

Exhibit A

Texas v. Biden Monthly Report
Reporting Period: January 1, 2022 – January 31, 2022

(1) The total monthly number of encounters¹ at the southwest border (SWB);

Encounter data includes U.S. Border Patrol (USBP) Title 8 Apprehensions² between the ports of entry along the SWB, Office of Field Operations (OFO) Title 8 Inadmissibles³ at land ports of entry along the SWB, and Title 42 Expulsions⁴ at and between the ports of entry along the SWB.

January 2022 as of February 3, 2022	Title 42	Title 8	Total Encounters
Office of Field Operations	2,188	4,811	6,999
El Paso Field Office	161	608	769
Laredo Field Office	1,160	1,514	2,674
San Diego Field Office	647	2,357	3,004
Tucson Field Office	220	332	552
U.S. Border Patrol	76,298	70,644	146,942
Big Bend Sector	1,949	391	2,340
Del Rio Sector	11,063	19,710	30,773
El Centro Sector	2,669	2,161	4,830
El Paso Sector	11,741	6,297	18,038
Laredo Sector	6,799	574	7,373
Rio Grande Valley Sector	14,616	15,564	30,180
San Diego Sector	9,492	2,735	12,227
Tucson Sector	15,469	2,223	17,692
Yuma Sector	2,500	20,989	23,489
Grand Total	78,486	75,455	153,941

¹ The sum of Title 8 apprehensions/inadmissible aliens and expulsions.

² Apprehension refers to the physical control or temporary detainment of a person who is not lawfully in the U.S. which may or may not result in an arrest.

³ Inadmissible refers to individuals encountered at ports of entry who are seeking lawful admission into the United States but are determined to be inadmissible, individuals presenting themselves to seek humanitarian protection under our laws, and individuals who withdraw an application for admission and return to their countries of origin within a short timeframe.

⁴ Expulsions refers to individuals encountered by USBP and OFO and expelled to the country of last transit or home country in the interest of public health under Title 42 U.S.C. 265.

(2) The total monthly number of aliens expelled under Title 42, Section 1225, or under any other statute;

- Title 42 expulsions at and between the ports of entry along the SWB⁵

January 2022 as of February 3, 2022	Title 42
Office of Field Operations	2,188
El Paso Field Office	161
Laredo Field Office	1,160
San Diego Field Office	647
Tucson Field Office	220
U.S. Border Patrol	76,298
Big Bend Sector	1,949
Del Rio Sector	11,063
El Centro Sector	2,669
El Paso Sector	11,741
Laredo Sector	6,799
Rio Grande Valley Sector	14,616
San Diego Sector	9,492
Tucson Sector	15,469
Yuma Sector	2,500
Grand Total	78,486

- Southwest Land Border Removals/Returns under Title 8, based on encounter date⁶

Total Removals and Returns Under Title 8	
U.S. Border Patrol	5,136
Bag and Baggage ⁷	34
Voluntary Return ⁸	2,199
Expedited Removal	1,243
Reinstatement of Removal	1,448
Returns Pursuant to 8 U.S.C. § 1225(b)(2)(C)	212
Office of Field Operations	1,639
Bag and Baggage	1
Voluntary Return	37
Expedited Removal	415
Reinstatement of Removal	1
Withdrawal of Application for Admission	1,185

⁵ Same as Title 42 expulsion data provided in response to 1 above.

⁶ Indicates that the noncitizen was encountered during the reporting period (January 1, 2022 – January 31, 2022).

⁷ When a noncitizen encountered or apprehended by CBP has been previously ordered removed by an immigration judge and the order was never executed (i.e., in absentia). The removal order may be immediately executed by CBP or CBP may turn the noncitizen over to ICE for removal.

⁸ Constitutes a request by a non-citizen to be permitted to return to their country of citizenship on a voluntary basis, in lieu of being formally removed or placed into removal proceedings.

Returns Pursuant to 8 U.S.C. § 1225(b)(2)(C)	
Grand Total	6,775

(3) Defendants' total detention capacity as well as current usage rates;*OFO Holding Capacity – Southwest Border in Custody⁹*

Detention Capacity	January 2022
935	289 (30.9%) ¹⁰

USBP Average Daily Subjects In Custody by Southwest Border Sector¹¹

USBP Sector	January 2022
Big Bend	27
Del Rio	1,619
El Centro	314
El Paso	1,757
Laredo	938
Rio Grande	2,122
San Diego	694
Tucson	368
Yuma	1,691
Total	9,530

⁹ Represents an estimate of each cell's coded occupancy limit, as outlined in technical design standards when constructed, multiplied by the total number of cells for all ports of entry within each field office. This number does not account for the unique circumstances that may limit the occupancy of a given cell (e.g., high risk, nursing/pregnant, transgender, unaccompanied minor, etc.) nor does it reflect operational limitations that affect a port's capacity to detain. CBP's capacity to detain individuals in its short-term facilities depends on many factors, including: demographics of the individual in custody; medical or other needs of individuals in custody; ability of ICE ERO (or, if an unaccompanied child, the U.S. Department of Health and Human Services) to transfer individuals out of CBP custody; and OFO's available resources to safely process and hold individuals.

¹⁰ Represents the average number of travelers in custody on a daily basis averaged over the 30-day period, at all Southwest Border Field Office locations. Travelers include inadmissible individuals, lawful permanent residents, asylees, refugees, and United States Citizens who are being detained to verify wants, warrants, criminal, administrative or other judicial process.

¹¹ U.S. Border Patrol facilities, such as stations and central processing centers, provide short-term holding capacity for the processing and transfer of individuals encountered by agents. Maximum facility capacity along the southwest border is approximately 5,000, which assumes a homogenous population and full operating status at all facilities. Actual capacity fluctuates constantly based on characteristics of in-custody population, to include demographics, gender, criminality, etc. The average percentage of subjects in custody on a daily basis is 190.6%, which is averaged over the 30-day period and includes all Southwest Border Sector locations.

(4) The total monthly number of “applicants for admission”¹² under Section 1225;

January 2022 as of February 3, 2022	Title 8
Office of Field Operations	4,811
El Paso Field Office	608
Laredo Field Office	1,514
San Diego Field Office	2,357
Tucson Field Office	332
U.S. Border Patrol	70,644
Big Bend Sector	391
Del Rio Sector	19,710
El Centro Sector	2,161
El Paso Sector	6,297
Laredo Sector	574
Rio Grande Valley Sector	15,564
San Diego Sector	2,735
Tucson Sector	2,223
Yuma Sector	20,989
Grand Total	75,455

(5) The total monthly number of “applicants for admission” under Section 1225 paroled into the United States; and

Southwest Border Paroles	January 2022 Paroles
U.S. Border Patrol	13,275
Parole Disposition	13,275
Office of Field Operations	3,185
NTA and Paroled into the U.S. on a case-by-case basis pursuant to 8 U.S.C. § 1182(d)(5)	2,379
Parole Disposition	806
Grand Total	16,460

¹² An applicant for admission is defined as “[a]n alien present in the United States who has not been admitted or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters).” 8 U.S.C. § 1225(a)(1). Thus, an applicant for admission may include noncitizens that have never been encountered by CBP. At this time, CBP does not have a mechanism to track all applicants for admission in the United States that are not encountered by CBP. CBP has included the same data as the Title 8 encounter data provided in response to 1 above.

(6) The total monthly number of “applicants for admission” under Section 1225 released into the United States, paroled or otherwise.”¹³

Southwest Border Releases	January 2022 Releases
U.S. Border Patrol	43,001
Notice To Report ¹⁴	
Notice to Appear - Order of Release on Recognizance	29,726
Parole Disposition	13,275
Office of Field Operations	3,185
NTA and Paroled into the U.S. on a case-by-case basis pursuant to 8 U.S.C. § 1182(d)(5)	2,379
Parole Disposition	806
Grand Total	46,186

¹³ All numbers in reporting requirement 6 are “based on encounter date,” as defined above.

¹⁴ Individuals who are screened by CBP, and after criminal and immigration records checks are conducted to determine if the subject is a threat to national security or public safety, are then released and instructed to report to U.S. Immigration and Customs Enforcement (ICE) for continued processing.