

METERING UPDATE

NOVEMBER 2021



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INTRODUCTION

In April 2018, U.S. Customs and Border Protection (CBP) leadership issued guidance that allowed officers to limit asylum seekers' access to ports of entry. This guidance permitted CBP officers stationed at the United States' international boundary with Mexico to inform arriving asylum seekers that U.S. ports of entry were full. Simultaneously, CBP officers also began accepting a specified number of asylum seekers each day, in a process that is known as metering. Two months later, in June 2018, then-DHS Secretary Kirstjen Nielsen signed a memo that authorized port directors to begin metering at all U.S. ports of entry.¹

As metering spread across the border and a subsequent backlog of asylum seekers grew in Mexico's border cities, Mexican authorities and civil society groups responded by providing humanitarian assistance and creating informal waitlists. 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 these informal lists through quarterly updates.

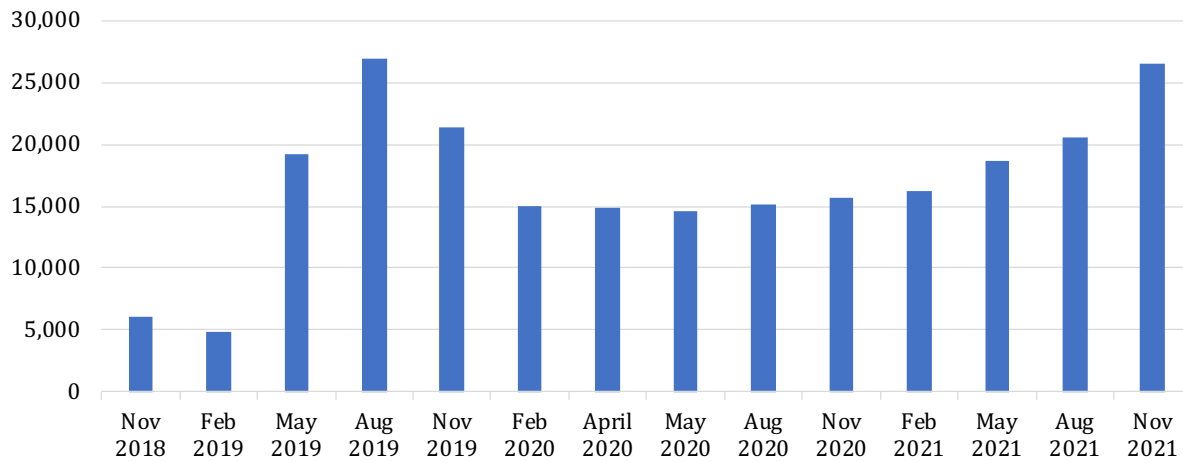
As the COVID-19 pandemic began in March 2020, CBP stopped processing asylum requests at ports of entry altogether. This change took place via a Center for Disease Control's (CDC) regulation based on Title 42 authority and an order that blocked entry for individuals—including asylum seekers—attempting to enter the United States through Mexico without valid travel documents.² The use of Title 42 to restrict asylum seeker processing continues to be controversial and questioned by public health experts.³

Since taking office, President Joe Biden has promised to restore asylum processing at the U.S.-Mexico border.⁴ Title 42 and the order that blocks entry for individuals without travel documents remain in place, which prevents the resumption of asylum processing at ports of entry. However, there have been several important updates regarding metering since the August 2021 update.

First, in September 2021, a federal district court judge determined that metering violated provisions of the Immigration and Nationality Act (INA) and required officers to immediately inspect and process asylum seekers at the U.S. border. The government is likely to appeal. In early November 2021, CBP also rescinded several memos related to metering and issued new guidance.⁵ It is still unclear if and how the guidance will differ operationally from the processes outlined in the rescinded memos.

This report provides an update on asylum waitlists, asylum seekers, and migrant shelters along the U.S.-Mexico border amid the suspension of CBP's asylum processing and the Title 42 exemption processes. It documents approximately 26,505 asylum seekers on waitlists in eight Mexican border cities. This is an approximately 29 percent increase from August 2021, when there were 20,606 asylum seekers on the lists.

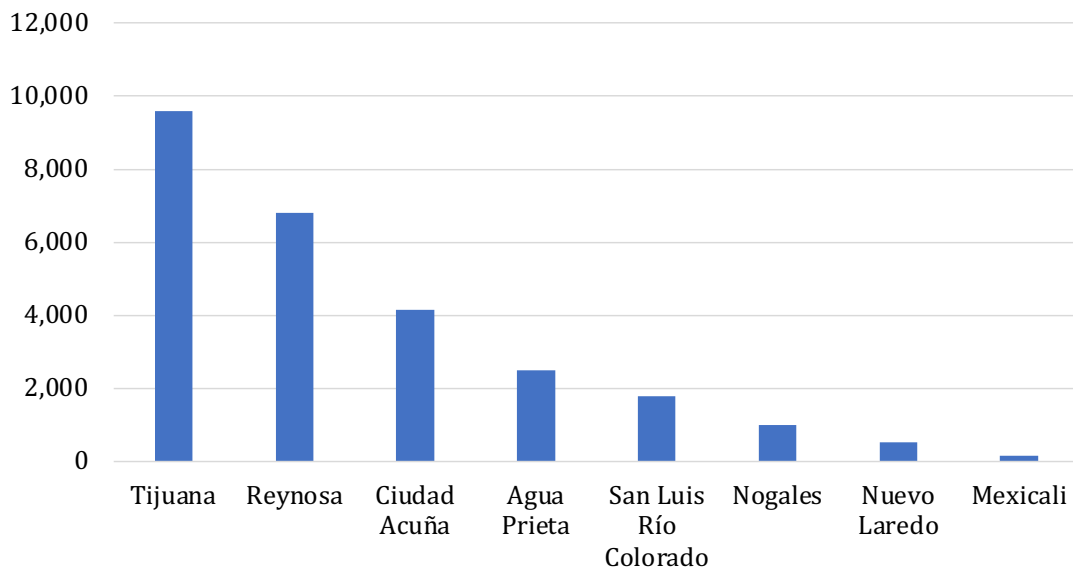
Figure 1: Number of People on Asylum Waitlists (November 2018 - November 2021)



Author's elaboration. Data collected from November 2018 to November 2021.

The number of individuals on asylum waitlists should not be taken as the definitive number of asylum seekers at the border. While list managers report that some of these asylum seekers continue to wait in Mexican border cities for their turn to request asylum at a port of entry, other individuals have entered the United States between ports of entry, been deported to their countries of origin, or moved to other cities in Mexico's interior. Others on the lists have also been processed into the U.S. either under the previous Title 42 exemption processes or because they were not subject to Title 42.

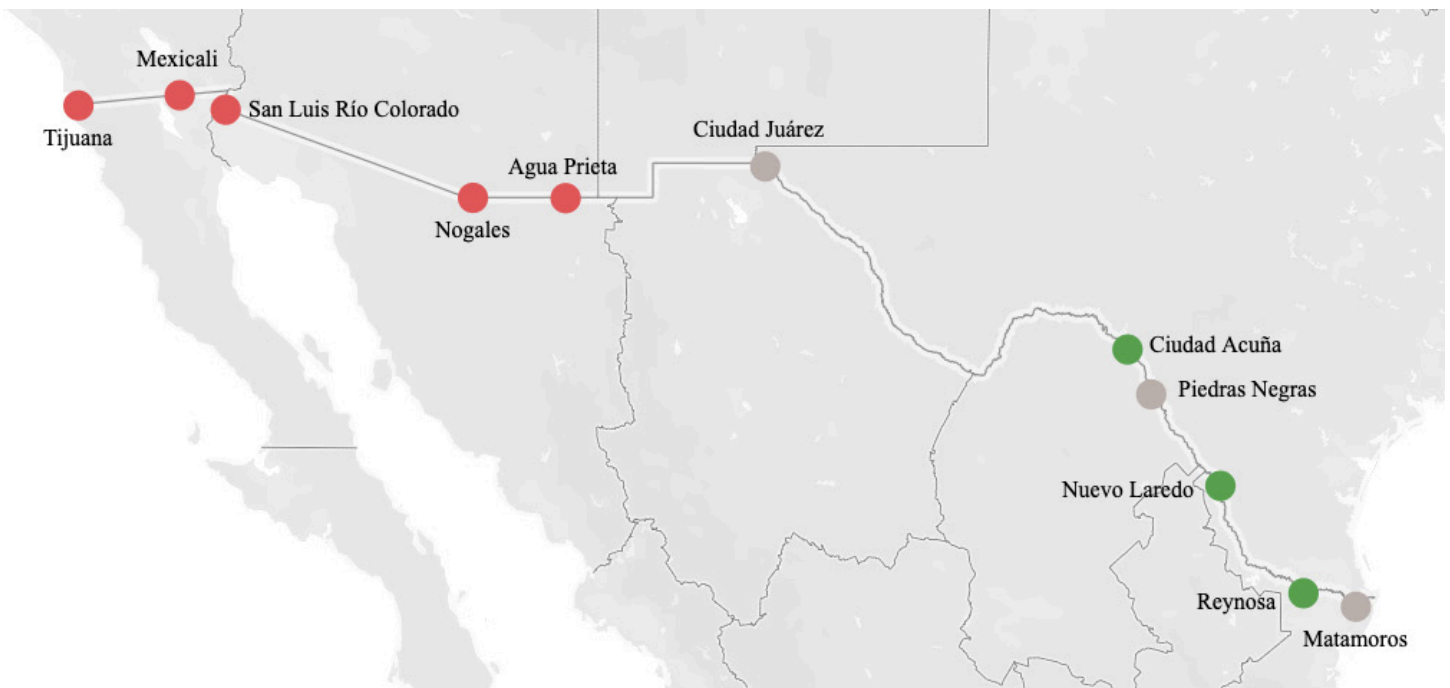
Figure 2: Number of People on Asylum Waitlists by City (November 2021)



Author's elaboration. Data collected from November 5, 2021 to November 11, 2021.

Since March 2020, many of the asylum waitlists closed to new entrants and the number of asylum seekers on some lists has remained frozen. For example, Tijuana’s waitlist has 9,600 registrants (approximately 36 percent of all individuals on asylum waitlists), and this number has remained unchanged since March 2020. Further, many asylum seekers who have arrived at the border over the past year have been unable to sign up on a waitlist, since many remain closed. Figure 3 shows the status of asylum waitlists by Mexican border city. Green circles indicate cities where asylum waitlists are open; red circles indicate cities with asylum waitlists that are closed to new entries; and grey circles indicate cities where waitlists have been completely dissolved.

Figure 3: Mexican Border Cities By List Status (November 2021)



Author’s elaboration. Data collected from November 5, 2021 to November 11, 2021.

Asylum waitlists remain open in Reynosa, Nuevo Laredo, and Ciudad Acuña. Since August 2021, approximately 6,000 asylum seekers have signed up on these three lists and on the Agua Prieta list prior to its closing at the end of August. While some asylum seekers have only been waiting a few months, others have been waiting for up to two years.

Asylum seekers—both on and off waitlists—continue to face unstable living conditions and security risks in Mexican border cities. Many shelters are full, and some shelters continue to operate at a reduced capacity. In Piedras Negras, the shelters remain closed altogether due to municipal level COVID-19 restrictions. A number of individuals are renting rooms, staying in hotels, and living on the streets or in encampments where they face poor hygiene and heightened insecurity. Approximately 750 individuals are estimated to be living in the El Chaparral tent camp in Tijuana, and an estimated 1,800-2,500 people reside in a tent camp in Reynosa.

Certain groups of asylum seekers on waitlists continue to experience additional challenges. Civil society organizations report that Black, LGBTQ+, and Indigenous asylum seekers have faced targeted discrimination by local authorities while waiting in Mexican border cities. In addition, asylum seekers without documentation in Mexico have faced differing levels of access to vaccines in Mexican border cities. Non-Spanish speaking asylum seekers have also struggled to access information about evolving pandemic protocols and guidelines.

The November 2021 metering update draws on phone and WhatsApp interviews with asylum seekers, government officials, and civil society organizations on both sides of the border from November 5th through November 11th, 2021. It also relies on local news articles to fill in any gaps.

Metering & Asylum Waitlists: November 2021

Mexican City	Waitlist Status	# of Asylum Seekers on List	Recent Changes
<i>List Administrator</i>		<i>Date Recorded</i>	
<p>Matamoros, Tamaulipas</p> <p><i>N/A</i></p>	Closed	<p>0 people</p> <p><i>November 8, 2021</i></p>	<p>There are no asylum waitlists in Matamoros.</p> <p>Currently, shelters are open and individuals are permitted to enter. Since August 2021, there have been fewer migrants arriving in Matamoros and shelters are at about half capacity. However, some migrants may also be renting rooms or staying in hotels. According to civil society groups, there are some asylum seekers who have been waiting in the city for up to six months.</p> <p>Groups of migrants continue to arrive each day, and some are coming from the nearby city of Reynosa, which currently has a larger number of asylum seekers. The majority of these arriving individuals are from Mexico (Oaxaca, Guerrero, and Chiapas), Haiti, and Honduras, although there are also smaller numbers of people from Guatemala, El Salvador, Nicaragua, Venezuela, and Cuba.</p> <p>While there are no asylum waitlists in Matamoros, a non-profit group operating in the city keeps a list for humanitarian parole.⁶</p>
<p>Reynosa, Tamaulipas</p> <p><i>Senda de Vida migrant shelter</i></p>	Open	<p>6,800 people</p> <p><i>November 8, 2021</i></p>	<p>The Senda de Vida migrant shelter continues to manage a waitlist for asylum seekers in Reynosa. The list remains open. Since August 2021, approximately 3,300 individuals have signed up.</p> <p>The shelters in Reynosa remain open, but are at capacity or past capacity. The Senda de Vida shelter has expanded its capacity from about 300 people to almost 1,000 people.⁷ Some individuals in the city are also renting rooms and others are living on the street.</p> <p>An estimated 1,800 to 2,500 individuals live in the tent encampment at the Plaza de las Americas next to the Hidalgo port of entry.⁸ Most of these individuals are Central Americans who were expelled from the United States through Title 42, but it also includes new arrivals to the city. An estimated 50 percent of the tent encampment residents</p>

Metering & Asylum Waitlists: November 2021 (continued)

<p>Mexican City</p> <p><i>List Administrator</i></p>	<p>Waitlist Status</p>	<p># of Asylum Seekers on List</p> <p><i>Date Recorded</i></p>	<p>Recent Changes</p>
<p>Reynosa, Tamaulipas <i>(continued)</i></p>			<p>are minors.⁹ On multiple occasions, local authorities have cut the electricity to the encampment and have also threatened at times to turn off the water.¹⁰</p> <p>The majority of individuals arriving in Reynosa are from Honduras, Guatemala, El Salvador, and Mexico, but there are also consistent arrivals of individuals from Haiti and Cuba.</p>
<p>Nuevo Laredo, Tamaulipas</p> <p><i>Network of six migrant shelters managing six separate lists (one per shelter)</i></p>	<p>Open</p>	<p>528 people</p> <p><i>November 6, 8, and 11, 2021</i></p>	<p>The asylum waitlists in Nuevo Laredo remain open and a network of six migrant shelters manage six separate waitlists.</p> <p>Currently, there are a combined 528 people on the city’s waitlists. This is an increase of more than 400 people since August 2021 as the numbers have increased after the end of the Title 42 exemption processes.</p> <p>The city’s shelters are almost at capacity but not completely full. Some individuals are renting rooms or staying in hotels, and others are living in Monterrey. Migrants do not sleep on the street or in encampments in Nuevo Laredo given the security situation.</p> <p>The majority of migrants arriving in Nuevo Laredo right now are from Mexico (primarily from Guerrero), followed by individuals from Honduras and El Salvador. Smaller numbers of individuals are also arriving from Cuba and Venezuela.</p>

Metering & Asylum Waitlists: November 2021 (continued)

Mexican City	Waitlist Status	# of Asylum Seekers on List	Recent Changes
<i>List Administrator</i>		<i>Date Recorded</i>	
<p>Piedras Negras, Coahuila</p> <p><i>N/A</i></p>	Closed	<p>0 people</p> <p><i>November 5 and 8, 2021</i></p>	<p>The asylum waitlist in Piedras Negras has been closed since March 2020 and no one remains on the waitlist.</p> <p>All shelters in the city remain closed due to the municipal government's COVID-19 guidelines and this is not expected to change until the recently elected municipal government enters in January 2022. Asylum seekers in the city are living on the street, staying in abandoned houses, or renting rooms. Although only migrants with valid documents in Mexico are being permitted to rent rooms. Every day, shelters are distributing approximately 100 meals to migrants.</p> <p>Approximately 100 to 150 individuals arrive in the city each week, with the majority from Honduras or Haiti and lower numbers of people from Mexico and Guatemala.</p>
<p>Ciudad Acuña, Coahuila</p> <p><i>Civil Protection (Protección Civil): individuals & families</i></p>	Open	<p>4,148 people</p> <p>1,052 individuals</p> <p>3,096 people traveling in families (774 families)</p> <p><i>November 11, 2021</i></p>	<p>Civil Protection runs two lists in Ciudad Acuña: one for families and one for individuals. The lists remain open and since August 2021, more than 850 people have signed up.</p> <p>Every day, people continue to arrive in the city. The majority of these people come from Honduras and Haiti, but there are smaller numbers of individuals arriving from Nicaragua and Venezuela.</p>

Metering & Asylum Waitlists: November 2021 (continued)

Mexican City	Waitlist Status	# of Asylum Seekers on List	Recent Changes
<i>List Administrator</i>		<i>Date Recorded</i>	
<p>Ciudad Juárez, Chihuahua</p> <p><i>N/A</i></p>	Closed	<p>0 people</p> <p><i>November 9, 2021</i></p>	<p>The asylum waitlist in Ciudad Juárez is closed and no one remains on the list.</p> <p>Individuals continue to arrive in Ciudad Juarez, including an increasing number of displaced Mexicans. Some of the shelters are at capacity and others still have limited space. Many of the individuals waiting in the shelters are from Mexico, Honduras, Guatemala, and El Salvador.</p> <p>On November 8, 2021, the day that vaccinated, visa holding travelers were once again allowed to enter the United States, 30 to 40 asylum seekers arrived at the Paso del Norte port of entry to seek asylum. This group included multiple small children. However, the group was not allowed to enter the port of entry.</p> <p>Since November 8, asylum seekers have also been arriving at COESPO in anticipation that the agency will begin to take names for a waitlist. Similarly, groups of people have been gathering at the Paso del Norte bridge in hopes that there will be a change in policy.</p>
<p>Agua Prieta, Sonora</p> <p><i>CAME migrant shelter</i></p>	Closed	<p>2,500 people</p> <p><i>November 11, 2021</i></p>	<p>The CAME migrant shelter manages the now closed waitlist in Agua Prieta. The list managers stopped adding new names to the list at the end of August 2021 after Title 42 exception processes ended and it was unclear when individuals would be able to make asylum requests in the United States.</p> <p>In August 2021, the list more than doubled from around 1,200 at the beginning of the month to around 2,500 names by the end of the month. Almost all of the individuals on the list are Mexican, and primarily from the state of Guerrero.</p> <p>The shelters remain open in Agua Prieta but are at capacity. Most shelters are almost exclusively hosting individuals who have been returned to Mexico under Title 42. Each day, an average of around 100 migrants are returned to Agua Prieta. These individuals are primarily from Guatemala, Honduras, and El Salvador and were laterally returned to Agua Prieta after attempting to cross in other cities along the border.</p>

Metering & Asylum Waitlists: November 2021 (continued)

Mexican City	Waitlist Status	# of Asylum Seekers on List	Recent Changes
<i>List Administrator</i>		<i>Date Recorded</i>	
Nogales, Sonora <i>Municipal government</i>	Closed	990 people <i>November 9, 2021</i>	<p>The asylum waitlist in Nogales has remained closed since March 2020 and has not been updated.</p> <p>The number of people arriving in Nogales to seek asylum at ports of entry increased during the Title 42 exception process and throughout September 2021. However, since then, the number of people arriving in the city has decreased. Most of these arriving individuals are Mexican families from Guerrero and Michoacán. Many of these families were previously internally displaced within Mexico due to violence in their communities.</p> <p>Individuals arriving in Nogales can stay at one of the city’s shelters. However, the primary shelter, Juan Bosco, only allows people to stay for several nights and requires a negative COVID test for entry. In general, people who would like to seek asylum generally end up renting and sharing a small room in the city. Since the rents are high compared to what most individuals can earn, many of these rentals are in unsafe parts of the city.</p>
San Luis Río Colorado, Sonora <i>Casa del Migrante La Divina Providencia</i>	Closed	1,798 people <i>November 10, 2021</i>	<p>The asylum waitlist in San Luis Río Colorado is closed with approximately 1,798 names on the list.</p> <p>The Casa del Migrante La Divina shelter estimates that most of the 500+ Cubans and Venezuelans from the closed list have already entered the United States and made asylum claims. However, the shelter estimates that most of the Central Americans and the Mexicans have been expelled back to Mexico and have been unable to make an asylum claim. The shelter reports that some individuals who are on the list continue to frequently call and ask for updates.</p> <p>The Casa del Migrante La Divina is operating at a 50 percent overnight capacity. However, the shelter is operating at full capacity for daily activities, such as providing meals, clothing, and day-time stays.</p> <p>The majority of people arriving in San Luis Río Colorado are from Mexico, Honduras, Guatemala, and El Salvador.</p>

Metering & Asylum Waitlists: November 2021 (continued)

Mexican City	Waitlist Status	# of Asylum Seekers on List	Recent Changes
List Administrator		Date Recorded	
Mexicali, Baja California <i>Grupo Beta</i>	Closed	150 people <i>November 9, 2021</i>	<p>The asylum waitlist in Mexicali remains closed since March 2020 and 150 asylum seekers have been on the list since that time.</p> <p>The shelters in Mexicali are open, but are at capacity. Some shelters have strict COVID-19 protocols and require a negative COVID-19 test prior to entry, while other shelters have fewer protocols. In late October, one shelter reported a small outbreak of COVID-19 cases.¹¹</p> <p>Almost all recently arrived individuals are from Mexico, and in particular from Michoacán. In general, the individuals who have been waiting in Mexicali are from Mexico, Guatemala, and Honduras.</p>
Tijuana, Baja California <i>Grupo Beta / Support from asylum seekers</i>	Closed	9,600 people <i>November 9, 2021</i>	<p>The asylum waitlist in Tijuana has remained closed since March 2020 and approximately 9,600 names are on the list.</p> <p>Some individuals waiting to request asylum live in the El Chaparral tent camp near the San Ysidro port of entry. As of late October 2021, the official census of the El Chaparral encampment was 769 people. During the census, residents received an identification document and local officials fenced in the encampment. The one camp entrance is now guarded by municipal police and security guards. The majority of the camp residents are families from Mexico, especially from Guerrero and Michoacán, but there are also individuals from Colombia, Brazil, El Salvador, Guatemala, Honduras, and Nicaragua, and a small number of U.S.-citizen children.¹²</p> <p>Living conditions in the encampment are also challenging. Local authorities cut the electricity last week, and people now have to pay 10 to 15 pesos to charge their phones at a local business.</p> <p>Some shelters throughout the city are also full. However, there is a new state run shelter for families that recently opened, with 33 rooms that can fit up to five family members in each room.</p>

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

ENDNOTES

- 1 Department of Homeland Security Office of the Inspector General, “CBP Has Taken Steps to Limit Processing of Undocumented Aliens at Ports of Entry”, October 27, 2020, <https://www.oig.dhs.gov/sites/default/files/assets/2020-10/OIG-21-02-Oct20.pdf>.
- 2 The order also allows Border Patrol agents to immediately expel all apprehended individuals, including asylum seekers, to the nearest Mexican city or to their home countries. Department of Health and Human Services, “Control of Communicable Diseases; Foreign Quarantine: Suspension of Introduction of Persons Into United States From Designated Foreign Countries or Places for Public Health Purposes,” March 24, 2020. <https://www.federalregister.gov/documents/2020/03/24/2020-06238/control-of-communicable-diseas-es-foreign-quarantine-suspension-of-introduction-of-persons-into>.
- 3 “July 2021 Letter to HHS Secretary Becerra and CDC Director Walensky on the Title 42 Order,” July 1, 2021, <https://www.publi-health.columbia.edu/research/program-forced-migration-and-health/july-2021-letter-hhs-secretary-becerra-and-cdc-director-walen-sky-title-42-order>.
- 4 On February 2, 2021, President Biden signed an executive order on regional migration and asylum processing that stated that DHS, HHS, and the CDC would soon begin steps to resume asylum processing at the border, “consistent with public health and safety and capacity constraints.” “Executive Order on Creating a Comprehensive Regional Framework to Address the Causes of Migration, to Manage Migration Throughout North and Central America, and to Provide Safe and Orderly Processing of Asylum Seekers at the United States Border”, February 2, 2021, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/02/executive-order-cre-ating-a-comprehensive-regional-framework-to-address-the-causes-of-migration-to-manage-migration-throughout-north-and-cen-tral-america-and-to-provide-safe-and-orderly-processing/>.
- 5 U.S. Customs and Border Protection, “Guidance for Management and Processing of Undocumented Noncitizens at Southwest Border Land Ports of Entry,” November 1, 2021, <https://www.cbp.gov/sites/default/files/assets/documents/2021-Nov/CBP-mgmt-process-ing-non-citizens-swb-lpoes-signed-Memo-11.1.2021-508.pdf>.
- 6 Special thanks to Danilo Peraza for providing research support in Matamoros.
- 7 Sandra Sanchez, “Photos: Reynosa migrant shelter expands as volunteers try to get asylum-seekers off downtown streets,” *Border Report*, October 26, 2021 <https://www.borderreport.com/hot-topics/immigration/photos-reynosa-migrant-shelter-expands-as-volun-teers-try-to-get-asylum-seekers-off-downtown-streets/>.
- 8 Viviana Cervantes, “Se dispara el número de extranjeros acampados en Reynosa tras la reapertura fronteriza; crece esperanza de asilo en EU,” *El Mañana*, November 10, 2021, <https://www.elmanana.com/emergencia-se-dispara-el-numero-de-extranjeros-acampa-dos-en-reynosa-tras-la-reapertura-fronteriza-crece-esperanza-de-asilo-en-eu/5450763>.
- 9 Ibid.
- 10 Jaime Jiménez, “Dejan sin energía eléctrica a campamento migrante en Reynosa,” *El Sol de Tampico*, September 24, 2021, <https://www.elsoldetampico.com.mx/local/regional/migrantes-haitianos-dejan-sin-energia-electrica-a-campamento-en-reynosa-7253124.html>.
- 11 Heriberto Reyes, “Detectan 4 casos de covid en albergue de migrantes de Mexicali,” *Síntesis*, October 28, 2021, <https://sintesisiv.com.mx/detectan-4-casos-de-covid-en-albergue-de-migrantes-de-mexicali/>.
- 12 Alexandra Mendoza, “Tijuana cerca campamento migrante para vigilar entradas y salidas,” *Los Angeles Times*, October 29, 2021, <https://www.latimes.com/espanol/mexico/articulo/2021-10-29/tijuana-cerca-campamento-migrante-para-vigilar-entradas-y-salidas>; Lizeth Dias, “Migrant kids, some U.S. born, endure hardship in Mexican border camp,” *Reuters*, November 11, 2021, <https://www.reu-ters.com/world/americas/migrant-kids-some-us-born-endure-hardship-mexico-border-camp-2021-11-11/>.