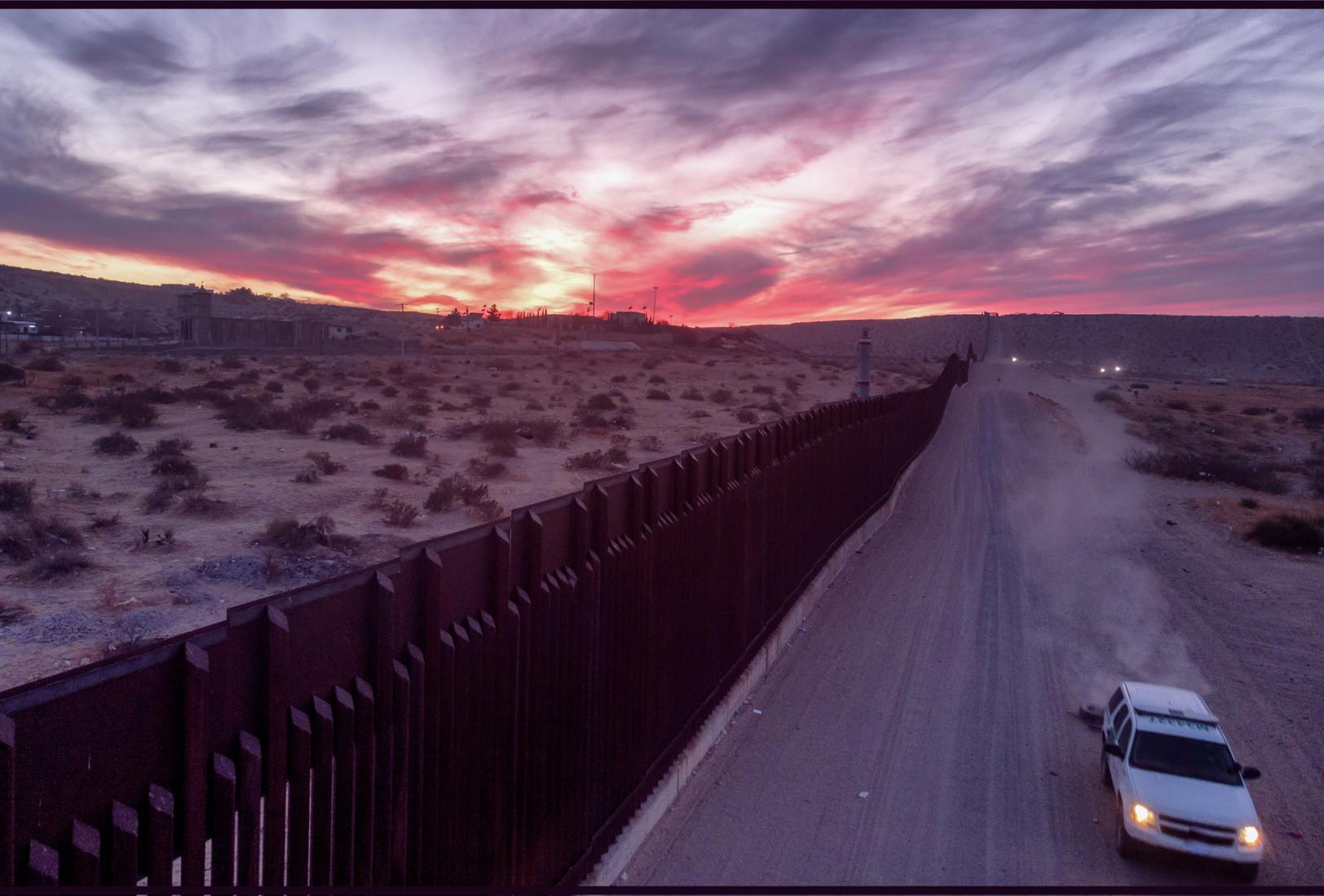


Asylum Processing at the U.S.-Mexico Border: November 2022



BY STEPHANIE LEUTERT AND CAITLYN YATES

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.

With the onset of the Covid-19 pandemic in March 2020, CBP stopped processing asylum claims at ports of entry. 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 On April 1, 2022, the CDC announced that it would terminate its Title 42 public health order on May 23, 2022, which would restart asylum processing at U.S. land ports of entry. However, just before the stated deadline, a federal judge in Louisiana blocked the CDC's termination of Title 42, and the public health order currently remains in place.³

Despite the Title 42 public health order blocking asylum processing at ports of entry, a number of individuals continue to enter the United States through various pathways. On October 12, 2022, the United States announced a new pathway for Venezuelan nationals. This pathway allows Venezuelans who meet certain eligibility requirements to apply for parole into the United States. These requirements include having a U.S. sponsor, a valid passport, and having not crossed either Mexico or Panama's southern border after October 19, 2022.⁴ Many Venezuelans do not meet these requirements, and the program is currently capped at 24,000 individuals. Simultaneously, the Mexican government agreed to receive Venezuelans expelled under Title 42, and officials have been transferring many of the expelled individuals to interior cities within Mexico.

A second pathway is Title 42 exceptions, which is a process that allows vulnerable individuals in Mexican border cities to enter the United States and request asylum. The number of individuals seeking to be processed as Title 42 exceptions has exceeded CBP's daily slot allowance for this pathway. In response, the individuals and groups facilitating these exceptions have created waitlists.

This November 2022 update includes numbers from both original asylum waitlists and Title 42 exception waitlists. In many cities, Title 42 exception waitlists have replaced the asylum waitlists that were closed or dissolved in March 2020, when Title 42 began. By including these Title 42 exception lists, this report aims to provide a more accurate picture of the number of individuals waiting in Mexican border cities. Title 42 waitlists are similar to the asylum waitlists documented in previous metering updates, as both reflect individuals waiting to claim asylum in the United States. This report's title change—from "Metering Update" to "Asylum

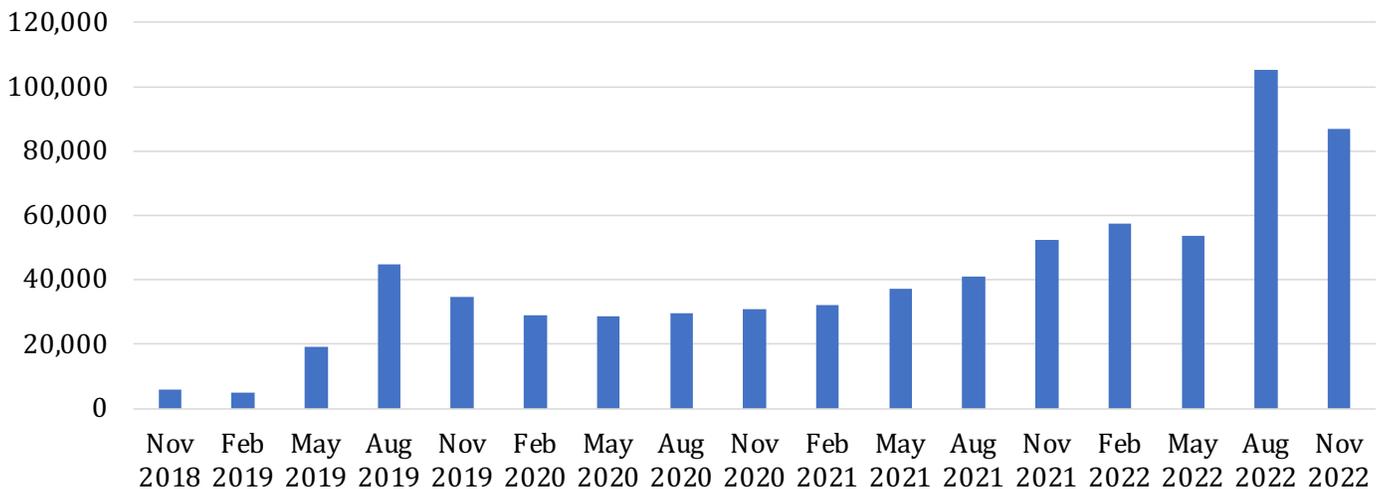
Processing at the U.S.-Mexico Border” —reflects these diversified processes.

However, there are also differences between Title 42 exception waitlists and previous asylum waitlists. For example, all of the earlier asylum waitlists were ordered chronologically by registration date and there were generally no restrictions on who could add their name. By contrast, Title 42 exception waitlists are structured at the list managers’ discretion, and may be restricted to those who are deemed to be vulnerable due to security, medical, or other concerns.

In practice, there are a wide range of Title 42 exception waitlist structures. Some lists are organized by registration dates and others are based on list managers’ determination of migrants’ vulnerabilities. Additionally, some lists include only those individuals who are slotted to cross into the United States in the coming days or weeks, while other lists include all potential individuals who may qualify for Title 42 exceptions in the future.

This report provides an update on all waitlists, asylum seekers, and migrant shelters along the U.S.-Mexico border. It documents approximately 44,700 individuals on waitlists in ten Mexican border cities. This is roughly a 19 percent decrease from August 2022, when there were 55,445 asylum seekers on waitlists.

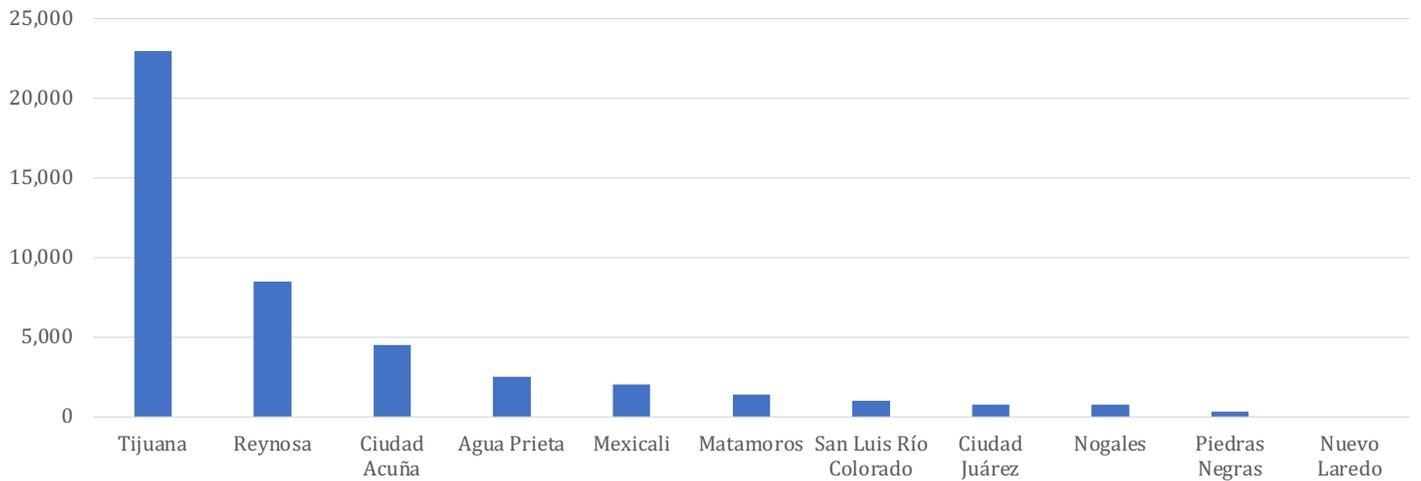
Figure 1: Number of People on Asylum Waitlists (November 2018 - November 2022)



Author’s elaboration. Data collected from November 2018 to November 2022.

Similar to previous metering updates, the number of individuals on waitlists should not be taken as the definitive number of asylum seekers at the border. It is possible that some of the names are duplicates, given that there are now multiple lists in some cities. Similarly, some asylum seekers who registered on lists have already entered the United States, been returned or removed to their countries of origin, or moved to other cities in Mexico. Additionally, some individuals waiting in Mexican border cities may not have been able to place their name on a Title 42 waitlist because list managers did not consider them to be vulnerable or because list managers only process specific nationalities. Moreover, some Mexican cities where migrants are based do not have any Title 42 exception processing.

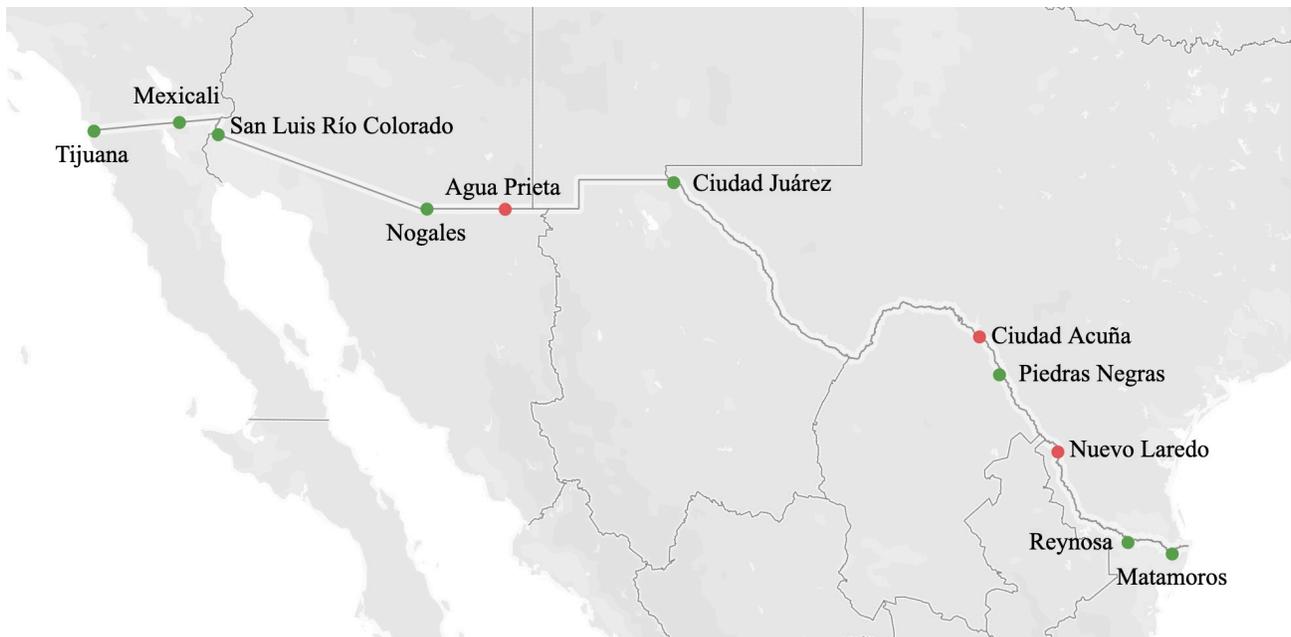
Figure 2: Number of People on Waitlists by City (November 2022)



Author's elaboration. Data collected from November 7, 2022 to November 11, 2022

In November 2022, not all Mexican border cities had open waitlists. Figure 3 shows the status of waitlists by city. Green circles indicate cities where there are open waitlists and red circles indicate cities without open waitlists.

Figure 3: Mexican Border Cities By Waitlist Status (November 2022)



Author's elaboration. Data collected from November 7, 2022 to November 11, 2022

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 due to Covid-19 restrictions. Along the border, a number of individuals are renting rooms, staying in hotels, or sleeping on the street.

Certain groups of asylum seekers 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, parents have also reported difficulties enrolling their children in schools or finding childcare that would enable them to work and earn a salary.

The November 2022 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 November 7, 2022 through November 11, 2022. It also relies on local news articles to fill in any gaps.

Metering & Asylum Waitlists: November 2022

<p>Mexican City</p> <p><i>List Administrator</i></p>	<p>Waitlist Status</p>	<p># of Asylum Seekers on List(s)</p> <p><i>Date Recorded</i></p>	<p>Recent Changes</p>
<p>Matamoros, Tamaulipas</p> <p><i>Civil society organizations and legal service providers</i></p>	<p>Open:</p> <p>Title 42 Exception Processing</p>	<p>~700 people</p> <p><i>November 7-10, 2022</i></p>	<p>Civil society organizations in Matamoros are facilitating Title 42 exceptions. Individuals sign up in Matamoros and wait for their time to cross.</p> <p>Currently, Haitians and Venezuelans are the primary nationalities in Matamoros. In early November 2022, hundreds of Haitians arrived in the city. This group included families with children and pregnant women.⁵</p> <p>Since mid-October, local civil society organizations report that the United States has been expelling up to 100 Venezuelans per day to Matamoros. However, Mexico’s National Migration Institute (Instituto Nacional de Migración, INM) immediately transfers many of these individuals to Mexico City by bus.⁶ Within Matamoros, there are also people from Honduras, Guatemala, and Mexico (from Chiapas, Oaxaca, and Guerrero), with fewer numbers of people from Ecuador and Nicaragua. Civil society organizations estimate that there are between 1,000 and 3,000 migrants in the city.</p> <p>Shelters in Matamoros report that they are full, with migrants also staying in motels, renting rooms in houses, and increasingly sleeping on the street.⁷ On November 9, 2022, Mexican authorities shut down a small encampment that had formed in Matamoros, primarily composed of Haitians.⁸</p> <p>On October 14, 2022, CBP closed the Gateway Bridge for several hours after a group of 200 Venezuelan migrants protested being expelled back to Mexico under Title 42. Some members of the group painted their hands white in a symbolic gesture and chained themselves to the bridge to demonstrate their view of the United States’ policy of expelling Venezuelans to Mexico. INM transferred the group to Mexico City.⁹</p>

Metering & Asylum Waitlists: November 2022 (continued)

<p>Mexican City</p> <p><i>List Administrator</i></p>	<p>Waitlist Status</p>	<p># of Asylum Seekers on List(s)</p> <p><i>Date Recorded</i></p>	<p>Recent Changes</p>
<p>Reynosa, Tamaulipas</p> <p><i>Senda de Vida migrant shelter and legal service providers</i></p>	<p>Open:</p> <p>Title 42 Exception Processing</p>	<p>~8,500 people</p> <p><i>November 10, 2022</i></p>	<p>The Senda de Vida migrant shelter manages a Title 42 exception waitlist for asylum seekers in Reynosa. The wait time for the Senda de Vida Title 42 list is one to two months for families and three to four months for individuals traveling alone.</p> <p>Legal service providers and civil society organizations are also assisting individuals with medical emergencies or security concerns as part of separate Title 42 exception processes in the city.</p> <p>The city’s shelters are full, and there are an estimated 8,000 migrants waiting in Reynosa, including people from Haiti, Russia, and Central America.¹⁰ There are also fewer numbers of people from Colombia and Peru. This estimate includes nearly 4,000 people living in shelters, while others rent rooms or stay in tents alongside the Rio Grande.</p> <p>On October 26, 2022, an inter-institutional working group met at Senda de Vida with the stated goal of improving conditions for migrants in Tamaulipas. On November 9, 2022, the working group met with the local government, which promised to focus on human rights, health, public safety, education, medical care for children, and mental health services.¹¹</p>

Metering & Asylum Waitlists: November 2022 (continued)

Mexican City <i>List Administrator</i>	Waitlist Status	# of Asylum Seekers on List(s) <i>Date Recorded</i>	Recent Changes
Nuevo Laredo, Tamaulipas <i>N/A</i>	Closed	0 people <i>November 7-9, 2022</i>	<p>On September 12, 2022, CBP ended Title 42 exception processing in Nuevo Laredo. At the time, there were almost 4,000 migrants waiting in the city.¹² As of November 11, 2022, Title 42 exception processing had not resumed.¹³</p> <p>Since Title 42 exception processing has ended, some shelters are empty or have even closed. Most migrants who arrive in Nuevo Laredo immediately leave for other cities, including Piedras Negras, Matamoros, and Reynosa.</p>
Piedras Negras, Coahuila <i>Municipal government in coordination with local shelters</i>	Open: Title 42 Exception Processing	~300 people (75 families) <i>November 7-10, 2022</i>	<p>In May 2022, the Piedras Negras municipal government opened a Title 42 exception waitlist. The waitlist is operated in coordination with local shelters who identify vulnerable migrants (often defined as families).</p> <p>Civil society organizations, including those based in other cities, also assist in processing Title 42 exceptions in Piedras Negras for individuals who are deemed vulnerable but are not on the municipal government list.</p> <p>Local groups estimate that there are at least 1,000 migrants in the city. However, this number includes individuals who are not participating in or eligible for the municipal government's Title 42 exception process, such as people from Haiti and Venezuela.</p> <p>The majority of the migrants in Piedras Negras right now are from Honduras, Guatemala, and El Salvador. They are staying in local shelters, abandoned houses, and sleeping on the street. Many migrants are sleeping in tents at night, although there are no permanent tent encampments in the city. Local shelters estimate that they distribute meals to between 600 and 700 migrants each day.</p> <p>Since mid-October, the local government has registered the expulsion of more than 1,800 Venezuelans to Piedras Negras.¹⁴ However, most have left the city.</p>

Metering & Asylum Waitlists: November 2022 (continued)

<p>Mexican City</p> <p><i>List Administrator</i></p>	<p>Waitlist Status</p>	<p># of Asylum Seekers on List(s)</p> <p><i>Date Recorded</i></p>	<p>Recent Changes</p>
<p>Ciudad Acuña, Coahuila</p> <p><i>Civil Protection (Protección Civil)</i></p>	<p>Closed</p>	<p>4,497 people</p> <p><i>November 9, 2022</i></p>	<p>Civil Protection (Protección Civil) continues to maintain two asylum waitlists in Ciudad Acuña that are organized by registration date. One list is for families and one is for adults. Civil Protection closed both of these lists on January 18, 2022, and no additional names have been accepted. When the lists closed, there were approximately 4,497 people on the lists, including 1,125 individuals and 843 families.</p>
<p>Ciudad Juárez, Chihuahua</p> <p><i>State Population Council (Consejo Estatal de Población, COESPO) in coordination with local shelters, and civil society organizations</i></p>	<p>Open:</p> <p>Title 42 Exception Processing</p>	<p>~750 people</p> <p><i>November 11, 2022</i></p>	<p>Local groups are processing Title 42 exceptions in Ciudad Juárez. The State Population Council (Consejo Estatal de Población, COESPO) facilitates Title 42 exceptions for vulnerable individuals through referrals from local shelters. Local civil society organizations also process additional vulnerable individuals separately.</p> <p>Title 42 exception waitlists do not reflect the total number of migrants living in Ciudad Juárez. As of late October, there were an estimated 2,400 migrants in the city.¹⁵</p> <p>Since mid-October, more than 2,000 Venezuelans have been expelled to Ciudad Juarez.¹⁶ This has further strained the city’s shelter system. As of November 11, there were more than 1,000 Venezuelans living in tents on the Mexican side of the Rio Grande.¹⁷</p> <p>On October 31, Venezuelan migrants crossed the border carrying U.S. and Venezuelan flags in protest.¹⁸ The Border Patrol fired pepper balls at the approaching migrants and forced them to retreat back to Mexico.¹⁹</p>

Metering & Asylum Waitlists: November 2022 (continued)

Mexican City <i>List Administrator</i>	Waitlist Status	# of Asylum Seekers on List(s) <i>Date Recorded</i>	Recent Changes
Agua Prieta, Sonora <i>CAME migrant shelter</i>	Closed	~2,500 people <i>November 9, 2022</i>	<p>In August 2021, the CAME migrant shelter closed its asylum waitlist in Agua Prieta with approximately 2,500 names on it.</p> <p>There is no Title 42 exception processing in Agua Prieta. The CAME migrant shelter refers vulnerable families to Nogales for Title 42 exception processing, but only in extremely severe cases. As of November 9, 2022, the shelter had three families waiting to be processed as Title 42 exceptions in Nogales. These families had been waiting for more than three months.</p> <p>The shelter in Agua Prieta remains at partial capacity as a result of Covid-19 restrictions, and only allows vulnerable migrants to stay overnight. Other migrants sleep in motels, rent rooms, or leave for other border towns. Despite the city’s limited capacity for housing migrants, it has received around 40,000 expelled non-Venezuelan migrants since January 2022.</p>
Nogales, Sonora <i>Civil society organizations and legal service providers</i>	Open: Title 42 Exception Processing	~750 people ²⁰ <i>November 11, 2022</i>	<p>Civil society organizations and legal service providers facilitate Title 42 exceptions in Nogales. However, this process has slowed down and there have been long periods without any Title 42 exception processing.</p> <p>Since mid-October, hundreds of Venezuelans have been expelled into Nogales.²¹ These Venezuelans are often bussed directly to Hermosillo, and the number of Venezuelans in the city has decreased.</p> <p>Currently the majority of individuals in the city are Mexican nationals, from Guerrero, Michoacán, and Oaxaca. Many of these individuals report leaving their homes due to violence.</p>

Metering & Asylum Waitlists: November 2022 (continued)

<p>Mexican City</p> <p><i>List Administrator</i></p>	<p>Waitlist Status</p>	<p># of Asylum Seekers on List(s)</p> <p><i>Date Recorded</i></p>	<p>Recent Changes</p>
<p>San Luis Río Colorado, Sonora</p> <p><i>Casa del Migrante La Divina Providencia</i></p>	<p>Open:</p> <p>Title 42 Exception Processing</p>	<p>~1,000 people</p> <p><i>November 7, 2022</i></p>	<p>The Casa del Migrante La Divina has reopened its asylum waitlist with just over 1,000 people.</p> <p>There is no Title 42 exception processing in San Luis Río Colorado. However, each week, the shelter sends Title 42 cases to be processed in Mexicali. The individuals being prioritized for Title 42 exception processing are those who were previously on the shelter’s asylum waitlist.</p> <p>In recent months, there has been an uptick in the number of migrants arriving to San Luis Rio Colorado, and some are sleeping on the street.²² The majority of people waiting are from Honduras and Mexico.</p>
<p>Mexicali, Baja California</p> <p><i>Network of migrant shelters managing separate lists (one per shelter)</i></p>	<p>Open:</p> <p>Title 42 Exception Processing</p>	<p>~2,000 people</p> <p><i>November 7, 2022</i></p>	<p>At the end of September 2022, local shelters in Mexicali began processing Title 42 exceptions. A network of eight shelters manage separate waitlists for the process.</p> <p>As of November 7, there were approximately 2,000 names on the lists. Each shelter gets one day per week for processing. Wait times are currently one to two months, depending on the shelter.</p> <p>The shelters in Mexicali are completely full. Migrants are staying in motels, renting rooms, or staying in abandoned houses. Shelters report that if any more migrants arrive, they will have to begin sleeping on the street. The majority of the migrants in Mexicali are from Honduras, Guatemala, El Salvador, and Mexico.</p>

Metering and Asylum Waitlists: November 2022 (continued)

<p>Mexican City</p> <p><i>List Administrator</i></p>	<p>Waitlist Status</p>	<p># of Asylum Seekers on List(s)</p> <p><i>Date Recorded</i></p>	<p>Recent Changes</p>
<p>Tijuana, Baja California</p> <p><i>Civil society organizations</i></p>	<p>Open:</p> <p>Title 42 Exception Processing</p>	<p>~23,000 people²³</p> <p><i>November 11, 2022</i></p>	<p>Civil society organizations facilitate Title 42 exception processing in Tijuana.</p> <p>The largest list in Tijuana is run by a civil society organization through a survey form. This form has garnered tens of thousands of submissions since it was created in 2020. Individuals are selected from this list based on vulnerability, but there is also processing based on registration date. For Spanish speakers, many of the individuals being currently processed have been waiting for more than a year.</p> <p>An additional, smaller Title 42 exception process is conducted by civil society organizations in collaboration with local migrant shelters. All local shelters are full, with migrants also renting rooms, sleeping on the street, or staying in motels.</p> <p>In recent weeks, hundreds of Venezuelans have been expelled to Tijuana.²⁴ On October 19, 2022, recently expelled migrants protested in a migration detention center after being returned to Tijuana.²⁵ In early November 2022, state and municipal authorities opened shelters to help support the expelled Venezuelan population.</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>.
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- 11 Dolores Cerda, “Acuerdan Municipio y Estado con Federación responsabilidades para atender a migrantes,” NotiGape, November 9, 2022, <https://www.notigape.com/acuerdan-municipio-y-estado-con-federacion-responsabilidades-para-atender-a-migrantes-/255782>.
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- 13 Sandra Sanchez, “CBP: Title 42 expectations resume at Hidalgo border crossing,” Valley Central News, September 20, 2022, <https://www.valleycentral.com/news/cbp-title-42-exceptions-resume-at-hidalgo-border-crossing/>.
- 14 Armando Lopez Capetillo, “Suman mil 800 venezolanos deportados por Piedras Negras en menos de un mes: Norma Treviño,” Super Channel 12, November 8, 2022, <https://superchannel12.com/607572/suman-mil-800-venezolanos-deportados-por-piedras-negras-en-menos-de-un-mes--norma-trevino>.
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- 20 This number reflects the estimate of the number of individuals in Nogales who are waiting for the Title 42 exception process, rather than a specific number on waitlists.
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