

Asylum Processing at the U.S.-Mexico Border: February 2023



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INTRODUCTION

Since November 2018, the Robert Strauss Center for International Security and Law at the University of Texas at Austin—at times in collaboration with the Center for U.S.-Mexico Studies at the University of California San Diego and the Migration Policy Centre at the European University Institute—has documented asylum processing at U.S. border ports of entry through quarterly reports. These reports began in November 2018 when U.S. Customs and Border Protection (CBP) officers stationed at the international border’s dividing line started informing arriving asylum seekers that U.S. ports of entry were full. Simultaneously, CBP officials only accepted a specified number of asylum seekers each day, in a process known as metering. As metering became standardized at U.S. ports of entry, individuals, groups, and government officials began forming waitlists to organize growing queues of asylum seekers in Mexican border cities.¹

From November 2018 through November 2022, the Robert Strauss Center’s quarterly reports documented asylum waitlists in Mexican border cities. During the Covid-19 pandemic, CBP stopped processing asylum claims at ports of entry under a Center for Disease Control’s (CDC) regulation referred to as Title 42 authority. This authority allowed Border Patrol agents to immediately expel apprehended individuals of certain nationalities, including asylum seekers, to the nearest Mexican city or to their home countries. It also blocked asylum seekers from making claims at U.S. ports of entry.² Under Title 42, many of the asylum waitlists along the border were frozen—meaning that list managers did not allow any new individuals to add their names—or they were dissolved.³

Beginning in mid-2022, the United States began processing Title 42 exceptions along the border. These exceptions allowed vulnerable individuals in Mexican border cities to enter the United States and request asylum. However, the number of vulnerable individuals was larger than the number of Title 42 exception slots, which led to Title 42 exception waitlists in certain cities. These lists were similar to the previous metering waitlists. Although, Mexican government entities, civil society organizations, and lawyers all kept different Title 42 exception waitlists, and there were often multiple lists in each city. The Robert Strauss Center’s August 2022 and November 2022 asylum processing updates included Title 42 exception waitlists in their official counts of individuals waiting along the border.

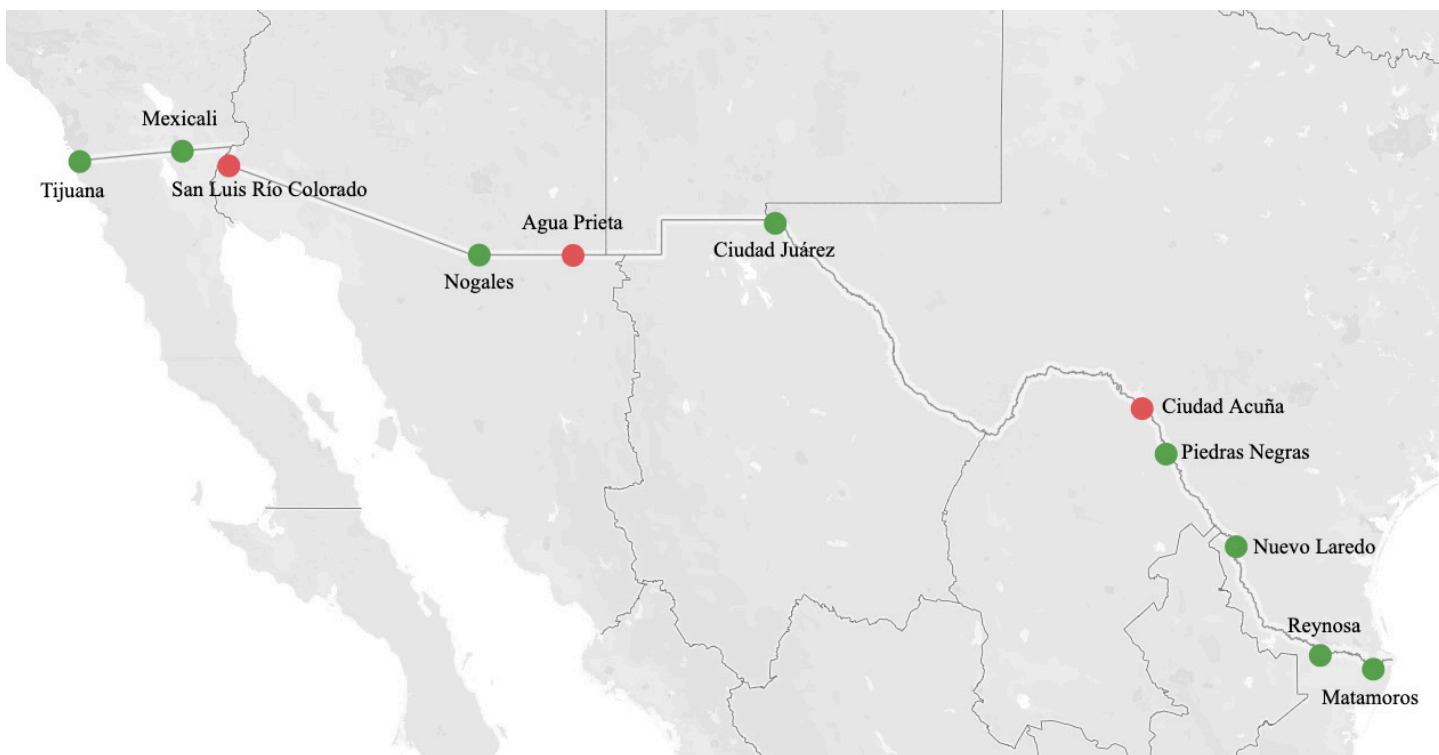
On January 12, 2023, CBP implemented a new Title 42 exception process at the border. This process requires asylum seekers to use a mobile application known as CBP One to make a claim at a U.S. port of entry. Through this application, individuals located in Central and Northern Mexico can submit certain biographic information in advance, attest that they meet vulnerability criteria, and schedule an appointment at a U.S. port of entry. Since this process allows asylum seekers to make appointments directly with CBP, list managers dissolved all remaining metering and Title 42 exception waitlists.

Initially, CBP opened two weeks of appointments to fill the first days, and then—a week later—the agency began releasing daily appointments each morning at 9:00 am ET (6:00 am PT). These appointments are for one day at a time and are scheduled two weeks out. Asylum seekers in one area of the border may obtain appointments in other locations. To travel through northern Mexico, individuals with a CBP One appointment can obtain a temporary transit pass from Mexico’s National Migration Institute (*Instituto Nacional de Migración*, INM).⁴ The CBP One application is currently available in English, Spanish, and Haitian Creole.

Between January 18, 2023 and January 31, 2023, 9,902 individuals were processed at ports of entry through CBP One application appointments.⁵

In February 2023, not all ports of entry were processing CBP One appointments. Figure 1 shows the status of CBP One applications by city. Green circles indicate cities with CBP One appointments and red circles indicate cities without CBP One appointments.

Figure 1: Ports of Entry Offering CBP One Appointments (February 2023)



Author's elaboration. Data collected from February 17, 2023 to February 21, 2023.

The CBP One rollout and switch to asylum appointments has come with a series of challenges. The first are accessibility hurdles, as asylum seekers need to be literate, speak one of the application's three languages, have access to a cell phone with cell or internet service, and have basic knowledge of the new system.⁶ If these hurdles are surmounted, the next set of challenges center around the application's registration process, with asylum seekers' reporting crashes, looping error messages, and facial comparison flaws (some of which have been addressed in subsequent application updates).⁷ To obtain appointments, civil society organizations have also flagged concerns, such as the early morning release times of new appointments and slow internet at shelters, which prevents asylum seekers' phones from connecting quickly enough to make an appointment. Conversely, this means that individuals with strong Wi-Fi or the ability to pay for SIM cards may be more likely to obtain appointments.

However, the most pressing issue is the insufficient number of appointments compared to the number of waiting individuals. Each day, many asylum seekers try to obtain an appointment but are unable to secure a spot. This can be a bigger challenge for larger families, particularly in cities with few appointment slots.⁸ In an attempt to improve their odds, some families have made decisions to separate themselves into smaller family groups or have sent their children to the United States as unaccompanied minors. Additionally, individuals may attempt to secure appointments in cities beyond where they are living, requiring journeys that can expose them to security risks and added costs.⁹

This report provides an update to asylum processing along the U.S.-Mexico border by focusing on the CBP One appointment process, waiting asylum seekers, and migrant shelters. Overall, asylum seekers continue to face unstable living conditions and security risks in Mexican border cities. Many shelters are full, and along the border, a number of individuals are renting rooms, staying in hotels, or sleeping on the street. In Matamoros, another tent camp has sprung up with thousands of occupants living along the Rio Grande. Certain groups of asylum seekers also continue to experience additional challenges. Civil society organizations report that Black, LGBTQ+, and Indigenous asylum seekers have faced targeted discrimination while waiting in Mexican border cities.

The February 2023 metering update draws on phone and WhatsApp interviews with asylum seekers, government officials, civil society organizations, and legal service providers on both sides of the border from February 17, 2023 through February 21, 2023. It also relies on local news articles to fill in any gaps.

Asylum Processing at the Border Waitlists: February 2023

| Mexican City | CBP One Appointments | # of CBP One Appointments | City Conditions |
|------------------------------|----------------------|---------------------------|--|
| Matamoros, Tamaulipas | Open | ~200 people per day | <p>Each day, an estimated 200 individuals cross in Matamoros with Title 42 exception appointments via CBP One. Local civil society organizations estimate that there are around 3,500 to 4,000 people living in the city and attempting to obtain these appointments.¹⁰ An estimated 2,500 people live in a tent camp along the Rio Grande.¹¹ Most of these individuals are from Venezuela and Haiti, with fewer numbers from Cuba and Nicaragua.</p> <p>In late January 2023, a number of asylum seekers from Russia and Ukraine arrived in Matamoros. Unlike other nationalities, these individuals stayed in hotels in Matamoros's city center. By mid-February 2023, these individuals were no longer in the city.</p> <p>From January 1, 2023, to January 31, 2023, 5,929 people entered the United States through Matamoros as Title 42 exceptions.¹²</p> |
| Reynosa, Tamaulipas | Open | ~120 people per day | <p>In Reynosa, there are around 120 CBP One appointments every day. The city's shelters are full and there are an estimated 5,000 to 9,000 people waiting in the city. Currently the majority of these individuals are from Venezuela and Haiti, with fewer numbers from Mexico (Oaxaca, Guerrero, and Chiapas), Honduras, Guatemala, and El Salvador. Individuals with appointments cross in three shifts: 7:00 am, 9:00 am, and 12:00 pm.¹³</p> <p>Black migrants in Reynosa have reported that the CBP One application does not always accept photos of their faces. In response, these individuals set up bright construction lights for taking selfies. However, they noted that this technique did not work for children under the age of six.¹⁴</p> |

Asylum Processing at the Border Waitlists: February 2023 (continued)

| Mexican City | CBP One Appointments | # of CBP One Appointments | City Conditions |
|--|----------------------|---------------------------|--|
| Reynosa, Tamaulipas <i>(continued)</i> | | | <p>Individuals who have been unable to secure a spot in shelters are renting rooms or waiting directly outside of the port of entry. Local shelter officials estimate that fewer than 10 percent of the migrants waiting in the city have managed to secure an appointment using the CBP One application.</p> <p>From January 1, 2023, to January 31, 2023, 4,235 people entered the United States through Reynosa as Title 42 exceptions.¹⁵</p> |
| Nuevo Laredo, Tamaulipas | Open | ~40 people per day | <p>There are approximately 40 CBP One appointments available each day in Nuevo Laredo.</p> <p>Over the past month, an increasing number of asylum seekers have arrived in the city. This is partly because Title 42 exception processing has resumed after being suspended in mid-2022.¹⁶ Additionally, many of the individuals arriving in Nuevo Laredo already have CBP One appointments. These people were previously living in another border city or waiting in Mexico City, Guadalajara, or Monterrey.¹⁷ For example, the majority of people at Casa Nazareth are recently arrived individuals with CBP One appointments.¹⁸ Fewer people have been able to successfully obtain appointments while staying at local shelters. In fact, these shelters report that only a handful of their residents were entering the United States via CBP One appointments each week.</p> <p>Nuevo Laredo's shelters are not at capacity and civil society organizations estimate that the city has a much smaller migrant population than either Reynosa or Matamoros. The majority of migrants in the city are from Honduras, Haiti, Mexico, Venezuela, and Cuba.</p> <p>From January 1, 2023, to January 31, 2023, 606 people entered the United States through Nuevo Laredo as Title 42 exceptions.¹⁹</p> |

Asylum Processing at the Border Waitlists: February 2023 (continued)

| Mexican City | CBP One Appointments | # of CBP One Appointments | City Conditions |
|---------------------------------|----------------------|---------------------------|---|
| Piedras Negras, Coahuila | Open | ~40 people per day | <p>Each day, an estimated 40 individuals cross in Piedras Negras with Title 42 exception appointments via CBP One. This includes people who were waiting in Piedras Negras and Haitians and Venezuelans who are arriving with CBP One appointments after waiting in other cities.</p> <p>In Piedras Negras, shelters are completely full. Local officials estimate that there are roughly 900 migrants waiting in shelters with another 1,000 to 1,500 migrants renting rooms, staying in abandoned houses, and sleeping on the streets. Currently, the majority of the migrants in Piedras Negras are from Honduras, Venezuela, Haiti, Ecuador, and Cuba.</p> <p>From January 1, 2023, to January 31, 2023, 1,650 people entered the United States through Piedras Negras as Title 42 exceptions.²⁰</p> |
| Ciudad Acuña, Coahuila | Closed | N/A | <p>There is no Title 42 exception processing via CBP One in Ciudad Acuña.</p> <p>Civil Protection (<i>Protección Civil</i>) continues to maintain two asylum waitlists—one for single adults and one for families—but the local agency is not adding any new individuals to the lists. Many of the people who were waiting on the two lists are no longer in the city.</p> |
| Ciudad Juárez, Chihuahua | Open | ~80 people per day | <p>Each day, an estimated 80 individuals cross in Ciudad Juárez with Title 42 exception appointments via CBP One.</p> <p>There are estimated to be more than 2,200 people in Ciudad Juárez's shelters and even more people living outside of these shelters.²¹ Most of these individuals are from Venezuela, Nicaragua, Colombia, Guatemala, Ecuador, Peru, and El Salvador.</p> |

Asylum Processing at the Border Waitlists: February 2023 (continued)

| Mexican City | CBP One Appointments | # of CBP One Appointments | City Conditions |
|---|----------------------|---------------------------|---|
| Ciudad Juárez, Chihuahua <i>(continued)</i> | | | <p>On February 8, 2023, a WhatsApp rumor circulated within Ciudad Juárez that suggested CBP had buses waiting across the border to take migrants to Canada. In response, around 1,500 people went to the Rio Grande and 500 people crossed the river and turned themselves in to U.S. authorities. The U.S. National Guard used megaphones to tell the remaining 1,000 migrants on the Mexican side of the Rio Grande that there were no buses nor transport to Canada.²² The remaining individuals dispersed.</p> <p>From January 1, 2023, to January 31, 2023, 2,168 people entered the United States through Ciudad Juárez as Title 42 exceptions.²³</p> |
| Agua Prieta, Sonora | Closed | N/A | <p>There is no Title 42 exception processing via CBP One in Agua Prieta. To date, no one waiting in Agua Prieta's shelter has been able to obtain a CBP One appointment. Most migrants waiting in Agua Prieta are from southern Mexico and Guatemala.</p> <p>Agua Prieta also continues to receive between 100 and 150 lateral Title 42 expulsions per day. The city's shelter is at capacity, with people sleeping on the city's streets or renting rooms. At night, the temperature has dipped below freezing, leading to potentially dangerous conditions for migrants expelled into the city without shelter.</p> |
| Nogales, Sonora | Open | ~40 people per day | <p>Every day, approximately 40 CBP One appointments are available in Nogales.</p> <p>The individuals waiting in Nogales are mostly families from Mexico, particularly from Guerrero. However, there have also been individuals from Haiti who arrive from Reynosa or Matamoros with CBP One appointments.</p> |

Asylum Processing at the Border Waitlists: February 2023 (continued)

| Mexican City | CBP One Appointments | # of CBP One Appointments | City Conditions |
|--|----------------------|---------------------------|---|
| Nogales, Sonora <i>(continued)</i> | | | <p>When the CBP One application first opened two weeks of slots on January 12, 2023 some migrants in Nogales were able to obtain appointments. Since then, the Kino Border Initiative reports that almost none of the individuals receiving their services have successfully obtained an appointment.</p> <p>From January 1, 2023, to January 31, 2023, 800 people entered the United States through Nogales as Title 42 exceptions.²⁴</p> |
| San Luis Río Colorado, Sonora | Closed | N/A | <p>There is no Title 42 exception processing via CBP One in San Luis Río Colorado.</p> <p>Since the CBP One appointment process began, only two people from the Casa del Migrante La Divina have been able to obtain appointments in Nogales. The majority of the people attempting to get appointments are from Central America, Cuba, and Mexico. The shelter is now completely open, after being partially closed for almost three years due to Covid-19.</p> |
| Mexicali, Baja California | Open | ~20 people per day | <p>In Mexicali, there are approximately 20 CBP One appointments per day. However, shelter officials report that the majority of the individuals obtaining appointments in Mexicali are based in Guadalajara or Mexico City. These people are primarily from Venezuela, Afghanistan, and Haiti.</p> <p>Shelters estimate that there are between 1,600 and 1,800 migrants in the city. Most people waiting in the city are from Mexico (Michoacán), Honduras, and El Salvador. All shelters in the city are completely full and individuals who are unable to access shelters are renting rooms and sleeping on the streets. During the past two months, there have been multiple rescues of migrants living without shelter amid extremely cold temperatures.²⁵</p> |

Asylum Processing at the Border Waitlists: February 2023 (continued)

| Mexican City | CBP One Appointments | # of CBP One Appointments | City Conditions |
|--|----------------------|---------------------------|--|
| Mexicali, Baja California <i>(continued)</i> | | | From January 1, 2023, to January 31, 2023, 668 people entered the United States through Mexicali as Title 42 exceptions. ²⁶ |
| Tijuana, Baja California | Open | ~200 people per day | <p>Each day, an estimated 200 individuals cross with Title 42 exception appointments via CBP One.</p> <p>On the first day with open appointments, Tijuana's Office of Migrant Services set up a Wi-Fi zone outside of their offices to provide internet and support to asylum seekers. However, the officials only managed to assist three families before the appointments were all filled.²⁷ Many of the individuals who received the first appointments were from Russia.²⁸</p> <p>In January 2023, city officials reported that there were 181 percent more migrants in the city than during the previous month.²⁹ Many of the new arrivals are from the Mexican states of Michoacán and Guerrero. Shelters in the city continue to be completely full. In recent months, there has been an increase in threats and violence targeting migrants and migrant shelters in Tijuana.³⁰</p> <p>From January 1, 2023, to January 31, 2023, 5,825 people entered the United States through Tijuana as Title 42 exceptions.³¹</p> |

**The numbers should be interpreted as a general range rather than an exact figure.*

ENDNOTES

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