

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To codify in statute the CDC title 42 expulsion order, which suspends the right for certain aliens to enter the United States along United States land borders, until February 1, 2025.

---

IN THE SENATE OF THE UNITED STATES

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

---

**A BILL**

To codify in statute the CDC title 42 expulsion order, which suspends the right for certain aliens to enter the United States along United States land borders, until February 1, 2025.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXTENSION AND CODIFICATION OF TITLE 42**

4 **EXPULSION ORDER ISSUED ON OCTOBER 13,**

5 **2020.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) On March 20, 2020, the Director of the  
8 Centers for Disease Control and Prevention (CDC),

1       pursuant to sections 362 and 365 of the Public  
2       Health Service Act (42 U.S.C. 265 and 268), issued  
3       the Order Suspending Introduction of Certain Per-  
4       sons from Countries Where a Communicable Disease  
5       Exists (85 Fed. Reg. 16567), which was extended on  
6       April 20, 2020, and amended on May 19, 2020.

7           (2) On October 13, 2020, the Director of the  
8       CDC, issued a similar order (85 Fed. Reg. 65806),  
9       which continued to protect the public health from an  
10      increase in the serious danger of the introduction of  
11      COVID–19 into the United States through ports of  
12      entry.

13          (3) On April 1, 2022, the Director of the CDC  
14      announced that the policy implemented through the  
15      orders referred to in paragraphs (1) and (2), and  
16      commonly known as the title 42 expulsion policy,  
17      would be terminated beginning May 23, 2022.

18      (b) TEMPORARY EXTENSION OF TITLE 42 EXPUL-  
19      SION POLICY.—Notwithstanding the Order Regarding the  
20      Right to Introduce Certain Persons From Countries  
21      Where a Quarantinable Communicable Disease Exists,  
22      issued by the Director of the Centers for Disease Control  
23      and Prevention on April 1, 2022, the Secretary of Home-  
24      land Security shall ensure that the following policy re-  
25      mains in place until February 1, 2025:

1           (1) Any person not described in paragraph (2)  
2           who is traveling through Canada or Mexico and  
3           would otherwise be introduced into a congregate set-  
4           ting in a land or coastal port of entry or U.S. Bor-  
5           der Patrol station at or near the United States bor-  
6           der with Canada or with Mexico may not be placed  
7           in a congregate setting in the United States or oth-  
8           erwise admitted into the United States. It is antici-  
9           pated that the vast majority of such persons will be  
10          aliens who are seeking to enter the United States at  
11          a port of entry who do not have proper travel docu-  
12          ments, aliens whose entry is otherwise contrary to  
13          the immigration laws, and aliens who are appre-  
14          hended at or near the United States border while  
15          seeking to unlawfully enter the United States.

16          (2) A person described in this paragraph is—

17                 (A) a United States citizen or lawful per-  
18                 manent resident;

19                 (B) a member of the United States Armed  
20                 Forces, including associated personnel, and the  
21                 spouse and children of such members; or

22                 (C) a person from a foreign country who  
23                 holds valid travel documents and arrives at a  
24                 designated port of entry, including any person  
25                 from a foreign country participating in the visa

1 waiver program who is not subject to travel re-  
2 strictions.