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April 20, 2022

President Joseph R. Biden  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Dear Mr. President:

Nearly three weeks ago, the Director of the Centers for Disease Control and Prevention (CDC) announced that, after consultation with the Department of Homeland Security (DHS), she would terminate Title 42 on May 23.<sup>1</sup> Last Tuesday, the Secretary of Health and Human Services announced that, after consultation with public health officials, he would extend the COVID-19 Public Health Emergency.<sup>2</sup>

Since the CDC declared it would lift Title 42, there has been little evidence to suggest that DHS has taken meaningful steps to ensure a safe and orderly immigration process—one that does not jeopardize the health and safety of migrants, law enforcement, health care and humanitarian aid workers, and Arizonans living in border communities.

Therefore, I urge that you delay the termination of Title 42 until after the COVID-19 Public Health Emergency is lifted and DHS creates a workable plan to handle a significant increase in traffic at the border.

As part of a bipartisan group of lawmakers, I introduced the *Public Health and Border Security Act of 2022*, which calls on your Administration to submit a written plan to Congress and the American people before repealing Title 42. Such a delay would allow your Administration the time it needs to appropriately coordinate a strategy for the federal government, local law enforcement, and nonprofit organizations to effectively and humanely process the surge of migrants likely to arrive in the coming weeks. Because the Administration's approach to the border has been largely reactionary, it is essential that it create this kind of plan.

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<sup>1</sup> CDC Public Health Determination and Termination of Title 42 Order, CTR. FOR DISEASE CONTROL & PREVENTION (Apr. 1, 2022), <https://www.cdc.gov/media/releases/2022/s0401-title-42.html>.

<sup>2</sup> Renewal of Determination That a Public Health Emergency Exists, U.S. DEP'T OF HEALTH & HUM. SERV. (Apr. 12, 2022), <https://aspr.hhs.gov/legal/PHE/Pages/COVID19-12Apr2022.aspx>.

Moreover, recent reporting<sup>3</sup> indicates that such a surge may cause Customs and Border Protection and Immigration and Customs Enforcement to face budget shortfalls as early as this summer, raising serious national security concerns. A delay would lend meaningful time to your Administration to provide an accounting to Congress of the funding and resources necessary to secure our border.

We must do all we can to guarantee order in our immigration system and safety at the Southern border—and that requires a comprehensive plan from your Administration. I urge you to take swift action on this important matter.

Sincerely,



Greg Stanton  
Member of Congress

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<sup>3</sup> Julia Ainsley, *Biden admin faces budget shortfall when border Covid ban lifts and migrants surge*, NBC NEWS, (Apr. 20, 2022, 10:10 AM), <https://www.nbcnews.com/politics/immigration/biden-admin-faces-budget-shortfall-border-covid-ban-lifts-migrants-sur-rcna25153>.