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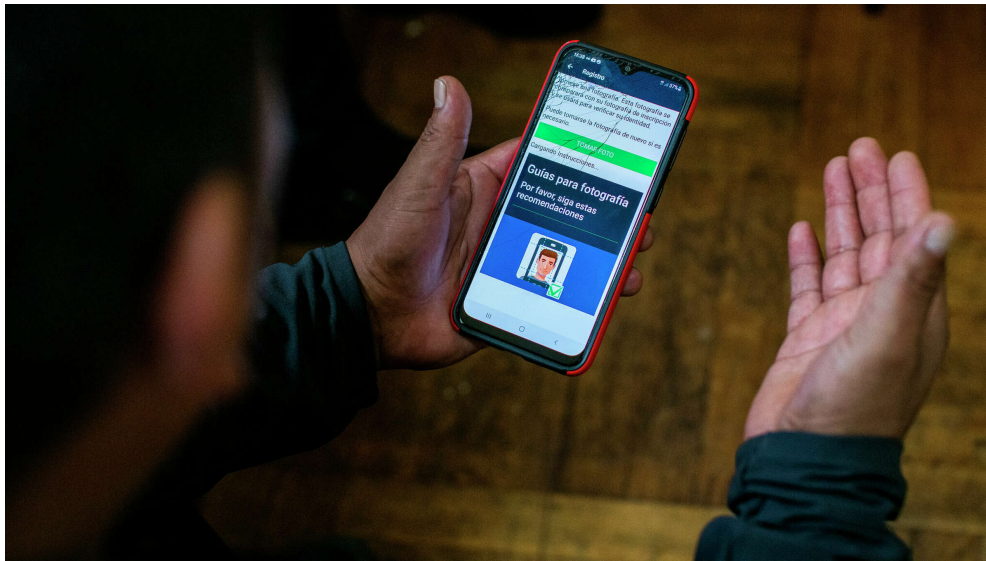
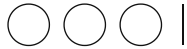
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## Biden's new CBP One app panned for trapping asylum seekers in 'daily lottery system'

"They're basically beta testing this app with human beings," says a Jesuit priest in Brownsville who works with migrants.

**Benjamin Wermund, Elizabeth Trovall, Staff writers**

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FILE - Ecuadorian immigrant Neptali Chiluisa shows an app that he uses for reporting his location to immigration authorities, during an interview Oct. 21, 2021, in New York. U.S. immigration authorities are turning to smartphones and apps to keep tabs on immigrants seeking asylum or being deported. (AP Photo/Eduardo Munoz Alvarez, File) Eduardo Munoz Alvarez/Associated Press

WASHINGTON – The Biden administration is now directing thousands of migrants seeking asylum in the U.S. to a phone app that advocates say has made the process something akin to buying tickets on Ticketmaster.

But instead of Beyonce tickets, people's futures are at stake, as many migrants using these apps are fleeing conditions like economic distress, violence and political oppression and have family or friends in the United States waiting to help them.

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"Every day I wake up at 5 in the morning" to use the app, said Claudia, in Spanish. She fled Honduras after receiving politically-motivated death threats and requested not to have her full name published.

Between tearful sniffles and coughs, she explained her frustration after encountering multiple technical errors while trying to secure an appointment to make her claim for asylum through the CBP One app.

"The desperation is profound," said Claudia, who is living in Tijuana and hopes to move to Houston.

She is one of thousands of migrants who have been relying on the CBP One app the administration uses to process exemptions to Title 42, the COVID-era public health order under which most migrants are immediately turned away at the border.

The app will soon be a much larger part of the administration's plan to cut down on historic numbers of illegal border crossings, it announced this week. Officials say the app democratizes the asylum process by cutting out third party groups. But even as some advocates were initially hopeful, they have been dismayed by the technical issues that have plagued the app since its launch last month.

“They’re basically beta testing this app with human beings,” said Brian Strassburger, a Jesuit priest in Brownsville who has been working with migrants in Reynosa.

Migrants using the app for the past several weeks have been waking up every morning, competing with thousands of others for appointments that the administration makes available two weeks in advance. The administration would not say how many appointments are available each day, but advocates estimate that in camps in Reynosa and Matamoros, there are as many as 10,000 migrants at any given time competing for likely fewer than 500 appointments in those cities.

Because of the demand, the slots fill up in minutes and there is no way to prioritize health needs or safety risks. Pregnant women just weeks from their due dates have the same shot at an appointment as a single adult male. And to get appointments for families, each member has to successfully get a slot, meaning single adults have had a much easier time getting scheduled than parents trying to snag slots for themselves and their children.

Many of them are trying to secure slots on outdated phones with bad WiFi connections. Some have struggled to understand what they are being asked. The administration rolled the app out in English and Spanish, leaving many, including the thousands of Haitians who speak mostly Haitian Creole, out of the loop, though the language was eventually added. The app has also struggled to recognize faces, and it requires photos of everyone, including infants and young children.

“It really does become this daily lottery system where people are all trying to get on the app at the same time,” Strassburger said. “It’s not like, ‘If I’m persistent it will work.’ You could try 20 days in a row, as some people have done – 30 days in a row – and still not get an appointment. A migrant could arrive a day ago and be on their first day trying, and get it.”

Andry Oviedo, from Venezuela, and his partner were among the first people to use the app and were able to successfully sign up for their appointments.

“We were lucky that not everyone knew how (the app) was, or even that it existed,” he said in Spanish, “There were fewer people that were trying to sign in.”

They tried to help others with their appointments and saw some struggling with the technology, not understanding how to copy a code to open the app or confirm the appointment time.

“The app seemed like a more organized method,” Oviedo said, “But it’s also like a trap.”

He and his partner were successfully processed by Customs and Border Protection after using the app and are now living in New York.

## 40-percent drop in crossings

The app is a key piece of the administration's latest plan to curb border crossings, which topped 2 million for the first time last year and have been a stubborn political problem for President Joe Biden.

Under the plan, which is intended to replace Title 42 this spring, asylum seekers would be required to use the app to schedule an appointment at a port of entry and if they crossed the border without doing so, or without having already sought asylum in another country, they would face harsher penalties.

The administration says the new plan will encourage migrants to use "lawful, safe, and orderly pathways" into the United States and will cut out human smuggling networks that exploit migrants for financial gain.

But smuggling expert Guadalupe Correa-Cabrera is skeptical of this plan and believes it's merely a political measure that will reap short-term results.

"These types of policies have not helped in any form to dismantle these (smuggling) networks because migrants are going to try to find a different way to get into the United States," said Correa-Cabrera, who teaches at George Mason University and has studied smuggling routes and migration for nearly a decade.

She called the app a "limited solution to a problem that has deeper roots."

Deep roots like the availability of jobs in the U.S. and the willingness of employers to hire undocumented immigrants, poor country conditions and well-established smuggling routes.

Biden's new plan is an expansion of a scheme the administration has in place for migrants from Cuba, Haiti, Nicaragua and Venezuela that led to a 40-percent drop in border crossings in January, including a 95 percent decline in encounters with migrants from those countries crossing the border illegally.

Despite these initial decreases in border crossings, Correa-Cabrera said it will take at least a year to understand the impact of these policies, though she expects they will further push cross-border migration into the hands of illegal smuggling networks.

"This is going to increase the capacities, the incentives for the growth and extension of these smuggling networks," she said.

The proposal has also drawn swift pushback from immigration advocates and restrictionists alike.

## **'Exceptions swallow the rule'**

Advocates for immigrants say Biden's plan will erect barriers to asylum that the president campaigned on eradicating. The American Immigration Council deemed the plan "one of the most restrictive border control measures to date under any president."

For example, requirements that migrants must first seek asylum in another country are similar to the so-called transit ban that former President Donald Trump put in place, but was later knocked down by the courts.

On the other side, conservatives say the plan comes with too many exceptions and accuse Biden of trying to play a numbers game, reducing illegal crossings by directing those migrants to ports of entry.

For example, the rule includes exceptions for those who can't access or use the app because they don't have phones, speak a language that is not included on the app or have literacy problems. It would also exclude unaccompanied children, those with

serious medical conditions or whose lives are in danger.

“The exceptions swallow the rule,” said Lora Ries, director of the Border Security and Immigration Center at The Heritage Foundation and a former Trump Department of Homeland Security official.

The administration granted 21,661 Title 42 exemptions in January, with 9,902 of those through appointments scheduled on the CBP One app between Jan. 18-31, according to CBP data.

A CBP official said 200,000 profiles had been created on the app, though the agency could not say how many of them are active users. Of those, 35,000 had scheduled appointments as of Feb 22.

The administration has been working to fix technical issues and make improvements as problems arise.

Officials rerouted servers to maintain bandwidth to avoid crashing when available appointments post at 9 a.m. They created a system meant to help families that allows one user to schedule multiple appointments and will only show locations where that number of appointments are available. The administration is also planning to no longer require photos of children under 5 by the end of the month. And officials are preparing to publish tip sheets to help asylum seekers navigate the system.

Still, advocates say there appear to be no plans to fix some of its most troubling problems. Where non-governmental organizations were once able to help CBP prioritize those who can get appointments based on need, they say the process so far is a lottery that has disadvantaged some of those that need the most help.

Priscilla Orta, a Brownsville-based attorney with Lawyers for Good Government’s Project Corazon, said she knows of an elderly couple in Reynosa who have been struggling to access the app since its launch. The man is blind and the woman doesn’t know how to read.

“I love the idea of democratizing this system,” she said. “But you have to be crystal clear and know your audience and provide alternative paths for people who can’t do this.”

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