

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

| | | |
|-------------------------------------|---|----------------------------------------|
| STATE OF LOUISIANA, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. 6:22-CV-00885-RRS-CBW |
| |) | |
| CENTERS FOR DISEASE CONTROL |) | |
| & PREVENTION, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

DEFENDANTS' MONTHLY REPORT FOR THE MONTH OF MARCH 2023
PURSUANT TO THE COURT'S PRELIMINARY INJUNCTION

Pursuant to the Court’s May 20, 2022 preliminary injunction order, ECF No. 91, Defendants herein provide, subject to the caveats discussed below, data showing, for the month of March 2023, (1) the number of single adults processed under Title 42 and Title 8 by country, (2) the number of recidivist border crossers for whom the U.S. Customs and Border Protection (“CBP”), Department of Homeland Security (“DHS”), has applied expedited removal, (3) the number of noncitizens that have been excepted from Title 42 under the CBP One supported humanitarian exception process, and (4) any material changes to policy regarding DHS’s application of the Title 42 process.

1. The number of single adults processed under Title 42 and Title 8 by country.

Below is the data for single adult encounters by CBP at the Southwest land border for the period of March 1–31, 2023.

| Component | Citizenship | Title 8 | Title 42 | Total |
|------------------|----------------------------|----------------|-----------------|--------------|
| OFO | AFGHANISTAN | 8 | 0 | 8 |
| | AMERICAN SAMOA | 0 | 1 | 1 |
| | ANGOLA | 1 | 0 | 1 |
| | ARGENTINA | 4 | 2 | 6 |
| | ARMENIA | 106 | 0 | 106 |
| | AUSTRIA | 1 | 0 | 1 |
| | AZERBAIJAN | 7 | 0 | 7 |
| | BELARUS | 89 | 0 | 89 |
| | BELGIUM | 1 | 0 | 1 |
| | BELIZE | 8 | 0 | 8 |
| | BOLIVIA | 6 | 0 | 6 |
| | BRAZIL | 13 | 2 | 15 |
| | BULGARIA | 1 | 0 | 1 |
| | CAMEROON | 1 | 0 | 1 |
| | CANADA | 3 | 1 | 4 |
| | CHILE | 2 | 3 | 5 |
| | CHINA, PEOPLES REPUBLIC OF | 16 | 3 | 19 |
| | COLOMBIA | 143 | 5 | 148 |
| | COSTA RICA | 1 | 0 | 1 |
| | CROATIA | 0 | 2 | 2 |
| CUBA | 815 | 6 | 821 | |
| DENMARK | 1 | 0 | 1 | |

| | | | |
|----------------------------|-------|-------|-------|
| DOMINICAN REPUBLIC | 12 | 0 | 12 |
| ECUADOR | 95 | 4 | 99 |
| EL SALVADOR | 156 | 20 | 176 |
| ETHIOPIA | 2 | 0 | 2 |
| FRANCE | 5 | 0 | 5 |
| GEORGIA | 5 | 0 | 5 |
| GERMANY | 3 | 2 | 5 |
| GUATEMALA | 136 | 29 | 165 |
| HAITI | 2,378 | 17 | 2,395 |
| HONDURAS | 672 | 17 | 689 |
| INDIA | 3 | 0 | 3 |
| IRAN | 2 | 0 | 2 |
| ISRAEL | 2 | 0 | 2 |
| ITALY | 5 | 1 | 6 |
| JAMAICA | 2 | 0 | 2 |
| JAPAN | 1 | 0 | 1 |
| KAZAKHSTAN | 30 | 0 | 30 |
| KYRGYZSTAN | 395 | 0 | 395 |
| LEBANON | 1 | 0 | 1 |
| MALAYSIA | 1 | 0 | 1 |
| MEXICO | 3,505 | 1,713 | 5,218 |
| MOLDOVA | 10 | 0 | 10 |
| MONGOLIA | 4 | 0 | 4 |
| MOROCCO | 1 | 0 | 1 |
| NEPAL | 0 | 1 | 1 |
| NETHERLANDS | 1 | 1 | 2 |
| NICARAGUA | 164 | 2 | 166 |
| NIGERIA | 0 | 1 | 1 |
| NORWAY | 2 | 0 | 2 |
| PANAMA | 6 | 0 | 6 |
| PERU | 10 | 0 | 10 |
| PORTUGAL | 2 | 0 | 2 |
| ROMANIA | 4 | 0 | 4 |
| RUSSIA | 1,554 | 3 | 1,557 |
| SOMALIA | 1 | 0 | 1 |
| SOUTH KOREA | 2 | 0 | 2 |
| SPAIN | 25 | 4 | 29 |
| SWITZERLAND | 6 | 0 | 6 |
| TAIWAN - REPUBLIC OF CHINA | 0 | 1 | 1 |

| | | | | |
|-------------|-----------------------------------------|---------------|--------------|---------------|
| | TAJIKISTAN | 119 | 1 | 120 |
| | TURKEY | 4 | 1 | 5 |
| | UKRAINE | 15 | 0 | 15 |
| | UNITED KINGDOM | 2 | 1 | 3 |
| | UNITED STATES OF AMERICA | 1 | 0 | 1 |
| | UNKNOWN | 1 | 5 | 6 |
| | UZBEKISTAN | 233 | 0 | 233 |
| | VENEZUELA | 2,974 | 132 | 3,106 |
| | YEMEN | 1 | 0 | 1 |
| | OFO Total | 13,780 | 1,981 | 15,761 |
| USBP | AFGHANISTAN | 314 | 18 | 332 |
| | ALBANIA | 27 | 2 | 29 |
| | ALGERIA | 2 | 0 | 2 |
| | ANGOLA | 242 | 11 | 253 |
| | ANTIGUA AND BARBUDA | 1 | 0 | 1 |
| | ARGENTINA | 8 | 0 | 8 |
| | ARMENIA | 12 | 0 | 12 |
| | AUSTRALIA | 1 | 0 | 1 |
| | AZERBAIJAN | 12 | 0 | 12 |
| | BANGLADESH | 133 | 0 | 133 |
| | BELARUS | 1 | 0 | 1 |
| | BELIZE | 206 | 1 | 207 |
| | BENIN | 10 | 0 | 10 |
| | BOLIVIA | 150 | 0 | 150 |
| | BRAZIL | 1,149 | 129 | 1,278 |
| | BURKINA FASO (UPPER VOLTA) | 26 | 0 | 26 |
| | BURUNDI | 6 | 0 | 6 |
| | CAMEROON | 276 | 0 | 276 |
| | CHAD | 33 | 0 | 33 |
| | CHILE | 11 | 0 | 11 |
| | CHINA, PEOPLES REPUBLIC OF | 1,817 | 0 | 1,817 |
| | COLOMBIA | 7,963 | 896 | 8,859 |
| | COSTA RICA | 44 | 0 | 44 |
| | CUBA | 50 | 48 | 98 |
| | DEMOCRATIC REPUBLIC OF CONGO (ZAIRE) | 53 | 0 | 53 |
| | DJIBOUTI | 24 | 0 | 24 |
| | DOMINICAN REPUBLIC | 1,854 | 1 | 1,855 |
| | ECUADOR | 2,090 | 1,034 | 3,124 |
| | EGYPT | 49 | 0 | 49 |

| | | | |
|-------------------|-------|--------|--------|
| EL SALVADOR | 537 | 3,368 | 3,905 |
| EQUATORIAL GUINEA | 8 | 0 | 8 |
| ERITREA | 167 | 0 | 167 |
| ETHIOPIA | 327 | 0 | 327 |
| GAMBIA | 9 | 0 | 9 |
| GEORGIA | 504 | 0 | 504 |
| GERMANY | 3 | 0 | 3 |
| GHANA | 302 | 0 | 302 |
| GUADELOUPE | 0 | 5 | 5 |
| GUATEMALA | 967 | 7,822 | 8,789 |
| GUINEA | 167 | 0 | 167 |
| GUINEA-BISSAU | 7 | 0 | 7 |
| HAITI | 57 | 11 | 68 |
| HONDURAS | 955 | 6,024 | 6,979 |
| INDIA | 4,613 | 0 | 4,613 |
| IRAN | 42 | 0 | 42 |
| IRAQ | 5 | 0 | 5 |
| IRELAND | 4 | 0 | 4 |
| ISRAEL | 2 | 0 | 2 |
| ITALY | 1 | 0 | 1 |
| IVORY COAST | 5 | 0 | 5 |
| JAMAICA | 285 | 0 | 285 |
| JORDAN | 9 | 0 | 9 |
| KAZAKHSTAN | 127 | 0 | 127 |
| KENYA | 13 | 0 | 13 |
| KOSOVO | 21 | 0 | 21 |
| KYRGYZSTAN | 7 | 0 | 7 |
| LEBANON | 5 | 0 | 5 |
| LIBERIA | 1 | 0 | 1 |
| MALAYSIA | 2 | 0 | 2 |
| MALI | 20 | 0 | 20 |
| MALTA AND GOZO | 3 | 0 | 3 |
| MAURITANIA | 1,488 | 0 | 1,488 |
| MEXICO | 5,664 | 54,464 | 60,128 |
| MOLDOVA | 13 | 0 | 13 |
| MOROCCO | 14 | 0 | 14 |
| MOZAMBIQUE | 2 | 0 | 2 |
| MYANMAR (BURMA) | 1 | 0 | 1 |
| NEPAL | 131 | 0 | 131 |

| | | | |
|---------------------------------|-------|-------|-------|
| NETHERLANDS | 3 | 0 | 3 |
| NICARAGUA | 50 | 118 | 168 |
| NIGER | 11 | 0 | 11 |
| NIGERIA | 101 | 1 | 102 |
| PAKISTAN | 66 | 0 | 66 |
| PANAMA | 31 | 0 | 31 |
| PARAGUAY | 23 | 0 | 23 |
| PERU | 4,677 | 91 | 4,768 |
| PORTUGAL | 1 | 0 | 1 |
| REPUBLIC OF CONGO (BRAZZAVILLE) | 34 | 0 | 34 |
| REPUBLIC OF SOUTH AFRICA | 4 | 0 | 4 |
| ROMANIA | 152 | 0 | 152 |
| RUSSIA | 78 | 0 | 78 |
| RWANDA | 1 | 0 | 1 |
| SENEGAL | 259 | 0 | 259 |
| SERBIA | 1 | 0 | 1 |
| SIERRA LEONE | 13 | 0 | 13 |
| SOLOMON ISLANDS | 1 | 0 | 1 |
| SOMALIA | 335 | 0 | 335 |
| SOUTH KOREA | 1 | 1 | 2 |
| SPAIN | 2 | 0 | 2 |
| SRI LANKA | 78 | 0 | 78 |
| SUDAN | 15 | 0 | 15 |
| SWEDEN | 4 | 0 | 4 |
| SWITZERLAND | 1 | 0 | 1 |
| SYRIA | 21 | 0 | 21 |
| TAJIKISTAN | 40 | 0 | 40 |
| THAILAND | 0 | 1 | 1 |
| TOGO | 15 | 0 | 15 |
| TRINIDAD AND TOBAGO | 1 | 0 | 1 |
| TURKEY | 1,426 | 0 | 1,426 |
| UGANDA | 5 | 0 | 5 |
| UKRAINE | 2 | 0 | 2 |
| URUGUAY | 1 | 0 | 1 |
| UZBEKISTAN | 613 | 0 | 613 |
| VENEZUELA | 844 | 1,246 | 2,090 |
| VIETNAM | 271 | 0 | 271 |
| WESTERN SAHARA | 4 | 0 | 4 |
| YEMEN | 2 | 0 | 2 |

| | | | |
|----------------------|---------------|---------------|----------------|
| USBP Total | 42,239 | 75,292 | 117,531 |
| CBP SBO Total | 56,019 | 77,273 | 133,292 |

2. The number of recidivist border crossers for whom DHS has applied expedited removal.

From March 1–31, 2023, U.S. Border Patrol (“USBP”) applied expedited removal, 8 U.S.C. § 1225(b)(1), to 1,276 single adults who attempted to unlawfully enter the United States between a port of entry and who had previously been encountered by USBP and processed under Title 42 or Title 8 at least one time since March 20, 2020.

3. The number of Title 42 exceptions under the CBP One supported humanitarian exception process.

From March 1–31, 2023, CBP’s Office of Field Operations processed 23,678 Title 42 exceptions under the CBP One supported humanitarian exception process. The below shows the data broken down by port.

- Brownsville, TX: 6,784
- Hidalgo, TX: 4,307
- Laredo, TX: 1,1323
- Eagle Pass, TX: 1,331
- Paso del Norte, El Paso, TX: 2,100
- Nogales, AZ: 1,178
- Calexico, CA: 738
- San Ysidro, CA: 5,917¹

¹ Since the last monthly report, Defendants discovered that their reports for the months of October to December 2022 inadvertently included in the number of noncitizens excepted from Title 42 a very small number of noncitizens (ranging from one to seven individuals) who actually were ultimately expelled. Specifically, for the month of October 2022, Defendants reported 19,550 exceptions, but the correct number of exceptions was 19,549. The correct number for November was 20,695 (20,696 reported) and for December was 23,018 (23,025 reported).

4. Any material changes to policy regarding DHS’s application of the Title 42 process.

CDC’s August 2021 Title 42 order provides that it “shall remain effective” until “the expiration of the Secretary of HHS’ declaration that COVID-19 constitutes a public health emergency.” 86 Fed. Reg. at 42,841. As Defendants noted in their prior report, the declaration of public health emergency will expire on May 11, 2023. *See* Renewal of Determination that a Public Health Emergency Exists (Feb. 9, 2023), <https://perma.cc/M7F7-C4AY>; *see also* 42 U.S.C. § 247d, OMB, *Statement of Administration Policy: H.R. 382 and H.J. Res. 7* (Jan. 30, 2023), <https://perma.cc/LPQ4-TC3Y>. Accordingly, absent other relevant developments, the operative Title 42 order will terminate automatically on May 11, 2023, when the public health emergency declaration ends.

Date: April 17, 2023

Respectfully submitted,

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