

Exhibit B

ERO Custody Management Division

Population Counts from January 1, 2021 through November 30, 2021

Source: ICE Integrated Decision Support (IIDS), 12/05/2021

IIDS is a data warehouse that contains dynamic data extracts from the Enforcement Integrated Database (EID).

FY2021 data: IIDS as of 12/05/2021; EID data through 12/03/2021

Average Daily Population is calculated by the total daily population divided by the number of days in the month

Total Daily Population includes single adults and individuals in family units

ERO is currently appropriated sufficient funding for approximately 34,000 detention beds nationwide, to support its mission to enforce immigration law. ICE’s access to its full inventory of bedspace is severely limited due to various court orders limiting the intake of noncitizen detainees, an increase in detention facility contract terminations, detention facility contract modifications, and the ongoing COVID-19 pandemic. Specifically, ICE’s Pandemic Response Requirements (PRR) for its detention facilities, which are informed by the Centers for Disease Control and Prevention’s COVID-19 guidelines, require that facilities undertake efforts to reduce populations to approximately 75% capacity. Last year, the U.S. District Court for the Central District of California issued a nationwide preliminary injunction recognizing the 75% capacity limit, and ordering ICE to maintain additional strict standards to reduce the risk of COVID-19 infection. See *Fraihat v. ICE*, 445 F.Supp.3d 709 (C.D. Cal. Apr. 20, 2020). In light of these mandates, ICE’s currently available bedspace inventory is only approximately 26,800 beds

Average Daily Population for January through November	20,724
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Date	Daily Population
1/1/2021	15,846
1/2/2021	16,000
1/3/2021	16,024
1/4/2021	15,938
1/5/2021	15,834
1/6/2021	15,601
1/7/2021	15,603
1/8/2021	15,167
1/9/2021	15,259
1/10/2021	15,342
1/11/2021	15,254
1/12/2021	15,114
1/13/2021	15,006
1/14/2021	14,934
1/15/2021	14,658
1/16/2021	14,685
1/17/2021	14,729
1/18/2021	14,697
1/19/2021	14,464
1/20/2021	14,522
1/21/2021	14,529
1/22/2021	14,680
1/23/2021	14,820
1/24/2021	14,923
1/25/2021	14,939
1/26/2021	15,012
1/27/2021	15,169
1/28/2021	15,123
1/29/2021	14,669
1/30/2021	14,781
1/31/2021	14,862
2/1/2021	14,769
2/2/2021	14,580
2/3/2021	14,475
2/4/2021	14,238
2/5/2021	13,785

2/6/2021	13,935
2/7/2021	14,052
2/8/2021	13,975
2/9/2021	13,997
2/10/2021	13,914
2/11/2021	13,839
2/12/2021	13,775
2/13/2021	13,762
2/14/2021	13,928
2/15/2021	14,074
2/16/2021	14,162
2/17/2021	14,196
2/18/2021	14,141
2/19/2021	14,073
2/20/2021	14,203
2/21/2021	14,368
2/22/2021	14,433
2/23/2021	14,278
2/24/2021	14,172
2/25/2021	13,994
2/26/2021	13,860
2/27/2021	13,823
2/28/2021	13,952
3/1/2021	14,092
3/2/2021	13,889
3/3/2021	13,793
3/4/2021	13,818
3/5/2021	13,483
3/6/2021	13,591
3/7/2021	13,770
3/8/2021	14,104
3/9/2021	14,038
3/10/2021	13,961
3/11/2021	14,091
3/12/2021	13,994
3/13/2021	14,291
3/14/2021	14,630
3/15/2021	14,756
3/16/2021	14,705
3/17/2021	14,501
3/18/2021	14,352
3/19/2021	14,154
3/20/2021	14,215
3/21/2021	14,403
3/22/2021	14,388
3/23/2021	14,449
3/24/2021	14,295
3/25/2021	14,178
3/26/2021	14,028
3/27/2021	14,125
3/28/2021	14,327
3/29/2021	14,272
3/30/2021	14,310
3/31/2021	14,429
4/1/2021	14,307
4/2/2021	14,367
4/3/2021	14,582
4/4/2021	14,726
4/5/2021	15,013

4/6/2021	15,064
4/7/2021	15,358
4/8/2021	15,349
4/9/2021	15,061
4/10/2021	15,370
4/11/2021	15,502
4/12/2021	15,541
4/13/2021	15,427
4/14/2021	15,214
4/15/2021	15,237
4/16/2021	14,852
4/17/2021	15,135
4/18/2021	15,512
4/19/2021	15,763
4/20/2021	15,827
4/21/2021	15,881
4/22/2021	15,967
4/23/2021	15,981
4/24/2021	15,949
4/25/2021	16,392
4/26/2021	16,436
4/27/2021	16,492
4/28/2021	16,698
4/29/2021	16,784
4/30/2021	17,061
5/1/2021	17,344
5/2/2021	17,693
5/3/2021	18,065
5/4/2021	18,564
5/5/2021	18,606
5/6/2021	18,933
5/7/2021	19,213
5/8/2021	19,372
5/9/2021	19,770
5/10/2021	20,240
5/11/2021	20,669
5/12/2021	20,673
5/13/2021	20,641
5/14/2021	20,805
5/15/2021	20,966
5/16/2021	21,176
5/17/2021	21,468
5/18/2021	21,451
5/19/2021	21,471
5/20/2021	21,498
5/21/2021	21,609
5/22/2021	21,929
5/23/2021	22,277
5/24/2021	22,499
5/25/2021	22,770
5/26/2021	23,058
5/27/2021	23,267
5/28/2021	23,025
5/29/2021	23,262
5/30/2021	23,594
5/31/2021	23,961
6/1/2021	24,009
6/2/2021	24,024
6/3/2021	24,127

6/4/2021	24,584
6/5/2021	24,826
6/6/2021	25,232
6/7/2021	25,382
6/8/2021	25,744
6/9/2021	25,356
6/10/2021	25,388
6/11/2021	25,415
6/12/2021	25,828
6/13/2021	26,143
6/14/2021	26,484
6/15/2021	26,494
6/16/2021	26,514
6/17/2021	26,644
6/18/2021	26,275
6/19/2021	26,670
6/20/2021	27,019
6/21/2021	27,205
6/22/2021	27,380
6/23/2021	27,172
6/24/2021	27,116
6/25/2021	26,990
6/26/2021	27,094
6/27/2021	27,744
6/28/2021	28,008
6/29/2021	27,807
6/30/2021	27,359
7/1/2021	27,257
7/2/2021	27,180
7/3/2021	27,409
7/4/2021	27,950
7/5/2021	28,213
7/6/2021	28,432
7/7/2021	28,062
7/8/2021	27,972
7/9/2021	27,736
7/10/2021	27,943
7/11/2021	28,159
7/12/2021	28,015
7/13/2021	27,780
7/14/2021	27,489
7/15/2021	27,443
7/16/2021	26,875
7/17/2021	27,092
7/18/2021	27,329
7/19/2021	27,437
7/20/2021	27,013
7/21/2021	26,777
7/22/2021	26,251
7/23/2021	25,516
7/24/2021	25,617
7/25/2021	25,786
7/26/2021	25,862
7/27/2021	26,260
7/28/2021	26,147
7/29/2021	26,186
7/30/2021	25,909
7/31/2021	25,740
8/1/2021	25,869

8/2/2021	26,268
8/3/2021	26,030
8/4/2021	25,530
8/5/2021	25,546
8/6/2021	25,517
8/7/2021	25,642
8/8/2021	26,109
8/9/2021	26,221
8/10/2021	25,991
8/11/2021	25,821
8/12/2021	25,457
8/13/2021	25,584
8/14/2021	25,699
8/15/2021	26,158
8/16/2021	25,868
8/17/2021	25,941
8/18/2021	25,656
8/19/2021	25,475
8/20/2021	24,884
8/21/2021	24,871
8/22/2021	25,065
8/23/2021	24,851
8/24/2021	24,483
8/25/2021	24,203
8/26/2021	23,725
8/27/2021	23,185
8/28/2021	23,478
8/29/2021	23,772
8/30/2021	24,153
8/31/2021	24,105
9/1/2021	23,859
9/2/2021	23,623
9/3/2021	23,235
9/4/2021	23,392
9/5/2021	23,420
9/6/2021	23,498
9/7/2021	23,093
9/8/2021	22,729
9/9/2021	22,462
9/10/2021	22,057
9/11/2021	22,247
9/12/2021	22,569
9/13/2021	22,628
9/14/2021	22,568
9/15/2021	22,228
9/16/2021	22,510
9/17/2021	22,326
9/18/2021	22,493
9/19/2021	22,831
9/20/2021	23,885
9/21/2021	23,872
9/22/2021	24,233
9/23/2021	24,350
9/24/2021	23,866
9/25/2021	23,835
9/26/2021	23,833
9/27/2021	23,569
9/28/2021	23,034
9/29/2021	22,656

9/30/2021	21,980
10/1/2021	21,572
10/2/2021	21,507
10/3/2021	21,861
10/4/2021	22,573
10/5/2021	22,447
10/6/2021	22,593
10/7/2021	22,257
10/8/2021	22,353
10/9/2021	22,392
10/10/2021	22,846
10/11/2021	22,922
10/12/2021	23,037
10/13/2021	22,892
10/14/2021	22,600
10/15/2021	22,294
10/16/2021	22,419
10/17/2021	22,471
10/18/2021	22,569
10/19/2021	22,520
10/20/2021	22,793
10/21/2021	22,872
10/22/2021	22,573
10/23/2021	22,862
10/24/2021	23,280
10/25/2021	23,820
10/26/2021	23,807
10/27/2021	23,625
10/28/2021	23,570
10/29/2021	23,634
10/30/2021	23,624
10/31/2021	23,830
11/1/2021	23,995
11/2/2021	24,071
11/3/2021	23,860
11/4/2021	23,728
11/5/2021	23,397
11/6/2021	23,570
11/7/2021	23,941
11/8/2021	24,268
11/9/2021	24,426
11/10/2021	24,639
11/11/2021	24,654
11/12/2021	24,171
11/13/2021	24,319
11/14/2021	24,241
11/15/2021	24,576
11/16/2021	24,622
11/17/2021	24,272
11/18/2021	23,440
11/19/2021	22,696
11/20/2021	22,247
11/21/2021	22,443
11/22/2021	21,875
11/23/2021	21,317
11/24/2021	21,279
11/25/2021	21,453
11/26/2021	21,446
11/27/2021	21,687

11/28/2021	22,075
11/29/2021	22,327
11/30/2021	22,295

ERO Custody Management Division

Population Counts from January 1, 2021 through September 30, 2021

Source: ICE Integrated Decision Support (IIDS), 11/08/2021

IIDS is a data warehouse that contains dynamic data extracts from the Enforcement Integrated Database (EID).

FY2021 data: IIDS as of 11/08/2021; EID data through 11/06/2021

Average Daily Population is calculated by the total daily population divided by the number of days in the month

Total Daily Population includes single adults and individuals in family units

ERO is currently appropriated sufficient funding for approximately 34,000 detention beds nationwide, to support its mission to enforce immigration law.

ICE's access to its full inventory of bedspace is severely limited due to various court orders limiting the intake of noncitizen detainees, an increase in detention facility contract terminations, detention facility contract modifications, and the ongoing COVID-19 pandemic. Specifically, ICE's Pandemic Response Requirements (PRR) for its detention facilities, which are informed by the Centers for Disease Control and Prevention's COVID-19 guidelines, require that facilities undertake efforts to reduce populations to approximately 75% capacity. Last year, the U.S. District Court for the Central District of California issued a nationwide preliminary injunction recognizing the 75% capacity limit, and ordering ICE to maintain additional strict standards to reduce the risk of COVID-19 infection. See *Fraihat v. ICE*, 445 F.Supp.3d 709 (C.D. Cal. Apr. 20, 2020). In light of these mandates, ICE's currently available bedspace inventory is only approximately 26,800 beds

Month	January	February	March	April	May	June	July	August	September	Total (Jan-Sep)
Monthly Average Daily Population (ADP)	15,103	14,098	14,175	15,562	20,964	26,201	27,059	25,199	23,096	20,212
Monthly Average Daily Population (ADP) of Haitian Detainees	298	408	463	558	707	1,761	1,970	1,883	3,115	1,243

Date	Daily Population	Haitian Daily Population
1/1/2021	15,846	290
1/2/2021	16,000	291
1/3/2021	16,024	295
1/4/2021	15,938	281
1/5/2021	15,834	280
1/6/2021	15,601	280
1/7/2021	15,603	277
1/8/2021	15,167	276
1/9/2021	15,259	276
1/10/2021	15,342	276
1/11/2021	15,254	268
1/12/2021	15,114	268
1/13/2021	15,006	270
1/14/2021	14,934	272
1/15/2021	14,658	270
1/16/2021	14,685	270
1/17/2021	14,729	268
1/18/2021	14,697	260
1/19/2021	14,464	250
1/20/2021	14,522	251
1/21/2021	14,529	250
1/22/2021	14,680	263
1/23/2021	14,820	280
1/24/2021	14,923	291
1/25/2021	14,939	300
1/26/2021	15,012	325
1/27/2021	15,169	343
1/28/2021	15,123	360
1/29/2021	14,669	425
1/30/2021	14,781	450
1/31/2021	14,862	473
2/1/2021	14,769	401
2/2/2021	14,580	399
2/3/2021	14,475	428
2/4/2021	14,238	435
2/5/2021	13,785	426
2/6/2021	13,935	459
2/7/2021	14,052	474
2/8/2021	13,975	424
2/9/2021	13,997	436
2/10/2021	13,914	449
2/11/2021	13,839	408
2/12/2021	13,775	405
2/13/2021	13,762	429
2/14/2021	13,928	440
2/15/2021	14,074	434
2/16/2021	14,162	437
2/17/2021	14,196	435
2/18/2021	14,141	421
2/19/2021	14,073	381
2/20/2021	14,203	378
2/21/2021	14,368	375
2/22/2021	14,433	373
2/23/2021	14,278	364
2/24/2021	14,172	362
2/25/2021	13,994	354
2/26/2021	13,860	360
2/27/2021	13,823	366
2/28/2021	13,952	372
3/1/2021	14,092	385
3/2/2021	13,889	368

3/3/2021	13,793	372
3/4/2021	13,818	384
3/5/2021	13,483	382
3/6/2021	13,591	394
3/7/2021	13,770	400
3/8/2021	14,104	419
3/9/2021	14,038	405
3/10/2021	13,961	408
3/11/2021	14,091	430
3/12/2021	13,994	413
3/13/2021	14,291	418
3/14/2021	14,630	422
3/15/2021	14,756	419
3/16/2021	14,705	436
3/17/2021	14,501	423
3/18/2021	14,352	437
3/19/2021	14,154	474
3/20/2021	14,215	495
3/21/2021	14,403	508
3/22/2021	14,388	533
3/23/2021	14,449	546
3/24/2021	14,295	541
3/25/2021	14,178	520
3/26/2021	14,028	551
3/27/2021	14,125	576
3/28/2021	14,327	580
3/29/2021	14,272	570
3/30/2021	14,310	569
3/31/2021	14,429	567
4/1/2021	14,307	577
4/2/2021	14,367	576
4/3/2021	14,582	602
4/4/2021	14,726	610
4/5/2021	15,013	631
4/6/2021	15,064	592
4/7/2021	15,358	594
4/8/2021	15,349	572
4/9/2021	15,061	556
4/10/2021	15,370	565
4/11/2021	15,502	590
4/12/2021	15,541	573
4/13/2021	15,427	561
4/14/2021	15,214	560
4/15/2021	15,237	535
4/16/2021	14,852	528
4/17/2021	15,135	527
4/18/2021	15,512	551
4/19/2021	15,763	552
4/20/2021	15,827	537
4/21/2021	15,881	532
4/22/2021	15,967	526
4/23/2021	15,981	512
4/24/2021	15,949	523
4/25/2021	16,392	554
4/26/2021	16,436	566
4/27/2021	16,492	544
4/28/2021	16,698	547
4/29/2021	16,784	536
4/30/2021	17,061	525
5/1/2021	17,344	532
5/2/2021	17,693	545
5/3/2021	18,065	552
5/4/2021	18,564	549
5/5/2021	18,606	555
5/6/2021	18,933	563
5/7/2021	19,213	570
5/8/2021	19,372	587
5/9/2021	19,770	631
5/10/2021	20,240	635
5/11/2021	20,669	602
5/12/2021	20,673	608
5/13/2021	20,641	642
5/14/2021	20,805	681
5/15/2021	20,966	699
5/16/2021	21,176	718
5/17/2021	21,468	756
5/18/2021	21,451	741
5/19/2021	21,471	738
5/20/2021	21,498	702
5/21/2021	21,609	732
5/22/2021	21,929	757
5/23/2021	22,277	782
5/24/2021	22,499	786

5/25/2021	22,770	801
5/26/2021	23,058	852
5/27/2021	23,267	876
5/28/2021	23,025	888
5/29/2021	23,262	919
5/30/2021	23,594	935
5/31/2021	23,961	988
6/1/2021	24,009	1,006
6/2/2021	24,024	975
6/3/2021	24,127	984
6/4/2021	24,584	1,034
6/5/2021	24,826	1,061
6/6/2021	25,232	1,133
6/7/2021	25,382	1,223
6/8/2021	25,744	1,318
6/9/2021	25,356	1,363
6/10/2021	25,388	1,440
6/11/2021	25,415	1,476
6/12/2021	25,828	1,494
6/13/2021	26,143	1,558
6/14/2021	26,484	1,645
6/15/2021	26,494	1,755
6/16/2021	26,514	1,841
6/17/2021	26,644	1,942
6/18/2021	26,275	1,957
6/19/2021	26,670	2,061
6/20/2021	27,019	2,108
6/21/2021	27,205	2,128
6/22/2021	27,380	2,309
6/23/2021	27,172	2,362
6/24/2021	27,116	2,382
6/25/2021	26,990	2,323
6/26/2021	27,094	2,354
6/27/2021	27,744	2,439
6/28/2021	28,008	2,437
6/29/2021	27,807	2,395
6/30/2021	27,359	2,339
7/1/2021	27,257	2,290
7/2/2021	27,180	2,260
7/3/2021	27,409	2,270
7/4/2021	27,950	2,295
7/5/2021	28,213	2,285
7/6/2021	28,432	2,245
7/7/2021	28,062	2,258
7/8/2021	27,972	2,274
7/9/2021	27,736	2,210
7/10/2021	27,943	2,193
7/11/2021	28,159	2,231
7/12/2021	28,015	2,140
7/13/2021	27,780	2,104
7/14/2021	27,489	2,075
7/15/2021	27,443	1,998
7/16/2021	26,875	1,900
7/17/2021	27,092	1,860
7/18/2021	27,329	1,826
7/19/2021	27,437	1,789
7/20/2021	27,013	1,792
7/21/2021	26,777	1,746
7/22/2021	26,251	1,709
7/23/2021	25,516	1,619
7/24/2021	25,617	1,591
7/25/2021	25,786	1,584
7/26/2021	25,862	1,574
7/27/2021	26,260	1,719
7/28/2021	26,147	1,785
7/29/2021	26,186	1,781
7/30/2021	25,909	1,825
7/31/2021	25,740	1,829
8/1/2021	25,869	1,903
8/2/2021	26,268	1,967
8/3/2021	26,030	1,933
8/4/2021	25,530	1,903
8/5/2021	25,546	1,976
8/6/2021	25,517	1,969
8/7/2021	25,642	1,949
8/8/2021	26,109	1,983
8/9/2021	26,221	1,937
8/10/2021	25,991	1,710
8/11/2021	25,821	1,693
8/12/2021	25,457	1,714
8/13/2021	25,584	1,880
8/14/2021	25,699	1,891
8/15/2021	26,158	1,921

8/16/2021	25,868	1,835
8/17/2021	25,941	2,018
8/18/2021	25,656	2,005
8/19/2021	25,475	1,957
8/20/2021	24,884	1,862
8/21/2021	24,871	1,856
8/22/2021	25,065	1,894
8/23/2021	24,851	1,874
8/24/2021	24,483	1,856
8/25/2021	24,203	1,825
8/26/2021	23,725	1,854
8/27/2021	23,185	1,811
8/28/2021	23,478	1,816
8/29/2021	23,772	1,828
8/30/2021	24,153	1,884
8/31/2021	24,105	1,878
9/1/2021	23,859	1,856
9/2/2021	23,623	1,885
9/3/2021	23,235	1,862
9/4/2021	23,392	1,851
9/5/2021	23,420	1,861
9/6/2021	23,498	1,862
9/7/2021	23,093	1,840
9/8/2021	22,729	1,784
9/9/2021	22,462	1,871
9/10/2021	22,057	2,004
9/11/2021	22,247	2,190
9/12/2021	22,569	2,218
9/13/2021	22,628	2,245
9/14/2021	22,568	2,416
9/15/2021	22,228	2,405
9/16/2021	22,510	2,643
9/17/2021	22,326	2,876
9/18/2021	22,493	3,319
9/19/2021	22,831	3,583
9/20/2021	23,885	4,226
9/21/2021	23,872	4,513
9/22/2021	24,233	4,919
9/23/2021	24,350	5,118
9/24/2021	23,866	5,029
9/25/2021	23,835	5,006
9/26/2021	23,833	4,881
9/27/2021	23,569	4,709
9/28/2021	23,034	4,469
9/29/2021	22,656	4,226
9/30/2021	21,980	3,797

ERO Custody Management Division

Population Counts from October 1, 2021 through October 31, 2021

Source: ICE Integrated Decision Support (IIDS), 11/08/2021

IIDS is a data warehouse that contains dynamic data extracts from the Enforcement Integrated Database (EID).

FY2022 data: IIDS as of 11/08/2021; EID data through 11/06/2021

Average Daily Population is calculated by the total daily population divided by the number of days in the month

Total Daily Population includes single adults and individuals in family units

ERO is currently appropriated sufficient funding for approximately 34,000 detention beds nationwide, to support its mission to enforce immigration law. ICE's access to its full inventory of bedspace is severely limited due to various court orders limiting the intake of noncitizen detainees, an increase in detention facility contract terminations, detention facility contract modifications, and the ongoing COVID-19 pandemic. Specifically, ICE's Pandemic Response Requirements (PRR) for its detention facilities, which are informed by the Centers for Disease Control and Prevention's COVID-19 guidelines, require that facilities undertake efforts to reduce populations to approximately 75% capacity. Last year, the U.S. District Court for the Central District of California issued a nationwide preliminary injunction recognizing the 75% capacity limit, and ordering ICE to maintain additional strict standards to reduce the risk of COVID-19 infection. See *Fraihat v. ICE*, 445 F.Supp.3d 709 (C.D. Cal. Apr. 20, 2020). In light of these mandates, ICE's currently available bedspace inventory is only approximately 26,800 beds

Month	October
Monthly Average Daily Population (ADP)	22,806
Monthly Average Daily Population (ADP) of Haitian Detainees	2,567

Date	Daily Population	Haitian Daily Population
10/1/2021	21,576	3,580
10/2/2021	21,511	3,152
10/3/2021	21,867	3,085
10/4/2021	22,583	3,100
10/5/2021	22,456	3,003
10/6/2021	22,602	2,950
10/7/2021	22,269	2,846
10/8/2021	22,365	2,799
10/9/2021	22,404	2,751
10/10/2021	22,859	2,739
10/11/2021	22,938	2,723
10/12/2021	23,052	2,691
10/13/2021	22,908	2,653
10/14/2021	22,616	2,635
10/15/2021	22,309	2,525
10/16/2021	22,435	2,521
10/17/2021	22,487	2,526
10/18/2021	22,590	2,509
10/19/2021	22,540	2,346
10/20/2021	22,815	2,338
10/21/2021	22,894	2,282
10/22/2021	22,594	2,237
10/23/2021	22,887	2,230
10/24/2021	23,305	2,210
10/25/2021	23,846	2,187
10/26/2021	23,835	2,190
10/27/2021	23,652	2,174
10/28/2021	23,597	2,152
10/29/2021	23,663	2,150
10/30/2021	23,656	2,150
10/31/2021	23,868	2,147

ERO Custody Management Division

Population Counts from November 1, 2021 through November 31, 2021

Source: ICE Integrated Decision Support (IIDS), 12/06/2021

IIDS is a data warehouse that contains dynamic data extracts from the Enforcement Integrated Database (EID).

FY2022 data: IIDS as of 12/06/2021; EID data through 12/04/2021

Average Daily Population is calculated by the total daily population divided by the number of days in the month

Total Daily Population includes single adults and individuals in family units

ERO is currently appropriated sufficient funding for approximately 34,000 detention beds nationwide, to support its mission to enforce immigration law. ICE's access to its full inventory of bedspace is severely limited due to various court orders limiting the intake of noncitizen detainees, an increase in detention facility contract terminations, detention facility contract modifications, and the ongoing COVID-19 pandemic. Specifically, ICE's Pandemic Response Requirements (PRR) for its detention facilities, which are informed by the Centers for Disease Control and Prevention's COVID-19 guidelines, require that facilities undertake efforts to reduce populations to approximately 75% capacity. Last year, the U.S. District Court for the Central District of California issued a nationwide preliminary injunction recognizing the 75% capacity limit, and ordering ICE to maintain additional strict standards to reduce the risk of COVID-19 infection. See *Fraihat v. ICE*, 445 F.Supp.3d 709 (C.D. Cal. Apr. 20, 2020). In light of these mandates, ICE's currently available bedspace inventory is only approximately 28,933 beds

Month	November
Monthly Average Daily Population (ADP)	23,244
Monthly Average Daily Population (ADP) of Haitian Detainees	1,736

Date	Daily Population	Haitian Daily Population
11/1/2021	23,995	2,122
11/2/2021	24,071	2,126
11/3/2021	23,860	2,053
11/4/2021	23,728	2,011
11/5/2021	23,397	1,861
11/6/2021	23,570	1,861
11/7/2021	23,941	1,866
11/8/2021	24,268	1,845
11/9/2021	24,426	1,823
11/10/2021	24,639	1,798
11/11/2021	24,654	1,796
11/12/2021	24,171	1,789
11/13/2021	24,319	1,790
11/14/2021	24,241	1,787
11/15/2021	24,576	1,764
11/16/2021	24,622	1,673
11/17/2021	24,272	1,648
11/18/2021	23,440	1,626
11/19/2021	22,696	1,630
11/20/2021	22,247	1,660
11/21/2021	22,443	1,670
11/22/2021	21,875	1,647
11/23/2021	21,317	1,620
11/24/2021	21,279	1,576
11/25/2021	21,453	1,576
11/26/2021	21,446	1,530
11/27/2021	21,687	1,541
11/28/2021	22,075	1,536
11/29/2021	22,327	1,504
11/30/2021	22,295	1,358

ERO LESA Statistical Tracking Unit

For Official Use Only (FOUO)/Pre-decisional

Texas v Biden (MPP) - Reporting Requirement - 12/10/2021

FY2022 YTD (10/1/2021 - 12/5/2021) ICE

Removals of Expedited Removals

Case AOR	Fiscal Month of Removal Case			Total
	1-Oct	2-Nov	3-Dec	
Atlanta	69	49	3	121
Baltimore	3	-	-	3
Boston	3	2	-	5
Buffalo	5	3	-	8
Chicago	16	17	-	33
Dallas	93	72	2	167
Denver	15	34	3	52
Detroit	5	11	1	17
El Paso	59	72	3	134
Harlingen	218	108	10	336
Houston	116	106	2	224
Los Angeles	1	4	1	6
Miami	35	56	-	91
New Orleans	380	313	15	708
New York City	11	4	-	15
Newark	12	4	-	16
Philadelphia	1	1	-	2
Phoenix	103	117	2	222
Salt Lake City	36	13	-	49
San Antonio	120	124	-	244
San Diego	60	82	9	151
San Francisco	7	8	1	16
Seattle	26	6	-	32
St. Paul	5	3	-	8
Washington	4	7	-	11
Total	1,403	1,215	52	2,671

FY2022 YTD (10/1/2021 - 12/5/2021) ICE

Removals of Expedited Removals of Haitians

Case AOR	Fiscal Month of Removal Case			Total
	1-Oct	2-Nov	3-Dec	
Atlanta	1	2	-	3
Baltimore	-	-	-	-
Boston	-	-	-	-
Buffalo	-	-	-	-
Chicago	-	-	-	-
Dallas	-	-	-	-
Denver	-	9	-	9
Detroit	-	-	-	-
El Paso	-	-	-	-
Harlingen	6	-	-	6
Houston	16	1	-	17
Los Angeles	-	-	-	-
Miami	18	13	-	31
New Orleans	68	176	-	244
New York City	-	-	-	-
Newark	-	-	-	-
Philadelphia	-	-	-	-
Phoenix	-	-	-	-
Salt Lake City	-	-	-	-
San Antonio	99	98	-	197
San Diego	1	11	-	12
San Francisco	-	-	-	-
Seattle	13	-	-	13
St. Paul	-	-	-	-
Washington	-	-	-	-
Total	222	310	-	532

ERO LESA Statistical Tracking Unit

For Official Use Only (FOUO)/Pre-decisional

Texas v Biden (MPP) - Reporting Requirement - 12/10/2021**FY2021 ICE Removals of Expedited Removals**

Case AOR	Fiscal Month of Removal Case												Total
	1-Oct	2-Nov	3-Dec	4-Jan	5-Feb	6-Mar	7-Apr	8-May	9-Jun	10-Jul	11-Aug	12-Sep	
Atlanta	109	39	21	16	14	26	22	25	21	39	69	66	467
Baltimore	3	-	1	-	4	1	2	-	-	1	-	-	12
Boston	3	2	1	1	2	1	1	3	3	5	-	3	25
Buffalo	3	4	5	2	3	5	1	1	3	-	6	5	38
Chicago	16	12	10	9	7	3	10	11	47	50	12	29	216
Dallas	88	60	59	77	52	90	70	50	97	117	111	61	932
Denver	15	15	22	26	31	30	30	23	3	33	57	11	296
Detroit	13	8	20	7	8	14	7	11	7	6	17	8	126
El Paso	85	50	64	51	37	65	68	65	61	68	72	80	766
Houston	67	42	31	60	44	68	49	75	127	111	90	166	930
HQ	1	-	-	1	-	-	1	1	-	-	-	-	4
Los Angeles	7	9	7	5	6	7	10	6	2	8	9	10	86
Miami	62	57	38	37	36	44	40	31	73	23	26	25	492
New Orleans	122	13	17	24	17	12	29	60	76	156	250	224	1,000
New York City	9	13	15	3	6	3	7	5	9	4	12	3	89
Newark	78	35	23	21	16	18	24	22	17	22	8	3	287
Philadelphia	16	3	9	10	7	14	6	7	8	5	7	7	99
Phoenix	94	92	60	68	63	49	45	83	92	147	128	79	1,000
Salt Lake City	5	9	5	9	2	10	8	21	52	80	67	41	309
San Antonio	125	89	132	123	123	143	160	166	106	205	247	203	1,822
San Diego	31	26	21	22	18	38	30	31	55	107	66	57	502
San Francisco	11	10	10	7	10	11	6	11	5	13	7	5	106
Seattle	50	6	4	1	4	3	1	3	3	14	11	5	105
St. Paul	2	6	4	5	2	1	7	1	2	-	2	7	39
Washington	4	1	3	4	2	1	4	-	2	4	2	9	36
Total	1,019	600	582	589	514	657	638	712	871	1,218	1,276	1,107	9,784

FY2021 ICE Removals of Expedited Removals of Haitians

Case AOR	Fiscal Month of Removal Case												Total
	1-Oct	2-Nov	3-Dec	4-Jan	5-Feb	6-Mar	7-Apr	8-May	9-Jun	10-Jul	11-Aug	12-Sep	
Atlanta	4	1	-	-	-	-	-	-	-	-	-	-	5
Baltimore	-	-	-	-	-	-	-	-	-	-	-	-	-
Boston	-	-	-	-	-	-	-	-	-	-	-	-	-
Buffalo	-	1	-	-	-	-	-	-	-	-	-	-	1
Chicago	-	-	-	-	-	-	-	-	-	-	-	-	-
Dallas	1	-	-	-	-	1	-	-	-	-	-	-	2
Denver	-	-	-	-	-	-	-	-	-	-	-	-	-
Detroit	-	-	-	-	-	-	-	-	-	-	1	-	1
El Paso	-	-	-	-	-	1	-	5	-	-	1	-	7
Houston	-	-	-	-	-	-	-	2	-	-	-	-	2
HQ	-	-	-	-	-	-	-	-	-	-	-	-	-
Los Angeles	-	-	-	-	-	-	-	-	-	-	-	-	-
Miami	6	10	2	-	2	2	2	-	-	-	-	-	24
New Orleans	1	-	-	2	-	1	2	12	-	1	-	1	20
New York City	-	-	-	-	-	-	-	-	-	-	-	-	-
Newark	1	-	-	-	-	-	-	-	-	1	-	-	2
Philadelphia	1	-	-	1	-	-	-	-	-	-	-	-	2
Phoenix	-	-	-	-	-	-	-	-	-	-	-	-	-
Salt Lake City	-	-	-	-	-	-	-	-	-	-	-	-	-
San Antonio	14	22	14	-	1	1	28	20	-	-	-	-	100
San Diego	-	-	-	-	-	1	11	-	-	-	-	-	12
San Francisco	-	-	-	-	-	-	-	-	-	-	-	-	-
Seattle	-	-	-	-	-	-	-	-	-	-	-	-	-
St. Paul	-	-	-	-	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	28	34	16	3	3	7	43	39	-	2	2	1	178

ERO-LESA Statistical Tracking Unit

For Official Use Only (FOUO)/Pre-decisional

Texas v Biden (MPP) - Reporting Requirement - 12/10/2021

ICE Initial Book Ins in FY2022 YTD (10/1/2021 - 12/05/2021) with Arresting Agency of CBP	Fiscal Month of Initial Book In			
	1-Oct	2-Nov	3-Dec	Total
	26,008	28,489	4,631	59,128

ICE Initial Book Ins in FY2022 YTD (10/1/2021 - 12/05/2021) with Arresting Agency of CBP with a previously occurring USBP Apprehension or CBP OFO Encounter at the Southwest Border		Fiscal Month of Initial Book In			
		1-Oct	2-Nov	3-Dec	Total
		22,528	27,726	4,512	54,766
FY2022	12/05/2021 ICE Currently Detained	3,046	6,448	3,196	12,690
	FY2021 ICE Final Release	18,731	20,673	1,208	40,612
	<i>Bonded out</i>	253	106	-	359
	<i>Order of Recognizance</i>	10,454	14,751	1,168	26,373
	<i>Order of supervision</i>	405	329	10	744
	<i>Paroled</i>	7,619	5,487	30	13,136
	FY2021 ICE Removal	513	289	15	817

	Fiscal Month of Initial Book In			
ICE Initial Book Ins of Haitians in FY2022 YTD (10/1/2021 - 12/05/2021) with Arresting Agency of	1-Oct	2-Nov	3-Dec	Total
	487	323	70	880

	Fiscal Month of Initial Book In				
ICE Initial Book Ins of Haitians in FY2022 YTD (10/1/2021 - 12/05/2021) with Arresting Agency of CBP with a previously occurring USBP Apprehension or CBP OFO Encounter at the Southwest Border	1-Oct	2-Nov	3-Dec	Total	
		263	149	55	467
FY2022	12/05/2021 ICE Currently Detained	64	10	41	115
	FY2021 ICE Final Release	199	139	14	352
	<i>Bonded out</i>	-	4	-	4
	<i>Order of Recognizance</i>	131	133	14	278
	<i>Order of supervision</i>	3	1	-	4
	<i>Paroled</i>	65	1	-	66
	FY2021 ICE Removal	-	-	-	-

ERO-LESA Statistical Tracking Unit

For Official Use Only (FOUO)/Pre-decisional

Texas v Biden (MPP) - Reporting Requirement - 12/10/2021

ICE Initial Book Ins in FY2021 (1/1/2021 - 9/30/2021) with Arresting Agency of CBP	Month of Initial Book In									
	4-Jan	5-Feb	6-Mar	7-Apr	8-May	9-Jun	10-Jul	11-Aug	12-Sep	Total
	3,022	4,924	10,076	14,787	19,785	23,098	22,739	29,378	27,067	154,876

ICE Initial Book Ins in FY2021 (1/1/2021 - 9/30/2021) with Arresting Agency of CBP with a previously occurring USBP Apprehension or CBP OFO Encounter at the Southwest Border		Month of Initial Book In									
		4-Jan	5-Feb	6-Mar	7-Apr	8-May	9-Jun	10-Jul	11-Aug	12-Sep	Total
		2,063	4,295	9,517	14,072	18,765	22,455	22,181	28,554	23,729	145,631
FY2021	10/08/2021 ICE Currently Detained	8	25	59	185	353	494	1,553	3,825	5,267	11,769
	FY2021 ICE Final Release	1,257	3,590	8,459	12,100	16,879	20,786	19,273	23,079	15,507	120,930
	<i>Bonded out</i>	350	613	865	1,734	914	531	547	225	37	5,816
	<i>Order of Recognizance</i>	503	2,051	5,548	7,160	10,525	13,274	12,225	17,614	11,110	80,010
	<i>Order of supervision</i>	165	219	417	461	511	643	356	324	170	3,266
	<i>Paroled</i>	239	707	1,629	2,745	4,929	6,338	6,145	4,916	4,190	31,838
	FY2021 ICE Removal	722	586	851	1,561	1,153	891	733	561	303	7,361

ICE Initial Book Ins in FY2021 (1/1/2021 - 9/30/2021) with Arresting Agency of CBP with a previously occurring USBP Apprehension or CBP OFO Encounter at the Southwest Border excluding those matched to a subsequent FY2021 Removal		Month of Initial Book In									
		4-Jan	5-Feb	6-Mar	7-Apr	8-May	9-Jun	10-Jul	11-Aug	12-Sep	Total
		1,341	3,709	8,666	12,511	17,612	21,564	21,448	27,993	23,426	138,270
FY2022 YTD (10/1/2021 - 12/05/2021)	12/05/2021 ICE Currently Detained	3	17	28	72	90	156	460	927	1,551	3,304
	FY2022 ICE Final Release	-	2	18	64	173	288	1,220	2,856	4,719	9,340
	<i>Bonded out</i>	-	-	1	6	10	43	387	563	574	1,584
	<i>Order of Recognizance</i>	-	1	4	17	25	15	194	307	1,269	1,832
	<i>Order of supervision</i>	-	1	8	20	25	62	81	95	101	393
	<i>Paroled</i>	-	-	5	21	113	168	558	1,891	2,775	5,531
	FY2022 ICE Removal	7	8	24	130	225	154	268	828	508	2,152

		Month of Initial Book In									
ICE Initial Book Ins of Haitians in FY2021 (1/1/2021 - 9/30/2021) with Arresting Agency of CBP		4-Jan	5-Feb	6-Mar	7-Apr	8-May	9-Jun	10-Jul	11-Aug	12-Sep	Total
		191	213	680	550	1,159	2,861	1,409	3,842	7,936	18,841

		Month of Initial Book In									
ICE Initial Book Ins of Haitians in FY2021 (1/1/2021 - 9/30/2021) with Arresting Agency of CBP with a previously occurring USBP Apprehension or CBP OFO Encounter at the Southwest Border		4-Jan	5-Feb	6-Mar	7-Apr	8-May	9-Jun	10-Jul	11-Aug	12-Sep	Total
		69	162	654	542	1,110	2,792	1,348	3,674	5,912	16,263
FY2021	10/08/2021 ICE Currently Detained	-	-	-	-	2	1	1	833	1,411	2,248
	FY2021 ICE Final Release	63	127	625	540	1,102	2,788	1,345	2,769	3,299	12,658
	<i>Bonded out</i>	3	13	19	5	7	17	1	-	-	65
	<i>Order of Recognizance</i>	48	66	464	418	943	1,876	839	2,034	1,859	8,547
	<i>Order of supervision</i>	3	10	56	54	57	262	55	58	28	583
	<i>Paroled</i>	9	38	86	63	95	633	450	677	1,412	3,463
	FY2021 ICE Removal	3	35	26	2	-	1	-	1	-	68

		Month of Initial Book In									
ICE Initial Book Ins in FY2021 (1/1/2021 - 9/30/2021) with Arresting Agency of CBP with a previously occurring USBP Apprehension or CBP OFO Encounter at the Southwest Border excluding those matched to a subsequent FY2021 Removal		4-Jan	5-Feb	6-Mar	7-Apr	8-May	9-Jun	10-Jul	11-Aug	12-Sep	Total
		66	127	628	540	1,110	2,791	1,348	3,673	5,912	16,195
FY2022 YTD (10/1/2021 - 12/05/2021)	12/05/2021 ICE Currently Detained	-	-	-	-	2	-	1	233	674	910
	FY2022 ICE Final Release	-	-	-	-	1	2	2	215	934	1,154
	<i>Bonded out</i>	-	-	-	-	-	-	-	18	58	76
	<i>Order of Recognizance</i>	-	-	-	-	-	-	1	21	380	402
	<i>Order of supervision</i>	-	-	-	-	-	1	-	12	31	44
	<i>Paroled</i>	-	-	-	-	1	1	1	164	465	632
	FY2022 ICE Removal	-	-	-	-	-	-	-	395	116	511

ERO-LESA Statistical Tracking Unit

For Official Use Only (FOUO)/Pre-decisional

Texas v Biden (MPP) - Reporting Requirement - 12/10/2021

Footnotes

FY2022 ICE Initial Book Ins data are updated through 12/05/2021 (IIDS run date 12/06/2021; EID as of 12/05/2021).

ICE Currently Detained National Docket data are a snapshot as of 12/05/2021 (IIDS run date 12/06/2021; EID as of 12/05/2021).

FY2022 ICE Final Releases data are updated through 12/05/2021 (IIDS run date 12/06/2021; EID as of 12/05/2021).

FY2022 ICE Removals data are updated through 12/05/2021 (IIDS run date 12/06/2021; EID as of 12/05/2021).

FY2021 ICE Book Ins data is historical and will remain static.

FY2021 ICE Currently Detained National Docket (snapshot as of 10/08/2021) is historical and will remain static.

FY2021 ICE Final Releases data is historical and will remain static.

FY2021 ICE Removals data is historical and will remain static.

USBP Apprehensions FY14 - FY22 YTD uploaded to IIDS on 12/07/2021, with FY22 apps through 12/06/2021.

Office of Field Operations (OFO) Southwest Border Operations (SBO) Enforcement Encounters Report with Subject-level details for FY22TD through 12/04/2021.

USBP Apprehensions FY14 - FY22 YTD uploaded to IIDS on 11/01/2021, with FY22 apps through 10/29/2021.

Office of Field Operations (OFO) Southwest Border Operations (SBO) Enforcement Encounters Report with Subject-level details for FY22TD through 10/30/2021.

For the purpose of this report, only the most recent status for an individual who had an ICE Initial Book Ins per fiscal year with Arresting Agency of CBP with a previously occurring USBP Apprehension or CBP OFO Encounter at the Southwest Border is included in the summary count. I.e., Individual with multiple initial book-ins within the fiscal year pertinent to this litigation should have the same reported status and not be included in multiple status summary counts.

The person record for 5,571 ICE Initial Book Ins in FY2021 pertinent to this litigation could not be matched to an ICE Current Detention (snapshot as of 10/08/2021), FY2021 ICE Final Release or FY2021 ICE Removal occurring after the ICE Initial Book In date.

ICE Initial Book Ins in FY2021 pertinent to this litigation excluding those matched with a subsequent FY2021 Removal were then run against FY2022 YTD ICE Currently Detained, ICE Final Releases, and ICE Removals. The person record for 12,620 ICE Initial Book Ins in FY2021 pertinent to this litigation could not be matched to an ICE Current Detention (snapshot as of 12/05/2021), FY2022 ICE Final Release or FY2022 ICE Removal occurring after the ICE Initial Book In date. Note, the person record for 120,823 ICE Initial Book Ins in FY2021 pertinent to this litigation remain matched to a subsequent FY2021 Final Release.

The person record for 647 ICE Initial Book Ins in FY2022 pertinent to this litigation could not be matched to an ICE Current Detention (snapshot as of 12/05/2021), FY2022 ICE Final Release or FY2022 ICE Removal occurring after the ICE Initial Book In date.

ICE Initial Book Ins are matched to USBP Apprehensions and/or OFO Encounters based on subject-level details (Civilian record) where the USBP Apprehension and/or OFO Encounter occur prior to the ICE Initial Book In date. STU cannot confirm that the ICE Initial Book In is directly related to the matched USBP Apprehension and/or OFO Encounter.

ICE Initial Book Ins

ICE Detention data exclude ORR transfers/facilities, as well as U.S. Marshals Service Prisoners.

All stats are pulled based on Current Program which attributes all cases back to the Program of the processing officer of the event. However, if Current Program = OPL, XXX, ZZZ, or null, then Event Program is used.

The "CBP" Arresting Agency includes the following programs: Border Patrol, Inspections, Inspections-Air, Inspections-Land, and Inspections-Sea.

Individuals may have more than one ICE Initial Book Ins relevant to this litigation. All have been included.

Individuals may have more than one USBP Apprehensions and/or OFO Encounters relevant to this litigation. The latest occurring Apprehension or Encounter is included.

ICE Detained National Docket

ICE Detention data exclude ORR transfers/facilities, as well as U.S. Marshals Service Prisoners.

ICE Initial Book Ins are matched to ICE Current Detention record based on person-level details (Person record) where the ICE Initial Book In occur prior to the ICE Current Detention date. The ICE Initial Book In may not be directly related to the matched ICE Current Detention.

ICE Final Releases

An ICE Final Release is defined as a Final Bookout that reflects one of the following release reasons: Bonded Out, Order of Recognizance, Order of Supervision, Paroled, or Prosecutorial Discretion. All Case Statuses are included.

ICE Detention data exclude ORR transfers/facilities and U.S. Marshals Service Prisoners.

An alien may have multiple releases; only the most recent release is included in this report.

ICE Initial Book Ins are matched to ICE Final Release record based on person-level details (Person record) where the ICE Initial Book In occur prior to the ICE Final Release date. The ICE Initial Book In may not be directly related to the matched ICE Final Release.

ICE Removals

ICE Removals include Returns. Returns include Voluntary Returns, Voluntary Departures and Withdrawals Under Docket Control.

ICE Removals include aliens processed for Expedited Removal (ER) or Voluntary Return (VR) that are turned over to ERO for detention. Aliens processed for ER and not detained by ERO or VR after June 1st, 2013 and not detained by ERO are primarily processed by Border Patrol.

Starting in FY2009, ICE began to “lock” removal statistics at the end of each fiscal year and counted only the aliens whose removal or return was already confirmed. Aliens removed or returned in that fiscal year but not confirmed until after the end of that fiscal year were excluded from the locked data and thus from ICE statistics. To ensure an accurate and complete representation of all removals and returns, ICE will include the removals and returns confirmed after the end of that fiscal year into the next fiscal year. The number of removals in FY2009, excluding the "lag" from FY2008, was 387,790. The number of removals in FY2010, excluding the "lag" from FY2009, was 373,440. This number does not include 76,732 expedited removal cases which ICE closed on behalf of CBP in FY2010. Of those 76,732, 33,900 cases resulted from a joint CBP/ICE operation in Arizona. ICE spent \$1,155,260 on those 33,900 cases. The number of removals in FY2011, excluding the "lag" from FY2010, was 385,145. The number of removals in FY2012, excluding the "lag" from FY2011, was 402,919. The number of removals in FY2013, excluding the "lag" from FY2012, was 363,144. The number of removals in FY2014, excluding the "lag" from FY2013, was 311,111. The number of removals in FY2015, excluding the "lag" from FY2014, was 231,250. The number of removals in FY2016, excluding the "lag" from FY2015, was 235,524. The number of removals in FY2017, excluding the “lag” from FY2016, was 220,649. The number of removals in FY2018, excluding the “lag” from FY2017, was 252,405. The Number of removals in FY2019, excluding the "lag" from FY2018, was 262,591. The number of removals in FY2020, excluding the “lag” from FY2019, was 177,516. The number of removals in FY2021, excluding the “lag” from FY2020, was 55,355.

FY Data Lag/Case Closure Lag is defined as the physical removal of an alien occurring in a given month; however, the case is not closed in EARM until a subsequent FY after the data is locked. Since the data from the previous FY is locked, the removal is recorded in the month the case was closed and reported in the next FY Removals. This will result in a higher number of recorded removals in an FY than actual departures.

All stats are pulled based on Current Program which attributes all cases back to the Program of the processing officer of the event. However, if Current Program = OPL, XXX, ZZZ, or null, then Event Program is used.

Expedited removals include cases have one of the following case categories:

[8F] Expedited Removal [8G] Expedited Removal - Credible Fear Referral, [8H] Expedited Removal - Status Claim Referral, [8K] Expedited Removal Terminated due to Credible Fear Finding / NTA Issued.

Month break out of Expedited Removals is based on fiscal month of departure.

ICE Initial Book Ins are matched to ICE Removal record based on person-level details (Person record) where the ICE Initial Book In occur prior to the ICE Removal date. The ICE Initial Book In may not be directly related to the matched ICE Removal.