to their country of nationality.

18 (2) FUNDING.—The Secretary of State, in con-  
19 sultation with the Secretary of Homeland Security,  
20 shall make such amounts available in the form of re-  
21 imbursements to the government of a Western  
22 Hemisphere country as may be necessary to cover up  
23 to 70 percent of percent of the costs for legal proc-  
24 essing, detention, and air transportation, to be de-  
25 rived from amounts appropriated.

1           (c) WELL-FOUNDED FEAR FOR CERTAIN ASYLUM  
2 SEEKERS.—Section 208(a)(2) of the Immigration and Na-  
3 tionality Act (8 U.S.C. 1158(a)(2)) is amended by adding  
4 at the end the following new subparagraph:

5                   “(F) MIGRANT CARAVANS.—

6                           “(i) IN GENERAL.—Paragraph (1)  
7 shall not apply to an alien if the Secretary  
8 of Homeland Security determines that the  
9 alien entered the United States in a group  
10 of more than 25 aliens in an hour period  
11 within a quarter mile along the United  
12 States-Mexico border region unless such  
13 alien enters the United States at a port of  
14 entry.

15                           “(ii) REPORTING REQUIREMENT.—  
16 Not later than 180 days after the date of  
17 the enactment of the Anti-Caravan Act of  
18 2022, and quarterly thereafter, the Sec-  
19 retary of Homeland Security and Attorney  
20 General shall submit a report to the Com-  
21 mittee on the Judiciary and Committee on  
22 Homeland Security of the House of Rep-  
23 resentatives and the Committee on Home-  
24 land Security and Governmental Affairs of  
25 the Senate on the number of migrant cara-

1 vans encountered along the United States-  
2 Mexico border region from which country  
3 the migrant caravans originated, through  
4 which countries they transited, and what  
5 actions any Central American country or  
6 Mexico took to repatriate, detain, or im-  
7 pede the transit of a migrant caravan.”.

8 (d) CRIMINAL AND IMMIGRATION PENALTIES FOR  
9 ORGANIZERS AND PARTICIPANTS IN A MIGRANT CARA-  
10 VAN.—Chapter 8 of the Immigration and Nationality Act  
11 (8 U.S.C. 1321 et seq.) is amended by inserting after sec-  
12 tion 276 the following new section:

13 **“SEC. 276A. PENALTIES FOR ORGANIZERS AND PARTICI-  
14 PANTS IN A MIGRANT CARAVAN.**

15 “(a) IN GENERAL.—

16 “(1) PARTICIPANT.—An alien who participated  
17 in a migrant caravan, as determined by the Attorney  
18 General and the Secretary of Homeland Security,  
19 shall be ineligible for any immigration benefit or sta-  
20 tus under this Act for 10 years from the date on  
21 which the migrant is encountered by U.S. Customs  
22 and Border Protection with respect to such partici-  
23 pation.

24 “(2) ORGANIZER OR FINANCIER.—An alien who  
25 organized or financed a migrant caravan, as deter-

1       mined by the Attorney General and the Secretary of  
2       Homeland Security, shall be ineligible for any immi-  
3       gration benefit or status under this Act for 30 years  
4       from the date on which such a determination is  
5       made.

6       “(b) CRIMINAL PENALTIES.—An individual who  
7       knowingly organized, financed, or otherwise provided ma-  
8       terial support a migrant caravan shall be fined under title  
9       18, United States Code, or imprisoned not less than 10  
10      years, or both.

11      “(c) MIGRANT CARAVAN DEFINED.—The term ‘mi-  
12      grant caravan’ means a group of 25 or more individuals  
13      moving by land across international borders with the in-  
14      tent to enter the United States without valid entry docu-  
15      ments or lawful immigration status, as determined by the  
16      Secretary of Homeland Security and the government of  
17      a country of transit, in violation of the Immigration and  
18      Nationality Act (8 U.S.C. 1101 et seq.) or any other law.”.

19      (e) FUNDS REQUIRED.—The Secretary of State may  
20      use \$60,000,000 to be derived from the unobligated bal-  
21      ances of the amounts appropriated under section  
22      7045(a)(1) of the Consolidated Appropriations Act, 2022  
23      (Public Law 117–103) for the purpose of carrying out this  
24      Act.

25      (f) DEFINITIONS.—In this section:

1           (1) MIGRANT CARAVAN.—The term “migrant  
2 caravan” means a group of 25 or more individuals  
3 moving by land across international borders with the  
4 intent to enter the United States without valid entry  
5 documents or lawful immigration status, as deter-  
6 mined by the Secretary of Homeland Security and  
7 the government of a country of transit, in violation  
8 of the Immigration and Nationality Act (8 U.S.C.  
9 1101 et seq.) or any other law.

10           (2) SOURCE COUNTRY.—The term “source  
11 country” means a country whose nationals account  
12 for more than 1.9 percent of all U.S. Customs and  
13 Border Protection encounters, as determined annu-  
14 ally by the Secretary of Homeland Security, at the  
15 southwest border of the United States.

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