

U.S. >

# U.S. commits to admitting 250 asylum-seekers per day in concession to advocates

BY CAMILO MONTTOYA-GALVEZ  
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As part of negotiations in a federal court case, the Biden administration has agreed to allow up to 7,750 asylum-seekers stranded in Mexico to enter the U.S. each month, the top American Civil Liberties Union lawyer overseeing the lawsuit told CBS News on Monday.

Under the new agreement, the Biden administration has committed to processing up to 250 asylum-seekers deemed to be vulnerable by advocacy groups on a daily basis and permitting them to continue their legal cases on American soil.

Those eligible would be exempted from the Title 42 policy, a Trump-era public health edict under which most single adult migrants and some families with children continue to be expelled from the U.S. without a chance to seek asylum.

The Department of Homeland Security (DHS) has been making humanitarian exceptions to the Title 42 rule for months. However, under the agreement, the Biden administration committed to creating "a streamlined process for assessing and addressing" requests to allow vulnerable families with children and adults to enter the U.S., according to Lee Gelernt, who has been leading negotiations on behalf of the ACLU.

Recently, U.S. border officials have been allowing no more than 35 migrant families deemed to be vulnerable in Mexico to enter the U.S per day. So far, 2,000 asylum-seekers have been admitted into the U.S. through the ACLU's negotiations with



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. under this process are given appointments to show up at D-19 while in Mexico, prior to entering the U.S.

kers without pending U.S. cases is the latest concession the Biden LU, which sued the government in a bid to halt the expulsions of ity.

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Last week, CBS News reported that U.S. officials had stopped the practice of flying migrant families encountered in south

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Young migrants from Colombia wait to be processed after turning themselves over to authorities at the United States and Mexico border May 12, 2021 in Yuma, Arizona.  
RINGO CHIU/AFP VIA GETTY IMAGES

During a hearing before a Senate committee last week, Senator Josh Hawley, a Republican from Missouri, pressed DHS Secretary Alejandro Mayorkas on whether DHS had stopped the flights "due to the pressure of leftwing groups" and suggested the Biden administration could be engaged in "friendly litigation" with the ACLU.

Mayorkas denied both charges, saying DHS does not make policy decisions because of outside pressure.

"I've been a lawyer now for 35 or so years. 'Friendly litigation' is a phenomenon with which I'm completely unfamiliar," Mayorkas added.

In a statement Tuesday, DHS spokesperson Sarah Peck confirmed the agreements with the ACLU, saying the department will be admitting approximately 250 vulnerable asylum-seekers daily.

"As the United States continues to enforce the CDC Order under its Title 42 public health authority, we are working to streamline a system for identifying and lawfully processing particularly vulnerable individuals who warrant exceptions for humanitarian reasons under the Title 42 order," Peck said in the statement to CBS News.

Peck also confirmed that DHS initially halted the policy of flying migrant families across the southern border based on "operational needs" and then agreed to continue the suspension as part of the talks with the ACLU. But she noted DHS

varrant."

District Judge Emmet Sullivan to join two other federal judges in nder the Title 42 rule were likely illegal. Sullivan's order blocking late January, but the Biden administration formally exempted

it over the expulsions of families to negotiate with the Biden

said the ACLU's position is that Title 42 should be dismantled in its entirety.

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Unlike those asylum-seekers processed under the drawdown of the Trump-era Remain in Mexico policy, the migrants benefiting from the Title 42 exceptions do not have pending court cases, as they were never allowed to seek U.S. refuge.

Despite the exceptions, Biden administration officials have said they will continue the Title 42 policy for the foreseeable future, repeatedly declaring the southern border "is closed."

During President Biden's first three full months in office, U.S. officials carried out more than 295,000 Title 42 expulsions along the southern border, expelling 49,000 migrant parents and children traveling as families, according to [government data](#).

In recent weeks, however, U.S. border agents have been allowing most migrant families to stay in the U.S. while their cases are adjudicated, blaming Mexico for refusing to accept families with children under the age of 7 in the state of Tamaulipas.

About 65% of the migrant families encountered along the southern border in April were processed under U.S. immigration laws, rather than expelled under the Title 42 public health authority.

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