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Immigration

## Scheduling System for ‘Safe, Orderly and Humane Border Processing’ Goes Live

**Legal Update**

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*This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.*

On January 12, 2023, the Department of Homeland Security (DHS) announced that the new scheduling function in the CBP One™ mobile application is now live. Non-U.S. citizens located in Central or Northern Mexico who seek to travel to the United States may use U.S. Customs and Border Protection’s app to submit information in advance and schedule an appointment to present themselves at certain southwest border land ports of entry (POEs).

Due to court orders requiring DHS to continue implementing the Centers for Disease Control and Prevention’s Title 42 public health order, only noncitizens who can be considered for a humanitarian exception may use CBP One™, DHS said. Under this order, CBP is authorized to except individuals on a case-by-case basis, based on the totality of circumstances, including humanitarian interest considerations. Noncitizens using CBP One™ must attest that they believe they meet certain identified vulnerability criteria and be prepared to substantiate this claim upon presentation at a POE, DHS said.

Noncitizens who seek an exception to Title 42 will be able to use the app to submit certain biographic and biometric information to CBP and schedule an appointment up to 14 days in advance at eight POEs:

- Arizona: Nogales
- Texas: Brownsville, Eagle Pass, Hidalgo, Laredo and El Paso
- California: Calexico and San Ysidro

Once the Title 42 order eventually lifts, DHS said, individuals will be able to use the CBP One™ application for scheduling an appointment to present themselves for inspection and to initiate a protection claim instead of coming directly to a POE to wait.