

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

TEXAS CIVIL RIGHTS PROJECT, as Next
Friend of UNNAMED CHILDEN #1-100,

Plaintiffs,

v.

CHAD WOLF, Acting Secretary of
Department of Homeland Security, et al.,

Defendants.

Civil Docket No. 1:20-cv-2035 (BAH)

NOTICE TO THE COURT

Texas Civil Rights Project (“TCRP”) filed this case on behalf of “unnamed migrant minors” who had illegally entered the United States from Mexico and were held at a hotel in McAllen, Texas, as of July 23, 2020. *See* Compl. ¶¶ 3, 18, ECF No. 1. TCRP sued on behalf of these putative plaintiffs to seek an order preventing the Government from returning them to their home countries pursuant to an order issued by the Director of the Centers for Disease Control and Prevention (“CDC”). *See id.* Prayer for Relief a-c. The CDC Order, issued under the Director’s authority in the Public Health Service Act, temporarily prohibits the movement of certain aliens into the United States from Canada or Mexico to avert the serious danger of further spreading COVID-19 into the United States. *See id.* ¶ 58.¹ The Order requires returning such aliens to the

¹ *See also* Control of Communicable Diseases; Foreign Quarantine: Suspension of Introduction of Persons Into United States From Designated Foreign Countries or Places for Public Health Purposes, 85 Fed. Reg. 16559, 16563 (Mar. 24, 2020); Notice of Order Under Sections 362 and 365 of the Public Health Service Act Suspending Introduction of Certain Persons From Countries Where a Communicable Disease Exists, 85 Fed. Reg. 17060, 17061, 17067 (Mar. 26, 2020), *as extended and/or amended by* Extension of Order Suspending Introduction of Certain Persons From Countries Where a Communicable Disease Exists, 85 Fed. Reg. 22424 (Apr. 20,

country from which they entered the United States, to their country of origin, or to another location as promptly as possible. *Id.* ¶ 60. TCRP requested an order that would require the Government to afford the minors the immigration procedures that would otherwise apply without the CDC Order. TCRP filed a motion for a temporary restraining order (“TRO”) on July 24, 2020. ECF No. 2.

The Government hereby represents that the unnamed single minors who were at the identified hotel on July 23, 2020 and still in the United States when the TRO was filed are being processed or will be processed under the immigration procedures set out in Title 8 of the U.S. Code and not under the CDC Order. As the Court is aware, TCRP has withdrawn its motion for a TRO, ECF No. 4.

Dated: July 27, 2020

Respectfully submitted,

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2020), and Amendment and Extension of Order Suspending Introduction of Certain Persons from Countries Where a Communicable Disease Exists, 85 Fed. Reg. 31503-02 (May 21, 2020).