

# CBP ONE

## The Latest Roadblock to Asylum in the United States



Kino Border Initiative  
Iniciativa Kino para la Frontera



# CBP ONE:

## The Latest Roadblock to Asylum in the United States



## Table of Contents

<b>Executive Summary .....</b>	<b>3</b>
We recommend to the U.S. Administration and Congress: .....	5
<b>Introduction.....</b>	<b>7</b>
<i>CBP One and the Asylum Ban.....</i>	<i>8</i>
<i>Issue Areas.....</i>	<i>10</i>
Access to Information.....	10
Limited Language Accessibility.....	14
Lack of Access to Technology and Failures of Technology .....	15
CBP Practices.....	17
Dangerous Wait Times and Access to Safety.....	19
<b>Recommendations .....</b>	<b>21</b>
<b>Appendix: Interviews.....</b>	<b>22</b>
<i>Matamoros, Mexico /Brownsville, Texas .....</i>	<i>22</i>
Accessibility Issues .....	22
Technological Issues .....	24
Dangers of having to travel to attend appointments.....	25
Family separations.....	27
<i>Nogales Mexico/Nogales, Arizona .....</i>	<i>29</i>
Accessibility Issues .....	29
Technological Issues .....	30
Private lawyers taking advantage of asylum seekers .....	32
Dangers of having to travel to attend appointments.....	33
Family Separation and CBP not allowing immigrants with appointments to cross.....	33
CBP One Empowering Organized Crime .....	35
Family separations [Florence Project].....	35
<i>Ciudad Juarez, Mexico/ El Paso, Texas.....</i>	<i>38</i>
Accessibility Issues .....	38
Technological Issues .....	38
Dangers of having to travel to attend appointments.....	39
CBP turning people back once they got the appointment .....	39
Separation of Families.....	40
<i>Ciudad Juarez .....</i>	<i>41</i>
Accessibility Issues .....	41
Technological Issues .....	41
Dangers of appointment.....	41
Separation of Families.....	42
Private lawyers taking advantage of asylum seekers .....	42

# Executive Summary

In January of 2023, the U.S. government authorized some asylum seekers to pursue their path to safety by scheduling an appointment through a smartphone application called CBP One. On May 12, 2023, the Biden administration's 'Circumvention of Legal Pathways' final rule went into effect. This rule made an appointment through the CBP One app the only guaranteed way for a person seeking safety to be able to access all of their rights to asylum. With this administrative action, the Administration has put a formidable hurdle in front of the most vulnerable people seeking safety at the U.S. southern border.

The administration claims that this rule "incentivizes migrants to use lawful, safe, and orderly means for noncitizens to enter the United States to seek asylum and other forms of protection; provides core protections for noncitizens who would be threatened with persecution or torture in other countries; and builds upon ongoing efforts to share the responsibility of providing asylum and other forms of protection to eligible migrants with the United States' regional partners."<sup>1</sup> **In reality, the rule drastically limits access to asylum**, to the extent that all of the groups who contributed to this report, along with many other asylum advocates, call this rule an **asylum ban**. This asylum ban is now in force despite the guaranteed right under US law to seek asylum regardless of manner or place of entry.

Under the new rule, the only way to assure full access to asylum rights is by securing an appointment on the CBP One app and arriving on time to the correct location, or qualifying for one of five exceptions. The exceptions are as follows: 1. Having sought asylum and been denied asylum in Mexico or another country; 2. Mexican citizenship; 3. Unaccompanied minor status; 4. Proof of the inability to use the CBP One app due to a language barrier, illiteracy, a serious technical failure, or another serious and continuous obstacle; and 5. Proof of exceptionally compelling circumstances at the time of entry because of: an acute medical emergency, an imminent and extreme threat against life or safety, or status as a victim of trafficking. These exceptions are narrow, and this report focuses solely on the effects of the CBP One app.

**This report finds that the focus on the CBP One app has eroded access to asylum in the United States.** The CBP One process requires information, technology, and funds that many asylum seekers lack. This is resulting in the exploitation of the most vulnerable people seeking safety in an already volatile context.

---

<sup>1</sup><https://www.federalregister.gov/documents/2023/05/16/2023-10146/circumvention-of-lawful-pathways#:~:text=Specifically%2C%20this%20rule%20establishes%20a,asylum%20or%20other%20forms%20of>

While the U.S. government has tried to improve the app, increase the available languages in which it can be used, and tried to fix the glitchy photo problems,<sup>2</sup> the problems remain. The required reliance on an appointment through the app in order to access all of one's rights to asylum persists as a barrier to seeking asylum. People seeking safety at the U.S. southern border speak many different languages, and an app can never be a substitute for a translator. As Jeronimo Ramirez (Maya Ixil), from the International Mayan League observed, "language is not just words and sentences, but it is culture and a way of life." As the Mayan League has consistently stated, "the ongoing misclassification and erasure of Indigenous peoples' identity during their migration journey, the denial of their right to identify as an Indigenous person and to speak their primary Indigenous language, not only violates their basic human rights, but leads to further grave human rights violations."<sup>3</sup> This report has found that Indigenous immigrants are especially vulnerable and unable to access safety due to the lack of Indigenous language interpreters, severely obstructing their exercise of their due process rights.

The biggest issue with reliance upon the CBP One app as the sole way to access full asylum rights is the wait times for an appointment. Many people seeking safety have suffered numerous hardships to get the U.S. in the hope that they can live in safety and dignity. This report indicates that, despite the Administration increasing the number of slots available per day for appointments,<sup>4</sup> the average wait time for an appointment was 7 weeks, with some wait times as long as 8 months. The harms of waiting even for one day are great. These delays cause the greatest harm for the most vulnerable asylum seekers: Black, Indigenous, LGBTQ+, and disabled asylum seekers who are discriminated against, unable to access healthcare, and struggle to find work or safe living spaces in Mexico. Many had the money and phones essential to their appointments stolen from them more than once. Many also ran out of medication for themselves or their children.

There are 56 ports of entry between the U.S. and Mexico,<sup>5</sup> but only eight of those ports accept CBP One appointments.<sup>6</sup> The limited possible locations for an appointment forces immigrants to travel and risk their safety to arrive at the correct port of entry. Once they arrive at one of these eight ports, the grave lack of timely available appointments forces hundreds of asylum seekers to wait in the surrounding towns on the Mexico side of the border. While they wait, migrants are vulnerable to both corrupt officials and cartels looking to take advantage of them. They face horrific instances of assault, torture, and

---

<sup>2</sup> <https://www.cbp.gov/about/mobile-apps-directory/cbpone>

<sup>3</sup> [https://issuu.com/mayanleague.org/docs/indigenous\\_peoples\\_rights\\_to\\_exist\\_self\\_determin?fr=xKAE9\\_zU1NQ](https://issuu.com/mayanleague.org/docs/indigenous_peoples_rights_to_exist_self_determin?fr=xKAE9_zU1NQ)

<sup>4</sup> 1450 appointments per day divided across the border as of July 01, 2023

<sup>5</sup> <https://embamex.sre.gob.mx/eua/index.php/es/discursos/1619-sixth-annual-building-a-competitive-u-s-mexico-border-conference>

<sup>6</sup> <https://www.cbp.gov/about/mobile-apps-directory/cbpone>

murder, with some forced to endure rape as payment to organized crime and other aggressors. Lawyers for Good Government observed that in Matamoros since May 12, when the asylum ban went into effect and a scheduled appointment through the app became necessary for asylum, the frequency of rape, assaults, and kidnappings has increased.

Even for the “lucky” asylum seekers who might find some room in shelters in Mexico, safety is not guaranteed. There are instances of firefights outside complexes and kidnappings happening within these zones. The lasting effects of this violence is immeasurable, but even in the short term, it causes people to lose appointments, lose family members, and become more vulnerable.

Because of these horrors, all of the groups associated with this report advocate that full access to asylum rights be restored.

### **We recommend to the U.S. Administration and Congress:**

1. The Administration must rescind the “Circumvention of Lawful Pathways” rule, also known as the asylum ban, and thereby ensure that CBP One appointments are not the only way to assure a person full access to asylum rights. The CBP One app could remain useful as one of the many ways to access asylum but not as the only way for most migrants to access their rights to asylum.
2. CBP should continue to improve the functionality of the CBP One app to fix face recognition problems, increase the language options, and translate error messages into the user’s appropriate language.
3. CBP should issue updated guidance on the technical aspects of using the CBP One application, including an FAQ section that answers migrants’ most recent questions, such as the risks of creating multiple profiles or using the same email address for several profiles.
4. The Department of State and Department of Homeland Security should caution Mexican authorities on pushing back asylum seekers and formally post their opposition to Mexican immigration authorities blocking people at bridges or other ports of entry from attempting to seek asylum in the United States.
5. The Department of Homeland Security must put in place a preferred admissions process for asylum seekers with urgent humanitarian needs, including but not limited to urgent medical conditions or imminent risks or dangers, particularly those faced by Black and LGBTQ+ asylum seekers.

6. The Administration must ensure that the rights of Indigenous Peoples are not further violated at the border and must engage in a process to implement the National Congress of American Indians Resolution #ABQ-19-012, that calls to “Protect and Advance the Human Rights of Indigenous Peoples Migrating to the U.S.”<sup>7</sup>
- 

This report contains interviews of individual immigrants<sup>8</sup> conducted between January and June 2023, as well as observations by lawyers and service providers at Matamoros, Tamaulipas, Mexico; Nogales, Sonora in the U.S. and Mexico; El Paso, Texas, U.S.; and Ciudad Juarez, Mexico. It was supported by the following organizations: **Kino Border Initiative (KBI), the International Mayan League, Jesuit Refugee Service/USA, Lawyers for Good Government, Hope Border Institute, and NETWORK Lobby for Catholic Social Justice**. While the U.S. southern border is not a monolith, and the appointments through the CBP One app are handled in different ways at different border crossings, there are discernable similarities and patterns across ports of entry that can help drive more effective cross-border policy.

---

<sup>7</sup> <https://www.ncai.org/ABQ-19-012.pdf> This resolution is an outcome of Indigenous-led advocacy by the International Mayan League and engagement carried out from 2018-2019 with the National Congress of American Indians (NCAI).

<sup>8</sup> All names have been changed in this report.

# Introduction

Since January of 2023, the U.S. government has pushed asylum seekers to pursue their path to safety by scheduling an appointment through a smartphone phone application called CBP One. On May 12, 2023, the Biden administration's 'Circumvention of Legal Pathways' final rule went into effect. This rule made an appointment through this CBP One app the only guaranteed way for a person seeking safety to be able to access all of their rights to asylum. With this administrative action, the Biden Administration has put a formidable hurdle in front of the most vulnerable people who are seeking safety at the U.S. southern border.



This report covers interviews conducted within the last six months, from when the app was first implemented for asylum seekers to use in January 2023 through June 2023. It recounts an extensive series of harms this app has brought to the lives of immigrants at the U.S. southern border. **These stories highlight why an app can never be a substitute for a just and humane immigration process.**

Currently, United States law states plainly that seeking asylum is legal regardless of the way one enters the United States. According to Immigration and Naturalization Act (INA) 8 USC 1158(a)(1): "Any alien who is physically present in the United States or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters), irrespective of such alien's status, may apply for asylum in accordance with this section or, where applicable, section 1225(b) of this title." This U.S. law is in keeping with international laws and standards regarding asylum. The basis of asylum law is the protection of human beings. The laws mandate that safeguarding individuals and families fleeing persecution is paramount, and that all other considerations must be viewed through that prism of protection.

The main takeaway from the research presented in this report is that while the laws governing asylum in the U.S. are founded on the right to seek protection, the introduction of the new rule "Circumvention of Legal Pathways," also known as the "asylum ban," severely limits that protection. The asylum ban, in pushing people to use the CBP One app to seek asylum, takes away reasonable, equitable, and safe paths to protection and creates overwhelming barriers that thwart migrants' access to full asylum rights.

## CBP One and the Asylum Ban

The U.S. Customs and Border Protection (CBP) launched the mobile application called CBP One on October 28, 2020. The app was designed so that travelers could access certain immigration functions on mobile devices. Originally, the app was intended to provide travelers with access to Form I-94 (an entry and admission document that is required for most visitors to the U.S), to schedule inspection appointments for perishable cargo, and to assist international organizations who helped individuals enter the U.S. Since then, the uses of CBP One has expanded. Beginning in January 2023, an appointment through the CBP One was made a requirement for immigrants eligible for the Cuban, Haiti, Nicaragua, and Venezuela Parole Program (CHNV) and asylum seekers who fell under the category of exceptions to the Title 42 expulsion policy, had to schedule appointments themselves. After the introduction of the Asylum Ban on May 12, the CBP One appointment process has been used as a requirement for asylum seekers to be able to access all of their rights to asylum.

On May 12, 2023 the Biden Administration published the Circumvention of Legal Pathways Final Rule also called the Asylum Ban. The Administration claims that this rule “incentivizes migrants to use lawful, safe, and orderly means for noncitizens to enter the United States to seek asylum and other forms of protection; provides core protections for noncitizens who would be threatened with persecution or torture in other countries; and builds upon ongoing efforts to share the responsibility of providing asylum and other forms of protection to eligible migrants with the United States' regional partners.”<sup>9</sup> In reality, the rule drastically limits access to asylum.

With the Asylum Ban, the Administration bases access to all asylum rights and protections on securing an appointment on CBP One and arriving on time to the correct location of the appointment, or qualifying for one of five exceptions. The exceptions are as follows: 1. Having sought asylum and been denied asylum in Mexico or another country; 2. Mexican citizenship; 3. Unaccompanied minor status; 4. Proof of the inability to use the CBP One app due to a language barrier, illiteracy, a serious technical failure, or another serious and continuous obstacle; and 5. Proof of exceptionally compelling circumstances at the time of entry because of: an acute medical emergency, an imminent and extreme threat against life or safety, or status as a victim of trafficking. While exception numbers 4 & 5, above, seem reasonable and would allow the most vulnerable people to access asylum, in practice the evidence required to prove these exceptions have been an extreme high bar and has created more barriers to asylum.

The rule largely conditions access to asylum on the CBP One appointment, in contravention to the INA's most basic asylum provisions, and harshly exacerbates the already difficult

---

<sup>9</sup><https://www.federalregister.gov/documents/2023/05/16/2023-10146/circumvention-of-lawful-pathways#:~:text=Specifically%2C%20this%20rule%20establishes%20a,asylum%20or%20other%20forms%20of>

process of gaining protection in the United States. Because the INA provision remains in place, people who are trying to seek asylum queue up at Ports of Entry without a CBP One appointment<sup>10</sup> and in some instances are allowed into the U.S. However, many of those who are allowed in without a CBP One appointment are subjected to stringent programs such as expedited removals and CBP detention. Even if they are then able to plead their asylum case before an USCIS officer, because they are subject to the ban, the USCIS officer must assess if the asylum seeker did have an CBP One appointment or are able to prove the exceptions. If the asylum seeker who entered without the appointment is unable to prove they qualify for an exception, then the USCIS officer is unable to consider the merits of the asylum seeker's case and review the facts to ascertain if the asylum seeker has been persecuted. If the USCIS officer finds that the asylum seeker will be tortured on return, then the asylum seeker who has failed the CBP One test could be allowed to stay and work but will have no path to permanent residency or the ability to travel or bring family over. For this reason, CBP One effectively has become a requirement and a fundamental barrier to accessing all rights to asylum.

The app is available for free download from the Apple and Google Application Stores as well from the CBP website. Once downloaded, the user can create an account on Login.gov with email addresses, passwords, and phone numbers in order to sign into the CBP One app. The user then will be prompted to answer a series of questions and provide personal information alongside a photograph. As mentioned above, asylum seekers must pre-schedule appointments at one of the eight ports of entry out of the fifty-eight ports of entry at the southern border.

Since CBP began requiring individuals to enter their own information in January 2023 (rather than with the support of a non-profit organization), the process grew increasingly confusing. The timing of when asylum seekers could log in to seek appointments, the selection of individuals for the limited number of appointments available, and some of the procedures for simply creating and logging into an account remain unclear and ever changing. Additionally, users confronted many technical glitches, including the app's inability to recognize dark skinned faces, and numerous privacy concerns.

The Administration has recognized some problems within the app and has attempted to solve them with technical updates. They have increased the number of appointments to 1,450 per day, as of July 1 2023, and expanded the language options to include Haitian

---

<sup>10</sup> The barriers asylum seekers who are seeking to enter the United States without a CBP One appointment are many and well documented in another report by Kino Border Initiative and Human Rights First. The report finds that in June of 2023, hundreds of individuals and families waiting to seek asylum at the U.S. port of entry in Nogales, many of whom are Mexican, have been left by CBP to wait in line an average of more than 15 nights since about May 15, 2023. CBP officers appear to have processed only a small fraction of people seeking asylum who do not have CBP One appointments, which monitors estimate to be an average of 10 to 15 individuals per night. [https://humanrightsfirst.org/wp-content/uploads/2023/06/A-Line-That-Barely-Budges\\_Nogales-Arizona-1.pdf](https://humanrightsfirst.org/wp-content/uploads/2023/06/A-Line-That-Barely-Budges_Nogales-Arizona-1.pdf)

Creole and Russian, but ultimately these changes still fail to give equitable access to asylum. While the Administration offers superficial improvements, it is the underlying policy itself that needs to be fixed. Far from helping to 'streamline' access to the asylum process at the border, the Asylum Ban and its reliance on the CBP One appointment system is simply a bar to people seeking safety from entering the United States

## **Issue Areas**

We will expose the problems of the CBP One appointment system, and then offer recommendations on how these issues can be resolved. The problems will be divided into four issue areas: 1) Access to information, 2) Limited Language Accessibility 3) Lack of Access to Technology and Failures of Technology, 4) CBP Practices, and 5) Dangerous Wait Times and Access to Safety.

### **Access to Information**

The main issue with the CBP One application is that it narrows access to asylum and protection, but its subproblems include lack of access to information, technology, language, and safety.

Policies have changed rapidly in the last six months, and the resulting changes in practical application of those policies has caused great harm and hardship for asylum seekers. In addition to that new rule, a myriad of other confusing policies governing access to the border were also put in place, between January and June this year. This confusion is exacerbated because border officials interpret and enforce the rules in an ad-hoc and inconsistent manner. Attorneys representing immigrants also cannot keep up with the changing rules and ad-hoc practices, leaving them unable to advise their clients with needed certainty.

Asylum seekers lack access to accurate information on current border policies and their impacts. Even immigrants who have access to lawyers and members of civil society organizations from the U.S. find it difficult because civil society organizations and immigrant advocates have a hard time keeping up to date on the ever-changing policies and in most instance cannot find answers to their questions from the Administration. The Administration does hold bi-weekly nationwide meetings with many organizations. However, questions raised at those meetings often are left unanswered for many months, or the answers given by the Administration do not conform with actual practice by agents in the field. At times, statements and answers given in the national meetings are contradicted at in-state al meetings between local NGOs and CBP and operational officials. The lack of access to clear information has immediate and lasting repercussions on asylum

seekers, such as family separation, exploitation, and increasing vulnerability that leads to extreme hardship and increased persecution in Mexico.

### *Family Separations*

The lack of clear and consistent guidelines at the border has complicated matters even to the point of leading to family separations. Since the government first required asylum seekers to use CBP One, family units have struggled to get appointments. Many families could get appointments for one or two adults, but families with children find it very difficult to secure appointments as a family unit with children. Thus, parents or caregivers were compelled to make a choice at the border: to proceed to safety without their child in the hope that they could later bring their child across the border, or wait in Mexico, facing threats, for a family appointment.

In May and June of this year, some immigrants were even told that their child could proceed as an “unaccompanied child,” but were never informed by CBP Agents that their child would then be categorized as an “unaccompanied child,” with grave legal consequences. The term ‘Unaccompanied Child’ specifically means that the child has no legal guardian or parent in the United States. Therefore, the U.S. assumes that role as the child’s legal guardian, giving the Administration all parental rights for the child and, thus, removing the parental rights of the parents. The processing of children deemed as Unaccompanied Children is very different from that of children who are with their parent or legal guardian, and different rules apply to their care and custody.

CBP officers sometimes knowingly provide wrong information about this critical issue for parents and their children. For example, CBP officers told **Sarah**, a mother of three children, that her children could cross as Unaccompanied Children and be reunited with her after she was allowed through the gate with an appointment. Although the CBP officers knew that Unaccompanied Children would be processed differently, they withheld that information until Sarah crossed into the U.S. with her children--at which point the she was told that her children would be sent to another city and she had no parental rights to them.

**Lucia Gonzalez** was forced to flee her country of Venezuela because she did not support the regime. The leaders harassed Lucia and her family, and she has had to hide in the Darien jungle with her mother and two children, ages 12 and 13. After much suffering, the family managed to reach Matamoros in November 2022. From there, they repeatedly have tried to request asylum in the United States. After they had registered with various organizations and were waiting for their case to be processed, they were abruptly informed that the CBP One app would be the only way to get an exception to Title 42 and enter the US.

Every day since the app's launch on January 12, Lucia used her limited resources to pay for mobile internet plans and tried to make an appointment. But each time she tried to use CBP One, she was cut out of the app after three minutes and told that there were no more appointments available. On February 1, Lucia decided that her family would try to make individual appointments. While she and her mother succeeded, her children were never able to get an appointment.

Lucia then went to the bridge and asked a U.S. border official if her children could enter through her appointment. At first, an official informed her that her children could enter with her appointment because they were minors. This information gave Lucia's family excitement and hope. On February 15, they all went to the bridge, but were asked to separate because only single people could enter. Border officers then began to process around 35 families, but they insisted that each family member needed an individual appointment, and ultimately allowed only five families to enter.

When Lucia asked what she should do, the officer told her to leave her children in Mexico and go to her appointment. But Lucia knew that she could not cross the border with them, and her desperation was clear to the naked eye. A CBP officer then agreed to speak with a supervisor. However, the supervisor told her that she was wasting their time, and that if she wanted to cross, she should either do it or return to Mexico to make another appointment for her children. When Lucia asked what would happen if the children arrived alone to the appointment, the supervisor said that the children would be processed as unaccompanied minors. He stated that the government would take care of them, but could not tell her the process required for her to reunite with her children after they had all crossed the border. Lucia and her children returned to Mexico, without her mother, who had provided her emotional support and childcare while Lucia worked for basic living services. Lucia felt desperate, sad, and scared. She was afraid for her family's life in Mexico, and still unsure about how and when she could secure a family appointment through the app.

Service providers in Nogales, Sonora saw similar practices in the first months that the government required asylum seekers to use CBP One. The Florence Immigrant and Refugee Rights Project (FIRRP), which partners with KBI to provide legal orientation to asylum seekers, accompanied 17 families who faced family separation or rejection at the Nogales port of entry in February 2023. FIRRP advocated for five Haitian families, all of whom had children five years or younger and were only able to schedule CBP One appointments for one parent. All of these families were forced to either separate at the port or continue waiting in Mexico despite attempting unsuccessfully to schedule family appointments. Some of them were unable to access the large number of appointments that were originally made available on January 12, 2023 because One was not yet available in Haitian Kreyol.

These Haitian families reported that, while none of them were allowed to enter as a family unit, they saw other families who were permitted to enter, despite not having all family members on their appointment. CBP agents justified this inconsistency with the explanation that they had already let in “enough families.” When the Haitian families began to speak out against this injustice, CBP agents began to threaten to call the Mexican police if they didn’t leave and started yelling loudly, “GO! GO AWAY!”

In the case of three of the families in which the one or both parents felt compelled to enter the U.S without their children, the resulting family separations deeply affected these children. FIRR reported that these young children separated from their mothers or fathers cry nonstop, have difficulty sleeping, refuse to eat, or fear being out of sight of the parent they remain with for even a moment. The other two Haitian families had to leave the border office after CBP agents yelled at them and threatened to call the police.

Forced separations continue to happen today because it has now become uniform that unless all family members have an appointment, they cannot cross together, and CBP officers will ask the parents to leave the children who do not have appointments behind in Mexico or wait for another appointment with the family unit.

### *Exploitation*

The lack of good, accessible information about how to use the app leaves immigrants vulnerable to exploitation. In Nogales, for example, some private lawyers take payment from immigrants just to direct them to use the free CBP One app. In February 2023, families sought help at KBI after an Arizona-based lawyer based in Arizona with an office in Nogales, Sonora, had charged them \$1,500 USD each to help them in the asylum process. **Amanda** and her family paid their fee and arrived in Nogales, thinking the lawyer would assist them in getting an exception to Title 42. The lawyer never told them that a recent policy change required asylum seekers to seek exceptions exclusively through CBP One. When Amanda contacted the lawyer’s office and asked the lawyer what they had paid for and how to access the app themselves, her messages were never answered. Amanda and other impacted families then went to the lawyer’s Nogales office to seek answers, but her staff threatened them with calling the police if they did not leave. A KBI staff member later visited the lawyer’s Nogales office



without identifying themselves, and the staff there denied that they ever offered help to people seeking asylum.

Additionally, KBI has observed that continued lack of access to asylum processing at the border is benefiting organized criminal networks. Organized crime groups exploit the desperation of people who have been trying unsuccessfully for months to get a CBP One appointment by misleading them into believing they can access asylum by crossing remotely and turning themselves in to border authorities. In July 2023, migrants shared with KBI that people who claimed to have “contacts in Washington D.C.” had been approaching asylum seekers waiting at the Nogales Port of Entry to offer to cross them for a fee. Asylum seekers who turned down that offer informed KBI that they knew others who paid the fee, and were taken to the desert and abandoned. Border officers then deported them back to Mexico.

### **Limited Language Accessibility**

The absence of comprehensive language translations and the lack of language accessibility remain a major issue. Currently, the app is only available in English, Spanish and Haitian Creole, Portuguese, and Russian, but even then, most of the instructions and error messages are mainly offered in English. The inaccessibility of language cannot be overcome by a simple translation. The CBP One app is not like an app for ordering food or rideshare; it is akin to a complex legal document online. Applicants must answer 43 questions on the app before requesting an appointment. Moreover, the answers that an immigrant gives to these 43 questions will follow them throughout their time in the U.S. If their asylum case were to come up before a judge years later, the answers recorded on the app are very important to their case, and an immigrant’s small language-based misunderstanding in navigating the app can have dire consequences. Therefore, if the app is the sole means of gaining asylum rights in the U.S., it must be in every language spoken by migrants who seek asylum and take into account cultural differences and dialects.

Six months after its roll out, the app remains filled with technical glitches making it impossible to effectively upload every language, tainting its validity as a legitimate source of factual information about the applicant. Furthermore, as Jeronimo Ramirez (Maya Ixil), from the International Mayan League observed, “language is not just words and sentences, but it is culture and a way of life.” This report has found that Indigenous immigrants are particularly vulnerable and unable to access their due process rights and safety due to the lack of Indigenous language interpreters. Indigenous peoples are fleeing from countries like Guatemala and Honduras whose governments violate their human rights and take away their lands. Those same governments fail to put adequate resources into their nations’ educational systems, especially in areas that are majority Indigenous. Thus, they deprive Indigenous Peoples of their rights to education in their own languages as well as

Spanish. While Indigenous peoples may be able to speak their own Indigenous languages and a little Spanish, some cannot read or write in either language, resulting in sharp structural inequalities.

KBI has assisted numerous Indigenous People who speak Indigenous languages, such as people who speak Mam and Q'eqchi. As **Aramando**, an Indigenous person, shared:

“We have to improvise- I try to leave the application to translate the words in Google but when I leave the app, then I have to start from zero when I re-enter and I lose the window of opportunity to get an appointment.”

**Violeta** explained that she has needed to ask others to lend her their phone so that she could use the imperfect translation functions on that phone while not losing her place in the application on her own phone. By forcing Indigenous asylum seekers to use the app when it does not support a language they can use, the Administration discriminates against them with yet another major obstacle to their ability to access full asylum rights.

### **Lack of Access to Technology and Failures of Technology**

Another barrier for asylum seekers is access to technology. Like many people in the U.S. and across the world, some immigrants who come to the Southern Border do not have technological literacy. Many do not have or have never had email addresses, do not have a phone with an operating system advanced enough to use CBP One, and lack the funds to buy new phones and internet data. KBI surveyed 26 families using CBP One in February 2023 and found that half of these families struggled with technological literacy and needed support to operate a smartphone, and create an email address. The required use of this app has created a wealth and technology gap that harms the poorest and most vulnerable immigrants at our border.

**Waleska** is a transgender woman from Honduras who has been in Matamoros since November 2022. She fled her country because the police would not protect her after her own father attacked her. She reported the attack to the police, who had a friendly relationship with her father, but they ignored her complaint and instead told him what she had said. Her father then physically and psychologically assaulted her again, forcing her to flee and seek safety.

Upon arriving at the border, an NGO agreed to send a request for a Title 42 exception to the government for Waleska. However, the NGO informed her a few days later that a new government policy required her to apply for her appointment through CBP One. Sadly, on the way to the border, all of Waleska's belongings were stolen, and she was only able to buy a basic telephone without Internet access. In order to complete her application, she

had to find a way to obtain money to buy a smartphone. Once she found the money and bought the phone, she unsuccessfully tried to schedule an appointment every day for three months. Time and again, the app slowed down at the time the appointments became available each morning, and when Waleska finally managed to enter the app after two hours, there were no more appointments available.

The app now has been available for more than six months. While DHS has tried to fix some of its technological issues, many still remain. Facial recognition issues have frequently caused problems, especially when the app does not recognize darker skinned people and or somewhat irregular faces. For example, **Sophia**, a transgender woman who lives in Guadalajara, Mexico, has been threatened and persecuted by local criminal groups and the authorities. She has feared for her life and, after learning about the U.S. asylum process, has documented her persecution in order to have the necessary evidence to qualify for asylum.

In January, she heard President Biden announce that asylum seekers must use the CBP One app to apply, and that they should not travel to the border without first having scheduled an appointment. While she waited, her persecution worsened. In February, she was brutally attacked while she was shopping in a grocery store near her house. Taken to the hospital, she was unconscious for two days. When Sophia woke up, she had several stitches on her face that left her face disfigured and unrecognizable to the app. Since January, she has desperately tried to schedule an appointment on the app every day without success. She either receives a one of various different error messages, or is unable to make an appointment because the app does not recognize her scarred face.



Sophia does not have a support system and could not find a safe place anywhere. Every day that she cannot access an appointment through the CBP One app increases her danger and trauma.

KBI found asylum seekers faced widespread technological issues when trying to schedule appointments in February 2023. Out of 26 families surveyed, 19 had problems scheduling an appointment due to the number of people in their family unit. As asylum seeker **Ezekiel** shared:

We get to the page where you can schedule appointments, but it says there is not space for three people. Everyone who arrives should be able to apply. It's like they

are ignoring us. They know that families are arriving, but this application doesn't work for families.

The majority of families surveyed reported problems with taking the photo the application requires, and most reported that CBP One collapses and randomly kicks them out of the application on a regular basis. With newer versions of CBP One, some of these technological issues have abated; however, error codes and other glitches continue. In June and July 2023, KBI staff saw many asylum seekers using CBP One receive a general error code that reads: "Unexpected error; Something went wrong. If this error continues, close CBP One and try again." However, the error persists even when people restart the CBP One application.

Further, the fact that the app requires internet access and smartphones with advanced operating systems creates a barrier for many. KBI's survey found that 20 out of 26 families struggled to secure access to the internet. **Armando** shared:

We had to buy a smartphone and we have to keep buying a lot of phone data-- the application uses the data very quickly. We haven't even been able to get to the page where it takes the photo yet. We have spent over 1,000 pesos on phone data. We buy daily unlimited data that costs 100 pesos because we don't know how to buy a data plan here.

Other families explained the financial burden of having to get a new smartphone just to access CBP One and the asylum process. Bryan had to spend 2,300 pesos (\$137 USD) to get a smartphone because his original phone did not let him schedule an appointment. When he was able to buy a new phone on the second day CBP One was open to request Title 42 exceptions, there were no longer appointments available. Another asylum seeker, **Veronica**, asked a KBI staff member in February if she should buy a more advanced smartphone. Although she had a smartphone, it was a simpler model with a less advanced operating system. She said a new one costs 7,000 pesos (\$418 USD), and Veronica did not have that much money. With the required use of CBP One, access to asylum is cruelly and unacceptably predicated on financial resources, technological literacy, and the whims of a glitchy phone application.

## **CBP Practices**

Immigrants, who were interviewed for this report, believe that Customs and Border Protection (CBP) largely does not see their role to include the protection and safety of immigrants. CBP's official position is that they work with the Mexican authorities to support the security at the border but not to block any asylum seeker coming through and are not responsible for the actions of the Mexican authorities who block immigrants. However, both immigrants and civil society organizations that support immigrants at the border,

continue to the report that they see CBP work with their Mexican immigration counterparts, the National Immigration Institute (INM) to block access to protection for the most vulnerable immigrants. For example, four people from different families living in the migrant camp in Matamoros reported that shortly after midnight on April 20, 2023, a group of armed men arrived at the camp and tried to kidnap some of the immigrants. During this attack, shots were fired and some of the residents' camping tents were burned.

After the attack, the frightened migrants moved towards the Matamoros-Brownsville International Bridge with the intention of seeking protection from the United States authorities. While on the Mexican side of the bridge they initially were blocked by Mexican officials from the INM. The immigrants managed to move past the INM, but when they reached the middle of the bridge, U.S. authorities had already blocked all access and barred their entry. An INM official then spoke with the group and told them that National Guard police had been placed in the camp, and it was now safe to return. An individual from the U.S. side also spoke with them and directed them to return to the camp and make an appointment through CBP One app if they wanted protection.

As discussed above CBP officers give asylum seekers incorrect information, such as being able to cross with children designated as Unaccompanied Children, or give very confusing information. The actions of the CBP officers at the border have very long term consequences for the asylum seekers. Lawyers for Good Government, have also reported that in some instances in Matamoros the CBP took possession of all an asylum seekers paperwork, including critical identification and medical documents and refused to give it back, causing obvious problems for immigrants' subsequent asylum cases. Additionally, there was an instance where CBP officers removed children's medication from their parents, as per DHS rules, but refused to return the medication to the parents when the family were eventually expelled.

The **Lopez family** is a Guatemalan family of two parents and two children, including Diego, who is seven years old and HIV+. The family learned of Diego's diagnosis when he began to get sick and they took him to the hospital. After Diego was diagnosed with HIV, the entire family learned nuclear family was tested, and all of their tests were negative. The family then went to the police to report their suspicions that Diego had been raped and to inform the police of who they suspected the rapist was. When police began to investigate this person, the family received death threats, and their house was attacked.

Fearing for their lives, the family then crossed the border without inspection through San Luis Rio Colorado. The officers took Diego's medication away and only gave the family a document that said: "HIV Medication". The medication itself was disposed of by medical personnel per DHS policy at the Yuma, Arizona Border Patrol station. After that, the family was expelled to Piedras Negras. They tried to find medicine for Diego in Piedras Negras,

but instead of receiving their son's badly needed medication, they were discriminated against and blamed by hospital personnel for Diego's illness.

## **Dangerous Wait Times and Access to Safety**

Ultimately, the most dangerous and life-threatening consequence of the CBP One app is the forced wait times at the border. Without an appointment, hundreds sit at ports of entry vulnerable to both corrupt officials and cartels looking to take advantage.

Asylum seekers have little access to safety in Mexico. Waiting in Northern Mexico for a CBP One appointment is causing profound trauma and harm. Without that appointment or eligibility for one of the limited exceptions, an asylum seeker is subject to a presumption of ineligibility for asylum and will face serious obstacles to gaining protection in the US. This report indicates the average wait time at the border for a CBP One appointment is seven weeks, with some delays lasting 8 months. The harms of waiting even for one day can be great, especially for the most vulnerable asylum seekers: black, LGBTQ+ or differently abled



asylum seekers who were discriminated against, unable to access healthcare, and had difficulty finding work or safe living spaces. Many had the money and phones that were vital to their appointments stolen more than once. Others ran out of medication for themselves or their children. Lawyers for Good Government, said they are seeing an increase in reports of rape, assaults, and kidnappings, since May 12<sup>th</sup> .

**Roberto C**, a 30-year-old LGBTQ+ man diagnosed with HIV, traveled from Venezuela to Mexico with the intention of seeking asylum in the United States. In Mexico, he was kidnapped for 10 days. During this time, his kidnappers handcuffed and blindfolded him, while they extorted his family in Venezuela to free him. For weeks, **Roberto C**. lived a few meters from the international bridge in Matamoros in a camping tent with no access to basic services such as drinking water and adequate food. He has been without medication for more than six months. Roberto C. has tried several times to go to the bridge to talk to the American officials, but he has been intercepted by Mexican immigration officers who threatened to arrest him if he tries to cross without an appointment. When he finally managed to get to the bridge and talk to the officers, they directed him to go back, but also told him about an organization nearby that was assisting asylum seekers with get appointments. Project Corazon then helped Roberto C. enter a shelter on June 2, where a case manager worked with him to secure needed medication.

While forced to wait, many already traumatized asylum seekers slide further into poverty and vulnerability. The wait increases the anxiety and mental health issues that many migrants suffer as a result of the trauma that they experienced in their home countries.

**Olga H.** was diagnosed with major depressive disorder and post-traumatic stress disorder after her brother was killed in Honduras a year before she fled to Piedras Negras. She had been prescribed multiple medications because of her condition, and she understandably feared that the people who killed her brother would do the same to her after she received death threats. At one point, she was approached by people dressed in black trying to coerce her into their vehicle when she was on her way to work.

Olga H. arrived in Piedras Negras in February 2023 and repeatedly tried to make an appointment, but always received the message that there were no appointments available. This constant frustration has worsened her mental health condition so significantly that she has thought about suicide. Some of her medications have run out, and she does not have the resources to refill them or to seek further treatment.

Being able to present their asylum case safely and promptly when reaching the border is essential to ensure that the most vulnerable individuals have the fundamental protections that they need and are entitled to under the law. Since the repeal of Title 42 in May, the strict requirements for the location and time of available appointments have forced immigrants to travel and risk their safety to arrive in the correct border office. Immigrants are stuck waiting at ports of entry, some forced to endure rape as payment to organized crime and other aggressors, and others victimized by horrific instances of assault, torture, and murder.

There is no safe place for asylum seekers to go while they wait in Mexico for their CBO One appointment, and both cartels and corrupt

government officials alike are taking advantage of susceptible immigrants. Even for migrants fortunate enough to reach shelters, safety is not guaranteed. There are instances of firefights outside complexes and kidnapping happening within these zones. The lasting effects of this violence is immeasurable, and it causes people to lose appointments, lose family members, and become more vulnerable. Migrants arriving at our southern border have already suffered trauma and harm from the conditions in the home countries that they fled, as well as the hardships of their long, arduous journey to reach the border. Compounding that suffering with the formidable obstacles imposed by the CBP One app is morally and legally indefensible.

Because of all of the horrors recounted in this report, we are asking that full access to asylum rights be restored.

# Recommendations

## We recommend to the Administration and Congress:

1. The Administration should rescind the “Circumvention of Lawful Pathways” rule, also known as the asylum ban, and thereby ensure that CBP One appointments are not the only way to assure a person full access to asylum rights. The CBP One app could remain useful to one of the many ways to access asylum but not as the only way for most migrants to access their rights to asylum.
2. CBP should continue to improve the functionality of the CBP One app to fix face recognition problems, increase the language options, and translate error messages into the user’s appropriate language.
3. CBP should issue updated guidance on the technical aspects of using the CBP One application, including an FAQ section that answers migrants' most recent questions, such as the risks of creating multiple profiles or using the same email address for several profiles.
4. The Department of State and Department of Homeland Security should caution Mexican authorities on pushing back asylum seekers and formally post their opposition to Mexican immigration authorities blocking people at bridges or other ports of entry from attempting to seek asylum in the United States.
5. The Department of Homeland Security must put in place a preferred admissions process for asylum seekers with urgent humanitarian needs, including but not limited to urgent medical conditions or imminent risks or dangers, particularly those faced by Black and LGBTQ+ asylum seekers.
6. The Administration must ensure that the rights of Indigenous Peoples are not further violated at the border and must engage in a process to implement the National Congress of American Indians Resolution #ABQ-19-012, that calls to “Protect and Advance the Human Rights of Indigenous Peoples Migration to the U.S.”<sup>11</sup>

---

11. <https://www.ncai.org/ABQ-19-012.pdf> This resolution is an outcome of Indigenous-led advocacy by the International Mayan League and engagement carried out from 2018-2019 with the National Congress of American Indians (NCAI).

# Appendix: Interviews

## Matamoros, Mexico /Brownsville, Texas

*All interviews conducted by Lawyers for Good Governance*

### Accessibility Issues

#### 1. January 20, 2023. Mario. Guatemala.

Mario is a Guatemalan asylum seeker belonging to the Maya Q'eqchi' Nation. Their father was an expert on traditional herbal medicine, and a defender of human and land rights.

Mario continued their father's profession and was well known in their community, until March 2022 when they decided to self-identify as gender non-binary. Together with other people, they organized peaceful demonstrations against a bill, known as the "protection initiative of life and family", which was approved by the Guatemalan Congress on March 8, 2022. The bill undermines the rights of women and lesbian, gay, bisexual, and transgender (LGBT) people. (Human Rights Watch: "Life and Family" Bill is a Smokescreen for Corruption in Guatemala. <https://www.hrw.org/news/2022/03/15/life-and-family-bill-smokescreen-corruption-guatemala> ).

After the government identified them as one of the organizers of this peaceful protest, they were persecuted and tortured by community leaders affiliated with the government, accusing them of witchcraft.

Under indigenous "laws", they were expelled from the community. After this, they sought refuge in other parts of the country, but the persecution did not stop. They had two assassination attempts, which forced them to leave the country and try to obtain asylum in the United States.

On January 16<sup>th</sup>, 2023 before the Biden Asylum Ban was in force, Mario reached the International Bridge between Matamoros and Brownsville. They walked to the middle of the bridge and spoke to an officer. They explained their intentions to request asylum and the officer's response was that they should download an app and make an appointment.

Mario then returned to Matamoros and found other asylum seekers who helped get them into a shelter. One night a woman from a church brought food, and they told this person their situation. Through this conversation, they discovered that Mario is Indigenous Maya Q'eqchi', fluent in his maternal language (Q'eqchi') with minimal Spanish conversational

skills, had never learned to read and write in any language, had never used a smartphone, and was never enrolled in school.

Mario received help to buy a smartphone and set up the app, but every day they tried to book an appointment, they couldn't. Most of the time the app doesn't recognize their face, and Mario thinks it's because of the color of their skin. The same thing happens to other people with dark skin. Although the app has multiple errors, Mario has seen that people with lighter skin have an easier time.

The days that Mario manages to get the app to recognize their face after several attempts, it is too late and there are no more appointments.

But still, Mario tries every day to get an appointment through a process that they do not understand and no one can explain to them. They are afraid that because they cannot identify themselves and cannot demonstrate one of the seven vulnerabilities that the app indicated before Title 42 was removed, they will not be able to exercise their right to request asylum.

## **2. May 25, 2023. Antonia and Juan. Honduras.**

Antonia and Juan are a Honduran married couple, both over 70 years old, who arrived at the border to try to request asylum in January 2023 when the CBP One application had already been launched. They went to the bridge and informed the US officials that their intention was to request asylum, since their lives were at risk in their country. The officials told them that because they were over 70 years old, they could apply for a Title 42 exception, but they had to request it through the application.

With little technological knowledge due to her age, and with the little ability to read and write that she possesses, Antonia downloaded the application and for several months tried to get an appointment for her and her sick husband, but she could never get it.

Almost 2 weeks after Title 42 was lifted, Antonia and Juan found out that some people were being received on the bridge without an appointment. So, they decided to go to the bridge once more, but this time they found another obstacle, some Mexican officers prevented them from going to the bridge because they did not have an appointment. After Antonia and Juan begged the officers, they told them that they would let them pass if they paid \$200 USD.

Antonia and Juan were able to obtain the money from relatives in the United States and when they went back to the bridge the Mexican officials allowed them to pass, after they paid the \$200 USD.

Antonia and Juan were able to speak with US officials and were processed, received parole for one year, and released.

## Technological Issues

### 3. March 07, 2023. Waleska. Honduras.

Waleska is a trans woman from Honduras who has been in Matamoros since November 2022. She fled her country because, after being attacked by her own father the police were not receptive to her. When she went to report the attack to the police, they didn't take it and instead told her father what she had said, given their friendly relationship with him. After this, her father physically and psychologically assaulted her again, forcing her to flee, seeking safety.

Upon arriving at the border, she spoke with an NGO that told her they would send a request to the government and she just had to wait a few weeks. A few days later, the NGO reached back out to inform her that there was a new process to apply for an appointment through the CBP One application ("the app"), but on the way to the border, all her belongings were stolen. She was only able to buy a basic telephone without Internet access.

In order to complete her application, she had to find a way to obtain money to buy a smartphone that would allow her to try to carry out the process. Once she found the money and bought the phone, she tried to schedule an appointment every day for three months but the CBP One app has failed: it slows down at the time the appointments become available each morning, and when she finally manages to enter the app after 2 hours, there are no more appointments available.

### 4. April 14, 2023. Lopez family. Guatemala.

The Lopez family are in Piedras Negras. They are a Guatemalan family of 4 members, 2 adults and 2 minors. Diego, 7 years old, is HIV+. They discovered the diagnosis when Diego began to get sick and they took him to the hospital. Once they heard, they did tests to the entire nuclear family, the tests for the rest of the family were negative. They went to the police because they suspected that Diego had been raped and they also informed the police as to who they suspected the rapist was. When police began to investigate this person, the family received threats of death and their house was attacked.



When the family crossed without inspection (EWI) through San Luis Rio Colorado, the officers took Diego's medication away. They only gave them a document that says: "HIV Medication". The medication was disposed of by medical personnel per DHS policy at the Yuma, Arizona Border Patrol station. After that, they were expelled to Piedras Negras.

When they tried to find medicine for Diego in Piedras Negras they were discriminated against and blamed by hospital personnel for Diego's illness.

Since February 2023 they have been trying to make an appointment through CBP One, but every day they get a different error.

### **Dangers of having to travel to attend appointments**

#### **5. February 17, 2023. Oliver and Sterling. Reynosa, Mexico.**

Oliver (20) and his cousin Sterling (18), wake up every morning at 3am to make sure they have everything ready to secure their app appointments. One day, Oliver had climbed a building to get better reception and leaned backwards, tripping into a 220v live wire. He has burns over most of his body and is lying on a cot at Casa LuLu (one of the shelters in Reynosa). They don't know how he hasn't died from an infection.

Previously, Oliver was a victim of torture/kidnapping by the cartel, but he was still told to get an appointment, causing his desperation.

#### **6. February 3, 2023. Sophia. Mexico.**

Sophia, a transgender woman who lives in Guadalajara, Mexico, has been threatened and persecuted by local criminal groups and the authorities. She has been afraid for her life and been informed about asylum. For some time, she has documented her persecution in order to have proof.

In January, she heard President Biden say that those who want to apply for asylum had to do so from the CBP One app and that they should not travel to the border without having scheduled an appointment.

Since then, the persecution has increased and she has tried desperately to get an appointment without success. Every day she receives a different error message. A few weeks ago, while she was shopping in a grocery store near her house, she was brutally attacked. She was taken to the hospital where she was unconscious for 2 days. When she woke up, she had several stitches on her face, making her face disfigured and unrecognizable to the app.

Sophia does not have a support system, and she could not find a safe place for her, every day she tries to get an appointment through the CBP One app. On days when the app does not present errors, she still cannot make the appointment since the app does not recognize her face.

**7. April 13, 2023. Veronica. Venezuela.**

Veronica was kidnapped and raped in the Darien on March 18, 2023. She was held with more than 200 other people by armed men who raped other women and killed a possible Haitian person in front of them. She filed a complaint in Panama and was referred to MSF where a forensic doctor carried out an evaluation and gave her a certificate. She arrived in Mexico on March 23 to Chiapas, and to Matamoros on April 2.

Since March 23, she has registered in the app. Every day she tries to make an appointment but the app freezes and she can't get it. She has joined groups because occasionally, other people can get the date if they do large groups. She has been discriminated against in Matamoros and on several occasions was offered money in exchange for sexual favors when she's gone to buy food. From Monterrey to Matamoros, the bus she was traveling on was stopped twice. The first time by the National Guard and the second time it was Instituto Nacional de Migracion. They asked her for more than 500 Mexican pesos but she did not have it. They searched her twice and took 70 Mexican pesos in total. She is alone and afraid of more abuse. She has not been able to get medical tests because she does not have money for a doctor, and the Matamoros hospital turned her away because she was a foreigner.

**8. April 13, 2023. Olga H. Honduras.**

Olga H. from Piedras Negras was diagnosed with major depressive disorder and post-traumatic stress disorder after her brother was killed in Honduras a year ago. Because of her condition, she was prescribed multiple medications. She is afraid that the people who killed her brother will do the same to her. She has received death threats that forced her to leave Honduras. When she was in Tapachula, she was approached by people dressed in black trying to coerce her into their vehicle when she was on her way to work. She arrived in Piedras Negras in February 2023 and tried to make an appointment, but she always received a message saying that there was no space for a person. This process has affected her mental health so significantly that she has thought about suicide. Some of her medications have run out and she does not have the resources to buy them, nor to go to a specialist.

**9. June 3 2023. Roberto C. Venezuela.**

Roberto C, a 30-year-old LGBTQ+ man, was diagnosed with HIV, traveled from Venezuela to Mexico with the intention of seeking asylum in the United States. In Mexico, he was kidnapped for 10 days. During this time, he was handcuffed and blindfolded while the

kidnappers extorted his family in Venezuela to free him. He is currently living a few meters from the international bridge in Matamoros, in a camping tent where he does not have access to basic services such as drinking water, a balanced diet, and has been without medication for more than 6 months. He has tried several times to go to the bridge to talk to the American officials, but he is intercepted by Mexican immigration who have threatened to arrest him if he tries to cross without an appointment. On one occasion he managed to get to the bridge and talk to the officers in the middle, but the officers told him that he had to go back and that there was an organization nearby that was helping them get appointments. Project Corazon helped him enter a shelter on the 2<sup>nd</sup> of June, where a case manager helped him find the medicine.

## **Family separations**

### **10. February 16, 2023. Lucia Gonzalez. Venezuela.**

Lucia Gonzalez was forced to flee her country of Venezuela because she did not support the regime. The leaders pointed fingers at them and harassed them. She has had to survive in the Darien jungle with her mother and two children, ages 12 and 13. After much suffering, they managed to reach Matamoros in November 2022. From there, they have tried to request asylum in the United States. They have registered with some organizations and were waiting for their case to be processed when they were informed that in the next few days the CBP One app would be running. They needed an appointment through the app to be able to enter.

Every day since January 12 when the app was launched, she has downloaded and bought internet plans to try and make an appointment.

Each time she tried to make an appointment, it lasted 3 minutes before there were no more available because the app could not make appointments for families. On February 1, they decided to make individual appointments. She and her mother were able to get an appointment, but not for her children. She went to the bridge and asked one of the United States officials if one of her children could enter through her appointment. The official informed her that since her children were minors, they could enter with her appointment. It gave them excitement and hope.

On February 15, they all went to the bridge, and were asked to separate because only single people could enter. They then began to verify around 35 families, but they were told that each family member needed an appointment. They only allowed 5 families to enter. When she asked what she should do, the officer told her to leave her children in Mexico and go to her appointment. She knew she couldn't leave them in Mexico, so she went to

talk to someone else for a better solution. While waiting at the US immigration offices on the bridge, a female immigration doctor approached her asking if she was alright. Her desperation was clear to the naked eye, and the officer told her she would speak with a supervisor. The supervisor told her that she was wasting their time, and that if she wanted to cross, she should either do it or return to Mexico to make another appointment for her kids. She asked what would happen if the children showed up alone to the appointment, and he said that the children would be processed as unaccompanied minors and the government would take care of them. He did not know the process of how she would get back to them.

She is back in Mexico, without her mother who provided her emotional support and childcare while she worked for basic living services. She feels desperate, sad, and scared. She is afraid for her and her children's life in Mexico, and does not know when she can get a family appointment through the app.



**11. March 07, 2023. Veronica and Laura. Venezuela.**

Veronica and Laura are a lesbian couple that have been in a relationship for over eight years. Both are university students in Venezuela, where they began to receive threats at their home after attending a demonstration against the government. They did not pay too much attention to the threats until one day they returned home to be met by several men dressed as policemen who began to shoot at their vehicle. They managed to flee but did not feel safe anywhere.

When they were scheduling their appointment in the application, it indicated the term "spouse" and they thought that since they were not married, they should complete the application process separately.

Laura was able to get an appointment and enter the United States, while Veronica continues trying to schedule an appointment, but each morning that she tries to enter the app, it fails, and by the time she is able to get the app to open in the afternoon, there are no more appointments available.

# Nogales Mexico/Nogales, Arizona

*All interviews and information provided by the Kino Border Initiative*

## Accessibility Issues

- Out of 26 families, 6 have struggled to access a smartphone.
  - Bryan had to spend 2,300 pesos to get a smartphone because his original phone didn't let him schedule an appointment. Then when he bought a new phone, on the second day the application was open, there were no longer appointments available.
  - Veronica asked a Kino staff member if she should buy a more advanced smartphone. She has a smartphone but it is a simpler model. She said a new one cost 7,000 pesos and she doesn't have that kind of money.
  - 20 have struggled with access to the internet.
    - Armando: "We had to buy a smartphone and we have to keep buying a lot of phone data- the application uses the data very quickly. We haven't even been able to get to the page where it takes the photo yet. We have spent over 1,000 pesos on phone data- we buy daily unlimited data that costs 100 pesos because we don't know how to buy a data plan here."
  - 6 have struggled with vision or literacy, necessary to use the app.
    - Francisco isn't able to read the text due to difficulty with vision- sometimes other people help him read.
    - Raquel is able to read, but doesn't always understand the questions and doesn't know if she's answering them right.
  - 13 have struggled with tech literacy- i.e., knowing how to use a smartphone, create an email address, etc.
    - Border Patrol expelled Odelia to Nogales, Sonora after she tried to seek protection in the US. She is in her 60s and does not know how to use technology; furthermore, the phone she has does not have the capability to download applications.
    - KBI offers multiple technology workshops a week where staff teach people how to create email addresses and create the CBP One account.
  - 2 natively speak a language other than the 3 offered on the app. One is Maya Q'eqchi, the other Maya Mam. Both primarily speak their Indigenous language, representing two of 22 distinct Maya Peoples and languages in Guatemala alone

- Even when you choose a preferred language, there are entire sections on the app that are still only in English.
  - Most people share that they have to ask others to translate for them, such as staff in Kino, or use a translation app or website on their phone.
  - Armando said: “We have to improvise- I try to leave the application to translate the words in Google but when I leave the app, then I have to start from zero when I re-enter and I lose the window of opportunity to get an appointment.”
  - Violeta shared that people have lent her another phone to be able to translate the words on that phone while not losing her place in the application on her own phone.
  - Arelia speaks Mam as her first language. Due to the language barrier and low-tech literacy, she has a very hard time navigating her smartphone and downloading the app.
- Kino staff observe that in another shelter in Nogales, people staying there are not allowed to use cell phones so people cannot try to use the application in the late night/early morning hours when most other people are trying to schedule an appointment. People are also separated by gender in the shelter so even if they could use their phones, a family would not all be in the same room to fill out their information/take the photos. Families have reported that for this reason, they have to get the money together to rent a place just so that they are able to use their phones in the early morning hours.

## Technological Issues

- 19 have had trouble scheduling an appointment due to the number of people in their family unit.
  - Ezekiel says “We get to the page where you can schedule appointments, but it says there is not space for 3 people. Everyone who arrives should be able to apply. It's like they are ignoring us. They know that families are arriving, but this application doesn't work for families.”
- 23/26 families report that the app's facial recognition doesn't allow them to take a photo.
  - Families explain the app often freezes or doesn't advance after the facial scan.

- Mariana doesn't really know how to use a phone- it's her son who helps her use the application. They have struggled a lot with the step that takes the photo- it asks for the selfie and they have to wait 30 minutes for it to take the photo. Yesterday, the app randomly kicked them out.
- The app takes Maria up to the point of taking the photo, but from that point on, it doesn't load and it's stuck there. She's spent 5 days struggling with this. Once she arrived all the way to the page where you can select a date, she selected the date and time and from there, it took her back to the page to take the photo and it never loaded.
- Francisa has spent 3-4 hours trying to get the app to take the photo.
- The other day, Ezekiel waited 6 hours for the app to take the photo. Three times he has had to wait hours for the app to take the photo.
- Olivia was not able to register her baby in the application because the facial recognition step didn't let her take the baby's photo. It could not read the baby's face and so it sent the family's application without the baby's information.
  - Note: as of March 8, '23, children under 5 years old no longer need a photo. However, family members who do need to take a photo are still experiencing the same issues with this step.
- 22 families reported that the app kicks them
  - Many people describe the application as over-subscribed when appointments are released in the morning, the app often collapses after 1 minute.
- 11 families have reported that they have trouble with the security codes arriving.
  - Leonel describes that they have to request many times that the app sends them the verification codes by text. They expire after 10 minutes and they often arrive after 10 minutes have passed, so they don't work and they have to request a new code and wait again. They have used their secondary security method to attempt to get verification, which is a list of 10 codes, and once you use them all, you don't get anymore. So, they had to create a whole new account with a new email address.
- 3 families reported that the app doesn't accept their email address
- 3 families reported that they cannot add more than one person to their profile.
  - Carlos said: "It doesn't let us put more than 1 photo in our profile so I can't add other family members."

- Lidia shared “It only allows 1 photo after 2 hours trying to create the profile. The app sends me a message that says there is only appt availability for 1 person.”
  - Raquel: “We put in the information for all 4 family members, but when we choose the date, it only shows the information and name of 1 family member. We think it's because she took the photo first and it just chooses her name. We were able to get an appointment but it only shows her name- we are going to see if we will all be able to enter. ”
- Some people receive an error code saying they are not located close enough to the border.
  - Evelin: “An error message appears saying I'm not close enough to the border. It doesn't let us take the photo or choose a date.”

## **Private lawyers taking advantage of asylum seekers**

### **1. February 8, 2023. Amanda and family. Mexico.**

In February 2023, families arrived at Kino after a lawyer based in Arizona with an office in Nogales, Sonora, had charged them \$1,500 USD each, apparently to help them access the asylum process. Amanda and her family paid their fee and arrived in Nogales, thinking the lawyer would get them an exception to Title 42. The lawyer never told them that there had been a recent policy change and people could only seek exceptions through CBP One. When Amanda asked the lawyer what they had paid for and if they could access the app themselves, she left all their messages unanswered. Amanda and other impacted families arrived at her Nogales, Sonora office to seek answers, but her staff threatened them, saying if they didn't leave, they would call the police. A Kino staff member later went to the lawyer's Nogales office location without identifying who they were, and the people working there denied that they offered help to people seeking asylum.

### **2. February 8, 2023. Javier and family.**

Javier and his family got the information of a private attorney who had helped other families from their hometown to get exceptions to Title 42 before the policy shift to CBP One. Javier was already aware of CBP One when he contracted the services of this private attorney and the attorney recommended that he not fill out the application on CBP One so as to not hinder their legal services. The attorney charged them \$2,000 supposedly to facilitate an exception to Title 42. After making the payment, the lawyer then told them they *should* fill out all their information on CBP One. So, Javier questioned why they had advised them earlier not to do so and asked what they were paying for if they were just

using CBP One. The lawyer has not offered any additional services and has only told them to use the application.

## **Dangers of having to travel to attend appointments**

### **3. February 9, 2023. Jaime. Venezuela.**

Jaime and his family arrived at Kino on February 9, 2023. Jaime, his wife and his son had fled Venezuela and arrived in Piedras Negras, Coahuila. There, they were able to schedule an appointment through CBP One but in San Ysidro, Baja California, over 1200 miles away. While traveling to San Ysidro by bus, the entire family was kidnapped, tortured and extorted by a criminal group. The people who boarded the bus identified themselves as Mexican immigration agents, and after asking Jaime and his family where they were from, told them they needed to get off the bus so they could check their documents. These actors brought them to a house, where they were held for 20 days, extorted and tortured. One night at 3 am, they were blindfolded, put in a truck and taken to the border wall. They said they had to walk and cross and if they tried to come back, they would kill them. Once they crossed, they called 911 and explained what happened. BP arrived and they explained that they had been kidnapped, had missed their CBP One appt while being held hostage, and were forced to cross. The agent responded that really they were the criminals because they had crossed illegally. A few hours later, BP expelled them to Nogales.

## **Family Separation and CBP not allowing immigrants with appointments to cross**

### **4. February 8, 2023. Helena. Mexico.**

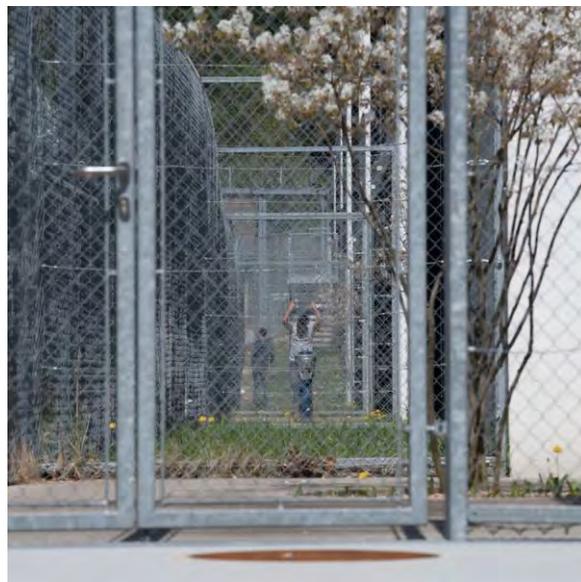
After having been expelled under Title 42 to Hermosillo, Sonora, Mexico, Helena and her husband tried to schedule an appointment through CBP One. The use of the application for T42 exceptions was very new and they only knew about it because a civil society representative came to the makeshift migrant shelter in Hermosillo to share the information. Helena scheduled an appointment as soon as she could, but her husband was at work as someone needs to work for them to be able to meet their basic needs. She was not able to add him because he couldn't take the photo. They traveled to Nogales for the appointment and presented at the POE to ask CBP if they would be able to enter the next day with her appointment since they are legally married. A CBP officer said yes. On January 30, 2023, when Helena had her appointment, the agent there said only Helena could enter or they could wait to get an appointment together for a future date.

### **5. February 9, 2023. Tomas. Dominican Republic.**

On February 9, 2023, Tomas arrived at KBI. Tomas and his children fled the Dominican Republic and after trying many times, he was able to get an appointment through CBP One for himself. However, the application would not let him add his children to his appointment and when he and his family arrived at the port of entry, the officials said, "If you're going to enter, you have to enter alone and leave your kids behind."

**6. February 19, 2023. Jesus, Rosa, 2 kids. Mexico.**

On February 19, 2023, Jesus, Rosa and their 2 kids tried to enter the port of entry with a CBP One appointment. Due to problems with the application, only Jesus and Rosa were able to schedule the appointment and their 2 children, ages 4 and 6, were not. The CBP agent at the Nogales POE said the children could not enter because they were not registered. She asked Jesus if he was going to leave his family alone and cross. He responded that he would cross; that he had to make that decision to support his family from the US. He asked if he could bring his son with him and the officials aggressively responded that he could not. The officials then said if they didn't leave the POE, they were going to call the Mexican police.



**7. March 12, 2023. William and Obelia. Venezuela.**

William and Obelia each had fled Venezuela and met each other on the journey. In Ciudad Juarez, they were able to schedule an appointment through CBP One for March 12, but in Nogales, Sonora. They had to travel on the train (la Bestia) to get to the appointment. They arrived at 12 pm for their appointment and each explained that they had lost their original IDs while traveling through the Darien Gap. They each had photocopies of their IDs that family members had sent to them after having lost their originals. The CBP agent detained them each at the POE - Obelia until 8 pm and William until 3 am. The CBP agent confiscated Obelia's copy of her ID and the paper with the appointment confirmation. He said, "Do you think I'd let you enter with this?" and said, "You crossed through 8 countries to get here- why didn't you seek asylum in one of those countries? Why the US?" The agents rejected them both for not having original IDs and expelled them to the streets of Nogales.

**8. March 2023. Giovanni and Yaritza.**

In the beginning of March, Giovanni and his wife, Yaritza had an appointment scheduled through CBP One. They arrived at the Port of Entry with their confirmation email and the agents denied them entry, stating they were not "on their list."

## **9. February 8, 2023. Sandra and family. Mexico.**

Sandra, her husband, and their 2 children arrived at the Nogales Port of Entry for the appointment that only Sandra was able to schedule. The CBP agents said: “people who have children and are not registered on the app, move to one side.” They repeated “move to one side” many times in an aggressive tone. The agents told Sandra, “I don’t care what is happening; that’s not my job; only people who have appointments can be here.”

### **CBP One Empowering Organized Crime**

KBI has observed that the continued lack of access to asylum processing at the POE is benefiting organized crime. Under Title 42, organized criminal networks charged sums of tens of thousands of dollars to cross asylum seekers, misinforming them that they could turn themselves into BP to request asylum. Under the asylum ban, these networks continue to benefit, exploiting the desperation of people who have been trying for months to get a CBP One appointment without success. Organized crime misleads people into believing they can access asylum by crossing remotely and turning themselves into BP.

In July 2023, migrants shared with KBI and FIRRP that people had been approaching asylum seekers waiting at the Nogales Port of Entry to offer to cross them. They introduced themselves as having “contacts in Washington DC” and offered to cross them for a fee. KBI learned from asylum seekers who turned down this offer but knew others who accepted that organized crime charged them a fee, took them to the desert and abandoned them. BP then deported them back to Mexico.

### **Family separations [Florence Project]**

- Many families tried for days and weeks on end to have a profile with all family members but either the app would not let them create profiles with all their family members and/or they could not get an appointment with all family members. Most of these families are families of 3–4 people. These are not even large families, and they cannot get an appointment.
- Officers’ behavior varies, some are respectful and kind, while others say rude things, make faces, or yell at them.
- The port was being very arbitrary (i.e., discriminatory) in using its discretion to allow some families in but not others.
  - Originally, Nogales CBP had said they would allow family units to enter all together even if not every single person was able to schedule an appointment. Then suddenly, the Nogales Port of Entry changed this policy

aggressively without letting KBI or the Florence Project know, much less the migrant population generally.

- As of Feb. 28, '23, Nogales CBP told KBI they will not allow any person without a scheduled appointment to enter. This means that even though it is still nearly impossible in practice to schedule appointments for an entire family, the port of entry will not make any exceptions to allow families to enter together if every single person does not have an appointment scheduled.
- Despite the government's attempts to communicate things via the press, migrants rely on word of mouth from other migrants and port practices to make decisions. Changes in policy or practice must be communicated directly to the population via the app and/or other means.
- Many of these issues originate in parts of the border where the Florence Project / KBI are not: migrants get appointments in Reynosa or Mexico City or Hermosillo and only then come to Nogales. We may not even see them before they present at the port.
- The problems at the port and with the app are forcing families into more and more desperate actions: we're seeing families choose to separate at the port because it is so hard to get an appointment for all of them – this is having physical, psychological, and emotional consequences for young children separated from their parents.

**Examples:**

- The Florence Project has been advocating for 17 families who faced family separation/rejection at the POE in February 2023.
- The Florence Project has been advocating for 5 Haitian families, all of whom have a child/children 5 years or younger, that were only able to schedule CBP One appointments for one parent and therefore, faced family separation and/or rejection at the Nogales POE. These families reported that they had been attempting to schedule an appointment for all their family members for weeks, but were not able to. Some of them missed the larger batch of appointments that were originally made available on January 12, 2023 because at that time, CBP One was not available in Haitian Kreyol.
  - These families reported that even though none of them were allowed to enter as a complete family unit, they saw other families who were able to do so, despite not having all family members on their appointment. Some of these families were made to form a line at the POE with other families whose children lacked appointments and saw 8-9 families before them be allowed to enter, only to be denied the same opportunity because CBP agents told them they had already let in enough families. When the families began to speak out against this injustice, CBP agents began to threaten to call the Mexican police if they didn't leave and started yelling loudly, "GO! GO AWAY!"

- In the case of 3 families, CBP refused to allow their young child[ren] to enter with the parent who had the appointment because the children's names were not on the appointment. This resulted in family separations that have greatly affected these children. The Florence Project reports that these young children separated from their mothers or fathers cry nonstop, have difficulty sleeping, refuse to eat, or fear being out of sight of the parent they remain with for even a moment. The other 2 families had to leave the POE after CBP agents began to yell at them that they would call the police.
- The Florence Project has also been advocating for Mexican, Venezuelan and Salvadoran families in the same situation. These families also expressed seeing other families who were able to enter despite their children's names not being on the appointment, and that CBP agents told them there was a limit to how many families in that situation they could allow to enter and therefore they were not permitted to enter. CBP agents told them that the parent with the appointment could either enter alone and leave their family behind or abandon the appointment and stay with their family in Mexico. If they tried to explain the technological issues with the application that made it impossible for them to get an appointment for all their family members, the agents would not allow them to explain and said they were just following orders.

# Ciudad Juarez, Mexico/ El Paso, Texas

*All interviews conducted by Hope Border Institute.*

## Accessibility Issues

### 1. **March 10, 2023. Rosa. Mexico.**

Rosa has been traveling with her year-and-a-half-year-old girl and was trying for last week to get an appointment. She has suffered delays in the application that result in her getting no appointment slots. Additionally, she has had language issues.

## Technological Issues

### 1. **March 10, 2023. Jessica. Ecuador.**

The photo took forever and the application was super slow, no matter if it was with internet or cell data. Later, there was still a super long wait for the live scan and the photo. The app continues to have lots of errors and has a long wait/loading screen where nothing happens. There is no confirmation. Jessica is 30 years old and is only trying to get an appointment for herself. She has heard rumors of people paying to hack the system to get same-day appointments, but spots are filling and she's spent 2 months applying. She feels as though it's a lottery system and things just go too fast. During her wait, she has been robbed and asked for extortion by officers.

### 2. **March 10, 2023. Fatima. Venezuela.**

Fatima is traveling with her 2-year-old baby and has been trying for 2 months. She has heard of groups charging money to use the app but has not done it. The calendar seems to take so long to load and sometimes does not even load. When there is only 1 minute to get an appointment, it basically means you lost your chance. She has run from the Mexican police fearing that she would be abused/extorted/robbed.

### 3. **March 20, 2023. Josefina. Mexico.**

Josefina has been trying for 2 months with her 3-year-old child. She had an issue today that the photo does not match with the last version. She still deals with errors and no appointments for two people.

### 4. **March 10, 2023. Floreinda. Guatemala.**

Long delays with the application. Floreinda has been in Ciudad Juarez for 6 months and has been trying for the last 2 months to get an appointment. She has a 7-year-old girl with her and dealt with long delays with the application, and struggles to get appointments slot for two people. She has also dealt with the lack of speed in getting the photo, resulting in losing the appointment chance.

## **5. March 10, 2023. Daniella. Venezuela.**

Daniella is traveling with two kids, a 6-year-old boy and a 2-year-old girl. She has been trying for 2 months, but has not had any luck getting a spot for three people. The loading screen keeps freezing and then after a moment you can schedule but by then it is already too late and the appointments were all gone. In January, she was offered to be smuggled but she never took up the offer. She has seen people that struggled to use the app because of lack of reading/writing abilities and witnessed issues with photo.

## **Dangers of having to travel to attend appointments**

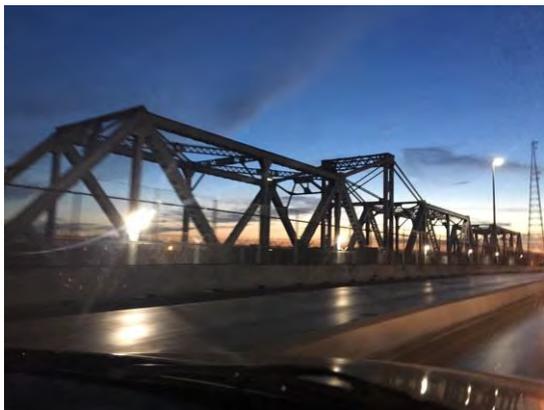
### **1. March 10, 2023. Maria. El Salvador.**

Maria has spent two months trying with her five-year-old daughter. The app is full of errors. During her time in CJ before arriving at the shelter she was extorted/robbed by the police who took money, clothing, and documents from her.

### **2. March 10, 2023. Rosanna Venezuela.**

After over a week of trying to get an appointment, they keep getting stuck on the loading screen. They are traveling with a 4-year-old and a 6-month-old. They have had difficulty with the photo process. They were sexually harassed by the officials.

## **CBP turning people back once they got the appointment**



### **March 10, 2023. Veronica. Venezuela.**

Veronica had an appointment with her (29) and her son (9). She was told to leave her son at the time of her scheduled appointment because he was not on the appointment. On 2/25, an officer told her that the kid would be able to cross over because he was under age 12, but when they showed up at the bridge, they were told the exact opposite. Her friend entered a few days ago with her child having no appointment. Veronica was

told that she must leave her son behind or turn back, otherwise she will be deported back. She keeps trying but runs into the problem of not having a schedule. Over 2 1/2 months of trying to schedule. There were people that promised her at the bridge they would get an appointment if they paid 250 dollars. She waited for a friend to try first before trying herself but her friend did not get an appointment so she did not follow up. There is huge desperation and she is thinking of crossing instead of waiting.

## **Separation of Families**

### **1. March 10, 2023. Alexa. Venezuela.**

Alexa has been trying to get an appointment for the last 2 months and so. She has already had her first appointment on 2/23/23 for herself but not for her kids (2 girls, 8 years old and 5 years old). She was stopped and then told by the officials that she would be able to cross only if she left her kids behind. She of course returned back to the shelter. She continues to have problems with creating the appointment and is growing frustrated that families are struggling when there are so many single appointments available. During her time on the bridge, they were harsh with her and forced them off if they didn't move fast enough. She has been offered but has not accepted an offer to pay to get an appointment near the bridge.

# Ciudad Juarez

*These stories come from individuals who were staying at a shelter in March 2023 in Ciudad Juarez where Jesuit Refugee Service/USA provides psychosocial services. On average, there are around 80 individuals in the shelter per day.*

## Accessibility Issues

### 1. March 13, 2023. Sofia. Honduras.

Sofia\* from Honduras reported that it is still difficult to use the CBP One app because individuals need telephones to use the app and not everyone has the right kind of phone to use it. Sofia's husband does not read or write, so it is nearly impossible for him to fill out the application on the app.

## Technological Issues

### 2. March 13, 2023. Ana.

Ana\* would wake up at 2:00 am to complete the application. After registering herself, she would then fill the application out for her children, but the app glitched and closed her out. She continues to wake up at 2am to submit the application, but she still has yet to succeed in submitting it for her entire family and this causes a lack of sleep due to her need to wake up in the middle of the night.

## Dangers of appointment

### 3. March 13, 2023. Teresa.

Teresa\* does not have the right phone to use the CBP One application. She tries to use the app with her current telephone, but it doesn't work. She is trying to make money to buy a new phone. She goes to the street to sell things to earn money, but that is dangerous in Ciudad Juarez.

Before the updates to the app, Jesuit Refugee Service/USA staff reported that many at the shelter in Ciudad Juarez would wake up at 2am to access the CBP One. Staff also heard reports from families with children that they were not able to get all the applications in for the members of their family as the app would refresh and they would lose all the info they put in. Because of this, some individuals reported feeling depressed because they could not submit their application and secure an appointment.

## **Separation of Families**

### **4. March 13, 2023. Veronica and Jose. Venezuela.**

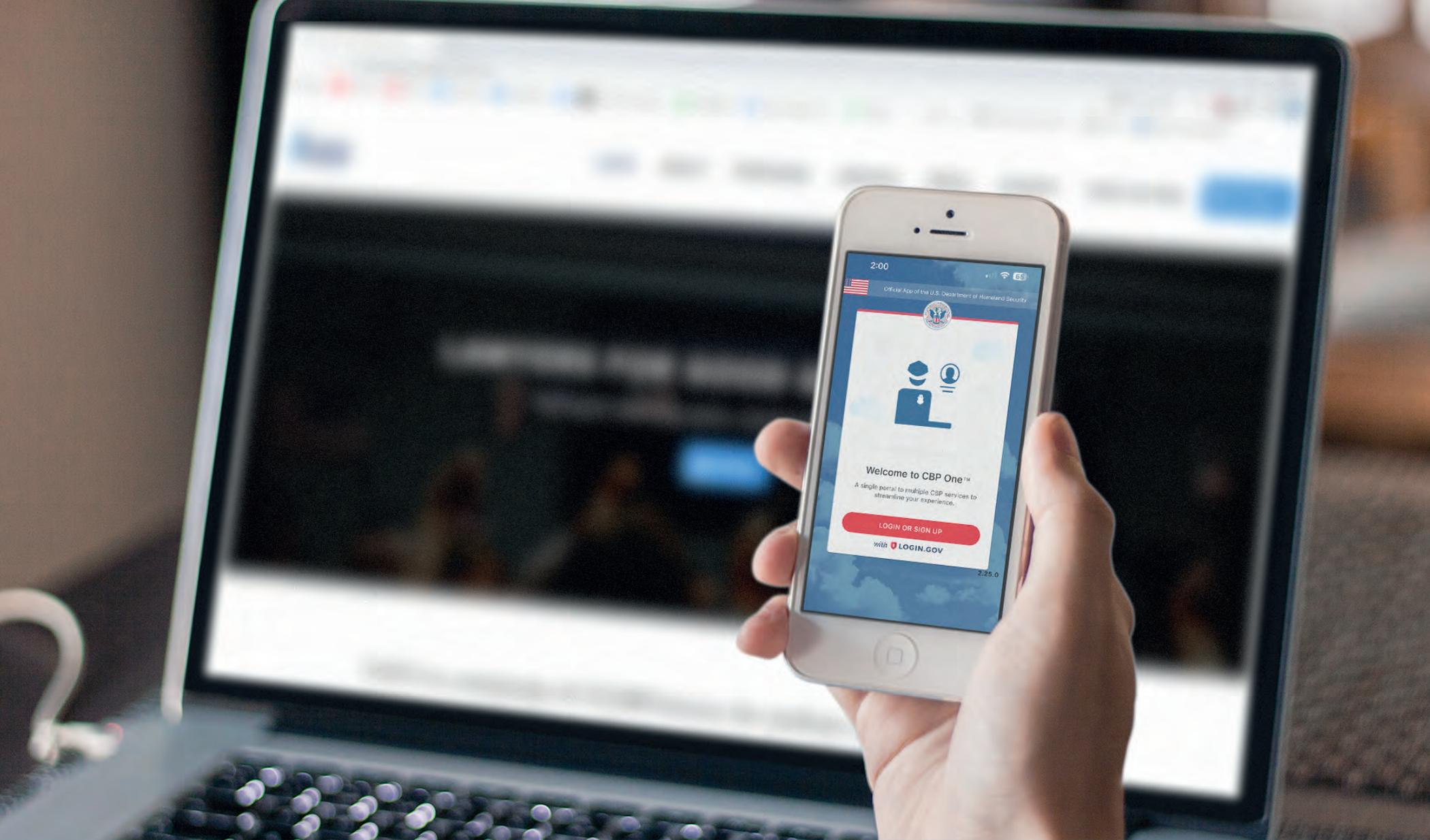
Veronica\* and Jose\* were separated from their daughter when they attempted to cross the border. Their daughter was separated from them and was placed in an El Paso shelter where she was considered unaccompanied. When Veronica and Jose crossed the border a second time, Veronica was reunited with her daughter, but Jose and their two other children were sent to Tijuana.

### **5. March 13, 2023. Angelica. Mexico.**

Angelica\* was traveling with husband and children. Due to the glitches with the app, only Angelica's husband was able to get his application through and secure an appointment, so he had to leave his family behind. Angelica and her children are still waiting behind in Mexico.

## **Private lawyers taking advantage of asylum seekers**

Scams are also present at the border. In one shelter (not sure of location) Mike found a family that reported paying \$2,000 for documents to an attorney in the U.S. Mike reported the documents were not needed when the family crossed the border.



# CBP ONE™ GUIDE



PROJECT  
CORAZON



LAWYERS FOR  
GOOD  
GOVERNMENT

# REMEMBER THIS PROCESS **IS FREE**

The CBP One™ app does not require payment to download, create a profile or schedule an appointment.



You can get more information from Lawyers for Good Government and Project Corazon at:



[www.lawyersforgoodgovernment.org](http://www.lawyersforgoodgovernment.org)



[www.facebook.com/l4gg.projectcorazon](https://www.facebook.com/l4gg.projectcorazon)

Lawyers for Good Government (L4GG) Project Corazón provides this guide as a public service and does not constitute legal advice, supersedes statutes, laws, regulations or case law. If you need specific information related to your immigration case, you should consult with your trusted legal services provider.

All the information published in this guide can be found on the official CBP website <https://www.cbp.gov/>





# Informative Guide: Using CBP One™ To Schedule an Appointment

As of January 12, 2023, those who wish to request an exception to Title 42 can schedule an appointment to present via the CBP One™ mobile app.

Only those that can attest that they, their partner, or an accompanying child meet specific vulnerability criteria are eligible to request an appointment via the app. Appointments can be requested in central or northern Mexico.

The app is currently available in English, Spanish, and Haitian Creole with the possibility of other languages coming soon.

Appointments are only available at the following Ports of Entry: Brownsville, Eagle Pass, Hidalgo, Laredo and El Paso (Paso del Norte); Nogales in Arizona; in addition to Calexico and San Ysidro (Pedestrian West– El Chaparral) in California.

**REMEMBER THAT THIS PROCESS IS FREE** You do not have to make any payment to download the application, create your user profile or schedule an appointment. This information is current through March of 2023. We will update as new information becomes available.

## On the next pages we will share how to:

- ✓ Download the app.
- ✓ Create your profile.
- ✓ Schedule Appointment.

## From any device Android or iPhone



Play Store  
For Android devices



Play Store  
For Android devices



# STEPS TO REGISTER IN THE APP

Lawyers for Good Government (L4GG) Project Corazón provides this guide as a public service and does not constitute legal advice, supersedes statutes, laws, regulations or case law. If you need specific information related to your immigration case, you should consult with your trusted legal services provider.

All the information published in this guide can be found on the official CBP website <https://www.cbp.gov/>

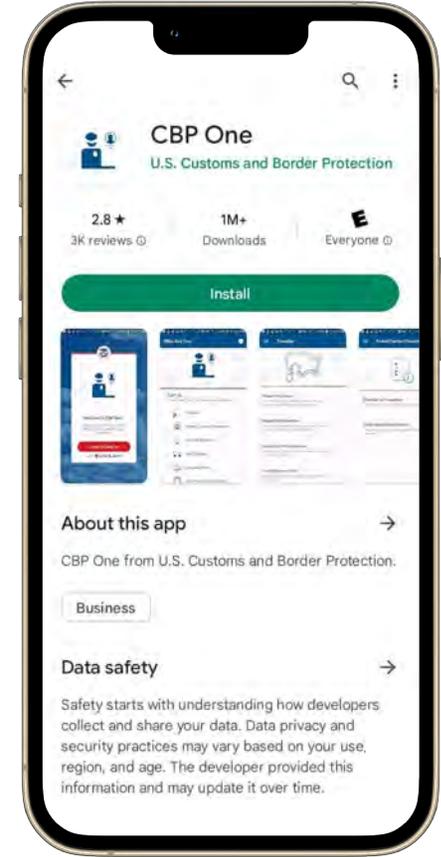
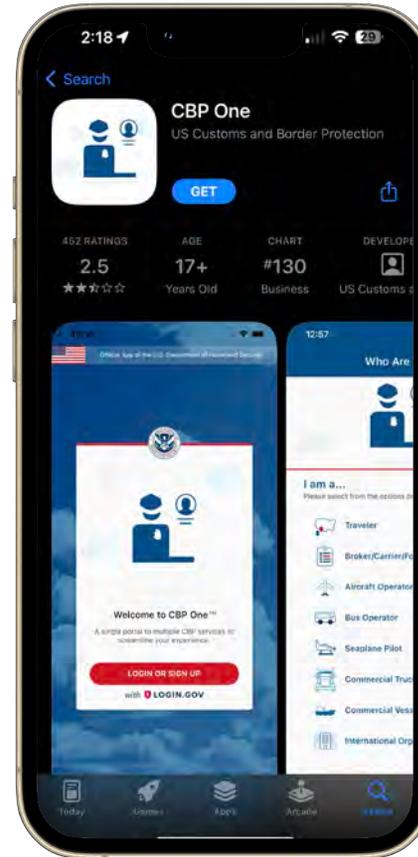


# STEP 1



## DOWNLOAD THE APPLICATION

Once you enter the app store on your phone search for the CBP One app and tap on **Get** (iPhone) or **Install** (Android).

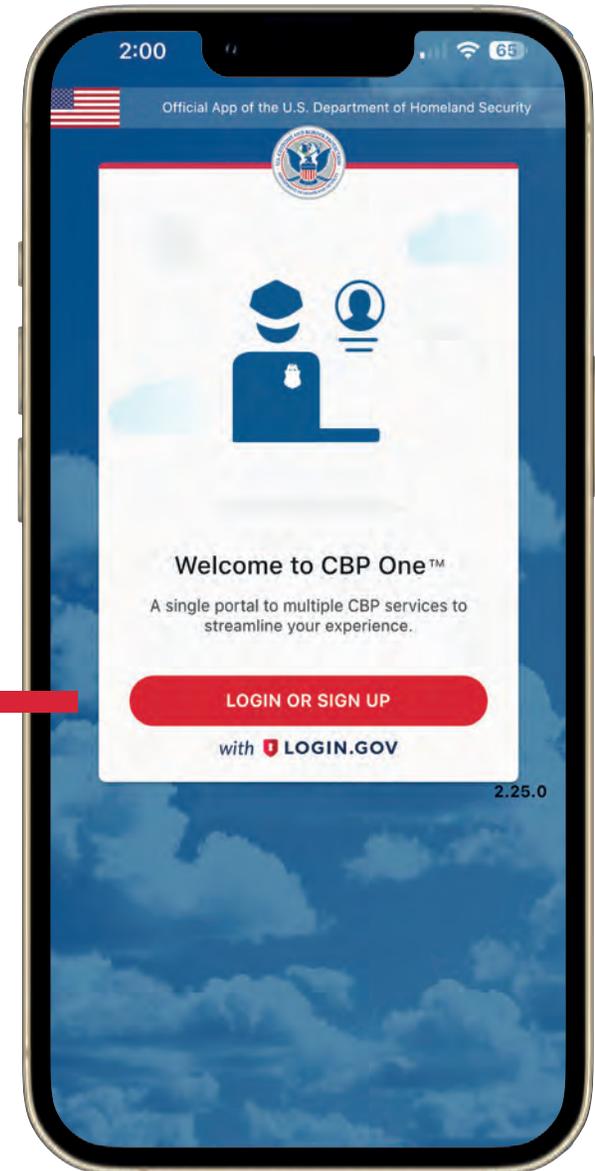


## STEP 2



## ENTER TO THE APP

When you have installed the application, open it and click on **LOGIN OR SIGN UP**.

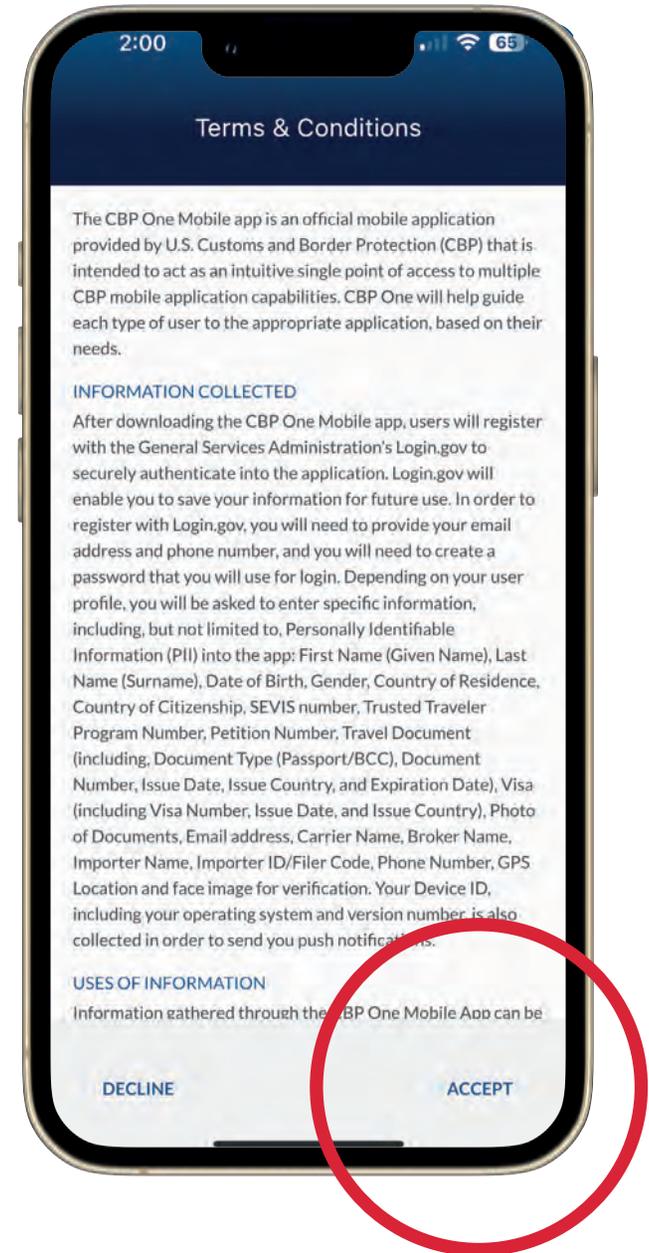


## STEP 3



## ACCEPT THE TERMS AND CONDITIONS

The app will show you the Terms & Conditions; once you read them press **ACCEPT**.



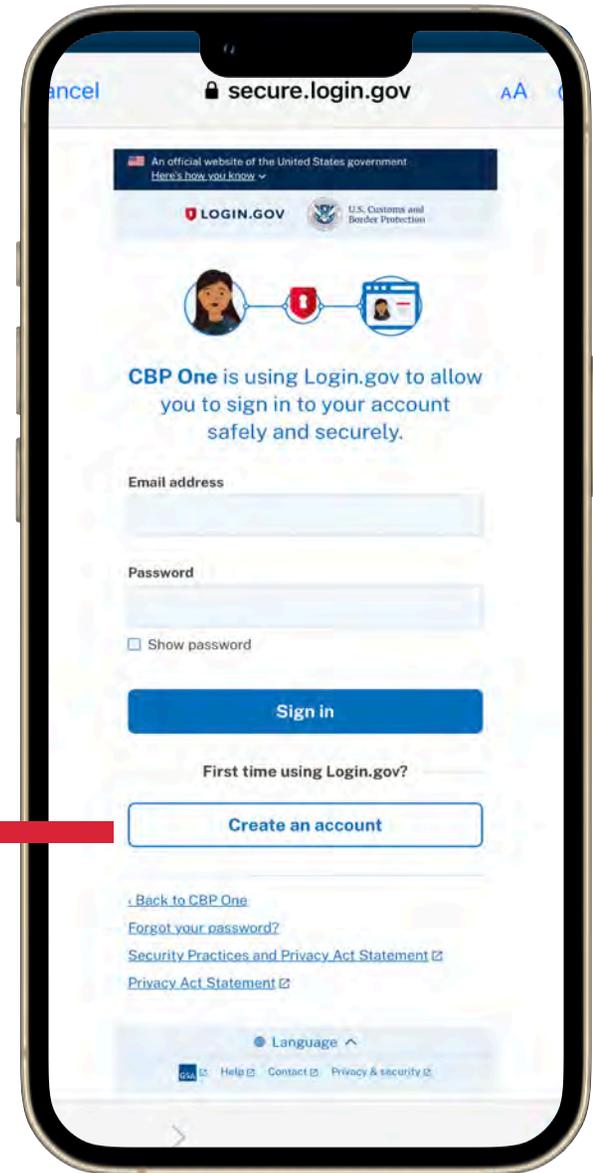


# STEP 5



## START CREATING YOUR ACCOUNT

After you press **Continue** you can see the next image where you will have to press on **Create an account**.

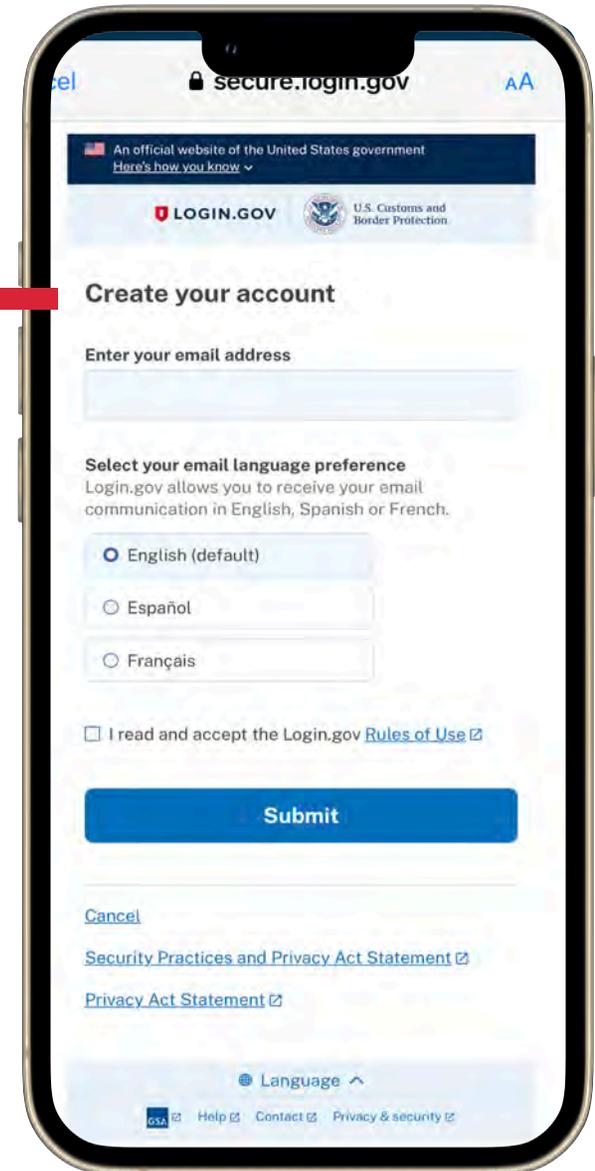


# STEP 6



## FIRST STEPS TO CREATING YOUR ACCOUNT

When you're on this screen you must enter your **e-mail**, choose the **language** and **check the box verification** after reading rules of use and press on **Submit**.

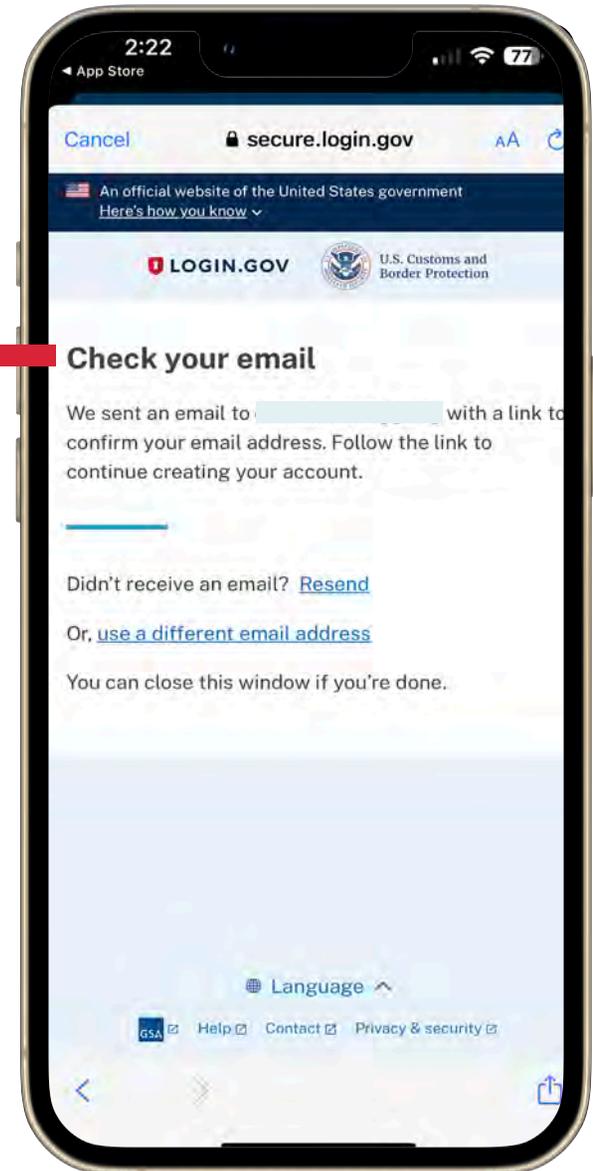


# STEP 7



## CHECK YOUR EMAIL

The following screen will open and you should receive an email to your inbox. **If it is not in your inbox, please check your junk mail or spam folders.**



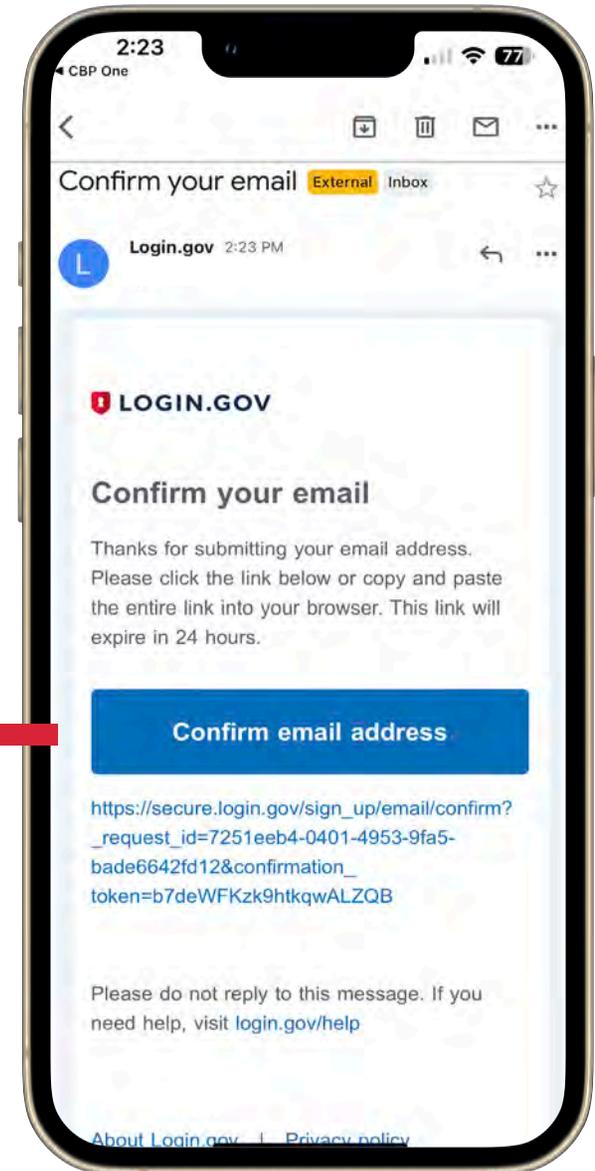
## STEP 8



## CONFIRM YOUR E-MAIL

After you confirm your email, you will see the following screen.

Click **Confirm email address**.



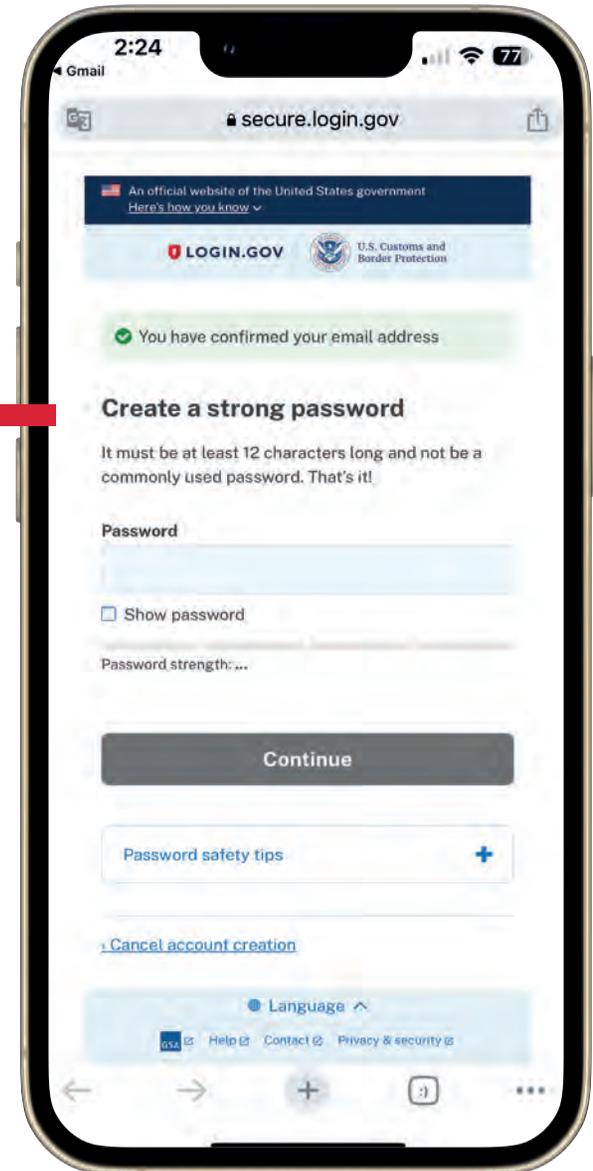
# STEP 9



\* \* \* \*

## CREATE A PASSWORD

You will now need to **create a password** for your username and press **continue**.



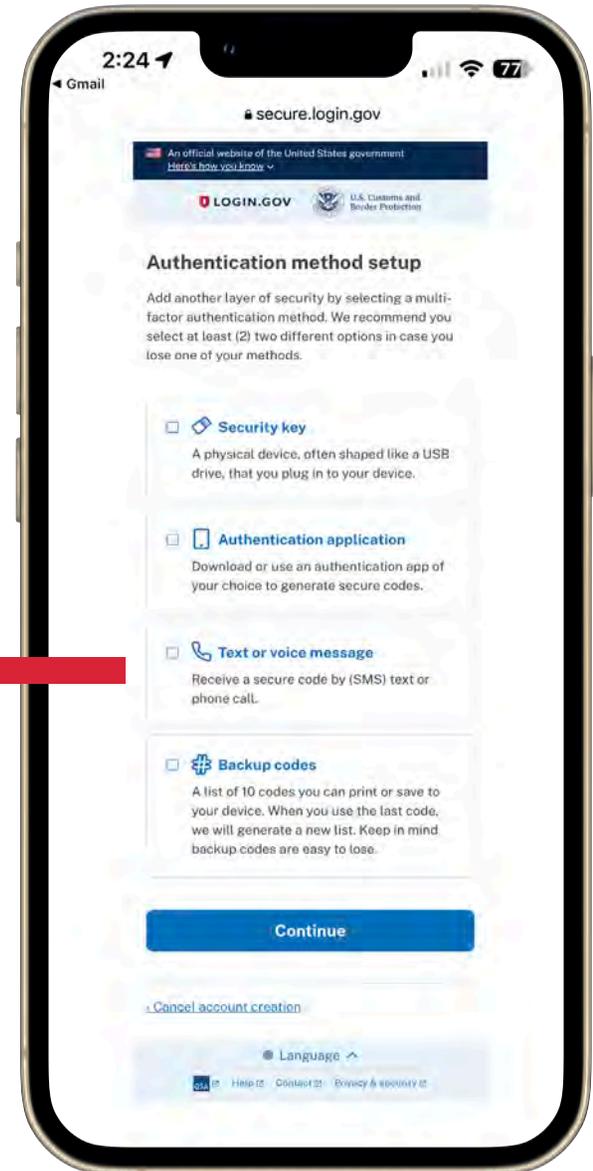
# STEP 10



## CHOOSE A METHOD OF AUTHENTICATION

Then you will need to create an authentication method. You may choose whichever method you are most comfortable with, however, the easiest method is “Text or Voice Message”.

After you have selected your preferred method, click **Continue**.



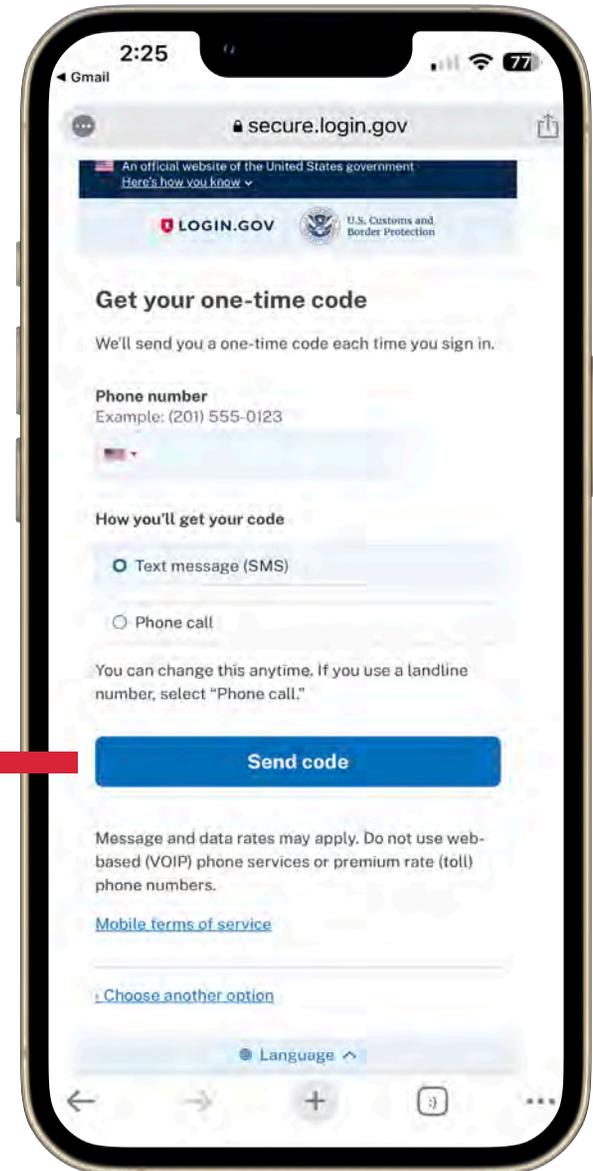
# STEP 11



## ENTER YOUR PHONE NUMBER

On the next screen you should select the country your phone number is from and enter the number. Make sure that your phone can receive text messages (SMS).

Select Text Message (SMS) option and click on **Send code**.

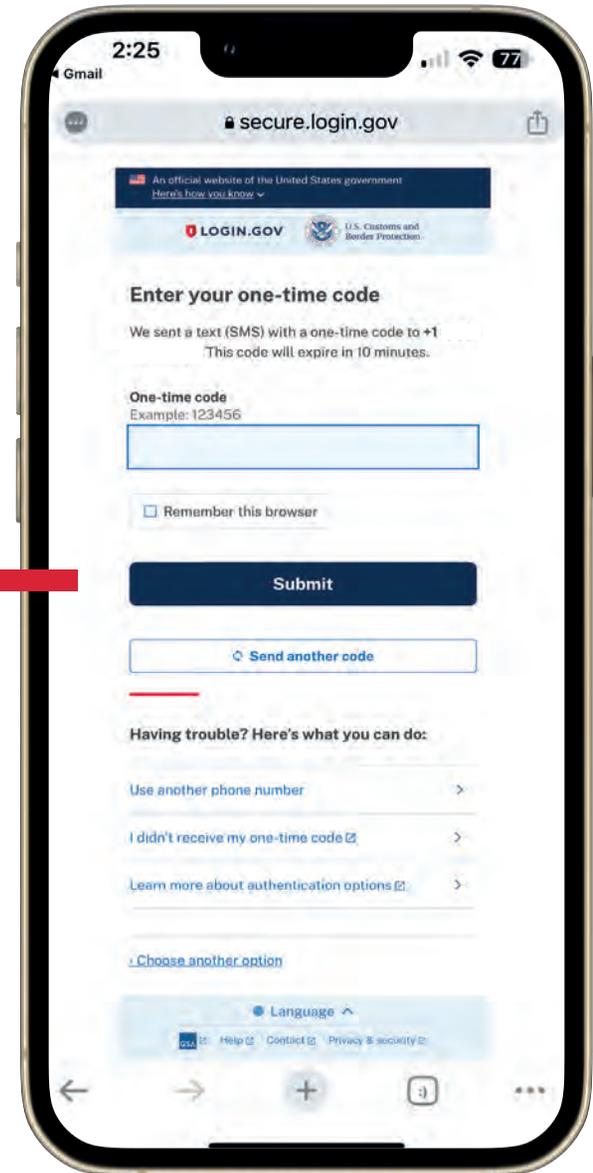


# STEP 12



## YOU WILL RECEIVE A CODE

You will receive a text message with a 6-digit code. **You will need to enter it and press Submit.**



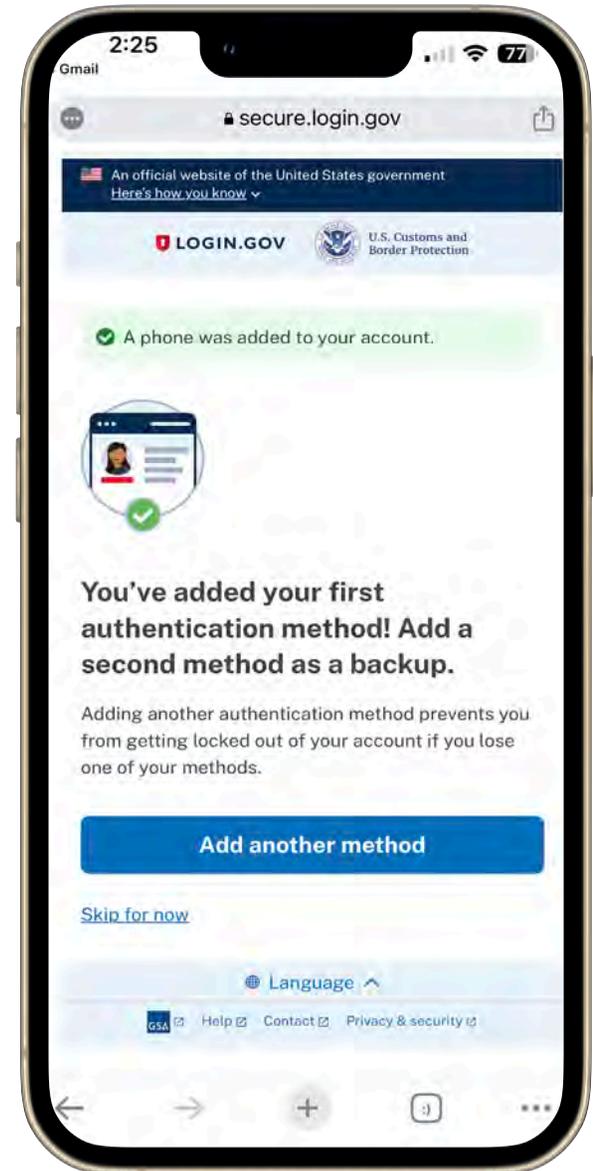
# STEP 13



## FINISH CREATING YOUR ACCOUNT

When you see the following image, you'll have created your account.

Now, you will exit the app, then reenter and continue with **Steps to enter.**



# STEPS TO ENTER

Lawyers for Good Government (L4GG) Project Corazón provides this guide as a public service and does not constitute legal advice, supersedes statutes, laws, regulations or case law. If you need specific information related to your immigration case, you should consult with your trusted legal services provider.

All the information published in this guide can be found on the official CBP website <https://www.cbp.gov/>

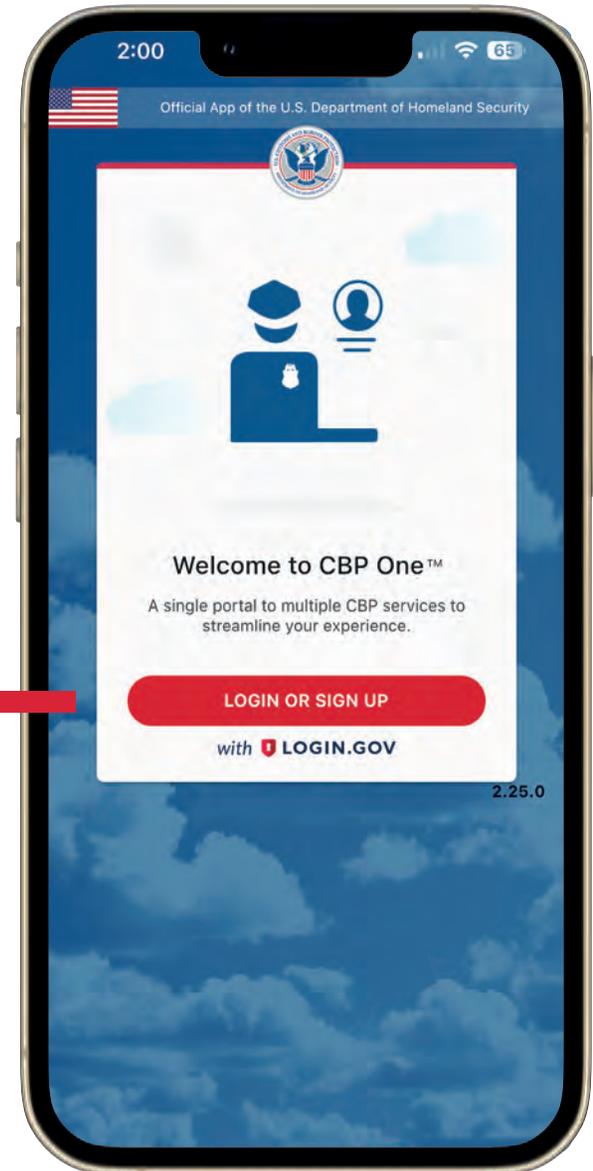


# STEP 1



## ENTER THE APPLICATION

Open the app and tap on **LOGIN OR SIGN UP.**



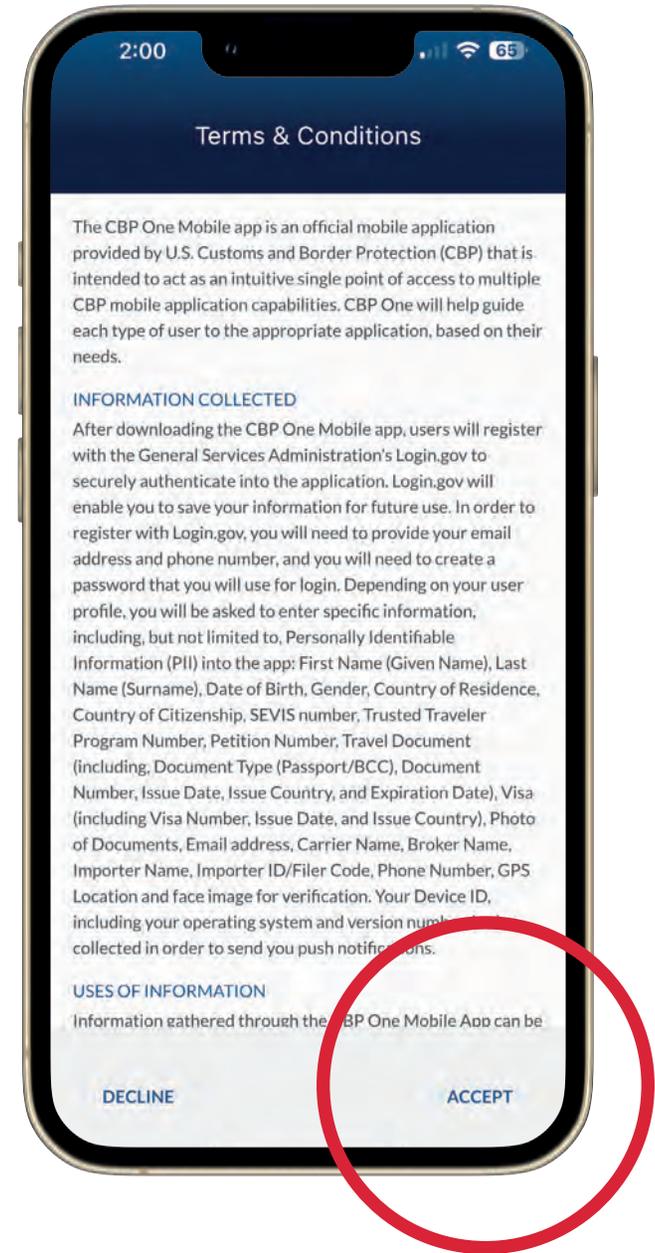
## STEP 2



## ACCEPT THE TERMS & CONDITIONS

You will see Terms & Conditions again, just like you did when you were creating your account.

Click **ACCEPT**.

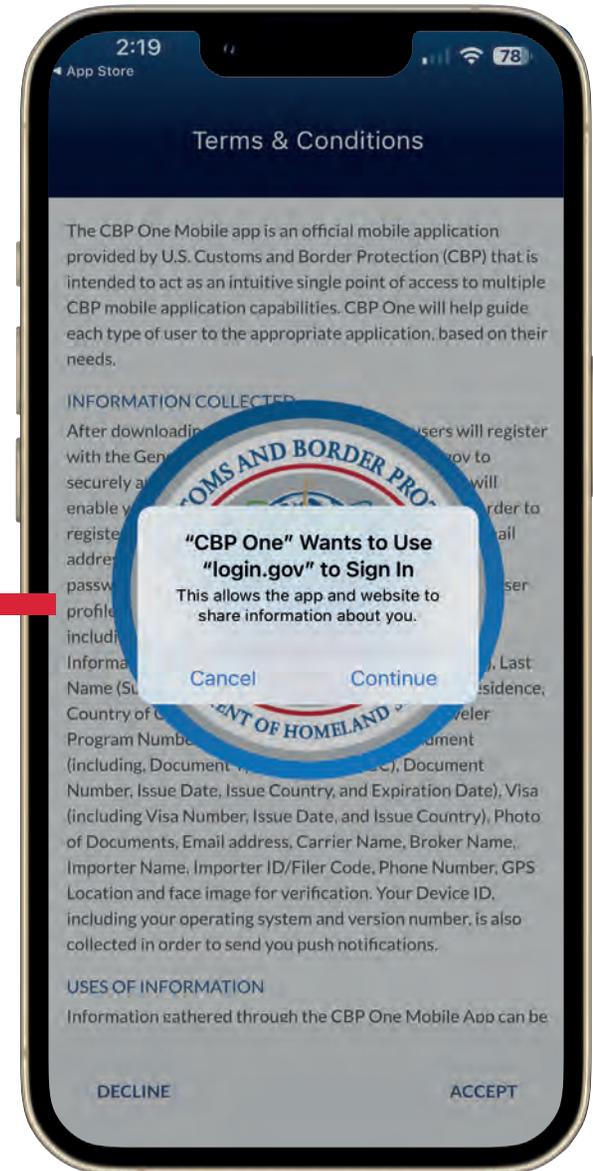


# STEP 3



## PRESS CONTINUE

You will see the following message, you must press **Continue**.



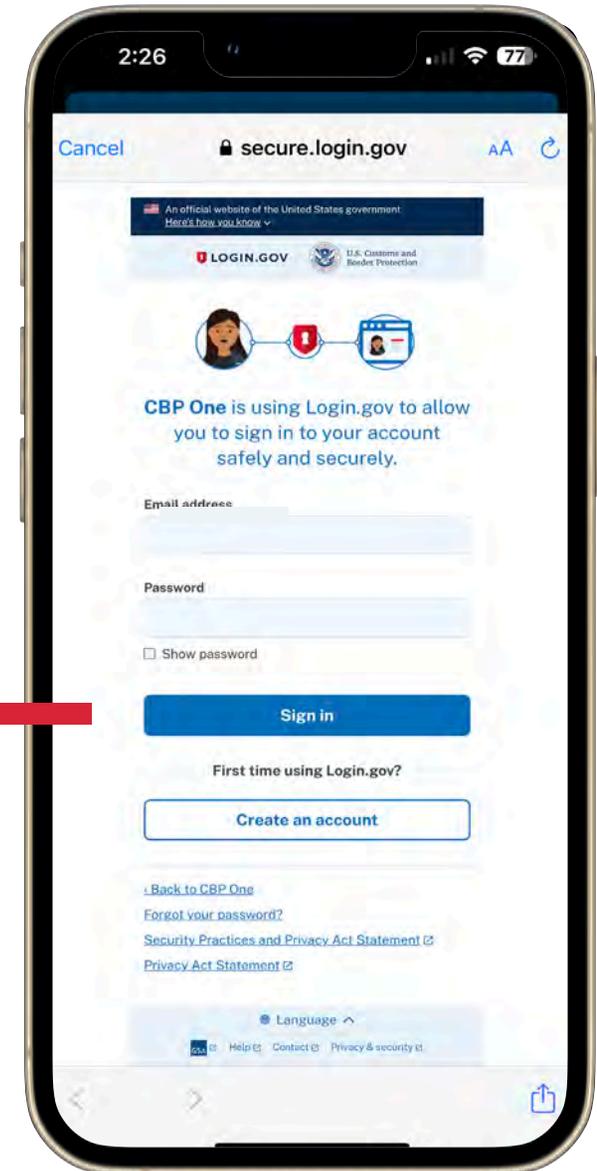
# STEP 4



\* \* \* \*

## ENTER MAIL AND PASSWORD

On the next screen, enter the **email and password** you used when you created your **User profile** and select **Sign in**.



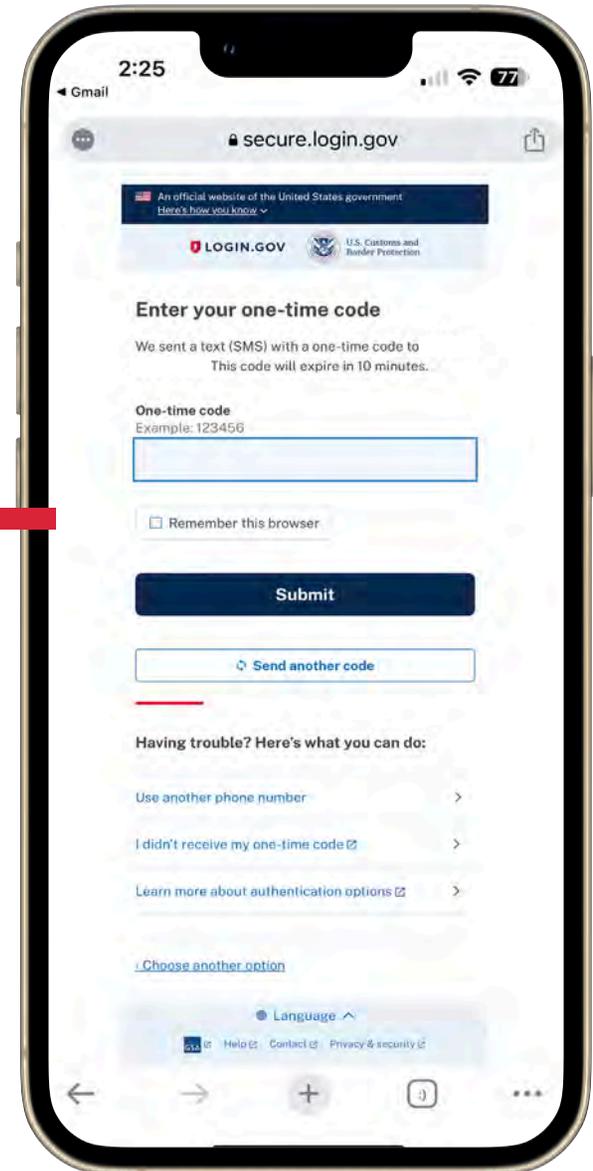
# STEP 5



## ENTERING THE SYSTEM

A 6-digit code will automatically be sent to your cell phone. Enter the code where indicated and press **Submit**.

Now that you've entered the application you must **follow the steps to schedule an appointment.**



# STEPS TO MAKE AN APPOINTMENT

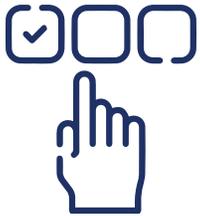
---

Lawyers for Good Government (L4GG) Project Corazón provides this guide as a public service and does not constitute legal advice, supersedes statutes, laws, regulations or case law. If you need specific information related to your immigration case, you should consult with your trusted legal services provider.

All the information published in this guide can be found on the official CBP website <https://www.cbp.gov/>

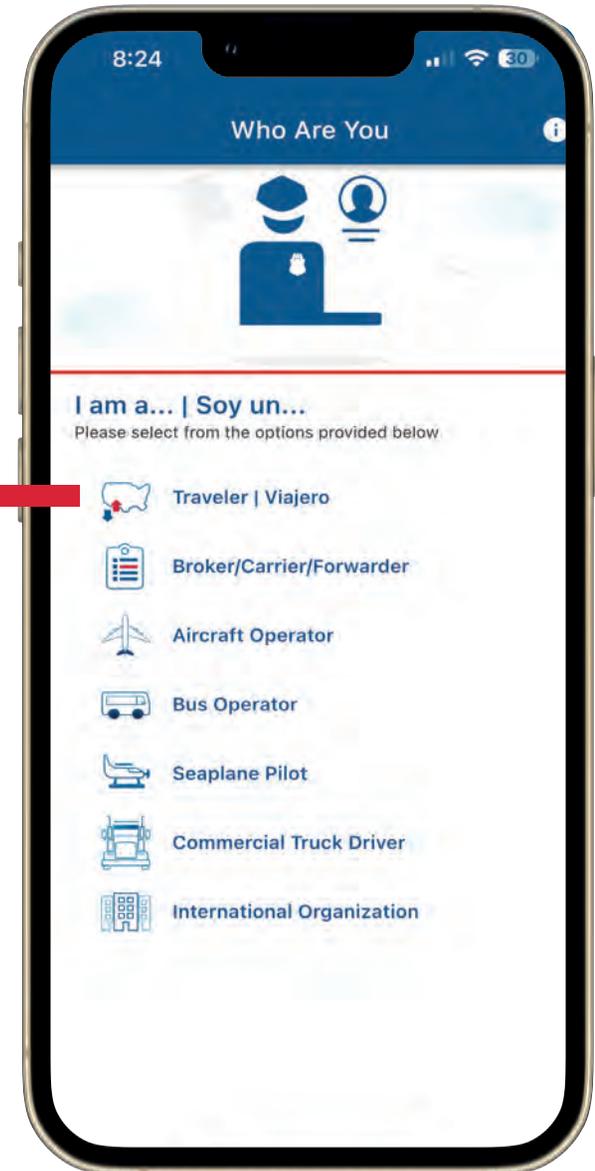


# STEP 1



## WHO ARE YOU?

Once inside the application select **Traveler / Viajero**.

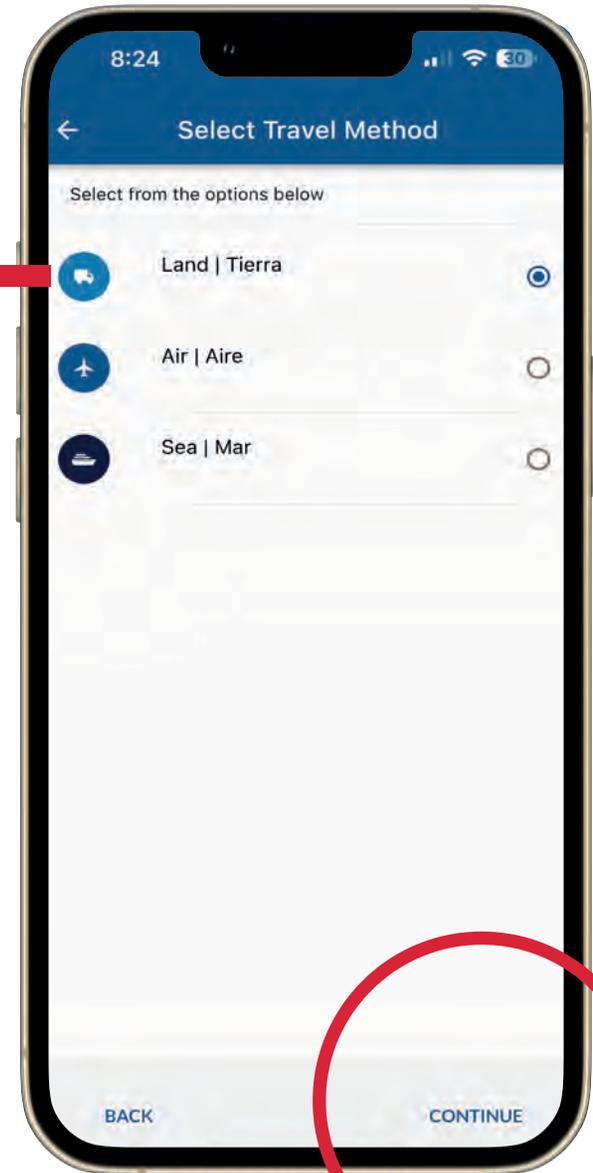


## STEP 2



## SELECT THE TRAVEL METHOD

Then select **Land / Tierra** and press **CONTINUE**.

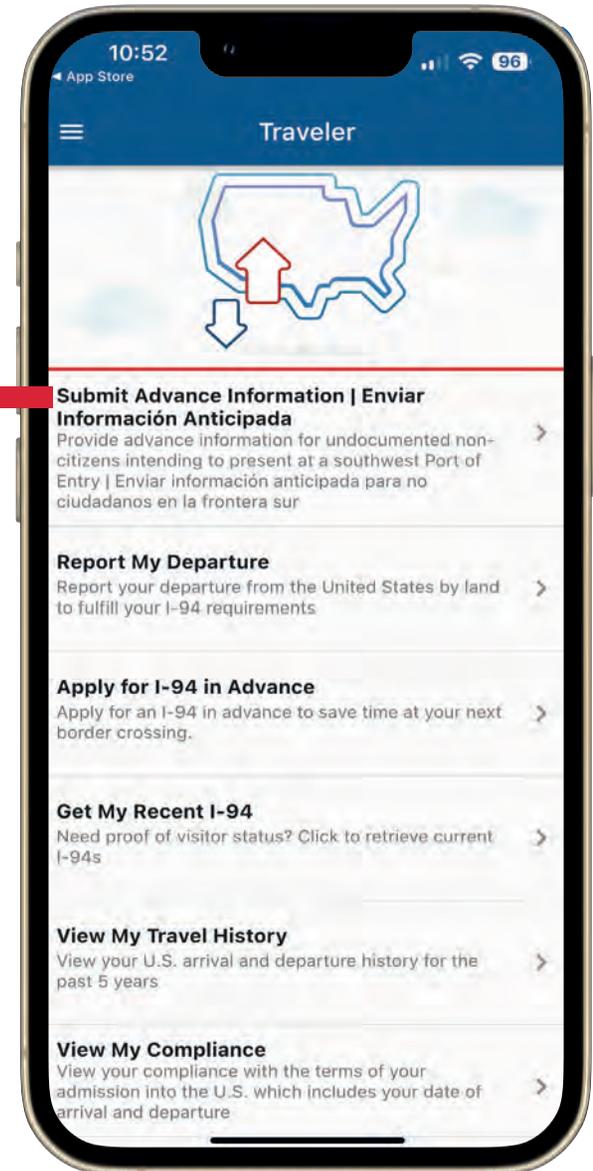


# STEP 3



## SUBMIT ADVANCE INFORMATION

On this screen select **Submit advance information / Enviar Información anticipada.**



# STEP 4



## CHOOSE LANGUAGE

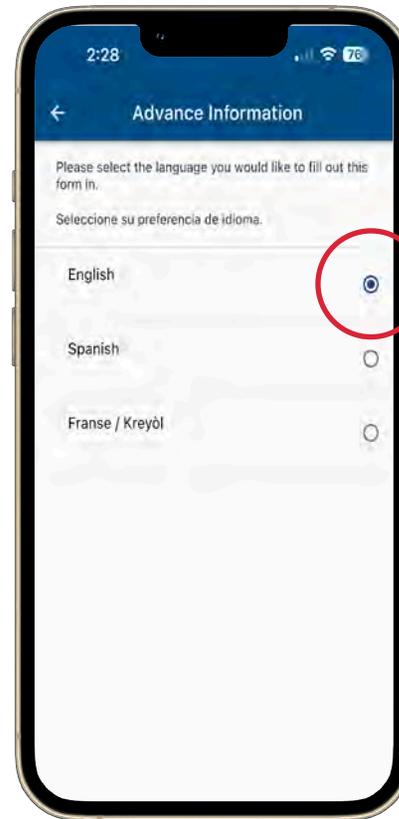
Choose your preferred language.



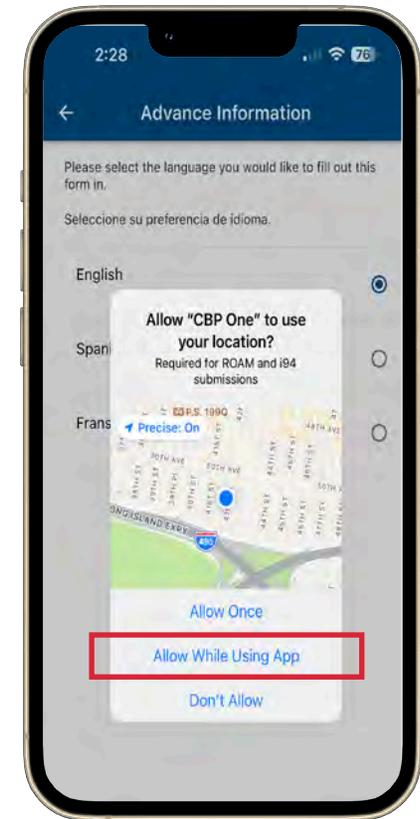
Click Go to profile.



Enter your first and last name.



Select your preferred language.



Select "Allow While Using App".

# STEP 5

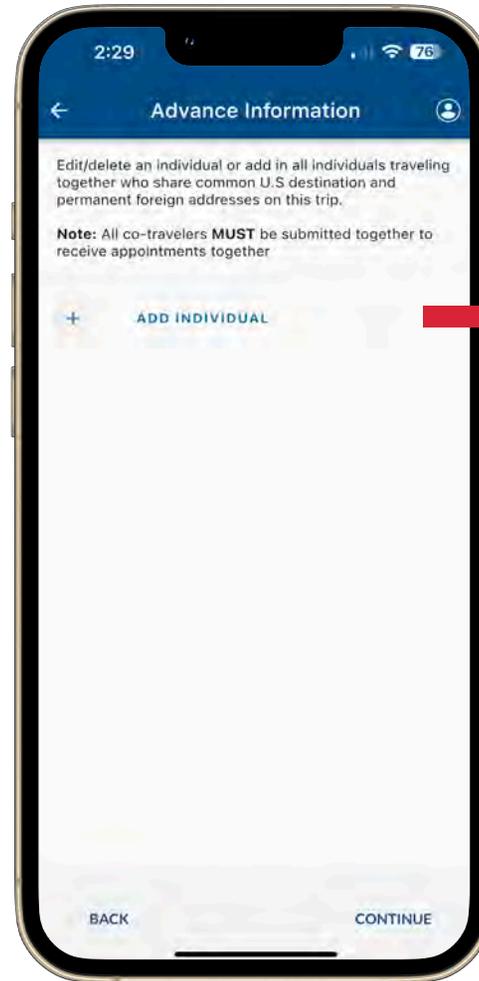


## TO ADD A PERSON

Select  
Add a Individual.



Select Submit Advance Information



Select ADD INDIVIDUAL

# STEP 6



## ENTER AND SAVE YOUR DATA

On this screen, enter all the information and photograph that are requested and Press **NEXT** when you finish filling in all the boxes.

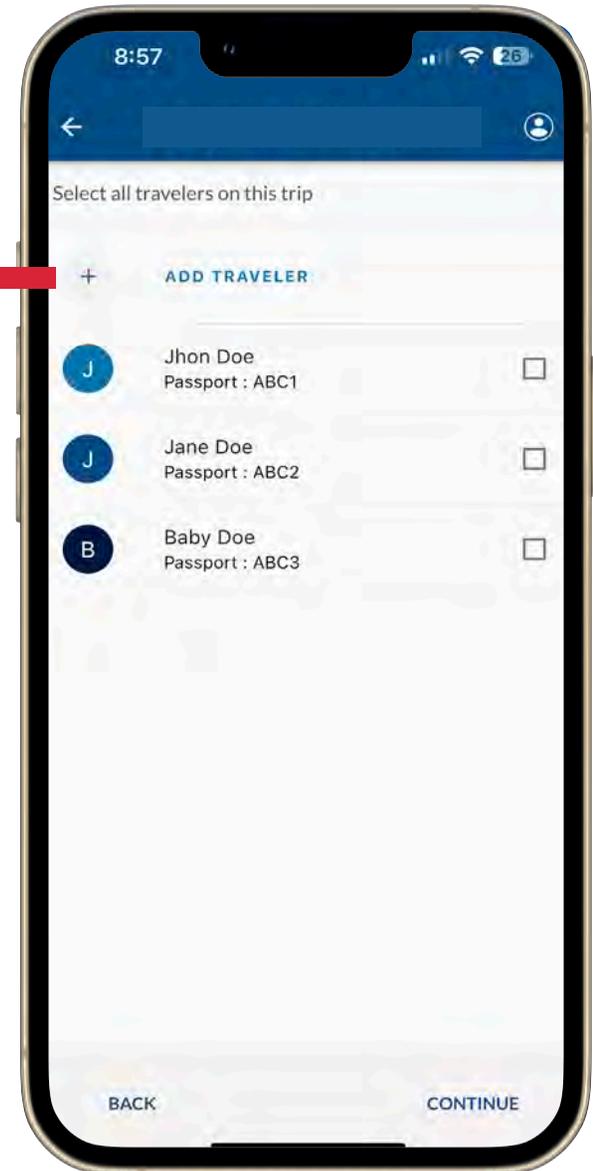


# STEP 7



## TO ADD MORE PEOPLE

If you are traveling with other immediate family members, repeat step 6 for each of them. Once all family immediate family members are added, click **CONTINUE**.



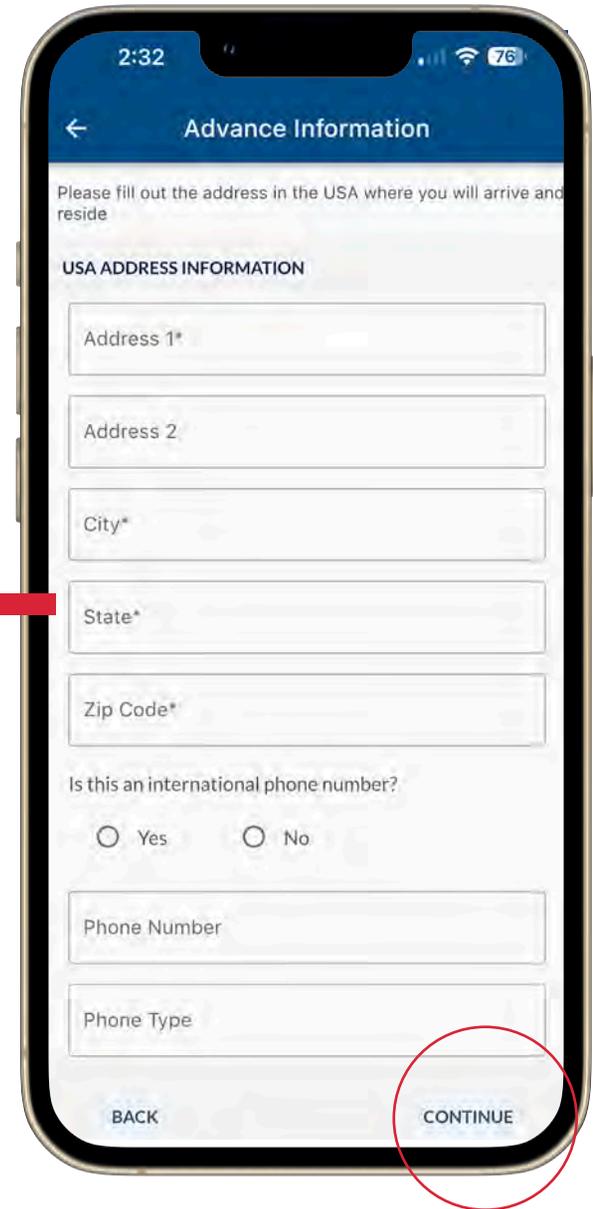
## STEP 8



### ENTER THE ADDRESSES

Fill in the address of your final destination after entering the United States. You must enter the full address and phone number of the person you will live with in the United States.

When finished, click **CONTINUE**.

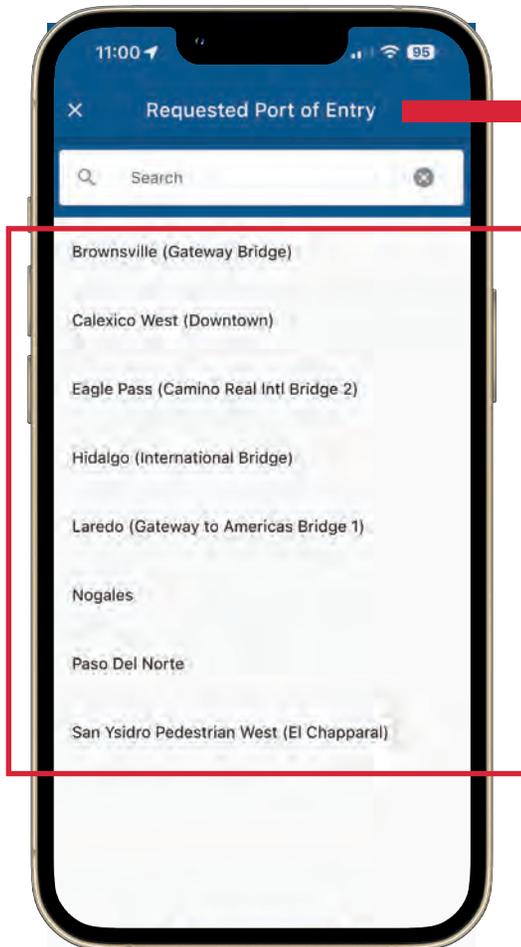


## STEP 9



## CHOOSE PORT OF ENTRY

Then, select the requested **Port of Entry**.



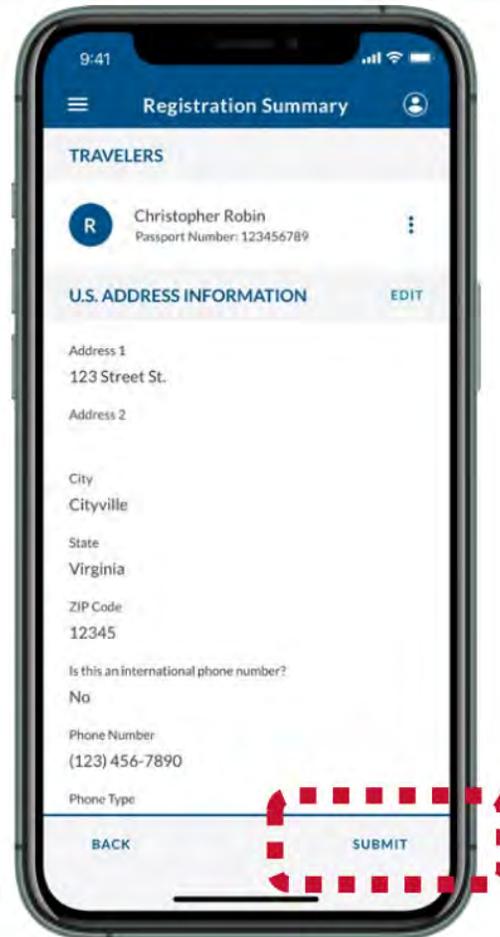
Choose one of the 8 Ports of Entry available.

# STEP 10



## SUBMIT REGISTRATION

Fill out the remaining required fields. Review the summary screen, then select **SUBMIT**.

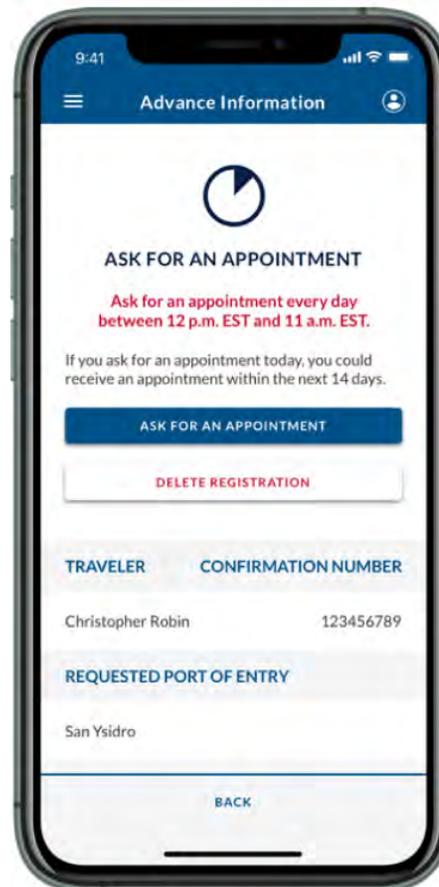


# STEP 11



## ASK FOR AN APPOINTMENT

Select your registration, then select **ASK FOR AN APPOINTMENT**.

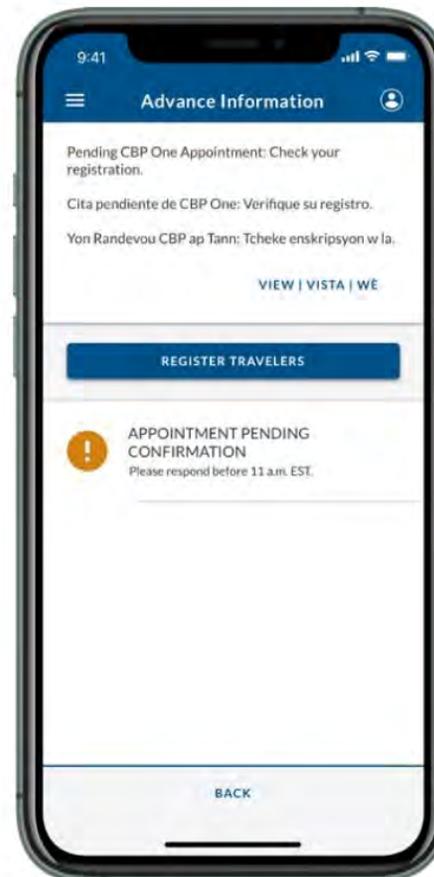
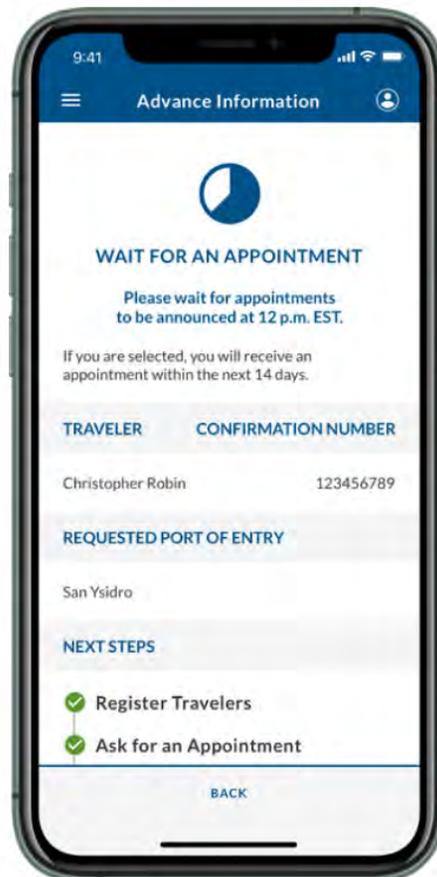


# STEP 12



## WAIT FOR AN APPOINTMENT

Appointments are announced at 11 a.m. CS. If you received an appointment, continue to **STEP 11**. If you did not, return to **STEP 13**.

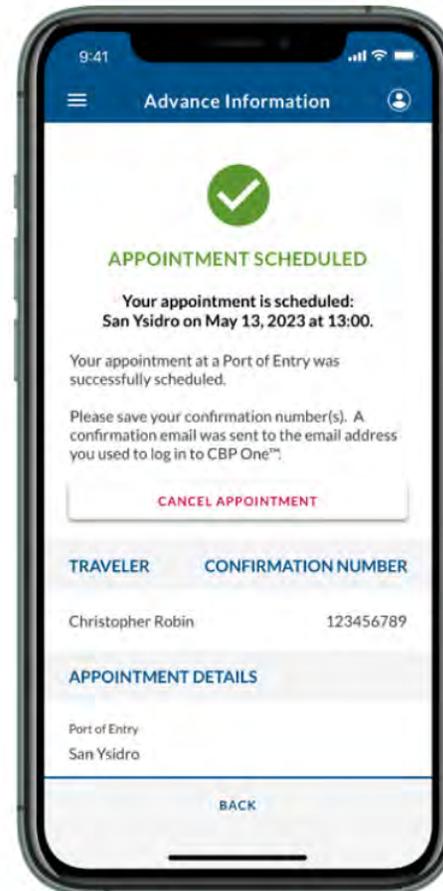
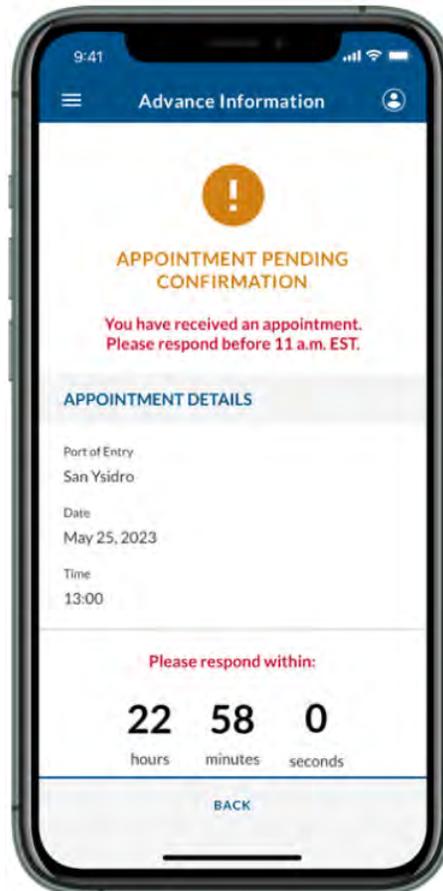


# STEP 13



## ACCEPT AND SCHEDULE

Select your registration, then select **ACCEPT APPOINTMENT**. Follow the instructions on-screen to take a video selfie, then select **SCHEDULE**.



# REMEMBER THAT THIS PROCESS IS FREE

You do not have to make any payment to download the application, create your user profile or schedule an appointment.

## Download from any Android or iPhone device



Play Store  
to Android



App Store  
to iPhone

