

Texas v. Biden Monthly Report**Reporting Period: December 1, 2021 –December 31, 2021****(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.

December 2021 as of January 3, 2022	All Citizenships		Haitian Nationals	
	Title 8	Title 42	Title 8	Title 42
Office of Field Operations	6,348	2,306	35	1
El Paso Field Office	525	190	7	1
Laredo Field Office	1,213	1,140	22	
San Diego Field Office	4,276	746	6	
Tucson Field Office	334	230		
U.S. Border Patrol	93,903	76,283	5,141	1,898
Big Bend Sector	758	2,659	14	42
Del Rio Sector	22,756	10,449	637	822
El Centro Sector	1,460	2,675	19	8
El Paso Sector	8,072	11,399	1,886	793
Laredo Sector	621	6,683		
Rio Grande Valley Sector	24,447	19,397	9	7
San Diego Sector	4,719	8,863	67	16
Tucson Sector	2,673	13,086		
Yuma Sector	28,397	1,072	2,509	210
Total Encounters	100,251	78,589	5,176	1,899

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.

Southwest Border Releases	December 2021 Releases All Citizenships	December 2021 Releases Haitian Nationals
U.S. Border Patrol Total	51,106	1,508
Notice To Report ¹⁵		
Notice to Appear - Order of Release on Recognizance	32,836	1,087
Parole Disposition	18,270	421
Office of Field Operations Total	4,520	34
NTA and Paroled into the U.S. on a case-by-case basis pursuant to 8 U.S.C. § 1182(d)(5)	3,816	34
Parole Disposition	704	
Parole Disposition (ICE Declined to Detain Indicator)	5	
Total	55,626	1,542

USBP Southwest Border ORs, NTRs, and Parole Subjects by Month

Categories		December 2021 All Citizenships	December 2021 Haitian Nationals
NTA/OR	"Lack of Space"	11,577	425
		21,566	686
NTA/OR Total¹⁶		33,143	1,111
NTR Total¹⁷		0	0
Parole	"Lack of Space"	431	8
		17,831	416
Parole Total¹⁸		18,262	424

¹³ All numbers in reporting requirement 6 for Office of Field Operations are “based on encounter date,” as defined above. The parole disposition (ICE Declined to Detain Indicator) row within the “Office of Field Operations Total” is *not* in addition to the preceding rows. This is not indicative of all individuals paroled into the United States due to an ICE declination to detain. This is merely those that requested to be paroled at a port of entry and a custody determination was made by ICE not to detain. When processing in OFO systems, this is not a field required for input. OFO is able to provide data on noncitizens paroled and released into the United States; however, is not able to provide specific reasons as to why detention was declined. Specific reasons for denial are not captured in CBP’s electronic systems of record nor is it provided when that decision is reached.

¹⁴ Given that the data reported in reporting requirement number 6 is inclusive of the data reported in reporting requirement number 5, we have only included the data related to the reasons for release in response to reporting requirement number 6. In addition, the CBP releases may have occurred under Section 1225 or Section 1226, but that specific data is not available at this time for purposes of this report.

¹⁵ 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.

¹⁶ NTA/OR: Lack of detention capacity is not a required field in USBP’s system of record. Some NTA/ORs were documented in the system using a descriptor of “lack of space” when ICE declined custody due to lack of detention capacity, but since it is not a required field, the descriptor is not consistently utilized and documented in the system. Some NTA/ORs may have issued due to a lack of detention capacity but not documented as such in the system.

¹⁷ NTR: Lack of detention capacity is not a required field in USBP’s system of record and is not captured in the system for NTRs; however, NTRs were issued in limited sectors on a case-by-case basis when USBP holding capacity was exceeded or when resources became overwhelmed.

¹⁸ Parole: Lack of detention capacity is not a required field in USBP’s system of record. Some Paroles were documented in the system using a descriptor of “lack of space,” but since it is not a required field, the descriptor is not consistently utilized and documented in the system.