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Latin America and the Caribbean: Key Issues for the 114th Congress

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Summary

U.S. Interests and Policy

Geographic proximity has ensured strong linkages between the United States and the Latin American and Caribbean region, with diverse U.S. interests, including economic, political, and security concerns. U.S. policy toward the region under the Obama Administration has focused on four priorities: promoting economic and social opportunity; ensuring citizen security; strengthening effective democratic institutions; and securing a clean energy future. There was substantial continuity in U.S. policy toward the region during the first six years of the Obama Administration, which pursued some of the same basic policy approaches as the Bush Administration. Nevertheless, the Obama Administration made several significant policy changes, including an overall emphasis on partnership and shared responsibility. Moreover, just after the end of the 113th Congress in December 2014, President Obama unveiled a new policy approach toward Cuba that substantially broke with the long-standing U.S. sanctions-based policy and moved toward a policy of engagement.

U.S. policy toward the region is conducted in the context of a Latin America that has become increasingly independent. The region has diversified its economic and diplomatic ties with countries outside the region. Over the past few years, several Latin American regional organizations have been established that do not include the United States, including the Community of Latin American and Caribbean States designed to boost regional integration and cooperation. Nevertheless, the United States still remains very much engaged in the region bilaterally and multilaterally.

Congressional Action

Congress plays an active role in policy toward Latin America and the Caribbean. Legislative action in the 113th Congress included a measure directing the Secretary of State to develop a strategy for reform at the Organization of American States (P.L. 113-41); approval of the U.S.-Mexico Transboundary Hydrocarbons Agreement (a provision in P.L. 113-67); the 2014 farm bill (P.L. 113-79), with provisions modifying the U.S. cotton program related to a trade dispute with Brazil and requiring State Department reports on a U.S.-Mexico water dispute; omnibus appropriations legislation for FY2013 (P.L. 113-6), FY2014 (P.L. 113-76), and FY2015 (P.L. 113-235), with numerous foreign aid provisions on Latin America; a measure requiring an annual report on post-earthquake recovery in Haiti (P.L. 113-162); and a measure imposing sanctions on those responsible for certain human rights abuses in Venezuela (P.L. 113-278).

Oversight attention during the 113th Congress focused on such issues as U.S. support to countries contending with drug trafficking and transnational crime, especially Mexico and Central American and Caribbean countries; continued counternarcotics and security support to Colombia as it engaged in negotiations to end the country's longstanding guerrilla conflict; support to Haiti as it continued to recover from the 2010 earthquake; challenges to freedom of expression and assembly, especially in Venezuela; concerns about Iranian activities in the region; and the surge of unaccompanied minors from Central America.

These and other issues will likely sustain congressional interest in the region during the 114th Congress. Early in 2015, two events may generate congressional attention: the election of a new Secretary General of the Organization of American States on March 18; and the seventh Summit

of the Americas scheduled for April 10-11, which for the first time will include the participation of Cuba. Eight countries in the region are scheduled to have elections for head of government in 2015, including Guyana and Suriname in May, Guatemala in September, Argentina in October, and Haiti in late 2015. Haiti's long overdue legislative elections remain a concern of Congress as does the Venezuelan government's treatment of its political opposition. In Argentina, the mysterious death on January 18 of the prosecutor in the 1994 bombing of a Jewish civic organization that killed 85 people has prompted congressional concern. On trade issues, the proposed Trans-Pacific Partnership agreement, which would need to be approved by Congress, could augment U.S. trade and investment ties with Chile, Mexico, and Peru. President Obama's policy changes on Cuba—which include the restoration of diplomatic relations, a review of Cuba's designation as a state sponsor of international terrorism, and an increase in trade, travel, and the flow of information—are likely to be hotly debated.

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U.S. Policy toward Latin America and the Caribbean

U.S. interests in the Western Hemisphere are diverse, and include economic, political, security, and humanitarian concerns. Geographic proximity has ensured strong economic linkages between the United States and the region, with the United States being the major trading partner and largest source of foreign investment for many countries. Free trade agreements (FTAs) have augmented U.S. economic relations with 11 countries in the region. Latin American nations, primarily Mexico and Venezuela, supply the United States with almost one-third of its imported crude oil. The Western Hemisphere is also the largest source of U.S. immigration, both legal and illegal, with geographic proximity and economic and security conditions being major factors driving migration trends. Curbing the flow of illicit drugs from Latin America and the Caribbean has been a key component of U.S. relations with the region and a major interest of Congress for some three decades. In recent years, this has included close security cooperation with Mexico, Central America, and the Caribbean to combat drug trafficking and related violence. With the exception of Cuba, the region has made enormous strides in terms of democratic political development over the past three decades, but the rise of undemocratic practices in several countries, especially Venezuela, has been a U.S. concern. The United States has often taken the lead in responding to natural disasters in the region, as was demonstrated once again in the aftermath of Haiti's catastrophic 2010 earthquake.

This report provides an overview of U.S. policy toward Latin America and the Caribbean. It begins with an overview of the political and economic environment that affects U.S. relations, and then examines the Obama Administration's policy priorities in the region. The report then examines congressional interests in Latin America, looking at selected regional and country issues.¹

Political and Economic Environment in the Region

U.S. policy toward the Latin American and Caribbean region is conducted in the context of significant economic and political changes in the hemisphere as well as the region's increasing independence from the United States.

A Changed Region

Political Changes. The Latin American and Caribbean region has made significant advances over the past three decades in terms of both political and economic development. In the early 1980s, 16 countries in the region were governed by authoritarian regimes, both on the left and the right, but today, all governments with the exception of Cuba are elected democracies. This past December, Argentina celebrated 30 years of civilian democratic rule since its military relinquished power in 1983 after seven years of harsh dictatorship. Some observers contend that the region overall, despite some exceptions, appears to be moving politically toward the ideological center, focusing on centrist, pragmatic policies.² The threat to elected governments in

¹ For additional information and access to over 30 CRS reports on the region, see the CRS Issues in Focus webpage on "Latin America and the Caribbean."

² Michael Shifter, "Latin America, A Surge to the Center," *Journal of Democracy*, January 2011; Daniel Zovatto, "Latin America 2013: Political and Electoral Balance," Brookings Institution, January 3, 2014.

the region from their own militaries has dissipated in most countries, although the 2009 ouster of President Manuel Zelaya in Honduras was, in part, an exception. Colombia's ongoing peace negotiations with the Revolutionary Armed Forces of Colombia (FARC), which began formally in October 2012, have raised hopes that the hemisphere's oldest civil conflict, which dates back to the 1960s, may be resolved.

Free and fair elections have become the norm in most countries in the region, even though some elections have been controversial with allegations of irregularities. In 2014, nine countries in the region—Costa Rica (Feb./April), El Salvador (Feb./Mar.), Panama (May), Colombia (May/June), Antigua and Barbuda (June), Brazil and Bolivia (Oct.), Uruguay (Oct./Nov.), and Dominica (Dec.)—held elections for head of government that were deemed free and fair.

Looking ahead to 2015, elections for head of government are to take place in eight countries (see text box). In addition to these elections, Haiti has been embroiled in a political crisis, with the President and legislature failing to reach a compromise regarding overdue legislative elections. In Venezuela, where there has been a deterioration of democratic practices in recent years and a conflict between the political opposition and the government, legislative elections are to take place by year end, but have not yet been scheduled.

2015 Head of Government Elections

St. Kitts and Nevis—February 16
Guyana—May 11
Suriname—May
Guatemala—September
Trinidad and Tobago—by September
Argentina—October
St. Vincent & Grenadines—by December
Haiti—late 2015

Despite significant improvement in political rights and civil liberties, several countries in the region still face considerable challenges. In a number of countries, weaknesses remain in the state's ability to deliver public services, ensure accountability and transparency, advance the rule of law, and ensure citizen safety and security. Many of the street protests that swept Latin America in 2013, most notably in Brazil, were sparked by new middle classes demanding better public services. There are also numerous examples of elected presidents over the past 25 years who left office early amid severe social turmoil, often with economic crises, high-profile corruption, or even the presidents' own autocratic actions contributing to their ouster.

Two key factors have eroded the quality of democracy in several countries in the region in recent years. One factor is increased organized crime. Mexico and several Central American countries have been especially affected because of the increased use of the region as a drug transit zone and the associated rise in corruption, crime, and violence.³ A second factor negatively affecting democracy in several countries is the executive's abuse of power. Elected leaders have sought to consolidate power at the expense of minority rights, leading to a setback in liberal democratic practices. In recent years, there has also been a deterioration of media freedom in several countries in the region precipitated by the increase in organized crime-related violence and by politically driven attempts to curb critical or independent media.

Some analysts see the growth of leftist populism in the region in such countries as Venezuela, Ecuador, Bolivia, and Nicaragua as a threat to democracy because of the tough treatment of political opponents and the dismantling of institutional checks and balances. They contend that a

³ For example, see Emily Edmonds-Poli, *The Effects of Drug-War Related Violence on Mexico's Press and Democracy*, Wilson Center, Mexico Institute and University of San Diego, Trans-border Institute, April 2013.

type of competitive or electoral authoritarianism is taking hold in these countries, in which democratic institutions exist but abuse by the incumbent skews the playing field against opponents.⁴ In January 2014, Nicaragua's National Assembly, dominated by President Daniel Ortega's Sandinista party, approved constitutional changes eliminating presidential term limits and eliminating the 35% threshold requirement needed for election. This paves the way for Ortega to seek a fourth term in 2016.

The human rights group Freedom House compiles an annual evaluation of political rights and civil liberties in which it categorizes countries as free, partly free, and not free. In its 2015 report (covering 2014), the group ranked just one country as not free: Cuba; 10 countries as partly free—Bolivia, Colombia, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Paraguay, and Venezuela; and the remaining 22 countries of the region as free. Haiti's political rights rating was downgraded from the previous year because of the failure to hold mandated parliamentary and municipal elections. The report also noted downward trends in Ecuador, Mexico, and Venezuela. In Ecuador, this was because of increased limits on freedom of expression. In Mexico, the report pointed to the disappearance of 43 students in the state of Guerrero as highlighting the extent of corruption among local authorities and the environment of impunity in the country. In Venezuela, the report stressed the government's repressive response to antigovernment demonstrations, the arrest of opposition supporters, and the failure of the legal system to protect basic due process rights for all detained citizens.⁵

Economic Changes. The region has also undergone a significant economic transformation. While the 1980s were commonly referred to as the lost decade of development as many countries were bogged down with unsustainable public debt, the 1990s brought about a shift from a strategy of import-substituting industrialization to one focused on export promotion, attraction of foreign capital, and privatization of state enterprises. Latin America experienced an economic downturn in 2002 (brought about in part because of an economic downturn in the United States), but recovered with strong growth rates until 2009, when a global economic crisis again affected the region with an economic contraction of about 2%.⁶ Some countries experienced deeper recession in 2009, especially those more closely integrated with the U.S. economy, such as Mexico, while other countries with more diversified trade and investment partners experienced lesser downturns. The region rebounded in 2010 and 2011, with growth rates of 5.6% and 4.3% respectively.⁷

Economic growth rates declined to a regional average of 3.1% in 2012 and 2.5% in 2013. The weak performances of Brazil (2.5%) and Mexico (1.1%) dragged down the regional average in 2013. The 2014 regional forecast by the U.N. Economic Commission for Latin America and the Caribbean (ECLAC) originally was for an improved growth rate of 3.2% based on increasing external demand tied to improving economic conditions in the global economy and better economic performance in Brazil and Mexico.⁸ That forecast, however, was first reduced to a 2.2%

⁴ See Kurt Weyland, "Latin America's Authoritarian Drift, The Threat from the Populist Left," *Journal of Democracy*, July 2013. Also see Sebastián Mazzuca, "The Rise of Rentier Populism," *Journal of Democracy*, April 2013; Steven Levitsky and James Loxton, "Populism and Competitive Authoritarianism in the Andes," *Democratization*, January 2013; and *Latin American Populism in the Twenty-First Century*, ed. Carlos de la Torre and Cynthia J. Arnsperg (Washington, D.C.: Woodrow Wilson Center Press; Baltimore, The Johns Hopkins University Press, 2013).

⁵ Freedom House, "Freedom in the World 2015," January 2015.

⁶ Sidney Weintraub, "An Economic Storm Hits Latin America," *Current History*, February 2009.

⁷ U.N. Economic Commission for Latin America and the Caribbean (ECLAC), *Economic Survey of Latin America and the Caribbean, 2013*, July 2013.

⁸ ECLAC, *Preliminary Overview of the Economies of Latin America and the Caribbean, 2013*, November 29, 2013; (continued...)

growth rate, and by December 2014, annual growth was estimated to be just 1.1%. This was the lowest average regional growth rate since 2009, in part because of the slow or negative growth rates in some of the largest economies, such as Argentina, Venezuela, Brazil and Mexico. The pace of economic recovery in developed countries and slower growth in China negatively affected Latin American growth. For 2015, ECLAC forecasts a slightly faster growth rate of 2.2%.⁹

Particular concern exists about economic conditions in Venezuela, which has faced shortages of basic food and consumer items, falling international reserves, high inflation, and, since the second half of 2014, a rapid decrease in oil prices. The economy is estimated to have contracted by 3% in 2014, according to ECLAC, and economists forecast a similar decline in 2015.¹⁰ Likewise, Argentina's economy is estimated to have contracted in 2014 by 0.2% according to ECLAC, and economists forecast meager growth of 0.5% in 2015.¹¹ There has been economic uncertainty as a result of the government's confrontation with remaining private creditor holdouts who did not participate in the government's 2005 and 2010 debt restructurings.

As noted below in the section on "Economic and Social Opportunity," Latin America has made significant progress in combating poverty and inequality. Two key factors accounting for this decline are increasing per capita income levels and targeted public expenditures known as conditional cash transfer programs for vulnerable sectors. Brazil and Mexico were pioneers in these targeted programs that have spread to other countries. In terms of income distribution, while Latin America is still the most unequal region in the world, inequality has declined in many countries since 2002, and there has been a clear downward trend in income concentration in the region over the past decade.¹² Rising growth and income levels and progress in poverty reduction also have helped expand Latin America's middle class by about 50% over the past decade, according to the World Bank. Now more than 150 million people in the region (about 30% of total population) are considered in the middle class.¹³

Latin America's Increasing Independence

In recent years, Latin America's relatively sustained political stability and steady economic performance (with some exceptions) have increased the region's confidence in solving its own problems, and lessened the region's dependency on the United States. The region's growing ideological diversity has also been a factor in the region's increased independence from the United States, as has Brazil's rising regional and global influence.

(...continued)

Economic and Social Panorama of Latin America and Caribbean States, 2013, January 2014.

⁹ ECLAC, *2014 Economic Survey of Latin America and the Caribbean*, June 2014; "Growth in Latin America and the Caribbean Will Rebound to 2.2% in 2015," Press Release, December 2, 2014; and *Preliminary Overview of the Economies of Latin America and the Caribbean, 2014*, December 2014.

¹⁰ "Venezuela Country Report," *Economist Intelligence Unit*, January 2015.

¹¹ "Argentina Country Report," *Economist Intelligence Unit*, January 2015.

¹² ECLAC, *Social Panorama of Latin America 2012*, p. 21. For further discussion of progress in reducing inequality in the region, see Nora Lustig, "Latin America's Inequality Success Story," *Current History*, February 2013.

¹³ World Bank, *Economic Mobility and the Rise of the Latin American Middle Class*, by Francisco H.G. Ferreira et al, 2013.

Latin American and Caribbean countries have diversified their economic and diplomatic ties with countries outside the region. China, for example, has become a major trading partner for many countries in the region, ranking as one of the top two export and import markets. Total Chinese trade with the region grew from almost \$18 billion in 2002 to almost \$260 billion in 2013.¹⁴ (Nevertheless, the United States remains the single largest trading partner for many countries; total U.S. trade with the region amounted to \$846 billion in 2013, more than three times that of China's trade with the region.)¹⁵

Several Latin American regional integration organizations have been established in the past few years, a reflection of the region's increasing independence, growing internal cooperation, and ideological diversity.

The Venezuelan-led Bolivarian Alliance of the Americas (ALBA, originally established as the Bolivarian Alternative for the Americas) was launched by President Hugo Chávez in 2004 with the goals of promoting regional integration and socioeconomic reform and alleviating poverty. In addition to Venezuela, this nine-member group currently includes Bolivia, Cuba, Ecuador, and Nicaragua, as well as the Caribbean island nations of Dominica, Antigua and Barbuda, St. Vincent and the Grenadines, and most recently St. Lucia, which became a member in July 2013. Despite its established goals, ALBA is most often associated with the anti-American rhetoric of some of its Latin American members. Some observers maintain that ALBA has lost its initial energy. Director of National Intelligence James Clapper maintained in January 2012 congressional testimony that ALBA was “created in part to spread Chávez’s influence in the region” but “is only muddling through.”¹⁶ In the aftermath of President Chávez’s death in March 2013, some observers questioned the future of the Venezuelan-founded alliance, and the precipitous decline in the price of oil in 2014 further challenged the ability of Venezuela to extend its influence in the region.

Another regional organization is the 12-member Union of South American Nations (UNASUR), established in 2008 (largely because of Brazil’s influence) to promote political, economic, and security coordination in South America. It has served as a forum for dispute resolution. For example, the organization played a role in defusing tensions between Colombia and Venezuela in 2008, and helped resolve internal political conflicts in Bolivia in 2008 and Ecuador in 2010. Some analysts, however, have raised questions about UNASUR’s overall efficacy, financial support, and ability to develop specialized capabilities and programs.¹⁷ In March 2014, in an attempt to quell political unrest in Venezuela, UNASUR foreign ministers approved a resolution expressing support for dialogue between the government and all political forces and social sectors in Venezuela; in April, the foreign ministers of Brazil, Colombia, and Ecuador were initially successful in establishing such dialogue, but talks between the government and the political opposition ultimately broke down in May, and were not restarted.

¹⁴ Trade figures cited are drawn from the *Global Trade Atlas*, using trade statistics reported by China.

¹⁵ U.S. trade statistics are drawn from the *Global Trade Atlas*, using statistics reported by the U.S. Department of Commerce.

¹⁶ Testimony of James R. Clapper, Director of National Intelligence, before the Senate Select Committee on Intelligence, January 31, 2012, “Worldwide Threat Assessment of the U.S. Intelligence Community,” available at <http://intelligence.senate.gov/120131/clapper.pdf>

¹⁷ Michael Shifter, “The Shifting Landscape of Latin American Regionalism,” *Current History*, February 2012; Also see Clapper, op. cit.

A regional trade integration arrangement, the Pacific Alliance, first emerged in 2011 with the primary goal of facilitating the flow of goods, services, capital, and people among its members. The Alliance currently includes Chile, Colombia, Mexico, and Peru. Costa Rica and Panama are candidates for membership. Different from other initiatives described above, the Alliance welcomed the United States as an observer in July 2013.¹⁸

A region-wide organization established in December 2011, the Community of Latin American and Caribbean States (CELAC) consists of 33 hemispheric nations, but excludes the United States and Canada. CELAC's goal is to boost regional integration and cooperation. While some observers have concerns that CELAC could be a forum for countries that have tense or difficult relations with the United States, others point out that strong U.S. partners in the region are also members. Some observers have predicted that CELAC could diminish the role of the Organization of American States (OAS), while others maintain that CELAC does not have a permanent staff or secretariat that could compete with the OAS. CELAC held its first summit in Chile in January 2013, in which Cuban President Raúl Castro assumed the presidency of the organization for a year. CELAC's second summit was held in late January 2014 in Havana, Cuba. At the summit, leaders declared their region a "zone of peace," pledging to resolve disputes as respectful neighbors. The leaders also committed their nations to nonintervention and pledged to respect "the inalienable right of every state to choose its political, economic, social, and cultural system."¹⁹

To some extent CELAC's establishment reflects Latin American desire to lessen U.S. influence in the region, yet, the United States still remains very much engaged in the region bilaterally and multilaterally through the OAS and its numerous affiliated organizations. In addition, the Summit of the Americas process (affiliated with the OAS) remains an important mechanism for the United States to engage with Latin American nations at the highest level. While the sixth Summit of the Americas, held in Colombia in April 2012, displayed U.S. divergence from the region in terms of policy toward Cuba and anti-drug strategy, the meeting also included a variety of initiatives to deepen hemispheric integration and address key hemispheric challenges.

A looming challenge for the United States was how to deal with the next Summit of the Americas, scheduled to be hosted by Panama between April 10-11, 2015. Cuba had expressed interest in attending the sixth summit in 2012 in Colombia, but ultimately was not invited to attend. The United States and Canada had expressed opposition to Cuba's participation. Previous summits had been limited to the hemisphere's democratically elected leaders. Many Latin American countries vowed not to attend the 2015 summit unless Cuba was invited to attend. As a result, Panama's Vice President and Foreign Minister Isabel de Saint Malo announced in August 2014 that it would invite Cuba to the summit, presenting a policy dilemma for the Obama Administration. In December 2014, as President Obama was announcing a new policy approach toward Cuba, the White House announced that the President Obama would participate in the summit, but emphasized that human rights and democracy would be key summit themes.

¹⁸ See CRS Report R43748, *The Pacific Alliance: A Trade Integration Initiative in Latin America*, by M. Angeles Villarreal.

¹⁹ Peter Orsi, "LatAm Leaders Declare Region a 'Zone of Peace,'" *Associated Press*, January 29, 2014.

Figure I. Map of Latin America and the Caribbean



Source: Map Resources, edited by CRS.

Notes: While Belize is located in Central America and Guyana and Suriname are located on the northern coast of South America, all three countries are members of the Caribbean Community (CARICOM).

Obama Administration's Priorities for the Region

The Obama Administration has set forth a broad framework for U.S. policy toward Latin America and the Caribbean centered on four pillars or priorities:

- promoting economic and social opportunity;
- ensuring citizen security;
- strengthening effective institutions of democratic governance; and
- securing a clean energy future.

The State Department maintains that these policy “priorities are based on the premise that the United States has a vital interest in contributing to the building of stable, prosperous, and democratic nations” in the hemisphere that can play an important role in dealing with global challenges.²⁰ The Obama Administration has stressed that its policy approach toward the region is one that emphasizes partnership and shared responsibility, with policy conducted on the basis of mutual respect through engagement and dialogue.²¹ President Obama reemphasized the theme of equal partnership at the sixth Summit of the Americas in April 2012 when he said that “in the Americas there are no senior or junior partners, we’re simply partners.”²² In remarks at the June 2012 Organization of American States (OAS) General Assembly meeting in Bolivia, Assistant Secretary of State for Western Hemisphere Affairs Roberta Jacobson reiterated the commitment of the United States to work with hemispheric nations “in the spirit of genuine and equal partnership to advance liberty and prosperity for all the citizens of the hemisphere.”²³

In a November 2013 OAS address, Secretary of State John Kerry asserted that “the era of the Monroe Doctrine is over.”²⁴ Secretary Kerry emphasized the importance of the United States working with other hemispheric nations as equal partners to promote and protect democracy, security, and peace; to advance prosperity through development, poverty alleviation, and improved social inclusion; and to address the challenges posed by climate change. Secretary of State Kerry stated, “the relationship that we seek and that we have worked hard to foster is not about a United States declaration about how and when it will intervene in the affairs of other American states. It’s about all of our countries viewing one another as equals, sharing responsibilities, cooperating on security issues, and adhering not to doctrine, but to the decisions that we make as partners to advance the values and the interests that we share.”²⁵

²⁰ U.S. Department of State, Arturo Valenzuela, Assistant Secretary of State, Bureau of Western Hemisphere Affairs, “U.S.-Latin American Relations: A Look Ahead,” January 6, 2011.

²¹ Ibid.; and U.S. Department of State, Arturo Valenzuela, Assistant Secretary of State, Bureau of Western Hemisphere Affairs, “U.S. Foreign Policy in the Obama Era,” October 9, 2010. The same general policy approach has continued under current Assistant Secretary of State for Western Hemisphere Affairs Roberta Jacobson, who was confirmed by the Senate in March 2012.

²² White House, Office of the Press Secretary, “Remarks of President Barack Obama—As Prepared for Delivery—Summit of the Americas Opening Plenary,” April 14, 2012.

²³ U.S. Department of State, Assistant Secretary of State for Western Hemisphere Affairs Roberta S. Jacobson, “Remarks to the 42nd OAS General Assembly,” June 4, 2012.

²⁴ U.S. Department of State, Secretary of State John Kerry, “Remarks on U.S. Policy in the Western Hemisphere,” November 18, 2013. In an address to Congress in December 1823, President James Monroe warned European powers not to interfere in the affairs of the Western Hemisphere. This policy eventually became known as the Monroe Doctrine and emerged in the early 1900s as a foundation of U.S. foreign policy.

²⁵ U.S. Department of State, Secretary of State John Kerry, “Remarks on U.S. Policy in the Western Hemisphere,” (continued...)

Assistant Secretary of State Jacobson reiterated in a December 2013 address in Miami, FL, that “the administration is committed to sustained, productive engagement in the Americas.” She emphasized that the various partnership initiatives between the United States and Latin America involve U.S. officials sitting down with regional counterparts to understand their priorities and needs and discussing the ways in which the United States might support them.²⁶

In December 2014, President Obama announced major changes in U.S. policy toward Cuba, moving away from the long-standing sanctions-based policy toward a policy emphasizing engagement and moving toward normalization of U.S.-Cuban relations. He announced that diplomatic relations, which had been severed in 1961, would be restored and that travel, commerce, and the free flow of information to and from Cuba would be increased. Latin American and Caribbean leaders as well as regional organizations such as the Caribbean Community (CARICOM), OAS and UNASUR hailed the change in U.S. policy.

Economic and Social Opportunity

The policy priority of expanding economic opportunity focuses on one of the key problems facing Latin America: lingering poverty and inequality. At the end of 2013, an estimated 165 million people in Latin America were living in poverty—almost 28.1% of the region’s population—while 69 million people or 11.7% were living in extreme poverty or indigence. These statistics reflect a significant improvement from 2002, when almost 44% of the region’s population lived in poverty.²⁷ Moreover, the statistics show an improvement from 2009, when the region faced an uptick in poverty because of the global financial crisis.

In addition to traditional U.S. development assistance programs focusing on health and education, expanding economic opportunity also has involved several innovative programs and initiatives. **The Pathways to Prosperity Initiative**, initially launched in 2008, is designed to help countries learn from each other’s experiences through the exchange of best practices and collaboration in order to empower small business, facilitate trade and regional competitiveness, build a modern and inclusive workforce, and encourage sustainable business practices.²⁸ The Organization of American States’ **Inter-American Social Protection Network** began in 2009 with U.S. support to facilitate an exchange of information on policies, experiences, programs, and best practices in order to reduce social disparities and inequality and reduce extreme poverty.²⁹ President Obama launched the **100,000 Strong in the Americas** initiative in 2011 to increase the number of Latin American students studying in the United States as well as to increase the number of U.S. students studying in countries throughout the hemisphere.³⁰ As part of the Obama

(...continued)

November 18, 2013.

²⁶ U.S. Department of State, Assistant Secretary of State for Western Hemisphere Affairs, “The Americas: Our Shared Challenges,” December 13, 2013.

²⁷ U.N. Economic Commission for Latin America and the Caribbean, *Social Panorama of Latin America 2014*, December 2014.

²⁸ U.S. Department of State, “Pathways to Prosperity in the Americas, Fact Sheet,” March 17, 2014, available at <http://www.state.gov/p/wha/rls/fs/2014/223740.htm>; also see the website of the Pathways initiative, available at <http://www.pathways-caminos.org/en/Home.html>

²⁹ U.S. Department of State, “Inter-American Social Protection Network, Fact Sheet,” April 23, 2013, available at <http://www.state.gov/p/wha/rls/fs/2013/208096.htm>; also see the website of the Inter-American Social Protection Network at <http://www.socialprotectionet.org/>

³⁰ U.S. Department of State, “100,000 Strong in the Americas, Fact Sheet,” September 13, 2013, available at (continued...)

Administration's **Feed the Future Initiative** to combat global hunger and advance food security, three countries in the Americas—Guatemala, Haiti, and Honduras—receive targeted funding for the development of poor rural areas aimed at helping vulnerable populations escape hunger and poverty.³¹

At the sixth Summit of the Americas held in Colombia in April 2012, President Obama announced several initiatives to expand economic opportunity. The **Small Business Network of the Americas (SBNA)** is an initiative designed to help small businesses participate in international trade by linking national networks of small business support centers.³² The **Women's Entrepreneurship in the Americas (WEAmericas)** program is a public-private partnership designed to increase women's economic participation and address barriers to women starting and expanding small and medium enterprises.³³ The **Innovation Fund of the Americas**, launched by USAID, is an initiative to help finance lower cost and more effective solutions to difficult development challenges.³⁴

Citizen Security

The policy priority of advancing citizen security reflects one of the most important concerns among Latin Americans. High levels of crime and violence, often associated with gangs and drug trafficking, are a significant problem in many countries. The Central America-Mexico corridor is the route for 90% of illicit drugs from South America entering the United States.³⁵ Drug trafficking-related violence in Mexico has risen to unprecedented levels, and murder rates in several Central American and Caribbean countries are among the highest in the world.

U.S. support in this area includes a series of partnerships to help countries combat drug trafficking and reduce crime such as the **Mérida Initiative** for Mexico, the **Central America Regional Security Initiative (CARSI)**, and the **Caribbean Basin Security Initiative (CBSI)**. The **Colombia Strategic Development Initiative (CSDI)** aligns U.S. assistance with the follow up strategy to Plan Colombia that is designed to develop a functioning state presence in remote, but strategically important, areas.

While these programs only began in the last few years, U.S. support to counter drug trafficking and production in the region has been a key focus of U.S. policy toward the region for more than 30 years. The most significant U.S. support program was Plan Colombia, begun in FY2000, which helped the Andean country combat both drug-trafficking and terrorist groups financed by the drug trade.

(...continued)

<http://www.state.gov/p/wha/rls/fs/2013/214201.htm>; also see the 100,000 Strong in the Americas website, launched in May 2014, available at <http://www.100kstrongamericas.org/>

³¹ See the website of Feed the Future, The U.S. Government's Global Hunger and Food Security Initiative, available at <http://www.feedthefuture.gov/>

³² U.S. Department of State, "Small Business Network of the Americas," Fact Sheet, August 26, 2013, available at <http://www.state.gov/p/wha/rls/fs/2013/213495.htm>

³³ U.S. Department of State, "Women's Entrepreneurship in the Americas (WEAmericas)," Fact Sheet, October 16, 2012, available at <http://www.state.gov/r/pa/prs/ps/2012/10/199202.htm>

³⁴ USAID, "Innovation Fund of the Americas," Fact Sheet, December 4, 2013, available at <http://www.usaid.gov/news-information/fact-sheets/innovation-fund-americas>

³⁵ U.S. Department of State, *2014 International Narcotics Control Strategy Report*, Volume 1, March 2014, p. 9.

Democratic Governance

The policy priority of strengthening democratic governance has the goal of building on progress that the region has made over the past three decades, not only in terms of regular free and fair elections, but also in terms of respect for political rights and civil liberties. Despite this progress, many countries in the region still face considerable challenges (see “Political and Economic Environment in the Region” above). The United States provides foreign aid to support the rule of law and human rights, good governance, political competition, and consensus-building and civil society. Improving and strengthening democratic governance includes support to improve the capacity of state institutions to address citizens’ needs through responsive legislative, judicial, law enforcement, and penal institutions, as well as support to nongovernmental organizations working on democracy and human rights issues. It also includes defending press freedoms and democratic rights, such as free and fair elections and the protection of minority rights.

U.S. officials, such as Assistant Secretary of State Jacobson, have continued to speak out about human rights abuses in countries such as Cuba and Venezuela, threats to political rights and civil liberties in other countries in the region, and the erosion of full respect for freedom of expression in the region. The United States has also contended that hemispheric nations should collectively remain on guard against efforts to weaken the Inter-American human rights system.³⁶

Clean Energy Future

In 2009, the Obama Administration introduced the **Energy and Climate Partnership of the Americas (ECPA)**, which is designed to strengthen inter-American collaboration on clean energy. Many countries in Latin America and the Caribbean are vulnerable to climate change and struggle with energy security. ECPA includes voluntary bilateral and multi-country initiatives to promote clean energy, advance energy security, and reduce greenhouse gas emissions. Some of the initiatives involve international and regional organizations and the private sector.³⁷ At the sixth Summit of the Americas in April 2012, President Obama joined with Colombia in **Connecting the Americas 2022**, an initiative with the goal of achieving universal access in the hemisphere to reliable, clean, and affordable electricity.³⁸

Continuity and Change in U.S. Policy

During the first six years of the Obama Administration, there was significant continuity in U.S. policy toward Latin America from the Bush Administration. Some of the same basic policy approaches were pursued, although in many cases with a change of emphasis. Nevertheless, the Obama Administration also made several significant policy changes, including an overall emphasis on partnership and shared responsibility. Moreover, just after the end of the 113th Congress in December 2014, President Obama unveiled a new policy approach toward Cuba that

³⁶ U.S. Department of State, “U.S. Policy Toward the Americas: The Summit and Beyond,” Remarks by Assistant Secretary of State for Western Hemisphere Affairs Roberta Jacobson, May 11, 2012.

³⁷ U.S. Department of State, Fact Sheet, “Energy and Climate Partnership of the Americas,” May 31, 2012, available at <http://www.state.gov/p/wha/rls/fs/2012/191563.htm>; also see the website of the ECPA at <http://www.ecpamericas.org/>

³⁸ U.S. Department of State, Fact Sheet, “Connecting the Americas 2022,” October 23, 2012, available at <http://www.state.gov/p/wha/rls/fs/2012/199772.htm>

substantially broke with the long-standing U.S. sanctions-based policy and moved toward a policy of engagement.

Like the Bush Administration, the Obama Administration provided significant anti-drug and security support to Colombia and significant support to Mexico and Central America to combat drug trafficking and organized crime through the Mérida Initiative and the Central American Regional Security Initiative. Assistance to Mexico, however, has shifted toward more support for rule of law programs (including police, judicial, and penal reform) and programs to help communities withstand the pressures of crime and violence. In anticipation of a potential “balloon effect” of drug trafficking shifting to the Caribbean region, the Obama Administration also established the Caribbean Basin Security Initiative, the origin of which, however, dates back to the Bush Administration. Assistance for Colombia became more evenly balanced between enhancing rule of law, human rights, and economic development programs on the one hand, and continuing efforts on security and drug interdiction on the other. Overall U.S. assistance levels to Colombia began to decline as the country began taking over responsibility for programs once funded by the United States.

On trade matters, implementing bills for FTAs with Colombia and Panama that were negotiated under the Bush Administration ultimately were introduced and enacted into law in October 2011 (P.L. 112-42 and P.L. 112-43) after extensive work by the Obama Administration to resolve outstanding congressional concerns related to both agreements. Another trade initiative begun informally under the Bush Administration and continued by the Obama Administration through formal trade negotiations is the proposed Trans-Pacific Partnership (TPP) free trade agreement, which involves negotiations with Mexico, Chile, and Peru and eight other Pacific countries.³⁹

Just as the Bush Administration had, the Obama Administration has expressed support for comprehensive immigration reform, an especially important issue in U.S. relations with Mexico and Central America. Reform efforts were stymied in 2007 when the Senate failed to invoke cloture and limit debate on two comprehensive reform measures, and Congress did not return to consideration of such measures. In 2013, however, a bipartisan group of Senators developed a framework for comprehensive reform legislation that the Senate approved in June 2013; the measure included a pathway to citizenship for some 11 million undocumented immigrants living in the United States. The House did not consider comprehensive immigration reform in the 113th Congress, and in response to President Obama’s executive actions on immigration in November 2014, the House approved legislation that would have declared the President’s actions null and void. In mid-2014, both houses began focusing on how to address the surge in unaccompanied minors from Central America who were entering the United States along the U.S.-Mexico border.

In other areas, the Obama Administration has made policy changes on Latin America that have more clearly differentiated it from the Bush Administration. Early on, the Administration put more of an emphasis on partnership and shared responsibility in its policy toward the region. The Administration has sustained high levels of development assistance to the region even in recent years as overall U.S. assistance to the region has declined.

³⁹ See CRS Report R42694, *The Trans-Pacific Partnership (TPP) Negotiations and Issues for Congress*, coordinated by Ian F. Fergusson, and CRS In Focus IF10000, *Proposed Trans-Pacific Partnership*, by Brock R. Williams and Ian F. Fergusson.

In contrast to the previous Administration, the Obama Administration also has implemented major changes in Cuba policy. In 2009, it lifted restrictions on family travel, restarted semiannual migration talks, and moved to engage Cuba in a number of areas. In 2011, the Administration eased restrictions on other types of purposeful travel. Cuba's detention of U.S. Agency for International Development (USAID) subcontractor Alan Gross in 2009 impeded a major improvement in bilateral relations, but following his release in December 2014, the Administration unveiled a new policy approach toward the normalization of relations toward Cuba. The Administration vowed to continue to speak out on human rights and democracy issues, and stressed that more could be done to support the Cuban people through engagement.

Congress and Policy toward Latin America and the Caribbean

Congress plays an active role in policy toward Latin America and the Caribbean in terms of both legislation and oversight. In the 113th Congress, legislative action included a measure directing the Secretary of State to develop a strategy for adoption of proposed reforms at the Organization of American States (P.L. 113-41); approval of the U.S.-Mexico Transboundary Hydrocarbons Agreement (a provision in P.L. 113-67); the 2014 farm bill (P.L. 113-79), with provisions modifying the U.S. cotton program related to a trade dispute with Brazil and requiring State Department reports on a U.S.-Mexico water dispute in the Rio Grande Basin; omnibus appropriations legislation for FY2013 (P.L. 113-6), FY2014 (P.L. 113-76), and FY2015 (P.L. 113-235), which included foreign aid appropriations with numerous provisions on Latin America; a measure requiring an annual report through 2017 on the status of post-earthquake recovery and development efforts in Haiti (P.L. 113-162); and a measure to impose sanctions on those persons responsible for certain human rights abuses in Venezuela (P.L. 113-278).

Oversight attention in the 113th Congress focused on such issues as U.S. support to countries contending with drug trafficking and transnational crime, including Mexico and Central American and Caribbean countries; continued counternarcotics and security support to Colombia as it moved toward a potential peace agreement; and continued support to Haiti as it continued to recover from the 2010 earthquake. Hearings on the region covered these issues as well as a variety of other topics, including overall U.S. interests and policy in the Western Hemisphere; energy issues; U.S. foreign aid to the region; challenges to democracy, including media freedom, the rule of law, and political unrest in Venezuela; concerns about Iranian activities in the region; U.S. relations with such countries as Brazil, Mexico, and the Dominican Republic; and the surge of unaccompanied minors from Central America.

These and other issues—such as the upcoming Summit of the Americas scheduled for April 10-11, 2015, and the Administration's major policy changes on Cuba—will likely generate congressional interest in the 114th Congress.

Regional Issues

U.S. Foreign Aid

Although many Latin American and Caribbean nations have made significant development progress in recent years, foreign aid remains an important tool for advancing U.S. policy

priorities in the hemisphere. Current aid programs reflect the diversity of the region. Some nations receive a broad range of U.S. assistance, with projects in areas such as democracy promotion, economic reform, basic education, human health, environmental protection, citizen security, and counternarcotics. Others no longer require traditional development assistance but continue to receive low levels of aid, usually targeted toward strengthening security capabilities.

Absolute assistance levels for Latin America and the Caribbean have declined each year since FY2010 as Congress has sought to trim the foreign aid budget. In FY2014, the United States provided an estimated \$1.5 billion of aid to Latin American and Caribbean nations through the U.S. Agency for International Development (USAID) and the State Department. It is currently unclear how much foreign assistance will be provided to the region in FY2015 since the Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235) did not specify appropriations levels for most individual countries and programs. In addition to State Department and USAID funding, some countries in the region receive assistance through U.S. agencies such as the Department of Defense, the Inter-American Foundation, the Millennium Challenge Corporation, and/or the Peace Corps.

Table 1. U.S. Assistance to Latin America and the Caribbean: FY2011-FY2015

Appropriations in billions of U.S. dollars

| FY2011 | FY2012 | FY2013 | FY2014 (Est.) | FY2015 (Request) |
|--------|--------|--------|---------------|------------------|
| \$1.86 | \$1.82 | \$1.68 | \$1.48 | \$1.33 |

Source: U.S. Department of State, *Congressional Budget Justifications for Foreign Operations*, Fiscal Years 2013-2015.

Key Policy Issues: The 114th Congress will be charged with reviewing the Obama Administration's foreign assistance request for Latin America and the Caribbean and appropriating funding for FY2016. It also could consider a foreign assistance authorization, though Congress has not enacted such legislation since FY1985. While deliberating on these measures, Members of Congress might consider the following questions: How do U.S. policy priorities in the Western Hemisphere compare to U.S. priorities elsewhere in the world? Does the foreign aid budget adequately reflect U.S. interests and objectives in Latin America and the Caribbean? Are there other forms of engagement the U.S. government could use to advance its policy priorities in Latin America and the Caribbean. If so, to what extent should more resources be dedicated to those initiatives as U.S. relations with the region become less defined by the provision of foreign assistance?

For additional information, see CRS Report R43577, *U.S. Foreign Assistance to Latin America and the Caribbean: Recent Trends and FY2015 Appropriations*, by Peter J. Meyer.

Migration Issues

Latin America is the leading source of both legal and illegal migration to the United States. Mexico, El Salvador, Cuba, Guatemala, and the Dominican Republic are among the top 10 countries of birth for the U.S. foreign-born population. Factors that have fueled Latin American migration to the United States have included family ties, poverty and unemployment, political and economic instability, natural disasters, proximity, and most recently, crime and violence.

Since the mid-1990s, increased border enforcement has made unauthorized entry into the United States more difficult and expensive, which has had the unintended consequence of creating a “caging effect” by encouraging unauthorized immigrants, who previously went back and forth to their countries, to stay in the United States.⁴⁰ It has also prompted more migrants to rely on alien smugglers (*coyotes*), many of whom collude with Mexican criminal groups, to transit Mexico and cross the U.S.-Mexico border. During the journey, migrants have been vulnerable to kidnapping, human trafficking, and other abuses. There is also evidence that those lacking legal status have been victims of human trafficking in the United States as well.⁴¹

Latin American governments have supported the enactment of comprehensive immigration reform in the United States that would normalize the status of illegal immigrants and create guest worker programs to facilitate legal circular migration. By obtaining legal status, governments hope that their citizens living in the United States would be able to improve their economic positions and send increased remittances home, as well as travel freely and petition to bring relatives into the United States. In the absence of comprehensive reform, governments have welcomed President Obama’s executive action to give certain categories of unauthorized immigrants in the United States relief from removal (deportation) and work authorizations, even though they are temporary measures.

Immigration policy has already received attention in the 114th Congress as both the House and Senate are considering ways to respond to President Obama’s executive action on immigration, possibly through amendments attached to legislation (H.R. 240) to fund the Department of Homeland Security (DHS). While the House and Senate may take up discrete immigration measures that impact Latin America, the prospects for comprehensive immigration reform appear unclear. Both Congress and the Administration are likely to evaluate U.S., country, and regional efforts to respond to the unprecedented flows of unaccompanied child migrants emigrating from Central America that occurred in 2014. They may consider changes to U.S. domestic laws and policies, as well as to foreign aid, public awareness campaigns, and anti-alien smuggling efforts in the region, especially if those flows spike again in 2015.

El Salvador, Haiti, Honduras, and Nicaragua have advocated for extensions of their eligibility for temporary protected status (TPS) and Guatemala has requested inclusion in the program. TPS is a discretionary, humanitarian benefit granted to eligible nationals after DHS determines that a country has been affected by ongoing armed conflict, natural disaster, or other extraordinary conditions that limit the country’s ability to accept the return of its nationals from the United States.⁴² Eligibility for TPS currently expires for Haiti in January 2016, Honduras and Nicaragua in July 2016, and El Salvador in September 2016.

Another issue in U.S. relations with Latin America and the Caribbean is removals (deportations). In FY2014, DHS deported 315,943 individuals worldwide, some 95% of whom were returned to Mexico and the “northern triangle” countries of Central America (El Salvador, Guatemala, and Honduras).⁴³ Mexico remains concerned about the stress that U.S. deportations of Mexican

⁴⁰ CRS Report R42138, *Border Security: Immigration Enforcement Between Ports of Entry*, by Lisa Seghetti.

⁴¹ U.S. Department of State, *Trafficking in Persons (TIP) Report, June 2014*.

⁴² DHS deemed Honduras and Nicaragua to be eligible for TPS in 1999 in response to devastation from Hurricane Mitch; El Salvador to be eligible in 2001 following a series of earthquakes, and Haiti to be eligible in 2011 following a 2010 earthquake. See CRS Report RS20844, *Temporary Protected Status: Current Immigration Policy and Issues*, by Lisa Seghetti, Karma Ester, and Ruth Ellen Wasem.

⁴³ DHS, Bureau of Immigration and Customs Enforcement (ICE), *ICE Enforcement and Removals Operations*: (continued...)

citizens have put on border communities, as well as the safety of the Mexican deportees arriving into dangerous localities. Caribbean and Central American countries are concerned about the potential effect of U.S. deportations of those with criminal records on increased levels of crime and violence in their countries. Officials from across the region have called on the United States to provide better information on deportees with criminal records, which DHS has begun to do for certain countries, and to provide reintegration assistance to help governments support returning nationals.

As emigration from Mexico has declined dramatically, illegal emigration of both adults and children (accompanied and unaccompanied) from Central America's northern triangle countries has surged. Some of the "push" factors for children migrating include poverty, violence, and the existence of smuggling networks, while some of the "pull" factors include family reunification and the promise of better economic and educational opportunities. Many analysts doubt the northern triangle governments' willingness and ability to address the root causes pushing unaccompanied children to leave despite their pledges to do so. Mexico is also under pressure to better secure its southern border, arrest alien smugglers, and combat Central American transmigration.

Key Policy Issues: In response to President Obama's November 2014 announcement of executive action on immigration, the House passed H.R. 240 on January 15, 2015, to fund DHS. The bill contains amendments that would, among other things, block the recent executive action on immigration. The Senate must consider the issue before DHS funds run out at the end of February.

The FY2015 omnibus appropriations measure approved in December 2014 (P.L. 113-235) provides at least \$395 million for Central America, up from \$337 million in FY2014 and requires the Administration to develop a Central American migration prevention and response plan, including ways to address alien smuggling, human trafficking, and reintegration of those removed. Of the funds appropriated, \$130 million in additional Central America Regional Security Initiative (CARSI) aid above the Administration's request is included to help address security and rule of law challenges fueling emigration. It also includes \$79 million in additional Mérida Initiative funds for securing Mexico's southern border. Oversight of that funding is likely to be a key congressional interest this session.

For additional information, see CRS Report R43852, *The President's Immigration Accountability Executive Action of November 20, 2014: Overview and Issues*, coordinated by William A. Kandel; CRS Report RL33200, *Trafficking in Persons in Latin America and the Caribbean*, by Clare Ribando Seelke; CRS Report R43628, *Unaccompanied Alien Children: Potential Factors Contributing to Recent Immigration*, coordinated by William A. Kandel; and CRS Report R43702, *Unaccompanied Children from Central America: Foreign Policy Considerations*, coordinated by Peter J. Meyer.

(...continued)

FY2014, December 19, 2014.

Trade Policy

The Latin American and Caribbean region is one of the fastest-growing regional trading partners for the United States. The average rate of growth in trade between the United States and the region since 1998 surpasses that of U.S. trade with Asia and the European Union. Despite challenges such as diplomatic tensions or violence in certain countries, economic relations between the United States and most of its trading partners in the region remain strong. The United States accounts for roughly 40% of the region's imports and 30% of its exports. Most of this trade is with Mexico, which accounts for 64% of U.S. imports from the region and 55% of U.S. exports to the region. In 2013, total U.S. exports to Latin America and the Caribbean were valued at \$407 billion, while U.S. imports were valued at \$438 billion (see **Table 2**).

The United States has strengthened economic ties with the region over the past two decades through the negotiation and implementation of free trade agreements (FTAs). Starting with the North American Free Trade Agreement (NAFTA), which entered into force in January 1994, the United States has entered into six FTAs involving 11 countries in the region, including Mexico, Chile, Colombia, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Panama, and Peru. Some of the largest economies in South America, however, such as Argentina, Brazil, and Venezuela, have resisted the idea of forming comprehensive free trade agreements with the United States. As a result, there are numerous other bilateral and plurilateral trade agreements throughout the Western Hemisphere that do not include the United States. In addition to FTAs, the United States has extended unilateral trade preferences to some countries in the region through trade preference programs such as the Caribbean Basin Trade Partnership Act (CBTPA), the Generalized System of Preferences (GSP), and the Andean Trade Preference Act (ATPA). GSP and ATPA, however, both expired on July 31, 2013 and they have not been renewed. Most countries in the region also belong to the World Trade Organization (WTO) and are engaged in multilateral trade negotiations under the WTO.

As wages rise in East Asia and productivity increases in countries that have an FTA with the United States, such as Mexico, numerous analysts have proposed that the United States employ trade policy to further hemispheric cooperation and focus on improving regional supply networks. The next possible step toward trade integration may be the proposed Trans-Pacific Partnership (TPP), which could have significant implications for U.S. trade and investment ties with the three Latin American countries participating in the negotiations—Mexico, Chile, and Peru—as well as with Canada and seven other countries in the Pacific (other Latin American countries could possibly join in the future). The proposed TPP may open some issues related to NAFTA and provide updated provisions in areas such as intellectual property rights (IPR) protection, investment, services trade, worker rights, and the environment. Central American countries are concerned that it could weaken their relative trade competitiveness.

Key Policy Issues. Congress will likely monitor a range of trade-related issues during the 114th Congress. The TPP negotiations are likely to receive considerable congressional attention, especially in the areas of worker rights, IPR protection, the environment, services trade, investment, and regulatory cooperation. Given that three countries from Latin America are taking part in the negotiations, policy makers may consider whether the United States should broaden trade policy efforts to the region as a whole. Another issue of interest is the Pacific Alliance, a trade liberalization initiative among Chile, Colombia, Mexico, and Peru. The United States was granted observer status to the Alliance in July 2013, allowing it to attend negotiating rounds and participate in other Pacific Alliance activities. Energy reform in Mexico and the implications for

U.S. oil imports from Mexico and for U.S. business and investment opportunities are also likely to be of interest to Congress (also see “Mexico” below.)

For additional background, see CRS Report R42965, *NAFTA at 20: Overview and Trade Effects*, by M. Angeles Villarreal and Ian F. Fergusson; CRS Report R42694, *The Trans-Pacific Partnership (TPP) Negotiations and Issues for Congress*, coordinated by Ian F. Fergusson; CRS Report R41429, *Trade Preferences: Economic Issues and Policy Options*, coordinated by Vivian C. Jones; and CRS Report R43748, *The Pacific Alliance: A Trade Integration Initiative in Latin America*, by M. Angeles Villarreal.

Table 2. U.S. Trade with Key Trading Partners in Latin America and the Caribbean (LAC), 2007-2013
(U.S. \$ Millions)

| Partner Country | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|-----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| U.S. Exports | | | | | | | |
| Mexico | 135,918 | 151,220 | 128,892 | 163,665 | 198,289 | 215,907 | 226,079 |
| Brazil | 24,172 | 32,299 | 26,095 | 35,418 | 43,019 | 43,807 | 44,119 |
| Colombia | 8,558 | 11,437 | 9,451 | 12,068 | 14,336 | 16,357 | 18,392 |
| Total LAC | 241,830 | 287,015 | 237,381 | 301,421 | 365,596 | 396,732 | 407,472 |
| World | 1,148,199 | 1,287,442 | 1,056,043 | 1,278,495 | 1,482,508 | 1,545,703 | 1,579,593 |
| U.S. Imports | | | | | | | |
| Mexico | 210,714 | 215,942 | 176,654 | 229,986 | 262,874 | 277,594 | 280,529 |
| Venezuela | 39,910 | 51,424 | 28,059 | 32,707 | 43,257 | 38,724 | 31,997 |
| Brazil | 25,644 | 30,453 | 20,070 | 23,958 | 31,737 | 32,123 | 27,634 |
| Total LAC | 345,458 | 375,763 | 284,726 | 361,363 | 436,506 | 448,370 | 438,498 |
| World | 1,956,962 | 2,103,641 | 1,559,625 | 1,913,857 | 2,207,954 | 2,276,302 | 2,268,321 |

Source: U.S. Department of Commerce statistics, as presented by *Global Trade Atlas*, August 20, 2014.

Notes: Provides statistics on top 3 countries followed by totals with Latin America and the Caribbean.

Drug Policy

Latin America and the Caribbean feature prominently in U.S. counternarcotics policy due to the region’s role as a source and transit zone for several illicit drugs destined for U.S. markets—cocaine, marijuana, methamphetamine, and opiates. Contemporary drug trafficking and transnational crime syndicates in the region have contributed to degradations in citizen security and economic development, often resulting in record levels of violence and drug trafficking-related homicides. Despite significant efforts to combat the drug trade, many governments in Latin America continue to suffer from overtaxed criminal justice systems and overwhelmed law enforcement and border control agencies. Moreover, extensive government corruption, entrenched by deeply influential criminal kingpins, frustrates efforts to interdict drugs, investigate and prosecute traffickers, and recover illicit proceeds. There is a widespread perception, particularly among many Latin American observers, that continuing U.S. demand for illicit drugs is largely to blame for the Western Hemisphere’s ongoing crime and violence problems.

Ongoing struggles to deal with the violent and destabilizing effects of the illicit drug trade, however, have spurred some Latin American leaders and others to explore drug policy alternatives. In 2009, the Latin American Commission on Drugs and Democracy (later renamed the Global Commission on Drug Policy) advocated the decriminalization of drug consumption and treatment of drug addiction as a public health matter as well as a redoubling of law enforcement efforts to crack down on drug trafficking-related organized crime. At the sixth Summit of the Americas held in April 2012, several Latin American presidents criticized current international drug control efforts. As a result, Summit participants tasked the OAS Inter-American Drug Abuse Control Commission (CICAD) to prepare two inter-related reports to evaluate current Latin American drug policies and provide policy options for alternative drug control approaches.⁴⁴

Many stakeholders had hoped that the OAS reports would spur further consideration of alternative drug policy options, including in particular changes in policy approaches to marijuana-related crimes. To date, the Obama Administration has discouraged national-level policy changes that would legalize or decriminalize controlled substances. U.S. officials, however, have posited that there is flexibility in the international drug control regime to allow participating governments to explore reform⁴⁵ In the 2014 presidential determination on major drug transit or major illicit drug producing countries, released on September 15, 2014, President Barack Obama recognized international pressures to consider alternative policy approaches:

The U.N. drug conventions, which recognize that the suppression of international drug trafficking demands urgent attention and the highest priority, allow sovereign nations the flexibility to develop and adapt new policies and programs in keeping with their own national circumstances while retaining their focus on achieving the conventions' aim of ensuring the availability of controlled substances for medical and scientific purposes, preventing abuse and addiction, and suppressing drug trafficking and related criminal activities.⁴⁶

Some countries in Latin America have already begun the process of modifying domestic drug laws to decriminalize and reduce or alter the penalties and consequences of certain aspects of the drug control regime, such as for drug possession and consumption. In an unprecedented move, Uruguay enacted legislation to establish a nationally regulated legal market for domestic, recreational consumption of cannabis in late December 2013. Bolivia has also sought a different approach to counternarcotics policy, including ending its reliance on U.S. antidrug support and decriminalizing certain activities involving coca leaf.

⁴⁴ The first of these two OAS reports assessed the scope of the drug problem in the Americas, and suggested that regional responses may benefit from greater policy flexibility that allows for a diversity of approaches tailored to the problems facing individual countries. Such flexibility may include changes in national legislation or international law to permit the decriminalization or legalization of marijuana. The second report presented several potential scenarios for the future direction of the drug problem in the Americas, depending on the policy decisions taken by regional actors between 2013 and 2025. The OAS drug reports were also highlighted at its General Assembly session in June 2013. See OAS, "Declaration of Antigua Guatemala 'For a Comprehensive Policy Against the World Drug Problem in the Americas,'" press release, June 7, 2013, http://www.oas.org/en/media_center/press_release.asp?sCodigo=S-010.

⁴⁵ U.S. Department of State (William R. Brownfield), *Remarks at the U.N. Commission on Narcotic Drugs (CND) High-Level Segment*, Vienna, Austria, March 13, 2014, available at <http://www.state.gov/j/inl/rls/rm/2014/223464.htm>.

⁴⁶ White House (Barack Obama), *Presidential Determination: Major Drug Transit or Major Illicit Drug Producing Countries for Fiscal Year 2015*, September 15, 2014, available at <http://www.whitehouse.gov/the-press-office/2014/09/15/presidential-determination-major-drug-transit-or-major-illicit-drug-prod>. The presidential determination is issued pursuant to Section 706 of the Foreign Relations Authorization Act, Fiscal Year 2003 (P.L. 107-228).

The 113th Congress engaged in regional debates on drug policy reform, particularly as it evaluated the Obama Administration's counternarcotics goals in the Western Hemisphere, including counternarcotics and foreign aid budget plans as well as the distribution of domestic and international drug control funding, and the relative balance of civilian, law enforcement, and military roles in regional anti-drug efforts. Illustrating congressional interest in the issue, the House Committee on Foreign Affairs marked up the Western Hemisphere Drug Policy Commission Act of 2014, H.R. 4640, on June 26, 2014. This bill would have established a commission to review and make recommendations on how to improve U.S. domestic and international drug policies.

Key Policy Issues: Because of the region's role as a source and transit zone, U.S. counternarcotics policy will continue to be a major aspect of U.S. relations with Latin America and the Caribbean. Along with continued high levels of counternarcotics assistance to the region, including several regional U.S. partnerships on security, this will sustain congressional interest on drug policy in the region in the 114th Congress.

For additional information, see CRS Report RL34543, *International Drug Control Policy: Background and U.S. Responses*, by Liana Rosen. Also see CRS Report R41349, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, by Clare Ribando Seelke and Kristin Finklea; CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*, by Peter J. Meyer and Clare Ribando Seelke; and CRS Insight IN10008, *Marijuana Legalization in Uruguay: Policy Developments and Context*, by Peter J. Meyer and Liana Rosen.

Terrorism Issues

U.S. attention to terrorism in Latin America intensified in the aftermath of the September 2001 terrorist attacks on New York and Washington, with an increase in bilateral and regional cooperation. In its 2013 *Country Reports on Terrorism* (issued in April 2014), the State Department maintained that the majority of terrorist attacks in the Western Hemisphere were committed by the Revolutionary Armed Forces of Colombia (FARC). The State Department asserted that Latin American governments made modest improvements in their counterterrorism capabilities and border security, but for some countries, corruption, weak government institutions, insufficient interagency cooperation, weak or nonexistent legislation, and a lack of resources impeded progress.

Over the past several years, policy makers have been concerned about Iran's increasing activities in Latin America. Concerns center on Iran's attempts to circumvent U.N. and U.S. sanctions, as well as on its ties to the radical Lebanon-based Islamic group Hezbollah. Both Iran and Hezbollah are reported to be linked to two bombings against Jewish targets in Argentina in the early 1990s, including the 1994 bombing of the Argentine-Israeli Mutual Association (AMIA) that killed 85 people.

A June 2013 State Department report to Congress on Iran's activities in Latin America (submitted pursuant to the Countering Iran in the Western Hemisphere Act of 2012 (P.L. 112-220)) asserted that Iran's influence in the region is waning. Some critics maintain that the State Department was playing down the threat posed by Iran in the region, while others contended that while Iran's involvement in the region is a concern, its level and significance are being exaggerated. As in past years, the State Department's 2013 terrorism report maintained that "there were no known operational cells of either Al Qaeda or Hezbollah in the hemisphere," but noted that "ideological

sympathizers in South America and the Caribbean continued to provide financial and ideological support to those and other terrorist groups in the Middle East and South Asia.⁴⁷

In May 2013, the Argentine prosecutor in the AMIA bombing case, Alberto Nisman, issued a 500-page report alleging that Iran has been working for decades in Latin America, setting up intelligence stations in the region by utilizing embassies, cultural organizations, and even mosques as a source of recruitment. On January 14, 2015, Nisman accused Argentine President Cristina Fernández and other government officials of an attempt to whitewash the AMIA investigation in order to secure oil supplies from Iran. In an alarming development, just days later, on January 18, Nisman was found dead in his apartment from a gunshot; while preliminary reports indicated suicide, many observers, including Argentina's President, contend that Nisman was murdered. Nisman reportedly had been receiving death threats for years and many observers have called for a thorough investigation into his death.

Cuba has remained on the State Department's list of state sponsors of terrorism since 1982 pursuant to Section 6(j) of the Export Administration Act. In December 2014, as part of President Obama's new policy approach toward Cuba, the President called for a review of Cuba's designation on the state sponsors of terrorism list (see "Cuba" section below). Both Cuba and Venezuela are on the State Department's annual list of countries determined to be not cooperating fully with U.S. antiterrorism efforts pursuant to Section 40A of the Arms Export Control Act. U.S. officials have expressed concerns over the past several years about Venezuela's lack of cooperation on antiterrorism efforts, its relations with Iran, and the involvement of senior Venezuelan officials in supporting the drug and weapons trafficking activities of the FARC. In recent years, however, improved Venezuelan-Colombian relations have resulted in closer cooperation between the two countries on antiterrorism and counternarcotics efforts and border security.

Key Policy Issues: The 114th Congress is likely to continue oversight of terrorism concerns in the Western Hemisphere, especially the activities of Iran and Hezbollah. The State Department assessment of Iranian activities in the region was the subject of two House hearings in 2013, and another House hearing on terrorist groups in Latin America was held in February 2014. The death of Argentina's prosecutor in the AMIA investigation and his accusations against President Fernández also are likely to be subjects of congressional interest. The issue of Cuba's designation as a state sponsor of international terrorism is also likely to generate significant interest and potential efforts in Congress to oppose a delisting of Cuba by the Administration. Cuba's harboring of fugitives wanted in the United States had been mentioned for several years in the State Department's annual report on terrorism, and has been a key interest of some Members of Congress. (Also see sections on "Argentina" and "Cuba" below.)

For additional information, see CRS Report RS21049, *Latin America: Terrorism Issues*, by Mark P. Sullivan and June S. Beittel; and CRS Report R43835, *State Sponsors of Acts of International Terrorism—Legislative Parameters: In Brief*, by Dianne E. Rennack.

Organization of American States

Since its foundation in 1948, the Organization of American States (OAS) has served as a forum through which the United States has sought to foster regional cooperation and advance U.S.

⁴⁷ U.S. Department of State, *Country Reports on Terrorism 2013*, April 2014.

priorities in the Western Hemisphere. OAS actions reflected U.S. policy for much of the 20th century as other members sought to closely align themselves with the dominant economic and political power in the region. As the other 34 members have developed more independent foreign policies, however, the OAS has become less receptive to U.S. initiatives and more prone to inaction.

A number of Members of Congress have expressed concerns about the organization's direction. Some assert that the OAS advances policies counter to U.S. interests and argue that the United States should no longer fund the organization; in recent years, the United States has provided roughly 40% of the OAS budget. Others assert that the OAS continues to be an important hemispheric institution but worry that administrative and financial problems are preventing it from effectively carrying out its core missions of democracy promotion, human rights protection, economic and social development, and regional security cooperation.

Key Policy Issues: The 114th Congress is likely to continue to track developments at the OAS and seek to influence the direction of the organization. Members of Congress will determine U.S. funding for the OAS through the annual State Department and foreign operations appropriations bill, which traditionally provides the assessed contribution (membership dues) of the United States as well as additional funds for specific OAS programs. In terms of oversight, Members of Congress may closely follow the election of a new OAS Secretary General, which is scheduled for March 18, 2015, and the seventh Summit of the Americas, which is scheduled for April 10-11, 2015, the first such gathering of Western Hemisphere leaders to include Cuba. Members also may track the extent to which the OAS is implementing the management and programmatic reforms recommended in the OAS Revitalization and Reform Act of 2013 (P.L. 113-41).

For additional information, see CRS Report R42639, *Organization of American States: Background and Issues for Congress*, by Peter J. Meyer.

Selected Country and Sub-Regional Issues

Argentina

Argentina has had a vibrant democratic tradition since its military relinquished power in 1983. Current President Cristina Fernández de Kirchner, from a center-left faction of the Peronist party, was first elected in 2007 (succeeding her husband, Néstor Kirchner, who served one term) and is now in the final year of her second term. Argentina's constitution does not allow for more than two successive terms, so President Fernández is ineligible to run in the next presidential election, scheduled for October 2015. The presidential race is well underway with several candidates leading opinion polls, including two from the Peronist party.

Argentina has Latin America's third-largest economy and is endowed with vast natural resources. Agriculture has traditionally been a main economic driver, but the country also has a diversified industrial base and a highly educated population. In 2001-2002, a severe economic crisis precipitated by unsustainable debt led to the government defaulting on nearly \$100 billion in foreign debt owed to private creditors, the International Monetary Fund (IMF), and foreign governments. Subsequent Argentine administrations resolved more than 90% of the country's debt owed to private creditors through two debt restructurings offered in 2005 and 2010; repaid debt owed to the IMF in 2006; and, in May 2014, reached an agreement to repay foreign governments, including the United States. U.S. federal court rulings in 2014 increased pressure

on Argentina to reach an agreement with private creditors who chose not to participate in the 2005 and 2010 debt restructuring offers. This outstanding debt has also prevented Argentina from accessing international credit markets, and could make it more difficult for Argentina to emerge from its current economic downturn.

U.S.-Argentine relations, as described by the Department of State, are based on such shared interests as regional peace and stability, nuclear nonproliferation, human rights, education, and cooperation on science and technology. Commercial relations are robust, with the United States running a \$5.7 billion trade surplus and U.S. companies investing approximately \$15 billion in the country. At various junctures, however, there have been tensions in the bilateral relationship, including over Argentina's payment of international arbitral awards in investment disputes and the repayment of debt owed to the U.S. government. While these issues have been settled, the unresolved holdout debt issue has contributed to increased tension, with Argentine officials at times rhetorically lashing out at the United States.

Key Policy Issues: The 114th Congress will likely continue to maintain an interest in Argentina because of defaulted debt owed to private creditors. Another continued interest of Congress for many years has been progress in the investigation and prosecution of those responsible for the 1994 bombing of the Argentine-Israeli Mutual Association (AMIA) that killed 85 people. Both Iran and Hezbollah are alleged to be linked to the bombing. The death of Argentina's prosecutor in the AMIA case, Alberto Nisman, on January 18, 2015, will likely stir congressional concern. Just days before his death, Nisman had accused President Fernández of an attempt to whitewash the AMIA investigation in order to secure oil supplies from Iran. (Also see "Terrorism Issues" above.)

For additional information, see CRS Report R43816, *Argentina: Background and U.S. Relations*, by Mark P. Sullivan and Rebecca M. Nelson; and archived CRS Report R41029, *Argentina's Defaulted Sovereign Debt: Dealing with the "Holdouts"*.

Brazil

U.S. policy toward Brazil remains in flux as officials adjust to the country's enlarged international presence. Brazil enjoyed strong economic growth from 2004 to 2010 and is now the world's seventh-largest economy. The country has utilized its economic clout to exert more influence on global matters. As a result, the United States and Brazil often engage on international issues in addition to bilateral concerns. The changing relationship has occasionally frustrated U.S. policy makers as the two multicultural democracies' shared values have not always translated into common approaches to international affairs. In 2014, for example, Brazil opposed international efforts to isolate diplomatically Russia after it annexed Crimea, and largely refrained from openly criticizing the Venezuelan government's harsh response to political protests. While Brazil did not support the actions of the Russian and Venezuelan governments, its aversion to sanctions and preference for dialogue led it to approach the issues much differently than the United States.

Some analysts assert that the independent foreign policies and occasionally divergent national interests of Brazil and the United States will inevitably lead to disputes, but that the countries can maintain a constructive partnership through transparent and respectful engagement. Press reports in 2013 about alleged National Security Agency (NSA) activities in Brazil led to a frosty period in the bilateral relationship, but cooperation has slowly improved over the past year. The U.S. and Brazilian governments signed a tax information exchange agreement that meets the requirements of the Foreign Account Tax Compliance Act (FATCA, P.L. 111-147) in September 2014, and a

memorandum of understanding designed to resolve a long-running trade dispute over U.S. cotton support programs in October 2014. Brazilian President Dilma Rousseff has also expressed her intention to reschedule a state visit to the United States that had been indefinitely postponed following the NSA revelations.

Key Policy Issues: The 114th Congress is likely to consider several legislative measures that will influence U.S.-Brazil relations. Members of Congress will consider appropriations to continue U.S. assistance programs in Brazil and U.S.-Brazil development cooperation in third countries. They also may revisit legislation to renew the U.S. Generalized System of Preferences (GSP) program, which provides non-reciprocal, duty-free tariff treatment to certain products imported from Brazil and other designated developing countries. Pending reforms to the International Monetary Fund (IMF) that would provide greater voting power to Brazil and other emerging economies could also be on the agenda. In terms of oversight, Congress may wish to explore the strategic implications of Brazil's changing global role and whether a stronger U.S.-Brazilian partnership would be beneficial to U.S. interests.

For additional information, see CRS Report RL33456, *Brazil: Political and Economic Situation and U.S. Relations*, by Peter J. Meyer.

Caribbean Basin Security Initiative (CBSI)

Because of their geographic location, many Caribbean nations are transit countries for illicit drugs destined for the U.S. and European markets. Currently, of the 15 countries in the Caribbean region, President Obama identified four—the Bahamas, the Dominican Republic, Haiti, and Jamaica—as major drug-producing or drug-transit countries in September 2014, pursuant to annual legislative drug certification requirements. Many other Caribbean nations, particularly in the eastern Caribbean, are also vulnerable to drug trafficking and associated crimes. Homicide rates in several Caribbean countries have increased in recent years because of gangs and organized crime, competition between drug trafficking organizations, and the availability of firearms.

In 2009, the Obama Administration developed the Caribbean Basin Security Initiative (CBSI) through a process of dialogue with Caribbean countries with the goal of reducing illicit trafficking in the Caribbean, advancing public safety and security, and promoting social justice. U.S. funding for the program from FY2010 through FY2014 amounted to an estimated \$327 million with assistance in the following five areas: maritime and aerial security cooperation; law enforcement capacity building; border/port security and firearms interdiction; justice sector reform; and crime prevention and at-risk youth.

For FY2015, the Obama Administration requested almost \$57 million for the CBSI. Ultimately, Congress completed action on foreign aid appropriations in the FY2015 omnibus appropriations measure approved in December 2014 (P.L. 113-235). It appears that the CBSI will be funded at not less than \$64 million, since the explanatory statement to the omnibus noted that Federal departments shall comply with directives and reporting requirements in the House and Senate reports to the FY2015 foreign aid appropriations measure (H.Rept. 113-499 to H.R. 5013; S.Rept. 113-195 to S. 2499).

Key Policy Issues: The 113th Congress held oversight hearings on the status of the CBSI in 2013 and 2014, and it is likely that the 114th Congress will also examine the CBSI through hearings.

Concern about increased drug trafficking through the Caribbean will likely sustain congressional interest in the program and about its effectiveness.

Central America Regional Security Initiative (CARSI)

In recent years, U.S. policy makers have expressed significant concerns about security and human rights conditions in Central America. Countries in the region—particularly the “northern triangle” countries of El Salvador, Guatemala, and Honduras—have long struggled to deal with high levels of crime and violence, which analysts have linked to inter-related factors such as widespread social exclusion and weak and corrupt security and justice sector institutions. These problems have been compounded by transnational criminal organizations seeking to control Central American territory in order to transport illicit narcotics from producers in South America to consumer markets in the United States and Europe. The 2014 surge in unaccompanied children arriving at the U.S. border from Central America appears to have been partially driven by poor security conditions in the northern triangle.

The U.S. government has sought to assist countries in the region through the Central America Regional Security Initiative (CARSI). The initiative provides partner nations with equipment, training, and technical assistance to support immediate law enforcement operations, build long-term institutional capacity, and address underlying socio-economic challenges. Congress has appropriated about \$1.1 billion for CARSI since FY2008, including \$260 million for FY2015. A recent evaluation of the initiative found that USAID’s community-based crime prevention programs have had a statistically significant positive impact on security conditions in Central American communities.⁴⁸ The impact of other CARSI-funded programs remains unclear.

Key Policy Issues: Given the persistent high levels of crime and violence in the northern triangle and the potential for instability in the region to affect the United States, Central America is likely to remain a focus of congressional attention during the 114th Congress. Members of Congress will consider appropriations for CARSI and other aid to the region. They also may consider whether to strengthen, maintain, or remove human rights conditions on certain types of assistance. As Members deliberate on these measures, they might consider questions such as: Which CARSI programs have been successful, and how could they be scaled-up and expanded? To what extent are Central American nations undertaking the fiscal and policy reforms necessary to consolidate gains and sustain efforts? How might altering conditions on aid affect U.S. policy goals in the region?

For additional information, see CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*, by Peter J. Meyer and Clare Ribando Seelke; CRS Report RL34112, *Gangs in Central America*, by Clare Ribando Seelke; CRS Report RS21655, *El Salvador: Political and Economic Conditions and U.S. Relations*, by Clare Ribando Seelke; CRS Report R42580, *Guatemala: Political, Security, and Socio-Economic Conditions and U.S. Relations*, by Maureen Taft-Morales; CRS Report RL34027, *Honduras: Background and U.S. Relations*, by Peter J. Meyer; and CRS Report R43620, *Panama: Background and U.S. Relations*, by Mark P. Sullivan and Andrew Lee.

⁴⁸ Susan Berk-Seligson et al., *Impact Evaluation of USAID’s Community-Based Crime and Violence Prevention Approach in Central America: Regional Report for El Salvador, Guatemala, Honduras and Panama*, Vanderbilt University, Latin American Public Opinion Project, October 2014, <http://www.usaid.gov/documents/1862/impact-evaluation-usaids-community-based-crime-and-violence-prevention-approach>.

Cuba

Cuba remains a one-party communist state with a poor record on human rights. The country's political succession in 2006 from the long-ruling Fidel Castro to his brother Raúl was characterized by a remarkable degree of stability. In February 2013, Castro was reappointed to a second five-year term as President (until 2018, when he would be 86 years old), and selected 52-year old former Education Minister Miguel Díaz-Canel as his First Vice President, making him the official successor in the event that Castro cannot serve out his term. Raúl Castro has implemented a number of gradual economic policy changes over the past several years, including an expansion of self-employment. Few observers, however, expect the government to ease its tight control over the political system. While the government reduced the number of political prisoners in 2010-2011, the number subsequently increased; moreover, short-term detentions and harassment have increased significantly over the past several years.

Congress has played an active role in shaping policy toward Cuba, including the enactment of legislation strengthening and at times easing various U.S. economic sanctions. While U.S. policy for more than 50 years has consisted largely of isolating Cuba through economic sanctions, a second policy component has consisted of support measures for the Cuban people, including U.S. government-sponsored broadcasting (Radio and TV Martí) and support for human rights and democracy projects. Until December 2014, the Obama Administration continued this similar dual-track approach. While the Administration lifted all restrictions on family travel and remittances, eased restrictions on other types of purposeful travel, and moved to reengage Cuba on several bilateral issues, it also maintained most U.S. economic sanctions. The Administration also continued to call for the release of U.S. government subcontractor Alan Gross, detained in 2009 and subsequently sentenced to 15 years in prison in 2011, and maintained that Gross's detention remained an impediment to more constructive relations.

On December 17, 2014, however, just after the end of the 113th Congress, President Obama announced major developments in U.S.-Cuban relations. He announced that the Cuban government had released Alan Gross on humanitarian grounds, and that in a separate action the Cuban government released an imprisoned U.S. intelligence asset in Cuba (a Cuban national) in exchange for three Cuban intelligence agents imprisoned in the United States since 1998. Most significantly, President Obama announced a major shift in U.S. policy toward Cuba, moving away from a sanctions-based policy aimed at isolating Cuba to a policy of engagement. The President said that his Administration "will end an outdated approach that, for decades, has failed to advance our interests, and instead we will begin to normalize relations between our two countries." The President maintained that the United States would continue to speak out on human rights and democracy issues, but stressed that more could be done to support the Cuban people through engagement.

The President outlined three major steps to move toward normalization: (1) the reestablishment of diplomatic relations with Cuba (relations were severed in 1961); (2) a review Cuba's designation by the Department of State as a state sponsor of international terrorism (Cuba has been on the list since 1982); and (3) an increase in travel, commerce, and the flow of information to and from Cuba. The third step required numerous policy changes to U.S. embargo regulations administered by the Departments of the Treasury and Commerce; on January 15, 2015, both agencies issued their regulatory changes, which went into effect the following day.

The President acknowledged that he does not have the authority to lift the embargo because it was codified into legislation (Section 102(h) of the Cuban Liberty and Democratic Solidarity

(LIBERTAD) Act of 1996, P.L. 104-114). The President maintained that he looks forward to engaging Congress in a debate about lifting the embargo. The LIBERTAD Act ties the lifting of the embargo to conditions in Cuba (including that a democratically elected government is in place). Lifting the overall economic embargo at this time would require amending or repealing that law as well as other statutes, including provisions of the Foreign Assistance Act of 1961, the Cuban Democracy Act of 1992 (Title XVII of P.L. 102-484), and the Trade Sanctions Reform and Export Enhancement Act of 2000 (P.L. 106-387), that impede normal economic relations with Cuba.

Key Policy Issues: The 113th Congress had just ended when President Obama announced his policy changes on Cuba. Some Members of Congress lauded the Administration's actions as in the best interests of the United States and a better way to support change in Cuba, while other Members strongly criticized the President for not obtaining concessions from Cuba to advance human rights. With some Members vowing to oppose the Administration's efforts toward normalization, the direction of U.S.-Cuban relations are likely to be hotly debated in the 114th Congress. Oversight hearings are expected in both houses. Cuba's human rights situation will continue to be a key congressional concern.

For additional information, see CRS In Focus IF10045, *Cuba: President Obama's New Policy Approach*; CRS Report R43024, *Cuba: U.S. Policy and Issues for Congress*; CRS Report RL31139, *Cuba: U.S. Restrictions on Travel and Remittances*, by Mark P. Sullivan; CRS Insight IN10204, *U.S. Policy on Cuban Migration*; and CRS Report R43835, *State Sponsors of Acts of International Terrorism—Legislative Parameters: In Brief*.

Haiti

Haiti is in an ongoing political crisis as the executive and legislative branches failed to reach a political compromise by January 12, 2015, leaving the legislature unable to meet a quorum and President Michel Martelly to rule by decree. Congress and the donor community have expressed growing concern about his commitment to the democratic process due to his government's failure to hold legislative elections that are almost four years overdue. Haiti took some steps to move the process forward, but its Senate failed to pass the necessary electoral law, with some opponents saying they lacked confidence in the provisional electoral council (CEP) Martelly organized to oversee the elections. Nonetheless, the U.S., European Union, and Canadian ambassadors and the United Nations (U.N.) special representative said on January 13 that, despite grave concerns that no resolution for holding elections was made before the legislature was dissolved, they support President Martelly, whose five-year term expires in May 2016.

On December 14, 2014, Haitian Prime Minister Laurent Lamothe (a close ally of Martelly) resigned after a commission appointed by Martelly had called for him to do so and for a consensus government to be formed. Martelly swore in a new cabinet, including Evans Paul, a former mayor of Port-au-Prince, as prime minister, although the legislature declined to confirm Paul before it dissolved. Martelly and Paul say they are organizing a new CEP, and that elections will be held this year. Thousands of protesters continue to call for Martelly's resignation.

January 12, 2015, was also the fifth anniversary of the earthquake that devastated Haiti's capital. Haiti continues to make progress in its overall recovery effort, but enormous challenges remain. Criticism abounds that reconstruction aid and efforts are moving too slowly, contributing to mounting public frustration with international donors and the government.

Victims filed a class action suit against the United Nations, seeking compensation for victims of the cholera epidemic, which scientific studies link to inadequate sanitation at a U.N. peacekeepers' camp. Citing diplomatic immunity, the U.N. says that it will not compensate cholera victims. In March 2014, the independent expert on human rights in Haiti issued a report disagreeing with that position, saying that full reparation should be provided and that those responsible should be punished. On January 9, 2015, a U.S. district court dismissed the lawsuit, saying that a 1946 international convention made the U.N. "immune from suit unless it expressly waives its immunity." The plaintiffs argue that the same convention requires the U.N. to establish a settlement process outside the courts, which it has not done, and will appeal the ruling.

To enhance citizen security, donors have encouraged Haiti to focus on further strengthening the Haitian National Police. Despite opposition at home and abroad, Martelly has taken steps to re-create an army, which was abolished in 1995 after decades of gross violations of human rights and repeated coups.

The main priorities for U.S. policy regarding Haiti are to strengthen fragile democratic processes, continue to improve security, and promote economic development. Other issues include the cost and effectiveness of U.S. aid; protecting human rights; combating narcotics-, arms-, and human-trafficking; and alleviating poverty. Congress shares these concerns. The Obama Administration granted TPS to Haitians living in the United States at the time of the earthquake, and has extended it on a yearly basis since then. In late 2014, DHS announced that it would begin to implement the Haitian Family Reunification Parole Program in early 2015 for Haitian relatives of U.S. citizens or permanent residents. Because this program will expedite reunification only for those scheduled to receive their entry visas within two years, only a small portion of all Haitians approved for residency will benefit from the program.

The Assessing Progress in Haiti Act of 2014 (P.L. 113-162) directs the Secretary of State to coordinate and transmit to Congress a three-year strategy for Haiti that includes specific steps and benchmarks for assistance, and to report to Congress annually through December 31, 2017, on the status of specific aspects of post-earthquake recovery and development efforts in Haiti. The State Department submitted its first report in January 2015.

Key policy issues: The 114th Congress will likely continue to press Haiti to hold its long overdue elections, and monitor growing political tensions and their possible impact on development and stability. Congress will likely remain concerned over corruption and transparency in Haiti, promoting economic development, and labor practices in Haitian factories.

The FY2015 omnibus appropriations measure (P.L. 113-235) prohibits assistance to the central government of Haiti until the Secretary of State certifies that Haiti "is taking steps" to hold free and fair parliamentary elections and seat a new Haitian Parliament, respect judicial independence and select judges in a transparent manner, combat corruption; and improve governance and financial transparency. The bill also prohibits the obligation or expenditure of funds for Haiti except as provided through the regular notification procedures of the Committees on Appropriations. It allows Haiti to purchase defense articles and services under the Arms Export Control Act for its Coast Guard.

For background information, see CRS Report R42559, *Haiti Under President Martelly: Current Conditions and Congressional Concerns*, by Maureen Taft-Morales.

Colombia

A key U.S. ally in the region, Colombia has endured an internal armed conflict for half a century. Drug trafficking has helped to perpetuate Colombia's conflict by funding both left-wing and right-wing armed groups. Over the years, Colombia and the United States forged a close partnership focused initially on counternarcotics and later counterterrorism. Building on that cooperation, the U.S.-Colombia partnership has broadened to include sustainable development, human rights, trade, regional security and many other areas.

The Colombian government, in close cooperation with the United States through a strategy known as Plan Colombia, has reestablished government control over much of its territory, reduced poverty and homicide rates, and made significant headway in combating drug trafficking and terrorist activities. Colombia has substantially improved citizen security and economic stability, but some observers continue to raise concerns about human rights conditions in the country. Between FY2000 and FY2015, the U.S. Congress provided Colombia more than \$9.5 billion in assistance to carry out Plan Colombia and its follow-on strategies. This support is gradually being reduced as programs are turned over to Colombian control. The Colombian government's long-term strategy has moved from a policy of defeating insurgents in combat and consolidating its gains with its "whole of government" approach, to a new stage of preparing for the post-conflict period.

President Juan Manuel Santos, inaugurated for a second four-year term in August 2014, won a heated runoff race in June 2014 advocating a peace platform. In his first term, he launched peace negotiations with the country's main leftist insurgent group, the Revolutionary Armed Forces of Colombia (FARC). During the campaign, President Santos announced that exploratory talks had also begun with Colombia's second-largest guerrilla group, the National Liberation Army (ELN). In legislative elections held in March 2014, former President Álvaro Uribe (2002-2010), a harsh critic of Santos and the peace negotiations, won a seat in the Colombian Senate. In the new Congress, Santos's "national unity" coalition of parties retained a majority in the lower house and has a working majority in the Senate. Nevertheless, Santos now faces a divided Congress with Uribe and his right-leaning Democratic Center party leading the opposition.

Prospects for concluding the peace talks with the FARC remain uncertain although they have progressed halfway through a six-point negotiating agenda in a little over two years. There are five substantive topics—land and rural development; political participation; ending the armed conflict including reinsertion of rebel forces into civilian life; illegal drug trafficking; and victims' reparations—and a final procedural point, terms for implementing the final agreement, including its ratification and verification. With the caveat that no agreement is final until an entire agreement is concluded, negotiators have resolved issues of land and rural development (May 2013), the FARC's political participation after disarmament (November 2013), and illegal drugs and drug trafficking (May 2014).

In August 2014, as negotiators wrestled with the challenging issue of reparation and justice for conflict victims, victim representatives joined the talks. The final substantive topic—how to end the conflict—may be the most controversial. The 2014 elections demonstrated that the Colombian people remain deeply ambivalent about the scope of punishment and forgiveness for FARC crimes, the delicate issue of extradition, and other aspects of disarmament and reintegration. For FY2015, the Obama Administration requested approximately \$281 million in foreign assistance for Colombia. In the FY2015 omnibus appropriations measure (P.L. 113-235), Congress appears to have fully funded the request in the Economic Support Fund account, and exceeded it in the

International Narcotics Control and Law Enforcement and Foreign Military Financing foreign aid accounts by about \$30 million.

Key Policy Issues: The 114th Congress is likely to closely follow Colombia's peace negotiations, and may consider whether and how U.S. assistance might shift in the event a peace accord is signed in 2015. On trade relations, Congress approved implementing legislation for the U.S.-Colombia Free Trade Agreement (P.L. 112-42) in October 2011, which went into force in May 2012 and will eventually eliminate most tariffs and barriers to bilateral trade. Members of Congress are likely to continue to be interested in expanding investment and trade opportunities both bilaterally with Colombia and in regional groupings such as the Pacific Alliance, a trade liberalization initiative of which Colombia was a founding member.

For additional information, see CRS Report R43813, *Colombia: Background and U.S. Relations*, by June S. Beittel; CRS Report R42982, *Peace Talks in Colombia*, by June S. Beittel; CRS Report RL34470, *The U.S.-Colombia Free Trade Agreement: Background and Issues*, by M. Angeles Villarreal; and CRS Report R43748, *The Pacific Alliance: A Trade Integration Initiative in Latin America*, by M. Angeles Villarreal.

Mexico

Congress has maintained significant interest in Mexico and played an important role in shaping U.S.-Mexico relations. President Enrique Peña Nieto of the centrist Institutional Revolutionary Party (PRI) took office on December 1, 2012, after 12 years of rule by the conservative National Action Party (PAN). Peña Nieto has enacted structural reforms and bolstered economic relations with the United States, but observers maintain he has mishandled recent high-profile human rights cases and allegations of a conflict of interest between his family and a government contractor.

President Peña Nieto's first two years in office brought mixed results for Mexico. During 2013, Peña Nieto's "Pact for Mexico" agreement with the PAN and leftist Party of the Democratic Revolution (PRD) facilitated the passage of significant financial, education, telecommunications, and energy reforms. Still, the economy faltered (GDP growth fell from 3.7% in 2012 to 1.2% in 2013) and some types of violent crime—including kidnapping and extortion—increased. Implementation of the reforms began in 2014, but has been overshadowed by the government's inability to resolve a case involving 43 students who were forcibly abducted from Guerrero in September. Local and state officials' alleged complicity in the forced disappearance—and likely murder—of the students, as well as federal mishandling of the investigation, have been widely criticized and sparked ongoing protests.

U.S.-Mexican relations have remained strong during the Peña Nieto Administration. President Obama embraced Peña Nieto's desire to bolster economic ties and focus on issues beyond security, including education and trade facilitation. Those issues figured prominently during President Obama's participation in the February 2014 North American Leaders' Summit and at two High-Level Economic Dialogues of cabinet officials, the most recent of which occurred in January 2015. Now that Mexico has implemented historic energy reforms, bilateral energy cooperation has increased. U.S.-Mexican security cooperation under the Mérida Initiative framework has garnered more attention in recent months; its focus is on strengthening the rule of law and securing Mexico's southern border. At a January 6 meeting, President Obama thanked President Peña Nieto for increasing security on Mexico's southern border; Peña Nieto in turn pledged to help Mexicans living in the United States benefit from the Obama administration's

executive actions on immigration and to support U.S. efforts to normalize relations with Cuba. Despite many advances in relations, some U.S. stakeholders remain frustrated at Mexico's failure to fully and predictably make water deliveries in the Rio Grande Valley, as per a 1944 water sharing treaty.

Key Policy Issues: A range of issues related to U.S.-Mexican relations are likely to receive congressional attention during the 114th Congress. On January 14, 2015, the House passed H.R. 240 to fund the Department of Homeland Security for the rest of FY2015; the bill contains amendments that would block the executive actions on immigration. The Senate must consider the issue before DHS funds run out at the end of February. Congress is likely to continue oversight of the \$2.5 billion in Mérida Initiative funds that have been appropriated to strengthen the rule of law in Mexico, including the \$194 million provided in P.L. 113-235. The 114th Congress is likely to closely monitor the Department of State's compliance with reporting requirements regarding human rights issues and Mexico's water deliveries included in that act; similar reporting language may appear in legislation this Congress. Implementation of Mexico's energy reforms is likely to generate legislative proposals to speed up energy infrastructure development, including cross-border natural gas pipelines, as was approved by the House on January 21, 2015 (H.R. 161). Administration proposals to double the capitalization for the North American Development Bank and to merge it with the Border Environment Cooperation Commission require congressional approval. Congress is also likely to monitor Mexico's participation in the proposed Trans Pacific Partnership negotiations, which may deepen U.S.-Mexico economic relations, as well as the resolution of trade issues involving sugar and North American trucking.

For additional information, see CRS Report R42917, *Mexico: Background and U.S. Relations*, by Clare Ribando Seelke; CRS Report R41349, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, by Clare Ribando Seelke and Kristin Finklea; CRS Report RL32934, *U.S.-Mexico Economic Relations: Trends, Issues, and Implications*, by M. Angeles Villarreal; CRS Report R43313, *Mexico's Oil and Gas Sector: Background, Reform Efforts, and Implications for the United States*, coordinated by Clare Ribando Seelke; and CRS Report R43312, *U.S.-Mexico Water Sharing: Background and Recent Developments*, by Nicole T. Carter, Clare Ribando Seelke, and Daniel T. Shedd.

Venezuela

While historically the United States has had close relations with Venezuela, a major oil supplier, friction in bilateral relations rose over the past decade under the leftist populist government of President Hugo Chávez, who died in March 2013 after battling cancer for almost two years. After Chávez's death, Venezuela held presidential elections in April 2013 in which acting President Nicolás Maduro, who had been serving as Chávez's vice president, defeated opposition candidate Henrique Capriles by a margin of just 1.49%, with the opposition alleging significant irregularities. Venezuela's December 2013 municipal elections demonstrated mixed results for the ruling United Socialist Party of Venezuela (PSUV) and the opposition Democratic Unity Roundtable (MUD).

In 2014, the Maduro government faced significant challenges, including high rates of crime and violence and deteriorating economic conditions, with high inflation, shortages of consumer goods, and in the second half of the year, a rapid decline in oil prices. In February, student-led street protests erupted into violence with protestors attacked by Venezuelan security forces and militant pro-government civilian groups. While the protests largely had dissipated by June, 42

people were killed on both sides of the conflict, more than 800 were injured, and more than 3,000 were arrested. A major opposition figure, Leopoldo López, was arrested in February, and two opposition mayors were imprisoned in March. Diplomatic efforts to deal with the crisis at the OAS were frustrated in March. UNASUR was successful in getting the government and a segment of the opposition to begin talks in April, but the talks broke down in May because of a lack of progress.

U.S. policymakers and Members of Congress have been concerned in recent years about the deterioration of human rights and democratic conditions in Venezuela as well as the Venezuelan government's lack of cooperation on anti-drug and counterterrorism efforts and its relations with Iran. The United States has imposed financial sanctions on eight current or former Venezuelan officials for allegedly helping the Revolutionary Armed Forces of Colombia with drug and weapons trafficking. The United States has also imposed sanctions on three Venezuelan companies for support to Iran and on several Venezuelan individuals for supporting Hezbollah. Despite tensions in relations, the Obama Administration has maintained that the United States remains committed to seeking constructive engagement with Venezuela.

The Obama Administration strongly criticized the Venezuelan government's heavy-handed response to the student-led protests in 2014, and called on the government to engage in meaningful dialogue with the opposition. In late July 2014, the State Department announced that it was imposing visa restrictions on Venezuelan officials considered to be responsible for human rights violations in the government's crackdown on the protests (reportedly 24 high-ranking officials were sanctioned).⁴⁹ In November 2014, an Administration official stated that the Administration was not opposed to moving ahead with additional sanctions.

In recent years, developments in Venezuela and U.S. relations with the country have largely been oversight issues for Congress, but the 113th Congress enacted legislation in December 2014 to impose targeted sanctions (visa restrictions and asset blocking) on those responsible for human rights abuses associated with the protests (S. 2142, P.L. 113-278). As approved, the measure requires the President to impose sanctions against those responsible for significant acts of violence or serious human rights abuses associated with the protests, or more broadly, anyone that has directed or ordered the arrest or prosecution of a person primarily because of the person's legitimate exercise of freedom of expression or assembly. The measure includes presidential waiver authority for the application of sanctions if the President determines it is in the national security interest of the United States, and also includes a provision for the termination, at the end of 2016, of the requirement to impose sanctions. In other action, Congress appropriated funding for democracy projects in Venezuela through the annual foreign aid appropriations measure: for FY2014, an estimated \$4.3 million was provided through P.L. 113-76; and for FY2015, an estimated \$5 million will be provided.

Key Policy Issues: Congressional interest in Venezuela is likely to continue in the 114th Congress, focused on Venezuela's political and human rights situation and the country's deteriorating economic situation because of the rapid fall in oil prices and the country's state-led economic model.

⁴⁹ U.S. Department of State, "Visa Restrictions Against Human Rights Abusers in Venezuela," Press Statement, July 30, 2014; William Neuman, "U.S. Bars Travel by Top Venezuelan Officials," *New York Times*, July 31, 2014.

For further information, see CRS Report R43239, *Venezuela: Background and U.S. Relations*, by Mark P. Sullivan. For additional background, see the following archived reports: CRS Report R42989, *Hugo Chávez's Death: Implications for Venezuela and U.S. Relations*; and CRS Report R40938, *Venezuela: Issues for Congress, 2009-2012*.

Outlook

The key U.S. interests involving economic, political, and security concerns described in this report will likely continue to sustain congressional attention to Latin America and the Caribbean in the 114th Congress. Early on, the forthcoming Summit of the Americas in April will likely stir congressional interest, particularly with the participation of Cuba. The Administration's new policy toward Cuba will be examined in hearings and is likely to be hotly debated, with some Members vowing to oppose the movement toward normalization of relations. Looking ahead, congressional interest in the region is also likely to include Haiti's long overdue legislative elections; the Venezuelan government's treatment of its political opposition as the country prepares to hold legislative elections by year's end; the situation in Argentina in light of the murder of the prosecutor in the 1994 AMIA bombing; and the status of Mexico's implementation of energy reforms.

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