

# Annual Report

**IMMIGRATION ENFORCEMENT ACTIONS: 2017** 

**MARCH 2019** 



## **Immigration Enforcement Actions: 2017**

#### **KATHERINE WITSMAN**

#### INTRODUCTION

The Department of Homeland Security (DHS) engages in immigration enforcement actions to prevent unlawful entry into the United States and to apprehend and repatriate aliens within the United States who have violated or failed to comply with U.S. immigration laws. The primary responsibility for the enforcement of immigration law within DHS rests with U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services (USCIS). CBP primarily enforces immigration laws along the borders and at ports of entry (POEs), ICE is responsible for interior enforcement and detention and removal operations, and USCIS adjudicates applications and petitions for immigration and naturalization benefits.

The immigration enforcement actions covered in this report include initial enforcement actions [determinations of inadmissibility by CBP Office of Field Operations (OFO) officers, apprehensions by U.S. Border Patrol (USBP) agents, and administrative arrests by ICE officers], initiation of removal proceedings, intakes into immigration detention, and repatriations (removals and returns). This report presents information on certain DHS immigration enforcement actions during 2017.<sup>2</sup>

#### Key findings:

- DHS apprehended 13 percent fewer aliens in 2017 than in 2016, driven by a 25 percent drop in USBP apprehensions and despite a 32 percent increase in ICE administrative arrests. DHS apprehensions of aliens from Mexico and the Northern Triangle of Central America decreased by 17 percent and 10 percent, respectively.
- CBP OFO found 21 percent fewer aliens inadmissible, primarily due to the drop in inadmissible Cubans after a policy change in January 2017.
- Intakes into immigration detention decreased by eight percent, while aliens from Mexico and the Northern Triangle of Central America still accounted for over 80 percent of total detentions.
- <sup>1</sup> The Office of Immigration Statistics (OIS) reports on these "initial enforcement actions" because, in general, all DHS removals and returns may be traced back to one of them. Note, however, that these actions may not reflect an agency's first contact with an alien—as in the case of an ICE detainer request that precedes an administrative arrest, for example—and that an alien may be subject to multiple initial enforcement actions over time.
- In this report, "years" refer to U.S. fiscal years, which run from October 1 to September 30.
  For example, fiscal year 2017 began on October 1, 2016, and ended on September 30, 2017.

- Removals declined 11 percent, or 38,000 fewer removals. About 41 percent of removals involved aliens who had a prior criminal conviction.
- Returns decreased slightly, primarily driven by a decline in returns by CBP OFO.

#### **ENFORCEMENT ACTIONS PROCESSES**

#### **Determinations of Inadmissibility**

All aliens seeking admission at a POE are subject to inspection. CBP OFO agents conduct these inspections at designated POEs and at pre-clearance locations at certain foreign ports. Applicants for admission who are found to be inadmissible may be permitted to voluntarily withdraw their application for admission and return to their home country, processed for expedited removal, referred to an immigration judge (IJ) for removal proceedings, processed for a visa waiver refusal, or paroled into the United States.3 Aliens referred to an IJ for removal proceedings under section 240 of the Immigration and Nationality Act (INA) are issued an I-862 Notice to Appear (NTA) and may be transferred to ICE for a custody determination. Aliens who apply under the Visa Waiver Program who are found to be inadmissible are refused admission without referral to an IJ, per Section 217 of the INA, unless the alien requests asylum, withholding of removal, or protection under the U.N. Convention against Torture.

#### **DHS Apprehensions**

DHS apprehensions of aliens for suspected immigration violations include "apprehensions" by USBP and "administrative arrests" by ICE. CBP and ICE officers and agents also initiate criminal charges against certain inadmissible or removable aliens, as well as against certain individuals who are suspected of non-immigration-related offenses; criminal arrests are beyond the scope of this report. Aliens who are arrested (by any law enforcement agency) and convicted for criminal activity may also be removable and subject to administrative arrest by ICE at the conclusion of their criminal sentence.

<sup>&</sup>lt;sup>3</sup> Note that OFO only makes definitive determinations of inadmissibility in cases of expedited removal, administrative removals, reinstatements of removal, and of visa waiver refusals. In other cases, immigration judges make a final determination of admissibility or inadmissibility. The IJ for the removal proceedings may also grant asylum or another form of relief from removal

#### **USBP** Apprehensions

Aliens who enter without inspection between POEs and are apprehended by USBP are generally subject to removal. Adults may be permitted to voluntarily return to their country of origin, removed administratively, or referred to an asylum officer for a credible fear interview or to an IJ for removal proceedings (i.e., issued an NTA). Adults who are referred to an asylum officer or issued an NTA are generally transferred to ICE for a custody determination. Adults from non-contiguous countries may be subject to administrative removal, referred to an asylum officer for a credible fear interview, or placed in removal proceedings. Unaccompanied alien children (UAC) from contiguous countries may be permitted to return to their country of origin under certain circumstances, while other UAC are processed by ICE and then transferred to the custody of the U.S. Department of Health and Human Services' (HHS) Office of Refugee Resettlement (ORR).

Beginning in 2012, USBP implemented the Consequence Delivery System (CDS) across all sectors. The CDS guides USBP agents through a process designed to uniquely evaluate each subject and identify the most effective and efficient consequences to deliver in order to impede and deter further illegal activity. Examples of CDS consequences include expedited removal, lateral repatriation through the Alien Transfer Exit Program, and immigration-related criminal charges, among others.

#### ICE Administrative Arrests

Aliens unlawfully present in the United States and those lawfully present who are subject to removal may be identified and arrested by ICE within the interior of the United States. The agency's two primary operating components are Homeland Security Investigations (HSI) and Enforcement and Removal Operations (ERO). ICE usually identifies potentially removable aliens in the interior by working with federal, state, and local law enforcement agencies to verify the immigration status of arrested or incarcerated individuals, as well as conducts operations to detain certain at-large removable aliens. Aliens arrested by ICE may be permitted to depart voluntarily, removed administratively, or referred to an IJ for removal proceedings.

#### **Benefit Denial**

USCIS may issue an NTA upon determining that an alien applicant for an immigration or naturalization benefit is inadmissible or removable under INA Section 212 or 237. USCIS will also issue an NTA when required by statute or regulation (e.g., upon termination of conditional permanent resident status, referral of an asylum application, termination of asylum or refugee status, or following a positive credible fear determination) or, in certain cases, upon the subject's request.<sup>4</sup>

#### **Detention Process**

ICE ERO makes a custody determination for aliens who are arrested by ICE or who are apprehended by CBP and transferred to ICE. ICE officers base the determinations on risk to public safety, promoting compliance with removal proceedings or removal orders (i.e., reducing flight risk), the availability and prioritization of resources, and whether the alien is subject to mandatory detention. Options available to ICE include immigration detention, supervised alternatives to detention, release on bond, or release on the alien's own recognizance. ICE may redetermine custody at any point while the alien is in removal proceedings.

#### **Repatriation Process**

Inadmissible and deportable aliens encountered by DHS may be subject to repatriation. Repatriations include removals, which carry penalties such as bars to reentry, and returns, which generally do not. Removal cases can be further categorized as expedited removals, reinstatements of final orders, administrative removals, or removal orders issued during proceedings in immigration court. Penalties associated with removal may include a bar of between five years and life from future lawful admission into the United States, depending upon the individual circumstances of the case. Aliens who unlawfully reenter following an order of removal may also be subject to criminal charges and imprisonment for up to 20 years.

#### Removal Proceedings

Aliens who are issued an NTA are provided an immigration hearing under the jurisdiction of the Executive Office for Immigration Review (EOIR) within the Department of Justice (DOJ). Removal hearings before an EOIR immigration court are administrative proceedings during which potentially removable aliens may present evidence before an IJ that they are eligible to remain in the United States. IJs may issue an order of removal, grant voluntary departure at the alien's expense (a form of "return"), terminate or suspend proceedings, or grant relief or protection from removal. Forms of relief from removal may include the award of an immigration benefit, such as asylum or lawful permanent resident status. Decisions by IJs can generally be appealed to the Board of Immigration Appeals, also within DOJ. Most decisions by the Board of Immigration Appeals can in turn be appealed to the U.S. Courts of Appeal.

#### **Expedited Removal**

Expedited removal is a process wherein aliens are removed administratively by DHS (i.e., without appearing before an EOIR IJ). Expedited removal applies to three classes of aliens. First, under INA Section 235(b)(1)(A)(i), DHS may expeditiously remove certain aliens who arrive at a POE without proper documentation and/or who attempt to gain entry through fraud or misrepresentation. Second, under INA Section 235(b)(1)(A)(iii), DHS may expeditiously remove

<sup>4</sup> If USCIS finds an alien who has applied for an immigration benefit to be ineligible, the subject may request an appearance before an IJ for reconsideration.

aliens apprehended between POEs. Although the INA permits DHS to use expedited removal for any illegal alien who cannot prove to an immigration officer's satisfaction that the alien has been physically present in the United States continuously for the two-year period immediately prior to the date of determination of inadmissibility, current regulations limit this authority to aliens apprehended within 100 miles of the U.S. land border who cannot establish to the officer's satisfaction that they have been physically present in the U.S. continuously for the 14-day period immediately prior to the date of encounter. Third, regulations also permit DHS to use expedited removal for aliens apprehended within two years after arriving by sea without being admitted or paroled.

#### Reinstatement of Final Removal Orders

Section 241(a)(5) of the INA permits DHS to administratively reinstate final removal orders, without further hearing or review, for aliens who have been removed or departed voluntarily under an order of removal and who unlawfully reenter the United States. The prior order of removal is reinstated from its original date, and the alien has limited ability to apply for relief under the INA.

#### Administrative Removal

Section 238(b) of the INA permits DHS to administratively remove an alien if the alien has been convicted of an aggravated felony and did not have U.S. lawful permanent resident status at the time proceedings commenced.<sup>7</sup>

Aliens subject to expedited removal, reinstatement of removal, or administrative removal generally are not entitled to proceedings before an IJ or to consideration for administrative relief, unless the alien expresses fear of being persecuted or tortured upon return to his or her country of nationality, or the alien makes a claim to certain forms of legal status in the United States. The specific procedures for establishing the right for review by an IJ differ for each of these three removal processes.

#### Return

Certain aliens found inadmissible at a POE, apprehended near the border, or who are otherwise potentially removable, may be offered the opportunity to voluntarily return to their home country in lieu of formal removal. Generally, aliens accepting an offer of voluntary return waive their right to a hearing, remain in custody, and, if applicable, agree to depart the United States under supervision. Some aliens apprehended within the United States may agree to voluntarily depart (also a form of "return"). Voluntary departure may be granted by an IJ during an immigration hearing or prior to an immigration hearing by certain DHS officials.

#### **DATA AND METHODS**

The administrative record data used to compile this report were processed according to a set of defined rules and assumptions. To the extent possible, events were grouped into time periods according to when the event took place, rather than the date on which the case was completed, closed, or updated. Whenever possible, statistics are presented for each year from 2010 to 2017.

The removal and return numbers included in this report are estimates. For removals, this is largely due to the absence of explicit records on removals performed by CBP. Returns are also estimates because a return cannot be confirmed for aliens who are returned without supervision until the alien verifies his or her departure with a U.S. consulate. As a result of these limitations, previously reported estimates are routinely updated as new data become available.

Apprehension and inadmissibility data are collected in the Enforcement Integrated Database (EID) using Form I-213, Record of Deportable-Inadmissible Alien, and EID Arrest Graphical User Interface for Law Enforcement (EAGLE). Data on individuals detained are collected through the ICE ENFORCE Alien Detention Module (EADM) and the ENFORCE Alien Removal Module (EARM). Data on USCIS NTAs are collected using the USCIS NTA Database. Data on individuals removed or returned are collected through both EARM and EID. The methodology used by OIS for reporting immigration enforcement statistics differed slightly from ICE's prior to 2016, which may result in small discrepancies between historic ICE and OIS numbers.

### TRENDS AND CHARACTERISTICS OF ENFORCEMENT ACTIONS

#### **Apprehensions**

Total DHS apprehensions decreased by almost 13 percent from 2016 to 2017 and reached their lowest level since 1971. The decline in 2017 was mostly driven by the drop in apprehensions of Mexican nationals (down 46,000), followed by El Salvadoran nationals (down 19,000). Altogether, DHS apprehended 460,000 aliens in 2017, down from 530,000 in 2016 and from a recent high of 680,000 in 2014 (Table 1).

Reversing the pattern from the previous year, apprehensions by USBP saw a 25 percent decrease from 2016 to 2017 while administrative arrests by ICE increased 30 percent in the same period. Total DHS apprehensions of nationals from the Northern Triangle countries (El Salvador, Honduras, and Guatemala) decreased from 220,000 in 2016 to 200,000 in 2017.

Department of Homeland Security Bureau of Customs and Border Protection, "Designating Aliens for Expedited Removal," Federal Register, Vol. 69, No. 154, p. 48877-48881, Aug. 11, 2004.

<sup>&</sup>lt;sup>6</sup> Department of Justice, "Notice Designating Aliens Subject to Expedited Removal Under §235(b)(1)(A)(iii) of the Immigration and Nationality Act," Federal Register, Vol. 67, No. 219, p. 68924-68926, Nov. 13, 2002.

<sup>&</sup>lt;sup>7</sup> The term "aggravated felony" refers to a broad range of crimes and types of crimes that render an alien removable. See INA sections 101(a)(43) and 237(a)(2)(A)(iii) for additional details.

Table 1.

Apprehensions by Program and Country of Nationality: FY 2011 to 2017 (Countries ranked by 2017 apprehensions)

Program and country							
of nationality	2011	2012	2013	2014	2015	2016	2017
PROGRAM							
Total	678,606	671,327	662,483	679,996	462,388	530,250	461,540
USBP	340,252	364,768	420,789	486,651	337,117	415,816	310,531
Southwest sectors (sub-total)	327,577	356,873	414,397	479,371	331,333	408,870	303,916
ICE ERO	322,093	290,622	229,698	181,719	117,983	110,104	143,470
ICE HSI	16,261	15,937	11,996	11,626	7,288	4,330	7,539
COUNTRY OF NATIONALITY							
Total	678,606	671,327	662,483	679,996	462,388	530,250	461,540
Mexico	517,472	468,766	424,978	350,177	267,885	265,747	220,138
Guatemala	41,708	57,486	73,208	97,151	66,982	84,649	81,909
Honduras	31,189	50,771	64,157	106,928	42,433	61,222	60,169
El Salvador	27,652	38,976	51,226	79,321	51,200	78,983	59,687
Brazil	3,228	2,433	1,702	1,643	1,911	3,738	3,699
India	3,859	1,566	1,791	2,106	2,967	4,123	3,682
Dominican Republic	4,433	4,506	3,893	3,455	2,797	2,770	2,582
Ecuador	3,298	4,374	5,680	6,276	3,438	3,472	2,568
Cuba	4,801	4,121	2,809	2,872	2,281	3,061	2,432
China, People's Republic	2,546	2,350	1,918	2,601	1,875	3,197	2,371
All others	38,420	35,978	31,121	27,466	18,619	19,288	22,303

Note: "All others" includes unknown.

Source: U.S. Department of Homeland Security

#### U.S. Border Patrol Apprehensions

USBP apprehensions dropped from roughly 420,000 in 2016 to 310,000 in 2017, mostly due to the decrease in apprehensions along the southwest border, where 98 percent of all USBP apprehensions occurred. The share of Mexican nationals relative to total USBP apprehensions continued to drop, from an average of 96 percent between 1970 and 2009 and 87 percent in 2010, to 42 percent in 2017. Meanwhile, the share of USBP's apprehensions involving aliens from Northern Triangle countries kept rising, from 48 percent in 2016, to a record high of 53 percent in 2017. In terms of volume, USBP's 130,000 apprehensions of Mexican nationals in 2017 was the lowest in a single year since 2010. The 160,000 USBP apprehensions of Northern Triangle aliens represented the third largest number in the last eight years and the largest overage compared to the USBP apprehensions of Mexican nationals (Table 2 and Figure 1).

The Rio Grande Valley (RGV) sector of the Southwest Border remained the leading sector for USBP apprehensions. USBP made 140,000 apprehensions in the RGV sector, accounting for about 45 percent of the over 300,000 total USBP apprehensions along the Southwest Border. This share was comparable to the RGV sector's share of total USBP apprehensions in 2016, when 190,000 of USBP's 410,000 apprehensions along the Southwest Border occurred in the sector.

2017 marked the first year ever in which apprehensions of aliens from Northern Triangle countries accounted for over half of all USBP apprehensions. Apprehensions of UAC from the Northern Triangle declined from 47,000 in 2016 to

32,000 in 2017, dropping the proportion of UAC among all Northern Triangle apprehensions to below 20 percent and to its lowest share since 2014 (Figure 2).

#### ICE Administrative Arrests

Administrative arrests conducted by ERO and HSI increased from 110,000 in 2016 to 150,000 in 2017 (Figure 3). ICE ERO administrative arrests rose 30 percent from 110,000 in 2016 to 140,000 in 2017, but remained less than half of ERO's peak number of 320,000 administrative arrests in 2011. Similarly, ICE HSI administrative arrests rose 74 percent from 4,300 in 2016 to 7,500 in 2017, but remained less than half of HSI's peak of 18,000 administrative arrests in 2010.

#### **Inadmissible Aliens**

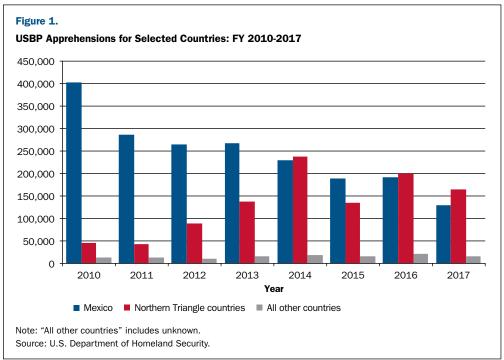
During inspection of aliens seeking admission at POEs in 2017, CBP OFO officers found 220,000 aliens inadmissible, a decrease of about 58,000, or 21 percent, from 2016 (Table 3). Much of the decline was driven by a drop of 34,000 in the number of inadmissible aliens from Cuba following a policy change in January 2017.

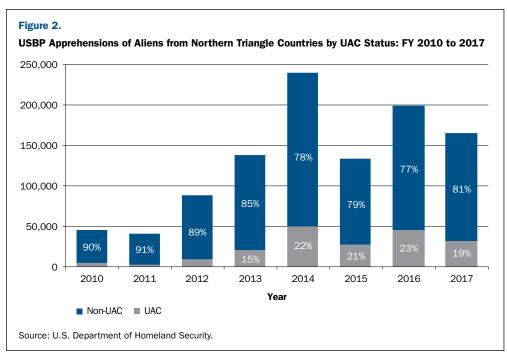
In 2017, 63 percent of the inadmissibility determinations occurred at land ports, nearly 28 percent at air ports, and about nine percent at sea ports; these proportions are comparable to 2016. The leading ports were Laredo (where CBP OFO officers found 50,000 aliens inadmissible), San Diego (32,000), El Paso (18,000), and Miami (11,000). Among the 10 ports with the highest volumes in 2017, the largest percentage decreases from 2016 were at New Orleans (76 percent decrease) and Miami (43 percent).

Table 2.
USBP Apprehensions for Selected Countries of Nationality: FY 2010 to 2017

		Fiscal Year														
	20:	10	20:	11	20:	12	2013		2014		2015		2016		2017	
Country of		Percent		Percent		Percent		Percent		Percent		Percent		Percent		Percent
Citizenship	Count	of Total	Count	of Total	Count	of Total	Count	of Total	Count	of Total	Count	of Total	Count	of Total	Count	of Total
Total	463,382	100%	340,252	100%	364,768	100%	420,789	100%	486,651	100%	337,117	100%	415,816	100%	310,531	100%
Mexico	404,365	87%	286,154	84%	265,755	73%	267,734	64%	229,178	47%	188,122	56%	192,969	46%	130,454	42%
Northern Triangle																
countries	45,709	10%	42,132	12%	88,315	24%	138,706	33%	239,229	49%	134,572	40%	200,666	48%	164,718	53%
All other countries .	13,308	3%	11,966	4%	10,698	3%	14,349	3%	18,244	4%	14,423	4%	22,181	5%	15,359	5%

Note: "All other countries" includes unknown. Source: U.S. Department of Homeland Security.





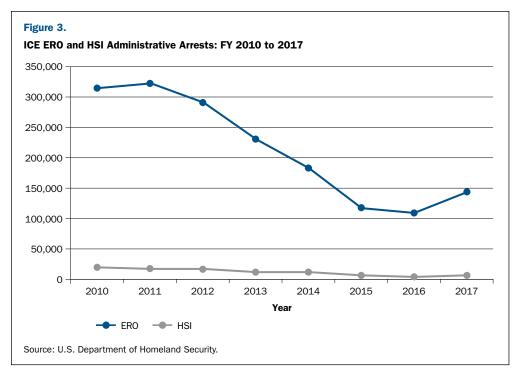


Table 3.

Aliens Determined Inadmissible by Mode of Travel, Country of Citizenship, and Field Office: FY 2010 to 2017 (Ranked by 2017 inadmissible aliens)

Characteristic	2010	2011	2012	2013	2014	2015	2016	2017
MODE OF TRAVEL								
Total	229,575	213,345	195,804	205,623	225,016	254,714	274,617	216,257
Land	116,997	107,385	100,592	103,642	118,662	139,884	174,868	136,477
Sea	68,254	66,538	53,774	52,326	52,695	49,672	35,327	19,778
Air	44,324	39,422	41,438	49,655	53,659	65,158	64,422	59,803
COUNTRY								
Total	229,575	213,345	195,804	205,623	225,016	254,714	274,617	216,257
Mexico	75,485	67,590	58,945	56,504	63,805	74,473	73,338	62,439
Canada	33,155	32,182	30,786	29,403	28,100	26,347	22,120	22,353
Cuba	7,456	7,794	12,290	17,717	24,301	43,146	54,226	20,263
Guatemala	1,770	1,627	1,783	1,934	4,637	6,278	13,490	11,700
Haiti	2,959	1,746	1,439	1,562	1,097	968	6,974	9,921
China, People's Republic of	17,175	17,028	13,239	13,712	14,487	15,531	12,083	9,072
Philippines	22,918	25,305	22,893	23,722	24,313	22,731	15,842	8,988
El Salvador	1,100	862	1,040	2,198	3,160	2,828	9,738	7,931
Honduras	1,301	1,084	1,457	2,197	5,922	3,235	7,996	7,327
India	6,579	5,998	6,947	11,864	8,585	7,207	7,115	5,644
All other countries	59,677	52,129	44,985	44,810	46,609	51,970	51,695	50,619
FIELD OFFICE								
Total	229,575	213,345	195,804	205,623	225,016	254,714	274,617	216,257
Laredo, TX	24,443	25,847	28,212	32,149	39,699	52,795	68,014	49,596
San Diego, CA	40,021	33,746	26,914	25,636	32,563	40,446	48,161	31,720
El Paso, TX	7,898	6,942	6,981	7,870	10,185	12,063	23,552	17,738
San Francisco, CA	6,283	7,065	9,957	14,982	14,092	15,856	15,538	13,821
Tucson, AZ	8,744	7,986	7,674	10,041	9,014	9,423	11,835	13,675
Buffalo, NY	17,768	15,725	14,066	13,445	13,125	11,916	11,993	11,276
Miami, FL	9,210	7,038	7,776	8,836	12,307	17,705	18,755	10,760
Houston, TX	18,966	19,573	12,786	10,958	10,492	11,224	9,820	8,931
New Orleans, LA	19,162	20,857	20,241	21,039	21,223	20,563	14,600	3,521
Pre-clearance <sup>1</sup>	9,543	8,604	8,582	9,707	10,710	10,763	8,065	8,372
All other field offices	67,537	59,962	52,615	50,960	51,606	51,960	44,284	46,847

 $<sup>^{\</sup>scriptscriptstyle 1}$  Refers to field offices abroad.

Note: "All other countries" and "All other field offices" include unknown.

Source: U.S. Department of Homeland Security.

Most aliens found inadmissible by OFO officers at U.S. POEs fall into one of three main categories:

First, most inadmissible aliens from the leading countries of nonimmigrant admissions—including Mexico, Canada, China, and India—are denied for having missing, invalid, or expired documents, for having intentions prohibited by the visa (e.g., presenting a tourist visa but intending to seek employment), or for national security reasons. This constitutes a small fraction of persons who present themselves for inspection at a POE. Among these top countries of origin, the ratio of inadmissible aliens to nonimmigrant admissions was about two to three per 1,000, maintaining a historic trend.

Second, certain inadmissible aliens present themselves at a POE despite knowing that they are ineligible for lawful admission in order to seek some form of humanitarian relief. Historically, a large share of these aliens have been paroled into the United States for humanitarian reasons or as a matter of policy. Citizens of Cuba were generally exempted from the provisions of Section 235(b)(1)(B) of the INA under the former "Wet Foot – Dry Foot" policy, and many Cubans requested asylum at a POE, including many inadmissible Cubans not in possession of valid travel documents. With the rescission of this rule on January 12, 2017, the number of Cubans found inadmissible decreased drastically, reversing a steady increasing trend since 2010. Just 2,900 Cubans were found inadmissible between January 12, 2017, and September 30, 2017, compared to 37,000 during the same period in 2016 (Figure 4). In 2016, 1,030 Cubans were found inadmissible for every 1,000 Cuban nationals admitted. This rate dropped to 281 per 1,000 in 2017.

Inadmissibility determinations continued to climb for Haitians after surging in 2016. The number of Haitians found inadmissible in 2017 reached almost 10,000, more than a tenfold increase since 2015. While almost two in three inadmissible aliens from Haiti in 2016 were issued NTAs and paroled into the United States, the majority of inadmissible Haitians in 2017 were placed in expedited removal (5,200, up from 1,100 in 2016). More than 8 out of 10 inadmissible Haitians in 2017 were reported by the San Diego field office.

Numerous nationals from the Northern Triangle have also been found inadmissible in recent years, roughly paralleling the rise in USBP apprehensions of nationals from the region. Inadmissibility determinations fell slightly from 2016 to 2017, but remained substantially elevated relative to earlier years (Figure 4). The count in 2017 was more than seven times the count in 2011. Aliens from Northern Triangle countries arriving at a POE without official travel papers (e.g., valid passport and visa) are generally found inadmissible, screened for credible fear of persecution or torture, and may be paroled into the United States pending proceedings in immigration court.

The third main category of inadmissible alien consists of crew members of foreign vessels who may be required to remain aboard their ships. Cargo operations can require visits to multiple ports, or multiple docks within a single port, and can take longer than the 29 days permitted by a D-1 crew visa. In such cases, crew members initially granted shore leave may be re-coded as inadmissible once the shore leave expires, regardless of whether the crew members intended or attempted to disembark the vessel. About 67 percent of inadmissible Filipinos and 55 percent of inadmissible Ukrainians fell into this category in 2017. The total number of inadmissible aliens from the Philippines dropped from 16,000 in 2016 to 9,000 in 2017, representing a 43 percent decrease.

#### **Notices to Appear**

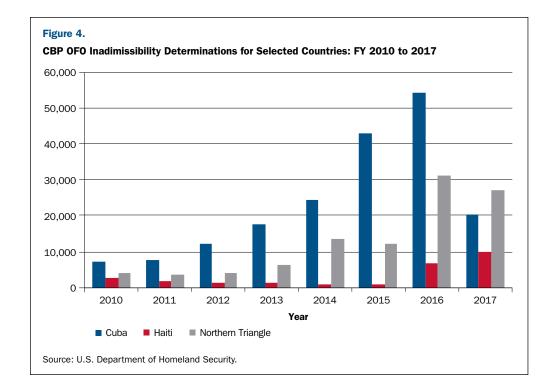
DHS issued 280,000 NTAs to initiate removal proceedings before an IJ in 2017, an increase of nearly three percent from 2016 (Table 4). USBP issued 88,000 NTAs in 2017, compared to 93,000 in 2016. ICE ERO issued 67,000 in 2017, up 56 percent from 43,000 in 2016, reflecting the large increase in ERO administrative arrests and reversing what had been a steady decline in ERO NTAs since 2010. As a result, ICE ERO's share of all DHS-issued NTAs rose from 16 percent in 2016 to almost 24 percent in 2017. USCIS issued 92,000 NTAs in 2017, marking the first time USCIS accounted for a plurality of DHS NTAs. The USCIS figure was relatively unchanged from 2016, but up 77 percent from USCIS' average number of NTAs (54,000) between 2010 and 2015. With its drop in inadmissible arrivals, CBP OFO saw a substantial decrease in NTAs, dropping 26 percent from 43,000 in 2016 to 31,000 in 2017.

Table 4.

Notices to Appear Issued by DHS Component: FY 2010 to 2017 (Ranked by 2017 notices to appear)

(Marinea by 201	7 11001003	то аррса	1)													
	20:	10	20	11	2012		2013		2014		2015		2016		2017	
Component	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	260,143	100%	250,127	100%	235,687	100%	224,185	100%	273,727	100%	191,747	100%	270,494	100%	278,037	100%
USCIS	53,820	21%	44,638	18%	41,778	18%	56,896	25%	56,684	21%	56,835	30%	83,247	34%	91,711	33%
USBP	34,986	13%	31,739	13%	31,506	13%	42,078	19%	118,753	43%	64,775	34%	93,146	34%	88,315	32%
ICE ERO1	152,345	59%	156,208	62%	140,707	60%	101,571	45%	78,753	29%	43,860	23%	42,573	16%	66,534	24%
CBP OFO	18,992	7%	17,542	7%	21,696	9%	23,640	11%	19,537	7%	26,277	14%	42,546	16%	31,477	11%
	Component  Total USCIS USBP ICE ERO <sup>1</sup>	Component         20           Number         260,143           USCIS         260,143           53,820         34,986           ICE ERO¹         152,345	2010           Component         Number         Percent           Total         260,143         100%           USCIS         53,820         21%           USBP         34,986         13%           ICE ER0¹         152,345         59%	Component         Number         Percent         Number           Total         260,143         100%         250,127           USCIS         53,820         21%         44,638           USBP         34,986         13%         31,739           ICE ER0¹         152,345         59%         156,208	2010         2011           Number         Percent         Number         Percent           Total         260,143         100%         250,127         100%           USCIS         53,820         21%         44,638         18%           USBP         34,986         13%         31,739         13%           ICE ER0¹         152,345         59%         156,208         62%	Component         2010         2011         20           Number         Percent         Number         Percent         Number           Total         260,143         100%         250,127         100%         235,687           USCIS         53,820         21%         44,638         18%         41,778           USBP         34,986         13%         31,739         13%         31,506           ICE ER0¹         152,345         59%         156,208         62%         140,707	Component         Number         Percent           Total 260,143         100% 250,127         100% 235,687         100% 100% 235,687         100% 24,638         18% 41,778         18% 41,778         18% 18% 41,778         18% 18% 41,778         18% 18% 41,778         18% 18% 41,778         13% 1506	Component         Number         Percent         Number         Percent	Component         Number         Percent         Number         Percent	Component         Number         Percent         Number         Percent	Component         Number         Percent         Number         Percent	Component         Number         Percent         Number         Percent	Component         Number         Percent         Number         Percent	Component         Number         Percent         Number         Percent	Component         Number         Percent         Number         Percent	Component   Comp

<sup>&</sup>lt;sup>1</sup> NTAs from ICE ERO may differ from values reported by ICE as a different methodology is employed. Source: U.S. Department of Homeland Security.



#### **Detentions**

ICE ERO, the agency responsible for immigration detention, booked 320,000 aliens into detention during 2017—roughly an eight percent decline from 350,000 in 2016 (Table 5). Detentions of Mexican nationals fell about five percent to 120,000 in 2017, continuing a multiyear decline from a peak of 300,000 in 2012. Detentions of aliens from Northern Triangle countries dropped from 170,000 in 2016 to 150,000 in 2017. As in 2014 and 2016, detentions of aliens from the Northern Triangle of Central America together accounted for a plurality of all ICE detentions, surpassing aliens from Mexico. As in previous years, detentions of nationals of Mexico and Northern Triangle countries comprised 80 to 90 percent of the total. Detentions of aliens from Haiti increased 70 percent from 5,800 in 2016 to almost 10,000 in 2017 (Figure 5).

#### **Repatriations**

DHS repatriations include all removals and returns conducted by ICE and CBP. DHS repatriated 400,000 aliens in 2017, a decline of 12 percent from 2016. The drop is consistent with the downward trend in the apprehension of Mexican nationals and the slight reduction in apprehensions of aliens from Northern Triangle countries (Figure 6). Lengthy immigration court proceedings associated with aliens seeking relief from removal primarily drove the gap between apprehension counts and repatriation counts for nationals of Northern Triangle countries in recent years.

#### Removals

DHS removed about 300,000 aliens in 2017, 11 percent fewer than 330,000 in 2016 (Table 6). The shares of removals

conducted by each Component changed little from 2016. ICE ERO removed more than 72 percent, USBP removed about 19 percent, and CBP OFO removed the remainder. Among the types of removal, the share of reinstatement of prior removal orders was relatively unchanged at 40 percent of the total, while the share of expedited removals declined to 35 percent after hovering around 40 percent since 2012. About 90 percent of all removals were of aliens from Mexico or Northern Triangle countries.

Among aliens removed in 2017, the breakdown by apprehending Component changed only marginally between 2016 and 2017 (Figure 7). Twenty-five percent of removed aliens in 2017 could be traced to an initial ICE administrative arrest. About 61 percent of removals were linked to a USBP apprehension, a decline of 10 percentage points from 2016. The share of removed aliens initially found inadmissible by CBP OFO continued an upward trend to reach 13 percent of all removals.

As in previous years, approximately 93 percent of criminal removals were of nationals of Mexico and Northern Triangle countries. About 41 percent of removals in 2017 involved aliens with prior criminal convictions. This proportion was unchanged from 2016, but followed a decreasing trend from the nearly 50 percent of removals with prior criminal convictions in 2011 (Table 7).8 Among 121,000 criminal aliens removed in 2017, the top five types of crime were the same as in 2016, with 60 percent of removed criminal aliens convicted for immigration, drug, and traffic offenses (Table 8).

<sup>8</sup> Excludes criminals removed by CBP due to limitations of the available data.

#### Returns

DHS returned over 101,000 aliens to their home countries without removal orders in 2017, a five percent decline from 2016 (Table 9). CBP OFO returns fell by eight percent, but continued to account for roughly three out of four returns. USBP returns fell marginally from approximately 16,000 in 2016 to 13,000 in 2017. ICE ERO returns jumped by more than 50 percent to over 12,000 in 2017. Roughly 6 out of 10 returned aliens were Mexican or Canadian. The number of returned Mexican nationals saw a slight increase in 2017 for the first time after a steady decline since 2010, when Mexican nationals accounted for almost three out of four returns. Over half of the returned aliens were permitted to withdraw their applications for admission. Another 30 percent of aliens were either detained crew members or allowed to return voluntarily by DHS.

#### FOR MORE INFORMATION

For more information about immigration and immigration statistics, visit the Office of Immigration Statistics website at <a href="https://www.dhs.gov/immigration-statistics">www.dhs.gov/immigration-statistics</a>.

#### **REFERENCES**

U.S. Department of Homeland Security, 2017. "2016 Yearbook of Immigration Statistics," Office of Immigration Statistics, U.S. Department of Homeland Security, <a href="https://www.dhs.gov/immigration-statistics/yearbook/2016">https://www.dhs.gov/immigration-statistics/yearbook/2016</a>.

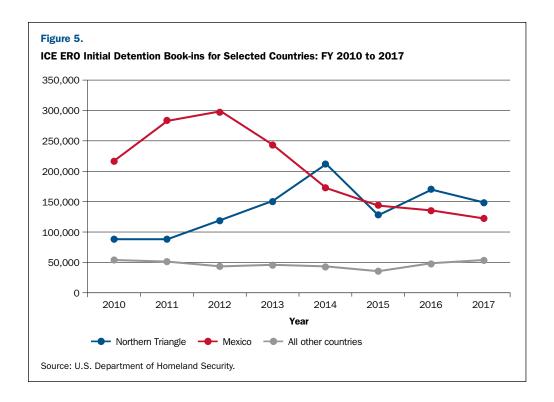
U.S. Department of Homeland Security, forthcoming. "2017 Yearbook of Immigration Statistics," Office of Immigration Statistics, U.S. Department of Homeland Security.

Table 5.

Initial Admissions to ICE Detention Facilities by Country of Nationality: FY 2010 to 2017 (Ranked by 2017 detention admissions)

Country of nationality	2010	2011	2012	2013	2014	2015	2016	2017
Total	358,390	421,312	464,190	440,540	425,728	307,342	352,882	323,591
Mexico	216,938	283,615	298,973	244,532	172,560	143,834	134,546	121,405
Guatemala	35,653	38,187	50,068	59,212	74,543	52,562	65,757	62,741
Honduras	27,742	26,106	39,859	50,622	76,708	34,899	46,753	43,411
El Salvador	25,361	23,457	30,808	40,258	59,933	40,263	57,953	42,457
Haiti	1,425	1,699	1,390	2,382	2,056	1,190	5,832	9,929
Brazil	2,889	2,467	1,920	1,423	1,376	1,802	4,056	4,791
India	1,996	3,388	1,453	4,057	2,306	2,971	4,088	3,656
Dominican Republic	4,870	3,987	3,954	3,538	3,379	2,757	2,788	2,599
Ecuador	3,627	2,929	3,811	4,717	5,351	3,097	3,196	2,455
China, People's Republic of	2,370	2,289	1,966	1,729	2,444	1,880	3,023	2,261
All other countries	35,519	33,188	29,988	28,070	25,072	22,087	24,890	27,886

Notes: Excludes Office of Refugee Resettlement and Mexican Interior Repatriation Program facilities. "All other countries" includes unknown. Source: U.S. Department of Homeland Security.



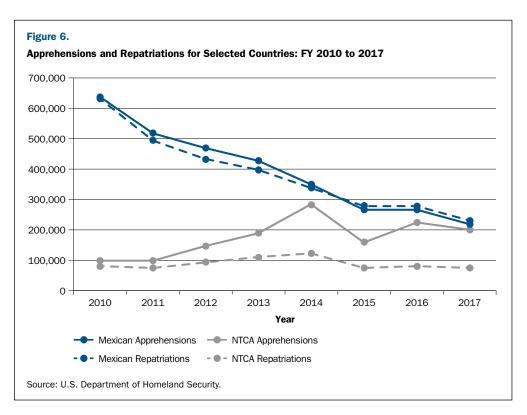


Table 6.

Aliens Removed by Component and Removal Type: FY 2010 to 2017

Component and Removal Type	2010	2011	2012	2013	2014	2015	2016	2017
APPREHENDING COMPONENT								
Total	382,473	390,464	415,700	432,448	405,620	326,406	333,592	295,364
ICE	197,860	187,810	154,444	116,030	94,342	66,249	61,866	74,833
CBP U.S. Border Patrol	148,121	166,463	229,787	288,504	283,663	229,051	237,746	181,440
CBP Office of Field Operations.	36,492	36,191	31,469	27,914	27,615	31,106	33,980	39,091
REMOVING COMPONENT								
Total	382,473	390,464	415,700	432,448	405,620	326,406	333,592	295,364
ICE	303,080	319,212	345,608	332,028	301,914	228,627	232,472	213,932
CBP U.S. Border Patrol	47,665	41,605	48,411	79,053	83,013	74,947	75,493	56,757
CBP Office of Field Operations.	31,728	29,647	21,681	21,367	20,693	22,832	25,627	24,675
REMOVAL TYPE								
Total	382,473	390,464	415,700	432,448	405,620	326,406	333,592	295,364
Expedited Removals	109,742	122,338	162,893	192,417	176,318	140,062	140,709	103,704
Reinstatements	124,624	123,783	143,170	162,579	158,981	130,131	135,990	120,545
All other removals	148,107	144,343	109,637	77,452	70,321	56,213	56,893	71,115

Note: Statistics reported by OIS and ICE tend to vary slightly due to differences in methodology.

Source: U.S. Department of Homeland Security.

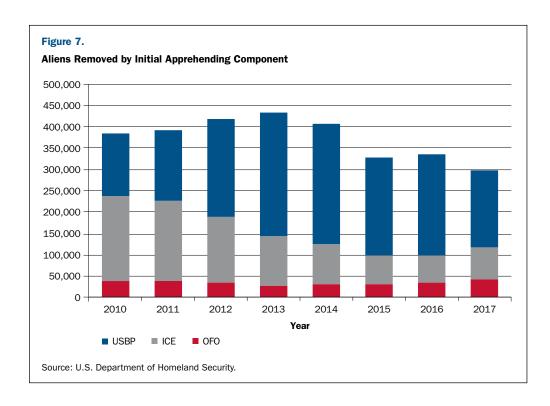


Table 7.

Aliens Removed by Criminal Status and Country of Nationality: FY 2010 to 2017 (Ranked by 2017 aliens removed)

	201	LO	20:	11	201	L2	201	L3	201	L4	2015		2016		2017	
Country of nationality	Total	Percent Criminal <sup>1</sup>														
Total	382,473	44.7%	390,464	48.6%	415,700	48.1%	432,448	45.9%	405,620	42.6%	326,406	42.6%	333,592	40.8%	295,364	41.1%
Mexico	275,583	47.0%	287,502	50.6%	300,589	50.3%	307,120	47.6%	265,615	47.6%	234,296	44.8%	238,074	43.1%	192,334	44.6%
Guatemala	29,403	32.0%	30,871	38.1%	38,885	34.7%	47,013	32.8%	54,406	25.2%	33,379	31.6%	33,887	31.3%	33,060	33.7%
Honduras	24,652	42.3%	22,675	48.0%	31,724	43.6%	36,636	45.3%	40,877	34.4%	20,298	42.2%	22,016	39.0%	22,168	41.9%
El Salvador	20,017	42.0%	17,945	47.6%	18,910	45.8%	21,130	44.8%	26,671	33.6%	21,900	33.0%	20,264	33.2%	18,452	35.2%
Colombia	2,327	53.7%	2,138	49.7%	1,607	65.8%	1,469	63.2%	1,375	63.7%	1,596	49.8%	2,086	36.6%	2,060	31.1%
Dominican																
Republic	3,413	67.2%	2,919	73.7%	2,896	75.5%	2,322	78.4%	2,072	79.2%	1,885	80.7%	1,980	75.0%	2,033	74.5%
Brazil	3,248	15.3%	3,483	15.8%	2,738	15.6%	1,573	23.8%	980	28.7%	1,016	28.3%	1,501	22.0%	1,726	23.6%
Ecuador	2,346	29.5%	1,783	39.8%	1,766	40.1%	1,509	38.4%	1,569	36.4%	1,430	34.1%	1,427	32.7%	1,397	36.3%
Jamaica	1,491	78.3%	1,497	82.2%	1,327	87.2%	1,112	89.8%	1,043	80.0%	868	73.8%	1,082	57.3%	1,111	61.0%
Nicaragua	1,868	43.1%	1,571	45.3%	1,426	51.1%	1,339	51.7%	1,318	48.8%	930	47.3%	882	44.4%	906	42.1%
All other countries	18,125	35.4%	18,080	36.3%	13,832	46.6%	11,225	48.3%	9,694	48.2%	8,808	41.1%	10,393	34.5%	20,117	22.3%

<sup>&</sup>lt;sup>1</sup> Refers to persons removed who have a prior criminal conviction.

Notes: Excludes criminals removed by Customs and Border Protection (CBP). CBP EID does not identify if aliens removed were criminals. "All other countries" includes unknown. Source: U.S. Department of Homeland Security.

Table 8.

Criminal Aliens Removed by Crime Category: FY 2010 to 2017

(Ranked by 2017 criminal aliens removed)

	201	LO	201	1	201	.2	201	.3	201	L <b>4</b>	201	L5	201	.6	201	.7
Crime Category	Number	Percent	Number	Percent	Number	Percent	Number	Percent								
Total	171,030	100.0%	189,702	100.0%	200,039	100.0%	198,488	100.0%	172,620	100.0%	138,994	100.0%	136,230	100.0%	121,301	100.0%
Immigration <sup>1</sup>	31,944	18.7%	37,697	19.9%	47,559	23.8%	62,033	31.3%	54,709	31.7%	45,496	32.7%	47,073	34.6%	35,385	29.2%
Dangerous Drugs <sup>2</sup>	43,463	25.4%	43,535	22.9%	42,738	21.4%	30,692	15.5%	28,270	16.4%	23,930	17.2%	23,343	17.1%	20,703	17.1%
Traffic Offenses <sup>3</sup>	31,112	18.2%	43,334	22.8%	46,141	23.1%	29,966	15.1%	24,729	14.3%	18,620	13.4%	18,283	13.4%	17,554	14.5%
Assault	12,291	7.2%	12,835	6.8%	12,993	6.5%	20,192	10.2%	17,754	10.3%	14,518	10.4%	13,345	9.8%	13,130	10.8%
Weapon Offenses	2,839	1.7%	2,742	1.4%	2,510	1.3%	5,277	2.7%	4,589	2.7%	3,752	2.7%	3,779	2.8%	3,376	2.8%
Burglary	4,275	2.5%	3,824	2.0%	3,557	1.8%	5,504	2.8%	4,759	2.8%	3,753	2.7%	3,498	2.6%	3,241	2.7%
Fraudulent Activities .	3,903	2.3%	4,271	2.3%	3,870	1.9%	5,186	2.6%	3,940	2.3%	2,966	2.1%	2,458	1.8%	3,128	2.6%
Larceny	5,468	3.2%	5,749	3.0%	5,419	2.7%	5,329	2.7%	4,350	2.5%	3,184	2.3%	2,868	2.1%	2,817	2.3%
Sexual Assault	3,333	1.9%	3,592	1.9%	3,363	1.7%	3,168	1.6%	2,961	1.7%	2,557	1.8%	2,524	1.9%	2,493	2.1%
Obstructing Police	1,898	1.1%	2,309	1.2%	2,495	1.2%	2,929	1.5%	2,437	1.4%	1,907	1.4%	2,064	1.5%	1,882	1.6%
All other categories .	30,504	17.8%	29,814	15.7%	29,394	14.7%	28,212	14.2%	24,122	14.0%	18,311	13.2%	16,995	12.5%	17,592	14.5%

 $<sup>^{\</sup>scriptsize 1}$  Including entry and reentry, false claims to citizenship, and alien smuggling.

Notes: Data refers to persons removed who have a prior criminal conviction. Excludes criminals removed by Customs and Border Protection (CBP). CBP EID does not identify if aliens removed were criminals. "All other categories" includes unknown. Source: U.S. Department of Homeland Security.

 $<sup>^{\</sup>rm 2}$  Including the manufacturing, distribution, sale, and possession of illegal drugs.

 $<sup>^{\</sup>rm 3}$  Including hit and run and driving under the influence.

Table 9.

Aliens Returned by Component, Country of Nationality, and Type: FY 2010 to 2017

Component	201	LO	201	1	201	L2	201	L3	201	L <b>4</b>	201	L5	201	.6	2017	
and Country of Nationality	Number	Percent	Number	Percent	Number	Percent	Number	Percent								
COMPONENT																
Total	471,805	100.0%	322,055	100.0%	231,115	100.0%	178,984	100.0%	163,862	100.0%	129,675	100.0%	106,473	100.0%	100,754	100.0%
CBP OFO	143,530	30.3%	130,979	40.7%	109,441	47.5%	104,237	58.3%	108,728	66.6%	105,047	81.2%	82,661	77.6%	75,490	74.9%
USBP	248,161	52.3%	113,851	35.3%	58,167	25.3%	38,677	21.6%	40,337	24.7%	16,161	12.5%	16,029	15.1%	13,077	13.0%
ICE	80,114	16.9%	77,225	24.0%	63,507	27.6%	36,070	20.2%	14,797	9.1%	8,467	6.5%	7,783	7.3%	12,187	12.1%
COUNTRY OF NATIONALITY																
Total	471,805	100.0%	322,055	100.0%	231,115	100.0%	178,984	100.0%	163,862	100.0%	129,675	100.0%	106,473	100.0%	100,754	100.0%
Mexico	352,342	74.7%	205,058	63.7%	132,456	57.3%	88,392	49.4%	72,741	44.4%	40,676	31.4%	37,315	35.0%	39,842	39.5%
Canada	29,124	6.2%	28,271	8.8%	27,041	11.7%	23,962	13.4%	23,268	14.2%	22,542	17.4%	18,415	17.3%	18,538	18.4%
Philippines	21,387	4.5%	23,161	7.2%	20,904	9.0%	21,533	12.0%	22,164	13.5%	20,434	15.8%	13,604	12.8%	6,564	6.5%
China	16,432	3.5%	16,237	5.0%	11,777	5.1%	11,697	6.5%	12,238	7.5%	12,793	9.9%	8,646	8.1%	5,195	5.2%
India	4,675	1.0%	4,113	1.3%	3,288	1.4%	2,480	1.4%	2,806	1.7%	2,391	1.8%	2,426	2.3%	2,350	2.3%
Ukraine	4,411	0.9%	4,112	1.3%	2,589	1.1%	2,606	1.5%	3,052	1.9%	2,660	2.1%	2,062	1.9%	890	0.9%
Burma	3,951	0.8%	2,582	0.8%	2,337	1.0%	1,920	1.1%	1,888	1.2%	2,012	1.6%	1,444	1.4%	625	0.6%
Turkey	1,790	0.4%	1,880	0.6%	1,229	0.5%	1,036	0.6%	1,096	0.7%	1,097	0.8%	983	0.9%	438	0.4%
Korea, South	1,536	0.3%	1,630	0.5%	1,195	0.5%	1,265	0.7%	1,241	0.8%	1,186	0.9%	899	0.8%	916	0.9%
Russia	3,177	0.7%	3,514	1.1%	2,444	1.1%	1,994	1.1%	1,908	1.2%	1,492	1.2%	886	0.8%	516	0.5%
All other countries	32,980	7.0%	31,497	9.8%	25,855	11.2%	22,099	12.3%	21,460	13.1%	22,392	17.3%	19,793	18.6%	24,880	24.7%
RETURN TYPE																
Total	471,804	100.0%	322,055	100.0%	231,113	100.0%	178,984	100.0%	163,862	100.0%	129,675	100.0%	106,473	100.0%	100,754	100.0%
Withdrawal	42,212	8.9%	45,731	14.2%	48,305	20.9%	44,660	25.0%	53,492	32.6%	53,366	41.2%	45,284	42.5%	51,098	50.7%
Crew member																
detained	61,895	13.1%	60,896	18.9%	47,361	20.5%	44,707	25.0%	45,666	27.9%	43,237	33.3%	30,341	28.5%	15,072	15.0%
Voluntary Return	251,050	53.2%	117,133	36.4%	60,546	26.2%	41,038	22.9%	42,897	26.2%	18,396	14.2%	17,843	16.8%	14,681	14.6%
Voluntary Departure .	2,402	0.5%	1,843	0.6%	1,609	0.7%	715	0.4%	325	0.2%	253	0.2%	197	0.2%	173	0.2%
All other returns	114,245	24.2%	96,452	29.9%	73,292	31.7%	47,864	26.7%	21,482	13.1%	14,423	11.1%	12,808	12.0%	19,730	19.6%

Note: "All other countries" and "All other returns" include unknown.

Source: U.S. Department of Homeland Security.