

Immigration enforcement

DATA BRIEF
MAY 2026

Overview: Immigration enforcement

Immigration enforcement is an issue of ever-increasing importance for policymakers. Funding for the Department of Homeland Security (DHS) — home to both Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) — increased by 90.5% in the last ten years. The One Big Beautiful Bill Act of 2025 increased DHS funding an additional \$178 billion over four years, with the money specifically earmarked for immigration enforcement.

This recent increase in funding, along with executive orders and proclamations from the second Trump administration, proposed changes to the Code of Federal Regulations, and DHS memos outlining new policies, represents a clear signal of intent for a new approach to immigration enforcement. The result is more agents, more detention capacity, and changes to agency policy and strategy.

What does the data say about the impact of these changes?

This brief reviews which agencies are responsible for immigration enforcement and how they're funded. It also summarizes the data on enforcement actions at the border, the interior, and in the immigration courts.

Data summary

On border enforcement:

- In 2025, border enforcement actions by CBP fell 83% to 391,000. That's down from 2.3 million in 2024 and 3.3 million in 2023.

On interior enforcement:

- ICE deportations totaled 320,000 in FY 2025, up 18% from FY 2024.
- Book-ins to ICE detention (a proxy for arrests) reached 365,500 in 2025, a 29.7% increase vs. 2024 but still below 2014, 2016, and 2018–2019 totals.
- In 2025, 38% of people administratively arrested by ICE had previously been convicted of a crime, down from 66% the previous year and from the 2021 high of 82%.

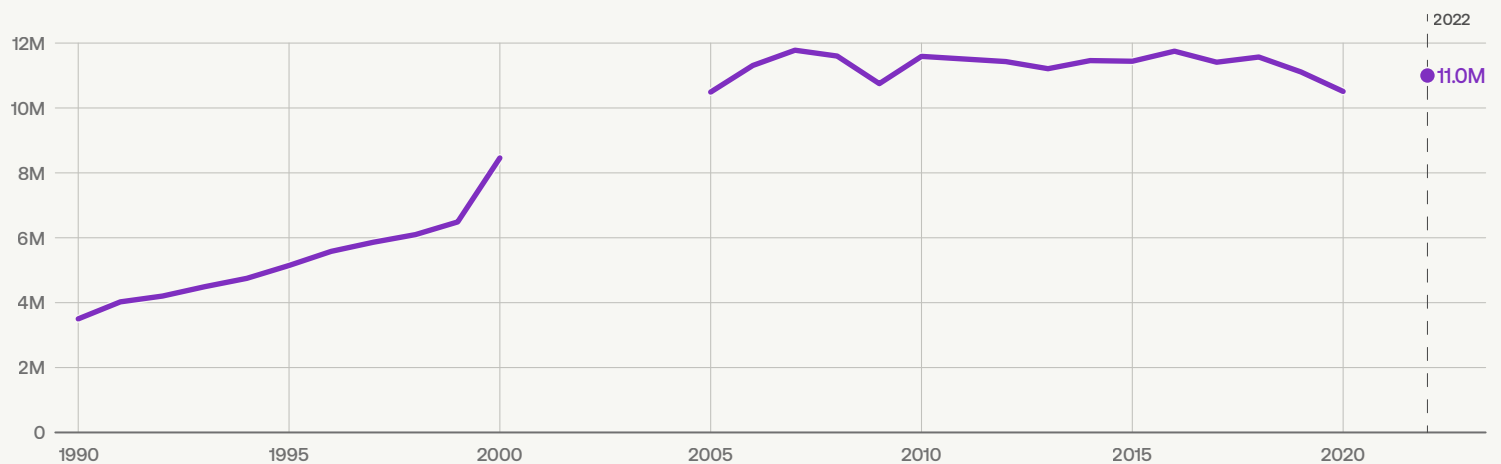
On enforcement in the courts:

- Through the third quarter of FY 2025, pending cases fell by 87,300 to 3.8 million vs. nine months prior.
- There are 557 immigration judges at EOIR, a 24% reduction in the judge corps since the peak of 735 in FY 2024. This number excludes temporary immigration judges.

Unauthorized immigrants background

According to the most recent estimate from the Office of Homeland Security Statistics (OHSS), there were about 11 million unauthorized immigrants living in the US in 2022.

Estimated unauthorized immigrant population



Source: Department of Homeland Security
 Note: No estimates were produced from 2001 to 2004 or in 2021.

That group is defined by the government as anybody who isn't a legal resident (those people are "authorized") and includes both people who entered the country without inspection by immigration authorities and those who entered on a legal visa but remained in the US beyond its expiration.

Not all unauthorized immigrants are deportable — some hold protections against removal. This group includes people who:

- Have applied for and received Deferred Action for Childhood Arrivals (DACA) status;
- Are waiting for a date to see an immigration judge (e.g., for an asylum hearing);
- Are from countries designated for Temporary Protected Status (TPS) who have applied for and received removal protections.

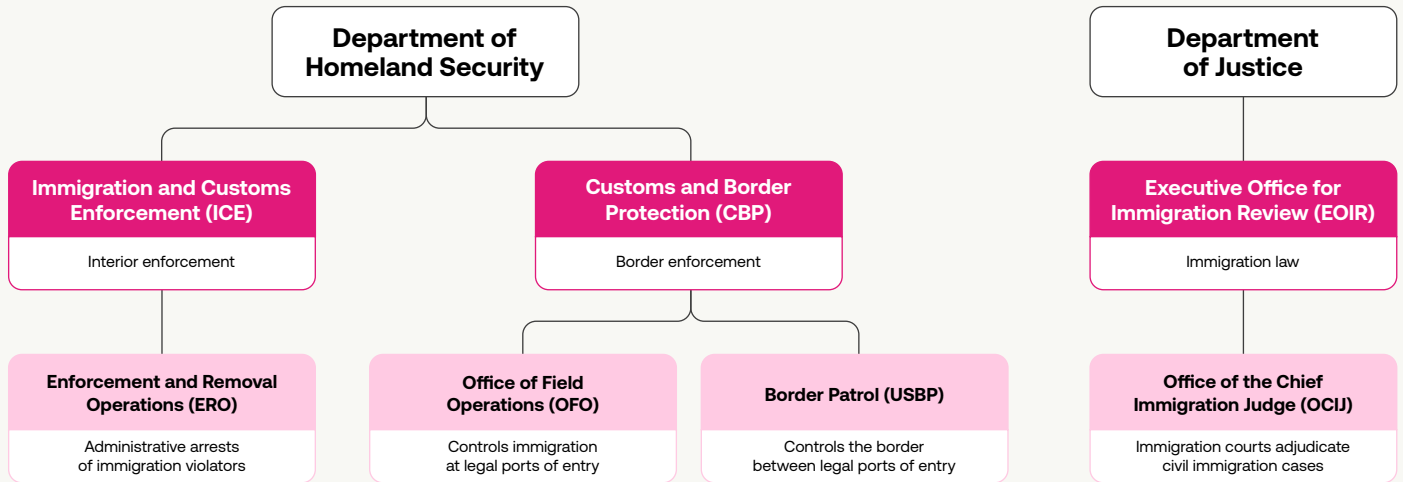
Both legal and unauthorized immigrants who hold temporary removal protections can be deported if they violate the terms of their admission or fail to maintain their eligibility for removal protections, typically by exceeding their specified term of stay, committing crimes, or otherwise letting their status lapse.

What agencies are responsible for immigration enforcement?

The agencies that enforce immigration law are part of the executive branch; the two primary operational agencies are ICE and CBP, both part of DHS. ICE is responsible for enforcement within US borders, while CBP handles operations at the border. Within CBP, the Office of Field Operations (OFO) manages ports of entry and the US Border Patrol (USBP) handles border areas between ports of entry.

Immigration cases are handled by the Executive Office for Immigration Review (EOIR) which sits within the Department of Justice (DOJ).

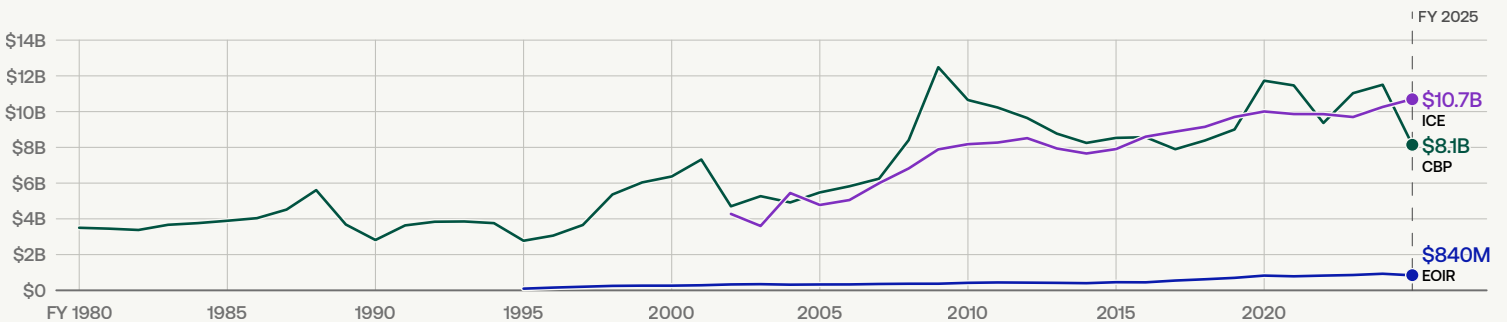
Agencies and offices involved with immigration enforcement



How much does the US spend on immigration enforcement?

In FY 2025, spending for ICE, CBP, and EOIR totaled \$19.7 billion, a 12% increase compared to ten years earlier after accounting for inflation.

Spending by immigration enforcement agencies



Source: USAFacts aggregation of data from the Office of Management and Budget, Bureau of the Fiscal Service, Census Bureau, and Bureau of Economic Analysis
 Note: Adjusted for inflation to FY 2025 dollars.

Border enforcement

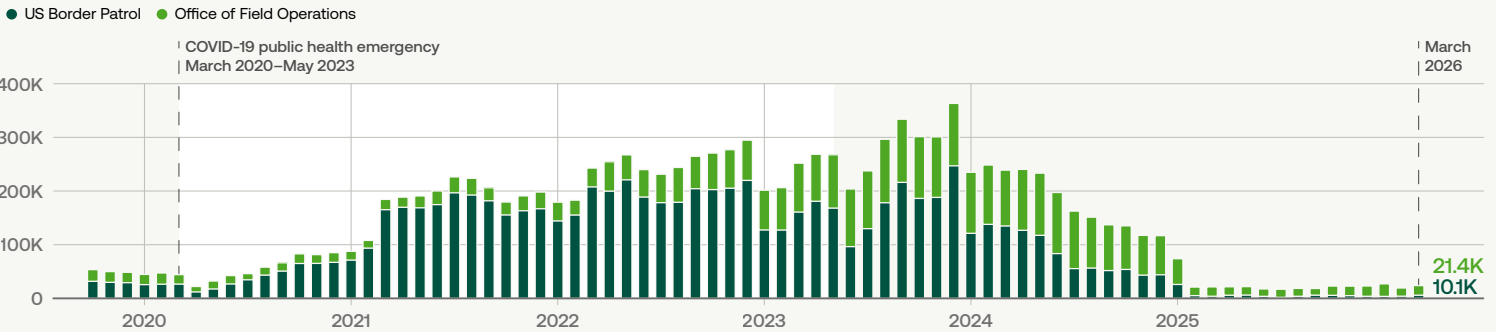
Controlling migration at the border is one pillar of immigration enforcement. The border includes official points of entry (including air and seaports) and the areas between them. The former is administered by the OFO and the latter by USBP, both of which are under CBP.

How many people are encountered by CBP?

Immediately before and after the COVID-19 pandemic, encounters were low but generally increased throughout the duration of the public health emergency declaration. Encounters peaked at 371,000 in December 2023 but fell 66% to 124,000 in December 2024. In January 2025, encounters dropped sharply and have remained low since. Taking a longer view, the record highs for annual encounters between FY 2021 and FY 2024 ended in FY 2025, with levels falling 76% to 692,000. That total is lower than the number recorded in any single year between FY 1980 and FY 2010.

Monthly border encounters

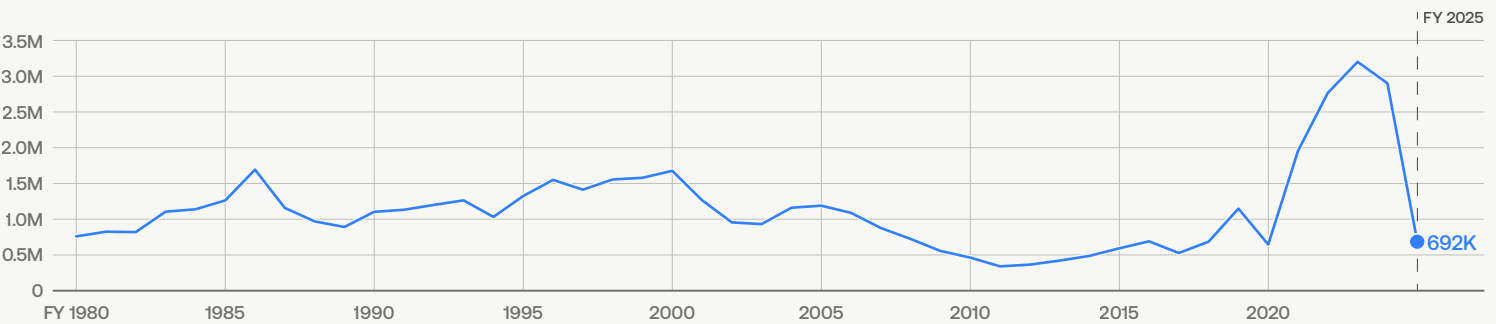
By agency (recent months)



Source: US Customs and Border Protection

Note: OFO encounters are of people deemed inadmissible at ports of entry. USBP encounters include people apprehended while illegally entering the US between ports of entry.

Annual border encounters



Source: US Customs and Border Protection

Note: Encounters are the sum of apprehensions by US Border Patrol (1980–2025) and inadmissibles by Office of Field Operations (2005–2025).



What happens when someone is encountered by CBP?

CBP stops people who are not legally admissible from entering the US. When someone is encounteredⁱ by CBP, they’re typically booked into short-term detention and then processed.

During processing, detainees are assigned a “processing disposition” — essentially a status that determines how their case will be handled. Specific dispositions vary but, in general, they boil down to:

- Processed for near-term removal
- Released into the US

People processed for removal are either directly removed by CBP through mechanisms like expedited removal, are offered the opportunity to voluntarily leave the country, or are transferred to other agencies like ICE for additional processing and detention (and ultimately removal).

Those released into the US either receive a notice to appear in immigration court that signals the start of removal proceedings, are subject to a temporary monitoring alternative to detention while they wait for a court date, or are temporarily permitted into the country through a process called parole, which is granted at the discretion of immigration authorities for a set period and does not confer legal status.ⁱⁱ

What does the data say about what happens to people apprehended by CBP?

The best example of how this process works can be seen by zooming in on the USBP data from the southwest border, which dates back to October 2020. In 2025, at least 94% of USBP apprehensions at the southwest border were initially processed for removal (i.e., deportation), up from a recent low of 32% in 2022. The most recent data, from March 2026, shows that at least 96% were processed for removal.

Minimum share of immigrants encountered by USBP initially processed for removal

Among southwest border encounters, monthly



Source: US Customs and Border Protection
 Note: Shares are minimums because they include some cases without a processing determination.



CBP has largely stopped releasing people apprehended at the border into the US, influenced by executive orders and presidential proclamations limiting humanitarian parole and the asylum process.ⁱⁱⁱ From February 2025 through January 2026, eight encounters were given processing dispositions for release into the US, down from 372,000 in the prior 12-month period. No cases have been designated for release into the US since April 2025; since then, the only processing dispositions have been for removal, plus some cases each month where a disposition had not yet been assigned.

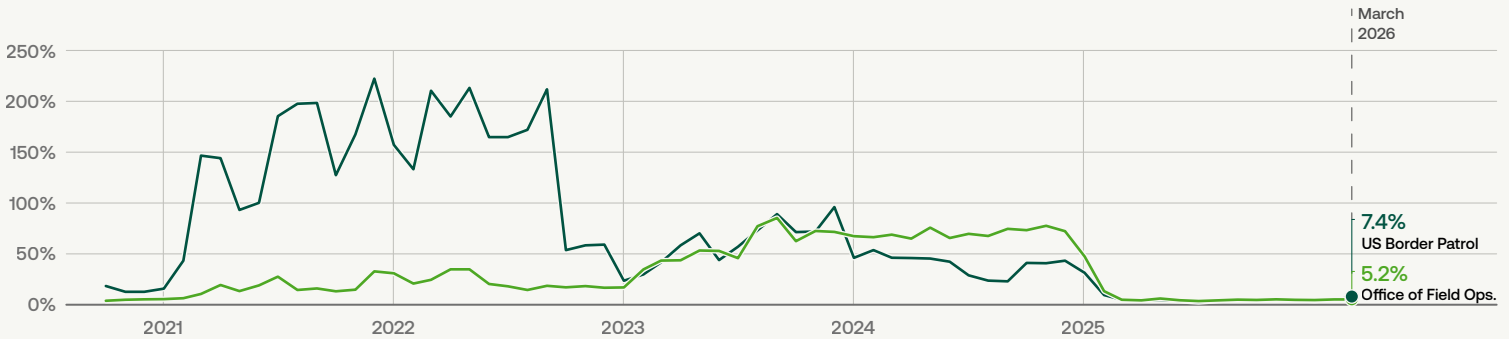
Does CBP detain unauthorized immigrants like ICE does?

Yes, though CBP detentions are short-term: less than 72 hours, per CBP’s own guidance.^{iv} In March 2026 an average of 934 people were in detention each day, down from an average daily population of nearly 20,000 during a recent peak in December 2023.

For FY 2026, CBP detention has a maximum capacity of about 12,900, divided between ports of entry, border patrol stations, and processing centers.^v Capacity can change, however; from 2019 through 2024, CBP used soft-sided facilities to quickly expand capacity in response to increased USBP apprehensions.^{vi} Lower apprehension numbers in 2025 and 2026 mean these are not currently in use.

Percentage of maximum capacity at CBP detention facilities

Average daily population for each month vs. maximum capacity, by agency

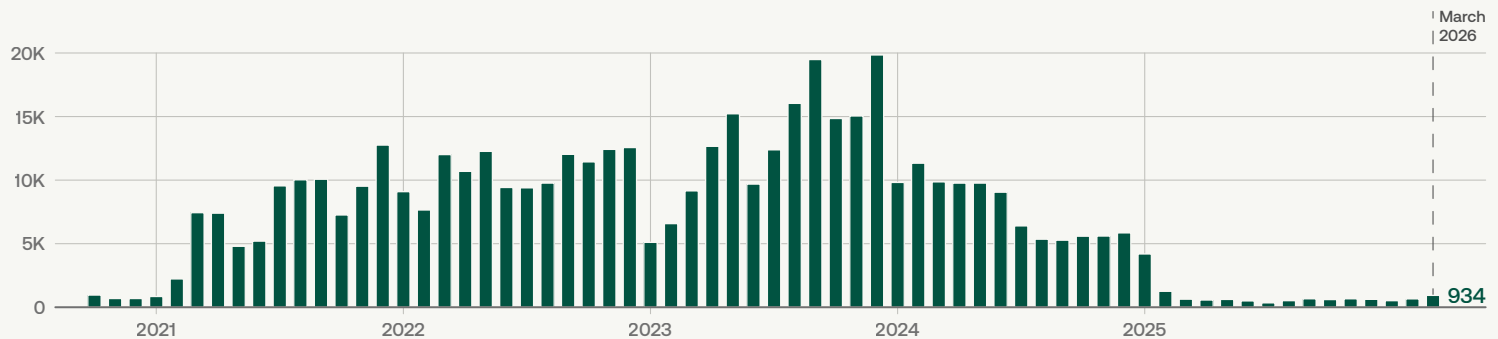


Source: US Customs and Border Protection

Note: Capacity for USBP is not given monthly, but by fiscal year; the calculation assumes capacity is the same for each month of a given FY.

Average daily population in short-term detention with CBP

By month



Source: US Customs and Border Protection

Note: Includes those detained by Office of Field Operations and US Border Patrol.

How many people apprehended while crossing the border are convicted criminals?

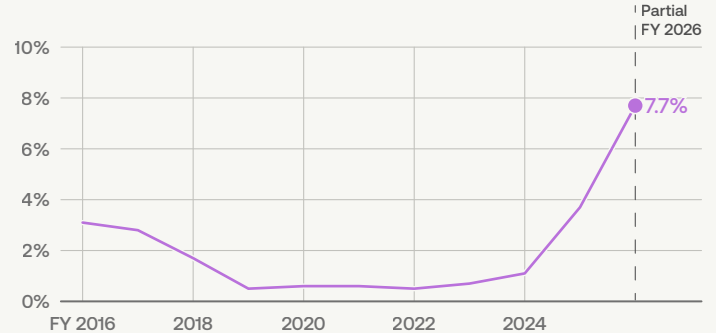
USBP reports five months of data for FY 2026: 2,664 criminal alien arrests and 34,486 apprehensions, meaning that 7.7% of USBP border apprehensions were of people previously convicted of crimes either inside or outside the US. This is the highest share on record (since FY 2016). From FY 2022 to FY 2025, the total number of apprehensions declined and the share of those arrested with a prior conviction rose.

Total apprehensions and criminal alien arrests at the southwest border (USBP)

FY	Apprehensions	Criminal alien arrests
2016	408,870	12,842
2017	303,916	8,531
2018	396,579	6,698
2019	851,579	4,269
2020	400,651	2,438
2021	1,659,206	10,763
2022	2,206,436	12,028
2023	2,045,838	15,267
2024	1,530,523	17,048
2025	237,538	8,814
2026	34,486	2,664

Source: US Customs and Border Protection
 Note: FY 2026 data through February 2026.

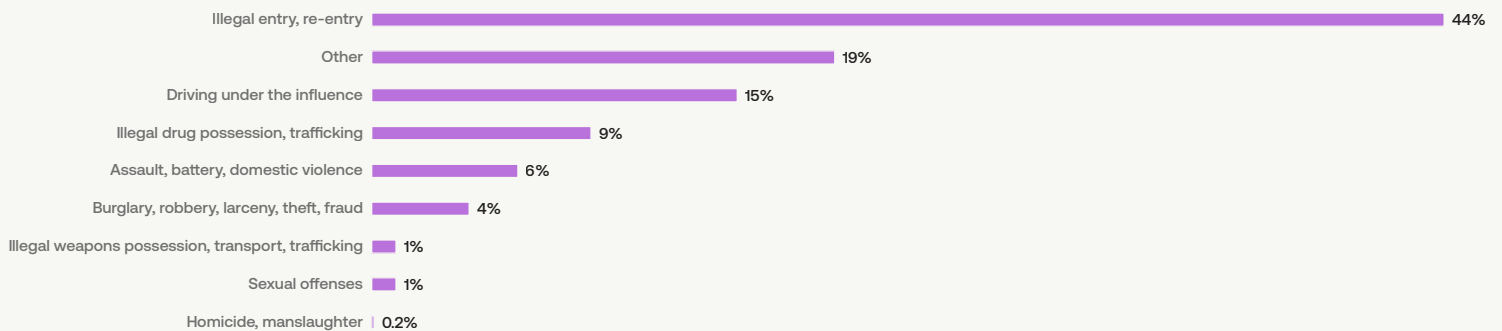
Share of apprehended southwest border crossers with a prior criminal conviction



What crimes have people apprehended at US borders been convicted of?

The 8,814 people apprehended with prior criminal convictions in FY 2025 shared 11,213 total convictions between them — that’s 1.3 convictions per arrest. Illegal entry was the most common prior conviction, accounting for 43.9% of the total. Since FY 2017, illegal entry has ranged from 39.7% of total convictions (FY 2021) to 52.4% (FY 2024). The homicide/manslaughter category varied the least, with only 0.4 percentage points separating its high and low shares.

Categories of convictions for people apprehended by USBP with a prior conviction (FY 2025)



Source: US Customs and Border Protection
 Note: Other category includes any conviction not included in the listed categories.

Criminal charges in the offense categories reported by CBP range from aggravated felonies (the most serious) to misdemeanors (the least). In the data provided it’s not possible to tell, for example, how many drug violations are for possession or for trafficking.

Interior enforcement

Interior immigration enforcement is primarily carried out by ICE, which focuses on arresting and removing the unauthorized and deportable population already living in the country.

The Enforcement and Removal Operations (ERO) division of ICE is primarily responsible for arresting and removing immigration violators. Arrests made by ERO are administrative arrests, which are for civil violations of immigration law.

Noncitizens who are administratively arrested may or may not have a criminal history, but the choice to make an administrative arrest is not necessarily blind to it. Enforcement priorities are set by the head of the DHS based on administration priorities, as well as budget and personnel constraints.

How many people does ICE arrest?

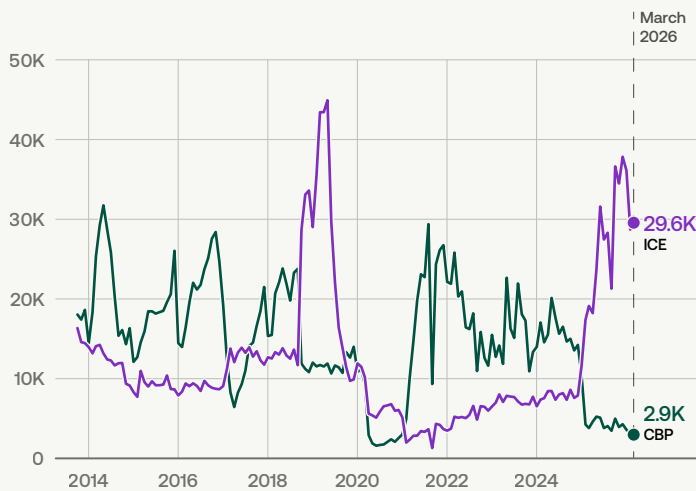
While data on ERO administrative arrests has not updated since 2024, book-ins to ICE detention can serve as a proxy. (When someone is processed into ICE custody, they are said to have been “booked in.”)

Beginning in January 2025 and for every month since, there have been more monthly book-ins to ICE detention resulting from ICE arrests than from CBP arrests, which has not happened since January 2021. In March 2026, there were 29,600 book-ins from ICE arrests, compared to 2,900 book-ins from CBP arrests, illustrating an enforcement shift away from the border and toward the interior.

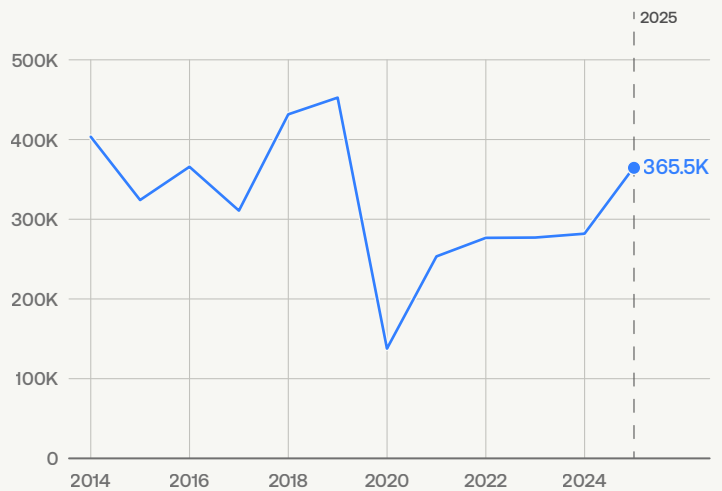
On an annual basis, total book-ins to ICE detention reached 365,500 in 2025, up 29.7% vs. 2024. This makes 2025 the year with the fifth-most book-ins since 2014.

ICE book-ins

Monthly, by arresting agency



Annual



Source: US Immigration and Customs Enforcement and Office of Homeland Security Statistics

Note: Book-ins exclude prisoners of the US Marshals and transfers from the Office of Refugee Resettlement, which coordinates the care of unaccompanied children encountered by USBP.

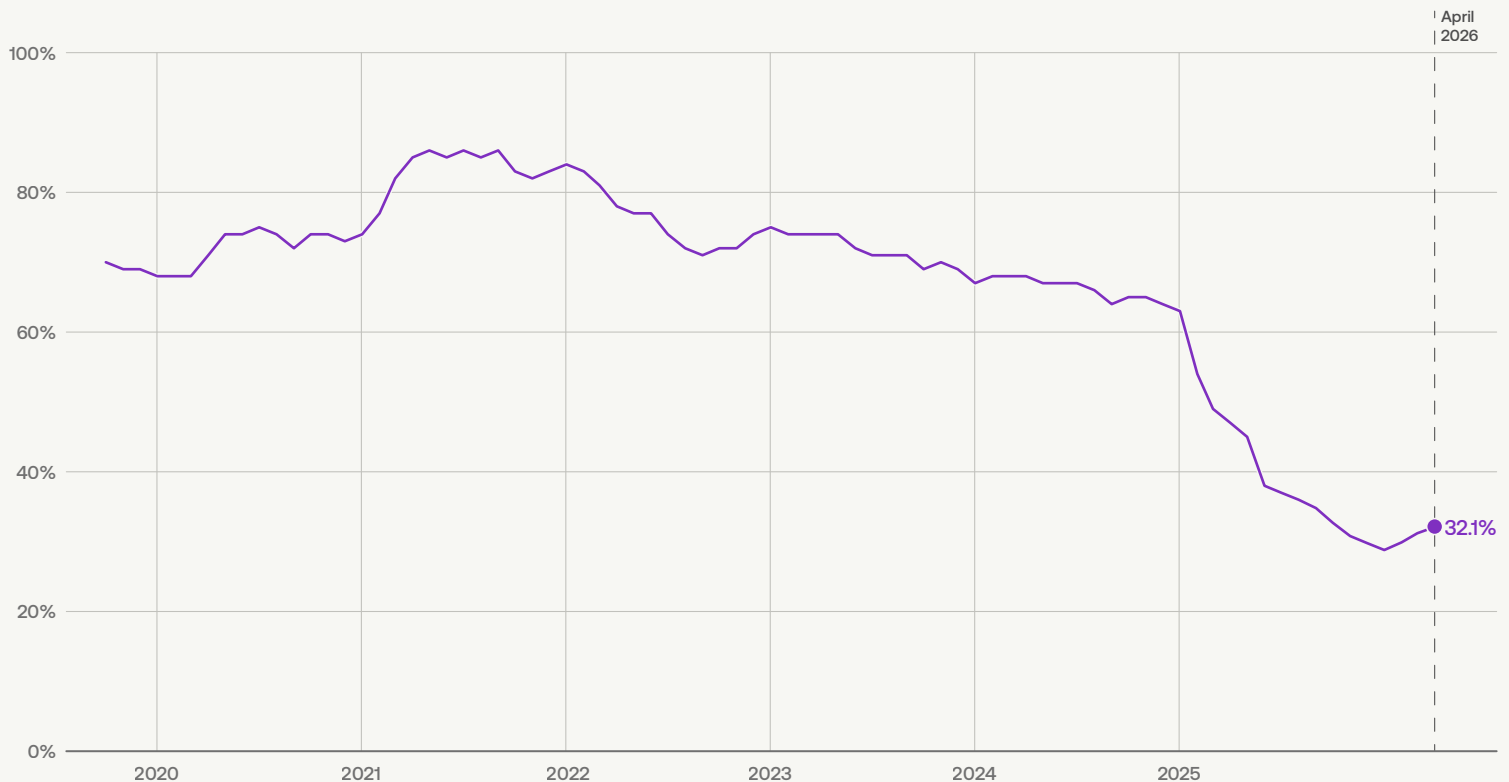
How many people arrested by ICE are convicted criminals?

ICE data details the average daily population of people in its custody by criminality: people with a prior criminal conviction, people with pending criminal charges, and people with neither.

In 2025, 38% of people administratively arrested by ICE had previously been convicted of a crime, down from 66% in 2024 and from a high of 82% in 2021. In April 2026, 32% of people arrested by ICE had previous convictions.

Percentage of people arrested by ICE previously convicted of crimes

By month



Source: US Immigration and Customs Enforcement

Note: Calculated as the average daily population for each month divided by the total average daily population.



Is DHS prioritizing the arrest of convicted criminals?

There has been a back-and-forth on immigration enforcement priorities across presidential administrations. Under the first Trump administration, DHS — in response to an executive order — removed carve-outs for removable immigrants, making everyone eligible for removal an equal enforcement priority.^{vii} When President Biden took office, he rescinded and replaced that order^{viii}; in response, the Biden-era DHS clarified^{ix} that it would focus on removing people who posed threats to national or border security, or had convictions for aggravated felonies. The second Trump administration rescinded the Biden-era order^x and again made every removable person an equal enforcement priority.

What kinds of crimes have the people arrested by ICE been convicted of?

In FY 2024, 51% of the 113,400 ICE administrative arrests involved people with a prior conviction — the remainder either had charges pending but no prior convictions or had no criminal charges or convictions and were only in violation of civil immigration law. Those with criminal convictions had a total of 195,400 convictions between them, an average of 3.4 convictions per person. In FY 2024, convictions for traffic offenses (24.7%), dangerous drugs (14.1%), and immigration (15.5%, for illegal entry/re-entry) made up more than half of all convictions. Convictions are grouped not by specific charge, but by category:

Categories of convictions for people arrested by ICE with a prior conviction (FY 2024)

Category	Convictions	Share of total
Traffic offenses	48,175	24.7%
Dangerous drugs	27,522	14.1%
Immigration	30,206	15.5%
Assault	18,895	9.7%
Obstructing judiciary, congress, legislature, etc.	6,193	3.2%
Larceny	6,875	3.5%
General crimes	5,850	3.0%
Obstructing the police	5,956	3.0%
Weapon offenses	4,584	2.3%
Burglary	4,775	2.4%
Invasion of privacy	4,378	2.2%
Fraudulent activities	4,238	2.2%
Sex offenses	4,486	2.3%
Public peace	4,486	2.3%
Sexual assault	3,271	1.7%
Family offenses	2,041	1.0%
Stolen vehicle	2,135	1.1%
Robbery	2,270	1.2%
Damage property	1,681	0.9%
Stolen property	1,369	0.7%
Forgery	1,483	0.8%
Flight/escape	1,376	0.7%
Liquor	1,045	0.5%
Homicide	1,275	0.7%
Kidnapping	950	0.5%
Threat	582	0.3%
Commercialized sexual offenses	462	0.2%
Total	195,377	100%

Source: US Immigration and Customs Enforcement

Note: Sex offenses do not include sexual assault or commercialized sexual offenses, which are separate categories. Categories correspond to National Crime Information Center codes.



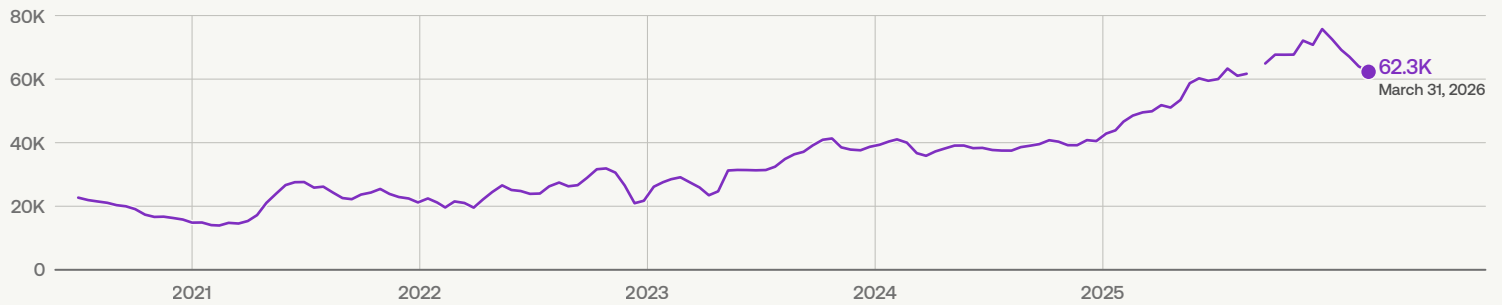
The types of crimes in these categories range from aggravated felonies (the most serious) to misdemeanors (the least). Categories are aggregate, so it's not possible to get numbers for specific crimes, such as how many traffic offenses are felonies like hit-and-runs vs. misdemeanors like driving without a license.

How many people does ICE detain?

At midnight on the 15th day and last day of each month, ICE does a detainee headcount. On March 31, 2026, there were 62,303 people in ICE detention. That's 18% below the count on January 15, 2026 of nearly 76,000 — the highest total on record since at least July 2020 when this dataset begins.

This number doesn't represent the number of unique individuals detained by ICE throughout the year: one person may be included in multiple headcounts, and large increases or decreases in the detainee population between the counts wouldn't be captured in this data.

Bimonthly head count of people in ICE detention

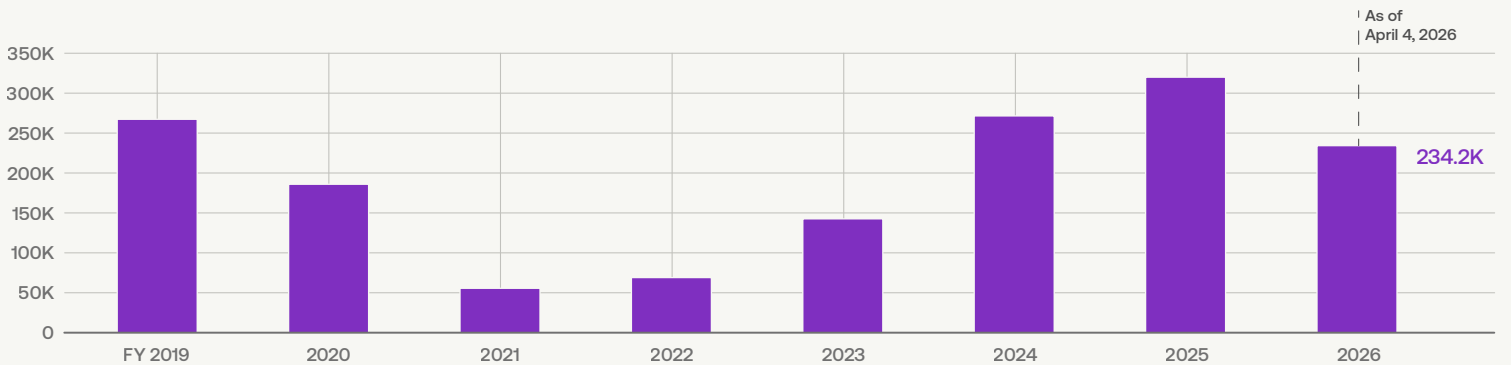


Source: US Immigration and Customs Enforcement
 Note: ICE provides no headcount for 9/30/2025.

How many people does ICE deport?

Removals and returns made by ICE reached 320,000 in FY 2025, up 18% from FY 2024. During the first six months of FY 2026, ICE deported 234,200 people as of April 4. Put another way, just over halfway through FY 2026, deportation numbers reached nearly three quarters the FY 2025 total.

ICE removals and returns

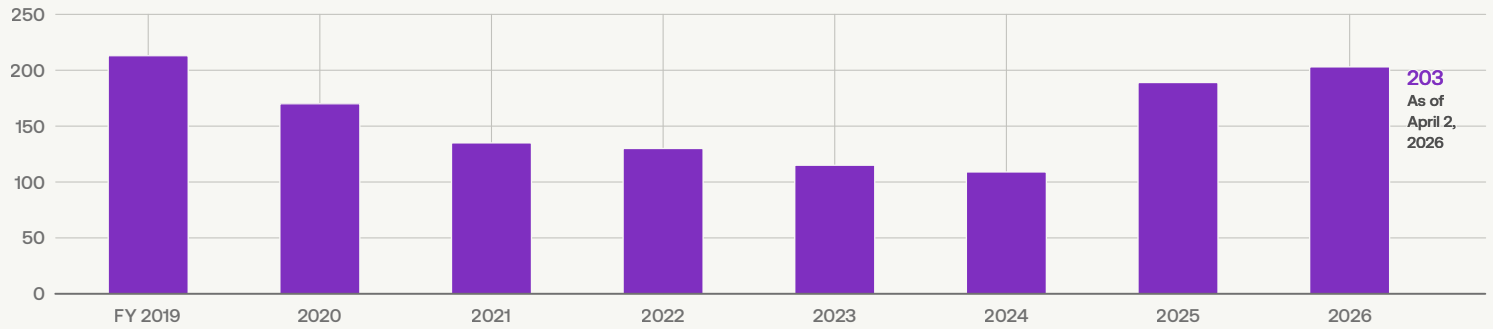


Source: US Immigration and Customs Enforcement
 Note: Data source calls these removals; metadata confirms they include voluntary returns as well. FY 2026 data is incomplete.

How many ICE facilities are there?

As of April 2026, there were 203 active ICE detention facilities with an average daily population of at least one. This is 86% more than the number of facilities operating at the end of FY 2024.

Number of ICE detention facilities



Source: US Immigration and Customs Enforcement

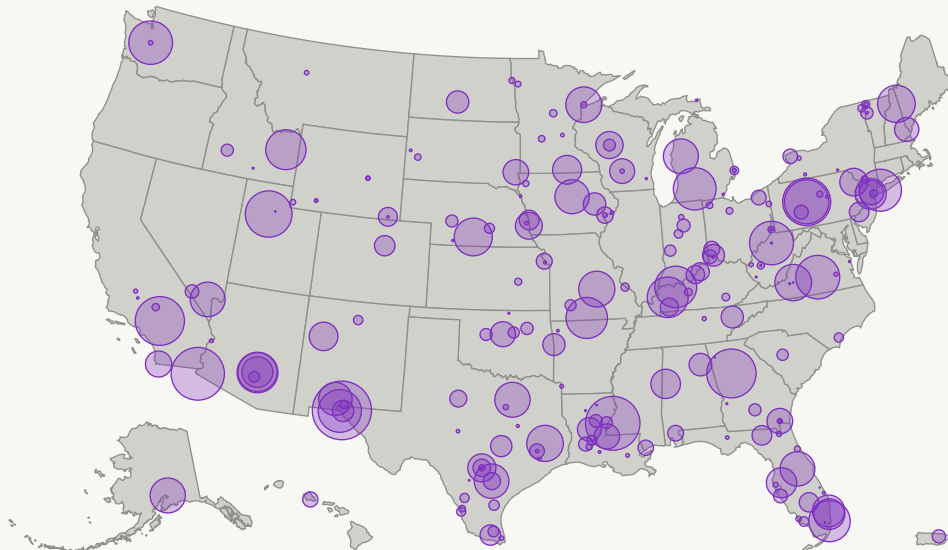
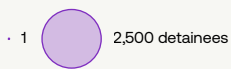
Note: Counts all ICE detention centers with an average daily population of at least one person at the time the end of the fiscal year, unless otherwise noted.

Where are ICE facilities located?

There are ICE facilities in 43 states plus Guam, Puerto Rico, and the Northern Mariana Islands. Texas (25 facilities), Florida (19), and Louisiana (12) are home to the most, accounting for 28% of all detention facilities and nearly half of the average daily population for FY 2026.

Active ICE facilities and average daily population

As of April 2, 2026



Source: Immigration and Customs Enforcement

Note: Facilities not shown: one each in Guam and Northern Mariana Islands, one federal post office in Florida, and one staging facility in Florida.

This list reflects all ICE facilities with an average daily population (ADP) of at least 1 on 4/2/26. The ADP is the total number of detainees during each day of the fiscal year divided by the total days in the fiscal year as of 4/2/26.

Immigration enforcement in the courts

Immigration courts handle the cases of people charged with violating federal immigration law — Title 8 of the US Code. Their proceedings are civil, not criminal.

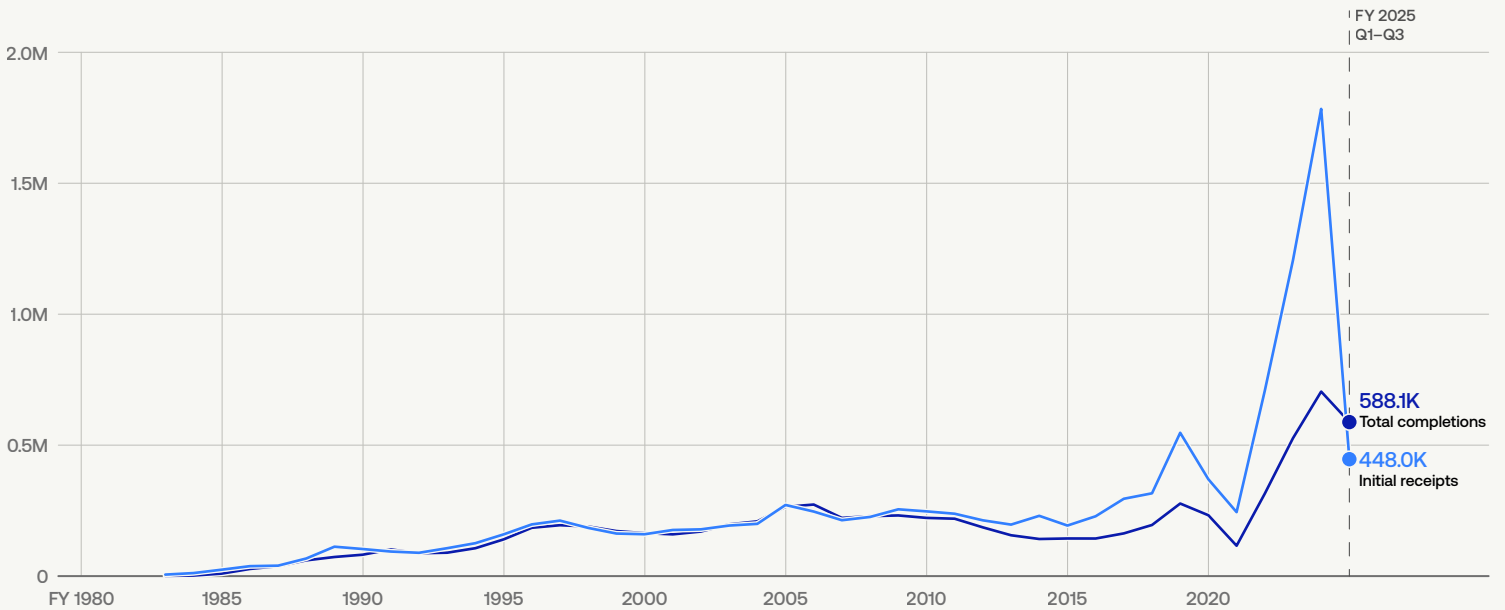
Immigration courts are part of the executive branch of government, rather than the judicial branch that houses the criminal courts. The immigration court system is administered by the Executive Office of Immigration Review (EOIR), part of the Department of Justice.

Immigration judges determine whether an immigrant may remain in the US or must leave, and handle cases ranging from asylum protections to credible fear reviews and adjustments of or loss of immigration status to detention and bond decisions.^{xi}

How many immigration cases are received and completed each year?

Starting in FY 2009 and for each full fiscal year since, immigration courts have received more new cases than they completed. The largest gap was recorded in FY 2024, when 1.1 million more cases were received than completed. However, through the third quarter of FY 2025, EOIR completed about 140,100 more cases than it received.

New immigration case receipts and total case completions



Source: Executive Office for Immigration Review

Are immigration courts keeping up with their caseload?

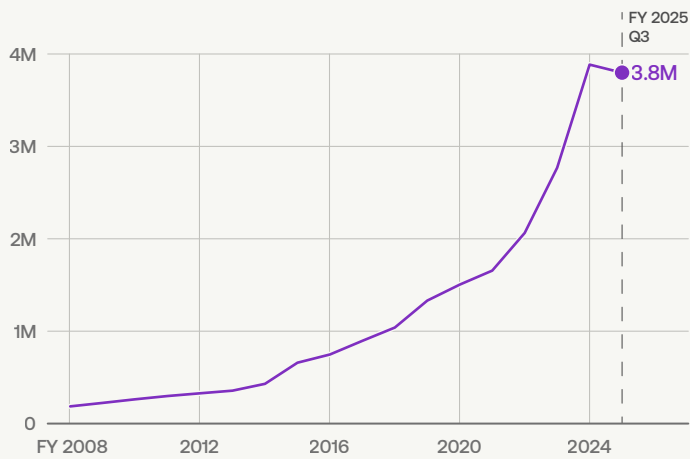
In FY 2024, the backlog of pending immigration court cases grew to 3.9 million, up 40% from the prior year. Nine months later (through the third quarter of FY 2025), the total backlog fell by 87,300 to 3.8 million.

How many judges work at EOIR?

Through the first quarter of FY 2026, there are 557 immigration judges, down 24% from the peak at the end of FY 2024.

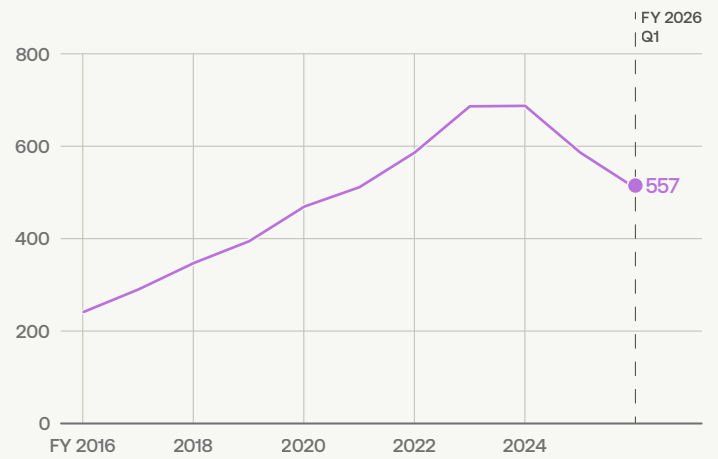
The number of immigration judges that EOIR is allowed to employ is capped at 800 by the One Big Beautiful Bill Act, but this takes effect in 2028.

Pending immigration cases with EOIR



Source: Executive Office for Immigration Review
 Note: Data is as of the end of the fiscal year, unless otherwise noted.

Number of immigration judges at EOIR



Source: Executive Office for Immigration Review
 Note: Does not include temporary immigration judges. Counts are as of the end of the fiscal year, unless otherwise noted.



About temporary immigration judges

Under the Trump administration, EOIR has focused on hiring temporary immigration judges (TIJs) to help reduce the backlog of cases.^{xii} The authority to hire TIJs came from an interim final rule issued by EOIR in 2014 to create a special pool of judges to help with an influx of unaccompanied children at the border. It outlined renewable six-month terms and limited the pool of eligible judges to those with specific kinds of experience working with EOIR or immigration law.

An EOIR final rule published in the Federal Register in August 2025 amended the original interim final rule.^{xiii} It expands the pool of people eligible for hire by loosening qualification restrictions — now “any attorney” may serve as a TIJ.

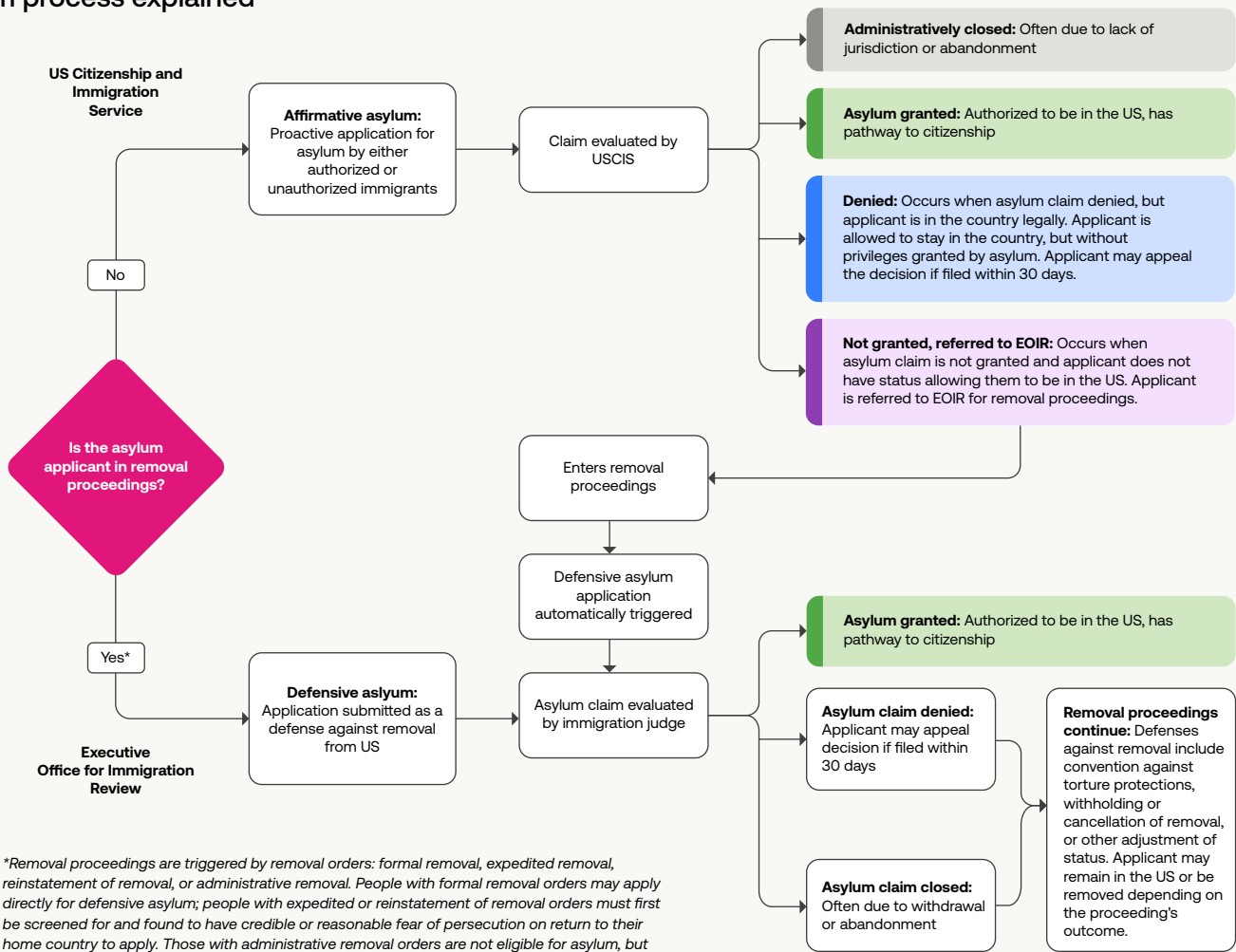
Since the August 2025 rule, EOIR has focused on hiring military attorneys as TIJs and requested that the Department of Defense detail up to 600 lawyers to serve as TIJs. In an October 2025 press release, EOIR announced the hiring of 25 TIJs; another release in February 2026 announced 27 more.

What is the asylum process?

Asylees are people who are unwilling or unable to return to their country of origin, either due to persecution or fear of it. Unlike refugees who must obtain permission to enter the US before arrival, asylum seekers must already be present in the country or seeking admission at a port of entry and must request asylum within one year of arriving.

There are two kinds of asylum applications: affirmative and defensive.^{xiv} Affirmative asylum claims are filed proactively by both authorized and unauthorized immigrants who are not in removal proceedings and are handled by US Citizenship and Immigration Services (USCIS) asylum officers. Defensive asylum may be claimed by people in removal proceedings as a defense against deportation. A defensive asylum filer may remain in the US as an unauthorized immigrant while waiting for their case to be resolved in immigration court and can receive a temporary work permit once their application has been pending for 180 days.^{xv}

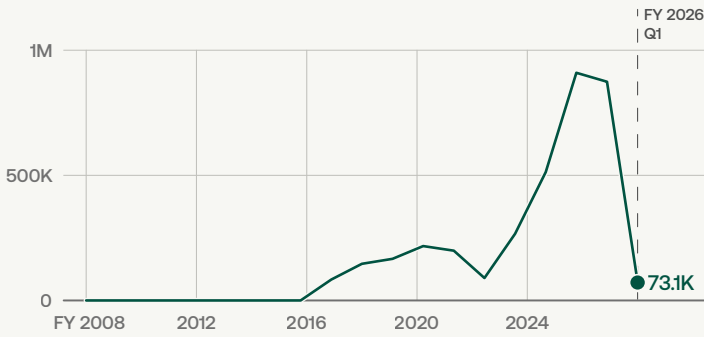
Asylum process explained



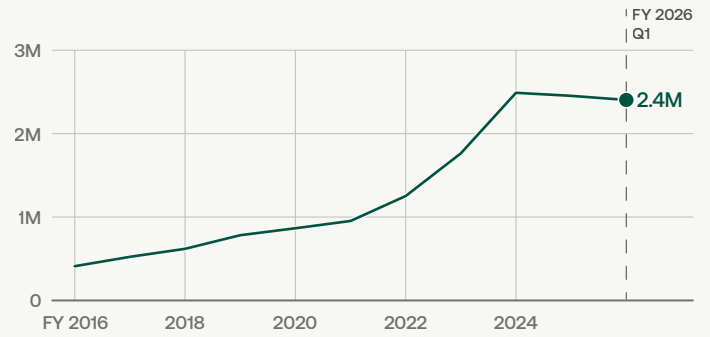
How many defensive asylum cases have been received and are pending with EOIR?

There were 874,100 cases filed in FY 2025, second only to the 909,900 filed in FY 2024 for the most on record since at least FY 2008. Through one quarter of FY 2026 that number sits at 73,100. The total number of pending defensive cases is 2.4 million, down 85,700 cases from fifteen months prior when the backlog peaked in FY 2024.

Defensive asylum claims filed with EOIR



Defensive asylum cases pending with EOIR



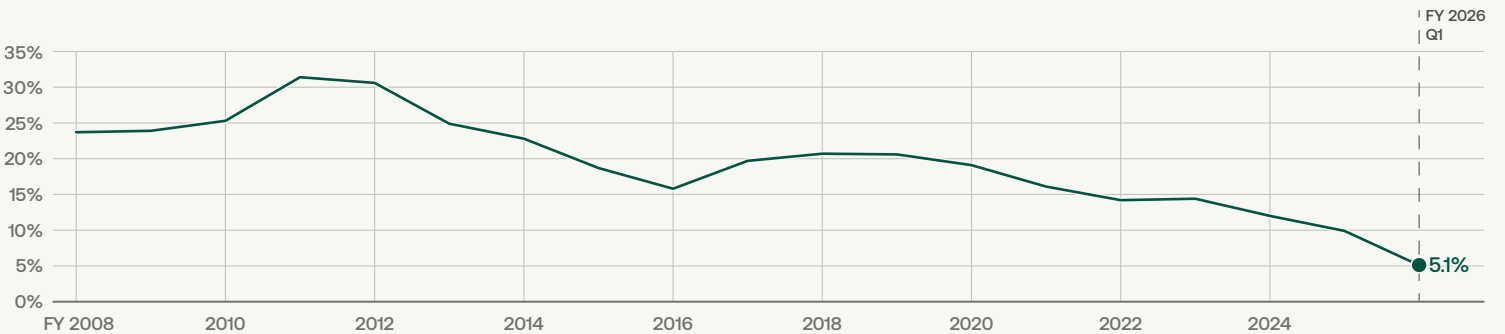
Source: Executive Office for Immigration Review
 Note: Pending cases are as of the end of the fiscal year, unless otherwise noted.

How common is it for defensive asylum to be granted?

In FY 2025, the grant rate — grants of asylum as a share of total asylum decisions — for defensive asylum cases fell to its lowest level since at least FY 2008. There were 26,600 grants of defensive asylum out of 267,500 total decisions, for a grant rate of 9.9%. That’s down 2.1 percentage points from FY 2024 and 21.4 percentage points from the peak in FY 2011, when 31.4% of defensive asylum cases resulted in a grant.

Through the first quarter of FY 2026 the rate is even lower, with 5.1% of decisions resulting in asylum being granted.

Defensive asylum grant rate

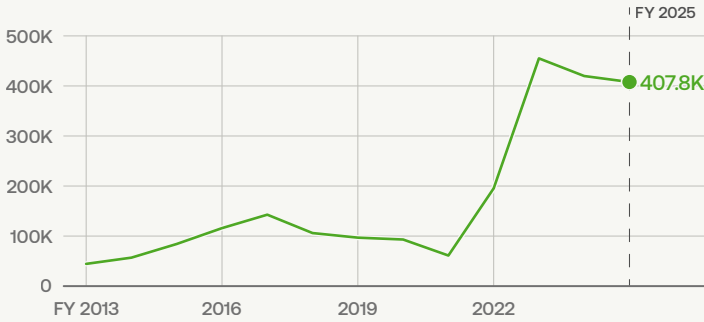


Source: Executive Office for Immigration Review

How many affirmative asylum cases have been received and are pending with USCIS?

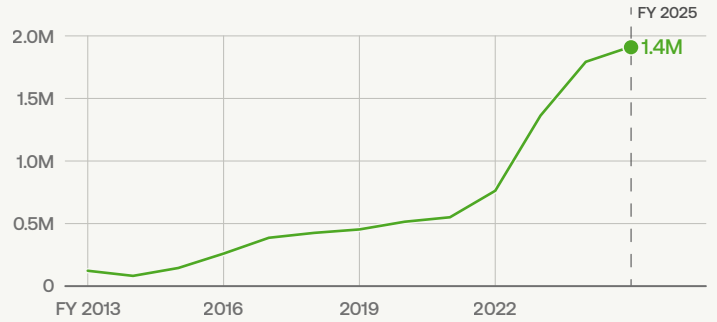
There were 407,800 claims filed in FY 2025, down 12,000 from FY 2024 and 47,200 from the peak in FY 2023. The total number of pending cases is 1.4 million, the largest backlog since at least FY 2013.

Affirmative asylum claims filed with USCIS



Source: US Citizenship and Immigration Services

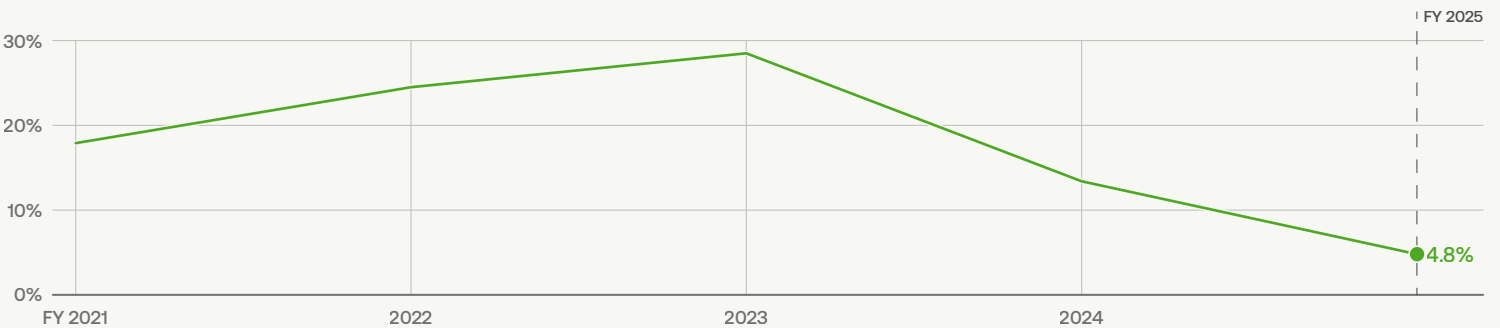
Affirmative asylum cases pending with USCIS



How common is it for affirmative asylum to be granted?

The grant rate — grants of asylum as a share of total asylum decisions — for affirmative asylum cases with USCIS fell to 4.8% in FY 2025, the lowest rate in the available data. That’s down 23.7 percentage points from the end of FY 2023, when almost 30% of decisions resulted in an asylum grant.

Affirmative asylum grant rate



Source: US Citizenship and Immigration Services

Note: Cannot calculate the grant rate (approvals / total completions) prior to FY 2021 due to differences in the source data format from FY 2020 and earlier.



What about refugees? Are they part of the deportable population?

Refugees are not eligible for deportation as long as they follow the rules of their admission. However, refugees must apply for a green card (i.e., lawful permanent resident or LPR) within one year of arrival. A new DHS memo^{vi} puts refugees who haven’t applied for LPR status after one year on the enforcement priority list. Under this new guidance, DHS is required to arrest and detain them while their original claim is re-evaluated. The person is ultimately either admitted as an LPR or placed in removal proceedings.

Endnotes

- i. This refers to “enforcement encounters” which are encounters where deportation proceedings are being considered. OFO also counts “administrative encounters” among their inadmissible totals, where deportation proceedings are not considered. These encounters include withdrawals of admissions applications and crew members required to remain aboard ships, and are not considered to be attempted unlawful entries into the US.
- ii. Parolees are permitted to enter for urgent humanitarian reasons (e.g., medical treatment or family reunification); when their presence is a significant public benefit (e.g., testifying in criminal trial proceedings); through special programs offered to certain populations (e.g., the Central American Minors program); or when they’re from specially designated countries in turmoil like Ukraine (through the U4U program) or Cuba, Haiti, Nicaragua, and Venezuela (through the CHNV program). Additional parole mechanisms include “advance parole” (for people already in the US with pending adjustments of status to permit travel abroad), “parole in place” (for people already in the US who are close family members of people who are veterans of or in the US military), and “paroled for deferred inspection” (for people presenting to ports of entry who are not preliminarily eligible for admission but will receive a full inspection at a later date). Conditional parole, or temporary release from custody, is a tool used by ICE and USBP to ease capacity constraints at their detention facilities. This is different from the kinds of parole discussed in this section, and is most akin to parole from prison, or supervised, conditional release. For more details, see: <https://www.uscis.gov/policy-manual/volume-7-part-b-chapter-2#footnotelink-50>.
- iii. Congressional Research Service (CRS) (2025). *Recent White House Actions on Immigration* (CRS Product Number: LSB11265). <https://www.congress.gov/crs-product/LSB11265>.
- iv. US Customs and Border Protection (CBP) (2015). *National Standards on Transport, Escort, Detention, and Search*. https://www.cbp.gov/sites/default/files/2025-07/cbp-teds-policy-october2015_2.pdf.
- v. CBP (2026). *Custody and Transfer Statistics*. <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy2024>.
- vi. Government Accountability Office (GAO) (2025). *Border Security: DHS Needs to Better Plan for and Oversee Future Facilities for Short-term Custody* (GAO-25-107346). <https://www.gao.gov/products/gao-25-107346>.
- vii. Federal Register (2017). *Enhancing Public Safety in the Interior of the United States* (Executive Order 13768). <https://www.federalregister.gov/documents/2017/01/30/2017-02102/enhancing-public-safety-in-the-interior-of-the-united-states>.
- viii. Federal Register (2021). *Revision of Civil Immigration Enforcement Policies and Priorities* (Executive Order 13993). <https://www.federalregister.gov/documents/2021/01/25/2021-01768/revision-of-civil-immigration-enforcement-policies-and-priorities>.
- ix. DHS (2021). *Memorandum* (Review of and Interim Revision to Civil Immigration Enforcement and Removal Policies and Priorities). https://www.dhs.gov/sites/default/files/publications/21_0120_enforcement-memo_signed.pdf.
- x. Federal Register (2025). *Protecting the American People Against Invasion* (Executive Order 14159). <https://www.federalregister.gov/documents/2017/01/30/2017-02102/enhancing-public-safety-in-the-interior-of-the-united-states>.
- xi. EOIR (2025). *How to Become an Immigration Judge*. <https://www.justice.gov/eoir/how-become-immigration-judge>.
- xii. CRS (2026). *Executive Office for Immigration Review Immigration Judge Staffing Issues* (CRS Product Number: IN12664). <https://www.congress.gov/crs-product/IN12664>.
- xiii. Federal Register (2025). *Designation of Temporary Immigration Judges*. <https://www.federalregister.gov/documents/2025/08/28/2025-16573/designation-of-temporary-immigration-judges>.
- xiv. US Citizenship and Immigration Services (n.d.). *Obtaining Asylum in the United States*. <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/obtaining-asylum-in-the-united-states>.
- xv. DHS has proposed a rule in support of Executive Order 14159 that would add additional restrictions for asylum seekers seeking to obtain work permits. See: Federal Register (2026). *Employment Authorization Reform for Asylum Applicants*. <https://www.federalregister.gov/documents/2026/02/23/2026-03595/employment-authorization-reform-for-asylum-applicants>.
- xvi. Court case document: CASE 0:26-cv-00417-JRT-DLM Doc. 122-1. Filed 02/18/26.

Chart sources and notes

All chart names are listed, and additional information is provided for each.

1. Chart sources and notes are structured as follows:

Chart title: Source(s)

Note(s):

2. Fiscal years (FY) are equivalent to the federal fiscal year, unless otherwise noted. The federal fiscal year begins on October 1 of the previous year and ends on September 30 of the following year. For example, FY 2024 began on October 1, 2023, and ended on September 30, 2024.

Estimated unauthorized immigrant population: Office of Homeland Security Statistics (OHSS) under Department of Homeland Security (DHS) (Multiple Years). *Estimates of the Illegal Alien Population Residing in the United States*. <https://ohss.dhs.gov/topics/immigration/illegal/population-estimates>.

Note(s): Estimation methodology changed in 2015, though estimates from 2015–2018 continued to rely on the 2010 Census.

Spending by immigration enforcement agencies: USAFacts aggregation of data from the Bureau of the Fiscal Service, Office of Management and Budget, Census Bureau, and Bureau of Economic Analysis.

Monthly border encounters: US Customs and Border Enforcement (CBP) (2026). *Nationwide Encounters* (Nationwide Encounters by Area of Responsibility). <https://www.cbp.gov/document/stats/nationwide-encounters>.

Note(s): See notes for chart Annual border encounters.

Annual border encounters: (1) Border patrol (USBP) encounters, 2021–2025: CBP (2026). *CBP Enforcement Statistics* (Total CBP Enforcement Actions). <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>; (2) USBP encounters, 1980–2020: CBP (2021). *Nationwide Encounters* (Border Patrol Total Apprehensions FY 1925 - FY 2020). <https://www.cbp.gov/sites/default/files/assets/documents/2021-Aug/U.S.%20Border%20Patrol%20Total%20Apprehensions%20%28FY%201925%20-%20FY%202020%29%20%28508%29.pdf>; (3) Office of Field Operations (OFO) inadmissibles, 2017–2025: CBP (2026). *CBP Enforcement Statistics* (Total CBP Enforcement Actions). <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>; (4) OFO inadmissibles, 2005–2016: OHSS (2017). *2022 Yearbook of Immigration Statistics* (Table 36. CBP Office of Field Operations Encounters: Fiscal Years 2005 to 2022). <https://ohss.dhs.gov/topics/immigration/yearbook/2022/table36>.

Note(s): Due to the COVID-19 pandemic, between 2020 and 2023, both OFO and USBP expelled certain people under Title 42 who were encountered at the border without the opportunity to seek asylum.

Minimum share of immigrants encountered by USBP initially processed for removal: CBP (2026). *Custody and Transfer Statistics* (USBP – Dispositions and Transfers). <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics>.

Percentage of maximum capacity at CBP detention facilities: *Custody and Transfer Statistics* (OFO — In Custody and USBP — Southwest Border in Custody). <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics>.

Average daily population in short-term detention with CBP: Ibid.

Total apprehensions and criminal alien arrests at the southwest border (USBP): (1) Total USBP encounters at SW border, 2019–2026: CBP (Multiple Years). *Southwest Land Border Encounters*. <https://www.cbp.gov/document/stats/southwest-land-border-encounters>; (2) Total USBP encounters at SW border, 2016–2018: CBP (2019). *Total Illegal Alien Apprehensions by Fiscal Year* (Southwest Border Sectors). <https://www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-southwest-border-sector-apps-fy1960-fy2018.pdf>; (3) Total USBP arrests at SW border of people with a criminal conviction, 2016–2026: CBP (2026). *Criminal Alien Statistics* (Arrests of Individuals with Criminal Convictions). Retrieved from (a) <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/criminal-alien-statistics>; (b) <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/criminal-noncitizen-statistics-fy2021>.

Share of apprehended southwest border crossers with a prior criminal conviction: Ibid.

Categories of convictions for people apprehended by USBP with a prior conviction (FY 2025): CBP (2026). *Criminal Alien Statistics* (Total Criminal Convictions by Type). <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/criminal-alien-statistics>.

ICE book-ins, monthly by arresting agency and annual: (1) for 2019–2026: ICE (Multiple Years). *Detention Management Statistics* (ICE Initial Book-Ins by Arresting Agency and Month). <https://www.ice.gov/detain/detention-management>; (2) for 2014–2018: OHSS (2025). *Immigration Enforcement and Legal Processes Monthly Tables* (Book-Ins to ICE Detention by Arrest Location). <https://ohss.dhs.gov/topics/immigration/immigration-enforcement/monthly-tables>.

Percentage of people arrested by ICE previously convicted of crimes: ICE (Multiple Years). *Detention Management Statistics* (ICE Average Daily Population by Arresting Agency, Month and Criminality). <https://www.ice.gov/detain/detention-management>.

Categories of convictions for people arrested by ICE with a prior conviction (FY 2024): ICE (2024). *FY 2024 Annual Report* (FY 2024 ERO Administrative Arrests by Charges and Convictions). <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2024.pdf>.

Bimonthly head count of people in ICE detention: ICE (Multiple Years). *Detention Management Statistics* (ICLOS and Detainees, Total Detainees). <https://www.ice.gov/detain/detention-management>.

ICE removals and returns: ICE (Multiple Years). *Detention Management Statistics* (ICE Removals). <https://www.ice.gov/detain/detention-management>.

Number of ICE detention facilities: ICE (Multiple Years). *Detention Management Statistics* (Facilities). <https://www.ice.gov/detain/detention-management>.

Active ICE facilities and average daily population: ICE (2026). *Detention Management Statistics* (Facilities). <https://www.ice.gov/detain/detention-management>.

New case receipts and total case completions: Executive Office for Immigration Review (EOIR) under DHS (2025). *Workload and Adjudication Statistics* (New Cases and Total Completions – Historical). <https://www.justice.gov/eoir/media/1344801/dl?inline>.
Note(s): New case receipts include removal, deportation, exclusion, asylum-only, and withholding-only cases.

Pending immigration cases with EOIR: EOIR under DHS (Multiple Years). *Workload and Adjudication Statistics* (Pending Cases, New Cases, and Total Completions). Retrieved from: (a) for 2016–2025: <https://www.justice.gov/eoir/media/1344791/dl?inline>; (b) for 2008–2015: https://www.justice.gov/d9/pages/attachments/2020/01/31/1_pending_new_receipts_and_total_completions.pdf.

Number of immigration judges at EOIR: EOIR under DHS (Multiple Years). *Workload and Adjudication Statistics* (Immigration Judge Hiring). <https://www.justice.gov/eoir/media/1344911/dl?inline>.

Defensive asylum claims filed with EOIR: EOIR under DHS (Multiple Years). *Workload and Adjudication Statistics* (Total Asylum Applications). <https://www.justice.gov/eoir/media/1344911/dl?inline>.

Defensive asylum claims pending with EOIR: Ibid.

Defensive asylum grant rate: EOIR under DHS (Multiple Years). *Workload and Adjudication Statistics* (Asylum Decisions). <https://www.justice.gov/eoir/media/1344851/dl?inline>.

Affirmative asylum claims filed with USCIS: US Citizenship and Immigration Services (USCIS) (Multiple Years). All USCIS Application and Petition Form Types (Form I-589). https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data?topic_id%5B%5D=33700&ddt_mon=&ddt_yr=&query=&items_per_page=100.

Affirmative asylum claims pending with USCIS: Ibid.

Affirmative asylum grant rate: Ibid.