

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

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

DEFENDANTS' MONTHLY REPORT FOR THE MONTH OF APRIL 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 April 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 April 1–30, 2023.

Component	Citizenship	Title 8	Title 42	Total
OFO	AFGHANISTAN	3	0	3
	ARGENTINA	7	0	7
	ARMENIA	49	0	49
	AUSTRIA	1	0	1
	AZERBAIJAN	13	0	13
	BAHRAIN	1	0	1
	BELARUS	54	1	55
	BELGIUM	1	0	1
	BELIZE	4	0	4
	BOLIVIA	9	0	9
	BRAZIL	8	13	21
	CANADA	2	3	5
	CHILE	3	3	6
	CHINA, PEOPLES REPUBLIC OF	19	4	23
	COLOMBIA	260	5	265
	COSTA RICA	1	0	1
	CUBA	919	9	928
	DOMINICAN REPUBLIC	28	1	29
	ECUADOR	94	4	98
	EGYPT	1	0	1
EL SALVADOR	98	7	105	
FRANCE	5	4	9	

FRENCH GUIANA	1	0	1
GEORGIA	6	0	6
GERMANY	0	4	4
GHANA	1	0	1
GREECE	0	1	1
GUATEMALA	69	29	98
HAITI	3,895	47	3,942
HONDURAS	411	18	429
INDIA	1	0	1
IRAN	1	0	1
IRELAND	1	0	1
ITALY	4	3	7
JAMAICA	2	0	2
JAPAN	0	1	1
KAZAKHSTAN	28	0	28
KYRGYZSTAN	244	0	244
MEXICO	2,979	1,629	4,608
MOLDOVA	9	0	9
MONGOLIA	2	1	3
NAMIBIA	1	0	1
NETHERLANDS	0	1	1
NICARAGUA	86	2	88
NIGERIA	1	0	1
PANAMA	4	0	4
PERU	23	0	23
PORTUGAL	1	0	1
ROMANIA	9	0	9
RUSSIA	978	5	983
SOMALIA	1	0	1
SOUTH KOREA	6	2	8
SOUTH SUDAN	1	0	1
SPAIN	17	15	32
TAJIKISTAN	68	0	68
TOGO	2	0	2
TRINIDAD AND TOBAGO	0	2	2
TURKMENISTAN	2	0	2
UKRAINE	10	0	10
UNITED KINGDOM	3	1	4
UNKNOWN	8	0	8

	URUGUAY	1	1	2
	UZBEKISTAN	226	2	228
	VENEZUELA	3,392	186	3,578
	VIETNAM	1	0	1
OFO Total		14,075	2,004	16,079
USBP	AFGHANISTAN	434	0	434
	ALBANIA	18	0	18
	ANGOLA	352	3	355
	ARGENTINA	18	0	18
	ARMENIA	29	0	29
	AZERBAIJAN	62	0	62
	BANGLADESH	146	0	146
	BELARUS	6	0	6
	BELGIUM	1	0	1
	BELIZE	82	0	82
	BENIN	3	0	3
	BOLIVIA	207	1	208
	BRAZIL	1,605	0	1,605
	BURKINA FASO (UPPER VOLTA)	75	0	75
	BURUNDI	1	0	1
	CAMEROON	231	0	231
	CAPE VERDE, REPUBLIC OF	2	0	2
	CENTRAL AFRICAN REPUBLIC	4	0	4
	CHAD	48	0	48
	CHILE	13	0	13
	CHINA, PEOPLES REPUBLIC OF	2,612	3	2,615
	COLOMBIA	8,523	607	9,130
	COSTA RICA	149	0	149
	CUBA	155	88	243
	DEMOCRATIC REPUBLIC OF CONGO (ZAIRE)	70	0	70
	DJIBOUTI	23	0	23
	DOMINICA	1	0	1
	DOMINICAN REPUBLIC	1,572	1	1,573
	ECUADOR	2,320	744	3,064
	EGYPT	139	0	139
EL SALVADOR	588	2,173	2,761	
EQUATORIAL GUINEA	7	0	7	
ERITREA	145	0	145	
ETHIOPIA	464	0	464	

GAMBIA	14	0	14
GEORGIA	513	0	513
GHANA	435	0	435
GUATEMALA	1,521	5,727	7,248
GUINEA	177	0	177
GUINEA-BISSAU	3	1	4
GUYANA	1	0	1
HAITI	101	16	117
HONDURAS	799	6,524	7,323
HONG KONG	2	0	2
INDIA	7,038	111	7,149
IRAN	32	0	32
IRAQ	1	0	1
ISRAEL	4	0	4
IVORY COAST	9	0	9
JAMAICA	300	0	300
JORDAN	2	0	2
KAZAKHSTAN	51	0	51
KENYA	22	0	22
KOSOVO	12	0	12
KYRGYZSTAN	130	0	130
LEBANON	11	0	11
LIBERIA	1	0	1
MADAGASCAR	1	0	1
MALI	35	0	35
MAURITANIA	1,622	0	1,622
MEXICO	4,982	43,757	48,739
MOLDOVA	10	0	10
MONGOLIA	2	0	2
MOROCCO	20	0	20
MOZAMBIQUE	4	0	4
NEPAL	252	0	252
NETHERLANDS	1	0	1
NICARAGUA	141	81	222
NIGER	2	0	2
NIGERIA	154	0	154
PAKISTAN	115	0	115
PANAMA	41	1	42
PARAGUAY	133	0	133

PERU	4,440	449	4,889
PHILIPPINES	2	0	2
PORTUGAL	0	1	1
REPUBLIC OF CONGO (BRAZZAVILLE)	33	0	33
REPUBLIC OF SOUTH AFRICA	2	0	2
ROMANIA	40	1	41
RUSSIA	116	0	116
RWANDA	4	0	4
SAMOA	1	0	1
SENEGAL	492	0	492
SERBIA	1	0	1
SIERRA LEONE	51	0	51
SOMALIA	412	0	412
SPAIN	3	0	3
SRI LANKA	83	0	83
STATELESS	6	0	6
SUDAN	26	0	26
SWEDEN	3	0	3
SYRIA	36	0	36
TAIWAN - REPUBLIC OF CHINA	1	0	1
TAJIKISTAN	76	0	76
TANZANIA	1	0	1
TOGO	25	0	25
TRINIDAD AND TOBAGO	1	0	1
TURKEY	1,500	0	1,500
TURKMENISTAN	1	0	1
UGANDA	1	0	1
UKRAINE	7	0	7
UNITED KINGDOM	1	0	1
URUGUAY	1	0	1
UZBEKISTAN	893	0	893
VENEZUELA	13,765	3,113	16,878
VIETNAM	350	0	350
WESTERN SAHARA	4	0	4
YEMEN	11	0	11
ZAMBIA	1	0	1
ZIMBABWE	8	0	8
USBP Total	61,197	63,402	124,599
CBP SBO Total	75,272	65,406	140,678

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

From April 1–30, 2023, U.S. Border Patrol (“USBP”) applied expedited removal, 8 U.S.C. § 1225(b)(1), to 1,317 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 April 1–30, 2023, CBP’s Office of Field Operations processed 22,284 Title 42 exceptions under the CBP One supported humanitarian exception process. The below shows the data broken down by port.

- Brownsville, TX: 5,874
- Hidalgo, TX: 3,623
- Laredo, TX: 1,274
- Eagle Pass, TX: 1,305
- Paso del Norte, El Paso, TX: 2,247
- Nogales, AZ: 1,227
- Calexico, CA: 911
- San Ysidro, CA: 5,823

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

As previously noted, CDC’s August 2021 Title 42 order provided 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. On May 11, 2023, the Secretary’s declaration of a public health emergency expired. *See* U.S. Department of Health and Human Services, COVID-19 Public Health Emergency (PHE), www.hhs.gov/coronavirus/covid-19-public-health-emergency/

index.html. As a result, the Title 42 order has expired by its own terms, and Plaintiffs' challenge to CDC's April 2022 termination order is now moot. Accordingly, on May 12, Defendants filed a motion in the Court of Appeals to vacate this Court's preliminary injunction and remand with instructions to dismiss this case as moot. Plaintiffs (except for the State of Arizona) oppose both of Defendants' requests, with Arizona taking no position.

Date: May 16, 2023

Respectfully submitted,

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