

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

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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.	)	

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**DEFENDANTS' MONTHLY REPORT FOR THE MONTH OF FEBRUARY 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 February 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 February 1–28, 2023.

<b>Component</b>	<b>Citizenship</b>	<b>Title 8</b>	<b>Title 42</b>	<b>Total</b>
<b>OFO</b>	AFGHANISTAN	3	0	3
	ARGENTINA	4	1	5
	ARMENIA	88	1	89
	AZERBAIJAN	10	0	10
	BELARUS	71	0	71
	BELGIUM	1	0	1
	BELIZE	6	0	6
	BOLIVIA	4	0	4
	BOTSWANA	1	0	1
	BRAZIL	12	1	13
	BULGARIA	0	1	1
	CAMEROON	3	0	3
	CANADA	5	4	9
	CHILE	10	3	13
	CHINA, PEOPLES REPUBLIC OF	18	4	22
	COLOMBIA	86	1	87
	COSTA RICA	3	0	3
	CUBA	478	1	479
	DOMINICA	1	0	1
	DOMINICAN REPUBLIC	22	4	26
ECUADOR	40	4	44	
EGYPT	1	0	1	

EL SALVADOR	137	5	142
ESTONIA	1	0	1
ETHIOPIA	0	1	1
FRANCE	0	4	4
GEORGIA	2	0	2
GERMANY	4	3	7
GUATEMALA	100	20	120
HAITI	5,468	34	5,502
HONDURAS	550	9	559
INDIA	1	0	1
INDONESIA	1	0	1
IRAN	3	0	3
ISRAEL	0	1	1
ITALY	2	0	2
JAMAICA	2	0	2
JAPAN	1	0	1
JORDAN	1	0	1
KAZAKHSTAN	29	0	29
KYRGYZSTAN	198	1	199
LIBYA	0	2	2
MACAO (MACAU)	0	1	1
MARSHALL ISLANDS	0	1	1
MEXICO	3,012	1,495	4,507
MOLDOVA	12	1	13
NICARAGUA	201	4	205
NIGERIA	3	0	3
PANAMA	2	0	2
PERU	13	2	15
PORTUGAL	0	1	1
ROMANIA	2	0	2
RUSSIA	2,113	2	2,115
SOUTH KOREA	3	0	3
SPAIN	20	7	27
SURINAME	1	0	1
SWEDEN	1	0	1
SWITZERLAND	1	0	1
TAIWAN - REPUBLIC OF CHINA	0	1	1
TAJIKISTAN	25	0	25
TURKEY	8	0	8

	TURKMENISTAN	3	0	3
	UKRAINE	4	4	8
	UNITED KINGDOM	2	2	4
	UNKNOWN	8	4	12
	UZBEKISTAN	33	0	33
	VENEZUELA	3,049	26	3,075
	VIETNAM	6	0	6
	<b>OFO Total</b>	<b>15,889</b>	<b>1,656</b>	<b>17,545</b>
<b>USBP</b>	AFGHANISTAN	168	0	168
	ALBANIA	20	0	20
	ANGOLA	224	3	227
	ARGENTINA	8	0	8
	ARMENIA	16	2	18
	AZERBAIJAN	16	0	16
	BANGLADESH	99	0	99
	BELARUS	1	0	1
	BELIZE	229	0	229
	BENIN	3	0	3
	BOLIVIA	105	0	105
	BRAZIL	665	0	665
	BULGARIA	1	0	1
	BURKINA FASO (UPPER VOLTA)	30	0	30
	BURUNDI	3	0	3
	CAMEROON	195	0	195
	CANADA	2	0	2
	CAPE VERDE, REPUBLIC OF	2	0	2
	CHAD	4	0	4
	CHILE	5	0	5
	CHINA, PEOPLES REPUBLIC OF	1,117	6	1,123
	COLOMBIA	5,655	1,294	6,949
	COSTA RICA	29	0	29
	CUBA	53	92	145
	DEMOCRATIC REPUBLIC OF CONGO (ZAIRE)	63	0	63
	DJIBOUTI	6	0	6
	DOMINICAN REPUBLIC	2,654	6	2,660
	ECUADOR	1,719	1,090	2,809
	EGYPT	29	0	29
	EL SALVADOR	335	2,739	3,074
EQUATORIAL GUINEA	10	0	10	

ERITREA	117	0	117
ETHIOPIA	98	0	98
FRANCE	1	0	1
GABON	1	0	1
GAMBIA	13	0	13
GEORGIA	372	0	372
GERMANY	1	0	1
GHANA	174	0	174
GUATEMALA	663	7,710	8,373
GUINEA	58	0	58
GUINEA-BISSAU	6	0	6
GUYANA	1	0	1
HAITI	6	7	13
HONDURAS	592	5,766	6,358
INDIA	1,472	0	1,472
IRAN	30	0	30
IRAQ	2	0	2
ISRAEL	1	0	1
ITALY	1	0	1
IVORY COAST	7	0	7
JAMAICA	175	0	175
JORDAN	13	0	13
KAZAKHSTAN	118	0	118
KENYA	1	0	1
KOSOVO	14	0	14
KYRGYZSTAN	13	0	13
LITHUANIA	1	0	1
MALI	18	0	18
MAURITANIA	354	1	355
MEXICO	6,169	43,914	50,083
MICRONESIA, FEDERATED STATES OF	0	1	1
MOLDOVA	3	0	3
MOROCCO	9	0	9
MOZAMBIQUE	3	0	3
NEPAL	93	0	93
NICARAGUA	67	238	305
NIGER	4	0	4
NIGERIA	55	1	56
PAKISTAN	74	0	74

PANAMA	29	0	29
PARAGUAY	13	0	13
PERU	2,836	159	2,995
PHILIPPINES	1	0	1
REPUBLIC OF CONGO (BRAZZAVILLE)	37	0	37
REPUBLIC OF SOUTH AFRICA	2	0	2
ROMANIA	103	1	104
RUSSIA	83	0	83
SAO TOME AND PRINCIPE	1	0	1
SENEGAL	192	0	192
SERBIA	1	0	1
SIERRA LEONE	5	1	6
SOMALIA	160	0	160
SOUTH KOREA	1	0	1
SPAIN	3	0	3
SRI LANKA	41	0	41
SUDAN	9	0	9
SWEDEN	2	0	2
SYRIA	24	0	24
TAJIKISTAN	59	0	59
TANZANIA	3	0	3
TOGO	5	0	5
TURKEY	928	0	928
UGANDA	2	0	2
UKRAINE	2	0	2
URUGUAY	1	0	1
UZBEKISTAN	503	0	503
VENEZUELA	169	491	660
VIETNAM	160	0	160
YEMEN	13	0	13
ZIMBABWE	1	0	1
<b>USBP SBO Total</b>	<b>29,655</b>	<b>63,522</b>	<b>93,177</b>
<b>CBP SBO Total</b>	<b>45,544</b>	<b>65,178</b>	<b>110,722</b>

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

From February 1–28, 2023, U.S. Border Patrol (“USBP”) applied expedited removal, 8 U.S.C.

§ 1225(b)(1), to 1,477 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 February 1–28, 2023, CBP’s Office of Field Operations processed 20,778 Title 42 exceptions under the CBP One supported humanitarian exception process. The below shows the data broken down by port.

- Brownsville, TX: 5,234
- Hidalgo, TX: 3,785
- Laredo, TX: 1,150
- Eagle Pass, TX: 1,093
- Paso del Norte, El Paso, TX: 2,170
- Nogales, AZ: 1,086
- Calexico, CA: 760
- San Ysidro, CA: 5,500

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

As previously reported, 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. On February 9, 2023, the HHS Secretary renewed the declaration of public health emergency until 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. The Administration has further stated that “at present,” its plan is for the public health emergency to end on May 11, 2023. 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 ends.

Date: March 16, 2023

Respectfully submitted,

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