

Immigration Enforcement Actions: 2022

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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 noncitizens who are removable pursuant to U.S. immigration laws. The primary responsibility for the enforcement of immigration law within DHS rests with U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE). CBP primarily enforces immigration laws along the borders at and between ports of entry (POEs) and ICE is responsible for interior enforcement and most detention and removal operations. U.S. Citizenship and Immigration Services (USCIS) adjudicates applications and petitions for immigration and naturalization benefits.

This *Immigration Enforcement Actions Annual Flow Report*, authored by the DHS Office of Homeland Security Statistics (OHSS), presents information on DHS immigration enforcement actions during 2022.^{1,2} This information includes determinations of inadmissibility by CBP Office of Field Operations (OFO) officers; apprehensions by CBP U.S. Border Patrol (USBP) agents; ICE administrative arrests and intakes into immigration detention; and DHS-wide initiations of removal proceedings, repatriations, and expulsions.³

Key findings:

- The numbers of total CBP initial immigration enforcement actions, notices to appear (NTAs), detentions, and returns all showed increases between 2021 and 2022, in part reflecting the elevated number of USBP encounters in 2022 and changes to immigration enforcement practices (Figure 1).
- The majority of USBP encounters, starting on March 20, 2020, and continuing through 2022, resulted in expulsions as part of DHS's efforts to assist in the implementation of the U.S. Centers for Disease

Control and Prevention's (CDC) Title 42 of the U.S. Code ("Title 42 Order"). These "Title 42 expulsions" were an important tool for managing the spread of Coronavirus-2019 (COVID-19), but also contributed to repeat encounters of the same individuals. Twenty-six percent of CBP enforcement encounters in 2022 were of persons previously encountered during the prior 12 months, compared to 45 percent of encounters from March 20, 2020 to September 2020, 35 percent in 2021, and an average of 15 percent from 2014 to 2019.

- Extra-regional countries (i.e., countries other than Mexico and the Northern Central American (NCA) countries of El Salvador, Guatemala, and Honduras) saw substantial increases in DHS encounters in 2022, collectively overtaking Mexico and the NCA countries even as encounters from Mexico and the NCA countries remained at elevated levels (Figure 2 and Table 3.1). Extra-regional encounters posed additional challenges to immigration enforcement due to differences in repatriation agreements, logistics, and feasibility.
- Mexico remained the leading country in USBP encounters, OFO determinations of inadmissibility, and removals, while Nicaragua, Colombia, and Venezuela each overtook Mexico on detention bookings. Mexico was also the leading country for noncitizen returns, ending the Philippines' two-year streak as the leading return country; most Filipino nationals were crew members detained on board their vessels.

¹ In this report, "years" refer to fiscal years, which run from October 1 to September 30. In addition to immigration enforcement actions, this report also covers CBP encounters that resulted in persons expelled from the United States under Title 42 of the U.S. Code. Although Title 42 is not an immigration authority, Title 42 encounters were a significant portion of all encounters and coincided with other notable changes in immigration enforcement trends, as discussed further in the report.

² The 2022 Yearbook of Immigration Statistics and other OHSS reports contain additional context. Not all numbers reported are contained in this report's tables.

³ Data in this report are event-based rather than person-centric, meaning a person may be counted more than once within a table if that person has been subject to an action more than once. For this reason, this report discusses numbers of actions performed rather than numbers of people subject to such actions (unless otherwise noted).

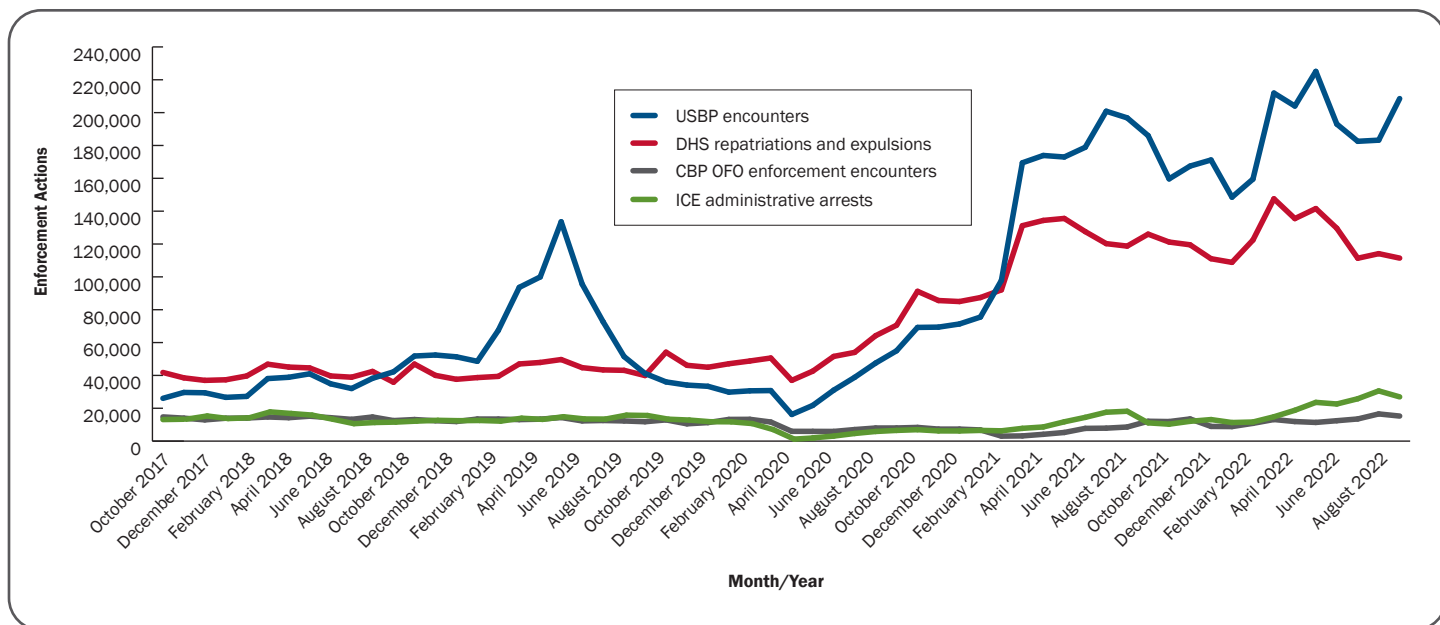


Office of Homeland
Security Statistics

U.S. Department of Homeland Security

Figure 1.

Enforcement Actions by Month: Fiscal Years 2018 to 2022



Notes: Data for USBP encounters, CBP OFO encounters, and repatriations and expulsions for March 2020 onward include encounters resulting in Title 42 expulsions. Title 42 expulsions began on March 20, 2020 for USBP encounters and on March 27, 2020 for CBP OFO encounters. OFO enforcement encounters exclude inadmissible noncitizens who are permitted to withdraw their application for admission without prejudice, foreign crew members required to remain aboard their ships, and persons given a parole disposition at POEs.
Source: DHS Office of Homeland Security Statistics analysis of CBP and ICE data.

- Single Adults (SAs) accounted for 70 percent of Southwest Border enforcement encounters in 2022, up from 64 percent in 2021. Encounters with individuals in family units (FMs) and unaccompanied children (UCs) reached new highs by small margins, with their relatively lower growth contributing to their declining share of encounters.
- In response to Russia’s invasion of Ukraine in February 2022, the United States created opportunities for certain Ukrainian citizens to come to the United States, including through Uniting for Ukraine (U4U). U4U significantly contributed to the near doubling of administrative encounters in 2022 compared to 2021.

In addition, new trends, challenges, and changes in operations emerged beginning in March 2020 in response to the COVID-19 pandemic that continued to affect immigration enforcement, including CDC’s *Order Suspending Introduction of Certain Persons from Countries Where a Communicable Disease Exists* under Title 42 Order. Throughout the period covered by the report, DHS assisted the CDC in the implementation of its Title 42 Order to immediately expel certain noncitizens to their country of last transit or country of origin under Title 42 instead of processing for removal under Title 8.⁴ COVID-related changes also contributed to reductions in ICE interior arrests and detention space, the number of DHS removals, and processing of NTAs.

⁴ On March 20, 2020, the CDC, in response to the COVID-19 pandemic, issued an order suspending the introduction of certain noncitizens into the United States under Title 42 of the U.S. Code § 265. This provision allows the CDC to suspend the right of introduction of persons to prevent spread of communicable diseases.

ENFORCEMENT ACTIONS PROCESSES

DHS Initial Immigration Enforcement Actions

Traditionally, DHS initial immigration enforcement actions include 1) USBP apprehensions, 2) CBP OFO determinations of inadmissibility, and 3) ICE administrative arrests of noncitizens for immigration violations.⁵ In response to the COVID-19 pandemic, on March 20, 2020, CBP began assisting in the enforcement of the CDC’s Title 42 by expelling certain noncitizens from the United States under that order; this effort continued through 2021 and 2022. Unless otherwise specified, this report also treats Title 42 expulsions as part of the numbers for DHS initial immigration enforcement actions and CBP encounters (as well as the subtotals of CBP OFO and USBP encounters) and discusses them in more detail under the appropriate sections below.

CBP OFO encounters are divided into “administrative encounters” and “enforcement encounters.” Administrative (i.e., non-enforcement) encounters are actions which do not involve OFO placing someone in immigration removal proceedings, including inadmissible noncitizens who are permitted to withdraw their application for admission without prejudice so that they can reapply for admission in the future without penalty; foreign crew members required to remain aboard their ships; and persons given a parole disposition at POEs (see *Determinations of Inadmissibility*). All other determinations of inadmissibility by CBP OFO, along with all USBP encounters, are categorized as

⁵ CBP encounters and ICE arrests are “initial enforcement actions” in the sense that they initiate a process that may lead to a repatriation or to relief/protection from removal. Certain noncitizens are encountered or arrested more than once in their lives; those individuals are subject to more than one initial action.

enforcement encounters, reflecting an attempted unlawful entry or unlawful presence within the United States, or a finding of inadmissibility at a POE. CBP enforcement encounters (including Title 42 expulsions unless otherwise specified) and ICE administrative arrests together comprise “DHS initial immigration enforcement actions.”

CBP and ICE agents and officers also refer individuals for criminal prosecution in certain circumstances. While criminal arrests are beyond the scope of this report, noncitizens who are arrested (by any law enforcement agency) and convicted of criminal activity also may be potentially removable and subject to administrative arrest when released from criminal custody.

The Application of Title 42

While the CDC’s March 20, 2020 Title 42 Order was in effect, consistent with the requirements of the Title 42 Order, CBP expelled covered noncitizens encountered at and between POEs. CBP also prevented covered noncitizens from entering the United States at POEs. SAs and FMs encountered at the land border at or between POEs were subject to expulsion unless they were excepted from the Order. Noncitizens subject to the order were prevented from crossing the international boundary line under the Title 42 Order. Persons subject to the Title 42 Order were immediately expelled to their country of last transit or held for the shortest time possible for expulsion to the person’s country of origin if the noncitizen could not be returned to the country of last transit. Some noncitizens were excepted on a case-by-case basis from Title 42 processing and expulsion based on a totality of the circumstances, including considerations of law enforcement, officer and public safety, humanitarian, or public health interests. Noncitizens not processed under the Title 42 Order were processed under provisions of immigration law of Title 8 of the U.S. Code. This report includes data on Title 42 expulsions occurring at and between POEs, but CBP did not collect data on persons who were not permitted to cross the international boundary line under Title 42 authority before entering a POE.

USBP Apprehensions

Persons whom USBP apprehended entering without inspection between POEs are generally subject to immigration removal proceedings. Depending on the facts and the demographics of the individuals, adults and members of family units may be permitted to voluntarily return to their country of origin; removed administratively, through expedited removal (ER), or through reinstatement of a prior removal order, and referred to an asylum officer if they express a fear of persecution or torture in their country of origin; or placed in removal proceedings before an immigration judge (IJ) (i.e., issued an NTA). A custody determination is made for adults who are not expelled or repatriated directly from CBP custody, and they may be transferred to ICE custody. UCs from contiguous countries to the United States may be permitted to voluntarily return to their country of origin under certain circumstances, while UCs from noncontiguous countries, as well as contiguous country UCs who do not voluntarily return, are transferred to the custody of the U.S. Department of Health and Human Services’ (HHS) Office of Refugee Resettlement (ORR). Historically, DHS has separated minors from adults claiming to be a parent or legal guardian only in certain limited circumstances, such as if DHS is unable to confirm a custodial relationship, when DHS determines the minor may be at risk with the adult, for urgent medical issues, or when the adult is transferred to criminal detention as the result of a criminal charge or conviction. Under current DHS and CBP policy, family units can only be separated in certain limited circumstances, which are consistent with the preliminary injunction in *Ms. L v. ICE (Ms. L)*.⁶

Beginning in 2012, USBP implemented the Consequence Delivery System (CDS) in order to impede and deter further violations of immigration law. The CDS guides USBP Agents through a process designed to uniquely evaluate each subject and identify the most effective and efficient consequences to deliver. Examples of CDS consequences include ER, repatriation to the interior of Mexico through the Interior Flight Program, and referred for prosecution of immigration-related criminal charges.

⁶ *Ms. L v. U.S. Immigration and Customs Enforcement*, 310 F. Supp. 3d 1133 (S.D. Cal. June 26, 2018), also referred to as “*Ms. L.*” On June 26, 2018, the U.S. District Court for the Southern District of California in *Ms. L* issued a preliminary injunction generally prohibiting DHS from separating noncitizen parents from their children, absent a determination that the parent is unfit or presents a danger to the child and requiring the reunification of certain previously separated parents and children. The class excluded those parents with criminal histories, those with communicable diseases, or those encountered in the interior. Since the issuance of the preliminary injunction in *Ms. L*, family separations by DHS have been consistent with the injunction. For a more detailed discussion of family separations and related issues see *DHS Family Unit Actions Report*, September 2022, available at https://www.dhs.gov/sites/default/files/2023-06/2023_0404_plcy_family_unit_actions_report_september_2022.pdf.

Migrant Protection Protocols

Beginning in January 2019, under the Migrant Protection Protocols (MPP), certain noncitizens—other than Mexican nationals—entering or seeking admission to the United States on land from Mexico illegally or without proper documentation were returned to Mexico to wait outside of the United States for the duration of their removal proceedings. About 67,000 apprehended individuals were enrolled in MPP between January 2019 and January 20, 2021, when Acting Secretary of Homeland Security David Pekoske suspended new enrollments in MPP. After a thorough review of MPP, on June 1, 2021, the Secretary of Homeland Security determined that MPP should be terminated and issued a memorandum announcing and explaining the rationale for the determination. On August 13, 2021, the U.S. District Court for the Northern District of Texas determined in *Texas v. Biden* that the June 1, 2021, memorandum was not issued in compliance with the Administrative Procedure Act and Immigration and Nationality Act (INA) and ordered DHS to “enforce and implement MPP in good faith.” Under the August 13 court order, the Department resumed MPP enrollments on December 6, 2021. On October 29, 2021, after an extensive and comprehensive review, the Secretary issued a new memorandum terminating MPP that was to be implemented as soon as practicable, pending the issuance of a final judicial decision to vacate the injunction resulting from *Texas v. Biden*. On June 30, 2022, the Supreme Court, in *Biden v. Texas*, affirmed that the Secretary has the statutory authority to terminate MPP and remanded the case for further proceedings in the district court, including review of the Secretary’s October 29, 2021 memorandum. The district court lifted its injunction on August 8, 2022. As a result, the Department ceased enrolling people in MPP on August 9, 2022, and individuals in MPP in Mexico were disenrolled or paroled when they returned to the United States for their next scheduled court date. Individuals disenrolled from MPP continue their removal proceedings in the United States. On December 15, 2022, the District Court issued its decision staying the Secretary’s October 2021 memoranda terminating MPP pending final resolution of the merits of the case. On February 6, 2023, the Government of Mexico indicated it will no longer accept individuals returned to Mexico through MPP.⁷

Determinations of Inadmissibility

All persons seeking admission to the United States at a POE are subject to inspection. CBP OFO Officers conduct these inspections at designated POEs and at preclearance locations of certain foreign ports. Historically, most findings of inadmissibility of noncitizens seeking to apply for admission are due to 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. Depending on the facts and circumstances, applicants for admission who are determined to be inadmissible are processed for an immigration action, including withdrawals of application for admission, administrative removals, expedited removal, visa waiver refusals, referrals to an IJ for removal proceedings, and/or paroles into the United States.⁸

As noted in the previous section, CBP OFO determinations of inadmissibility include “administrative encounters” and “enforcement encounters.” Applications for admission withdrawn without prejudice, foreign crew members required to remain aboard their ships, and persons issued a parole disposition at a POE are considered administrative actions. Such crew members and parolees constitute the majority of administrative encounters, and leading source countries of nationality of administrative encounters often differ from those of enforcement encounters. Noncitizens who are subjects of administrative encounters are inadmissible but are not processed for immigration proceedings and not considered to have attempted to enter the United States unlawfully. For example, 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 nonimmigrant crewmember visa. Additionally, crew members initially granted shore leave may be required to remain aboard their ships and be re-coded as inadmissible once the visa or shore leave expires or is revoked, regardless of whether the crew members intended or attempted to disembark their vessel. Absent further developments, noncitizens who are subjects of administrative encounters may be permitted to withdraw their application for admission without prejudice so that they can reapply for admission in the future without penalty or denied admission as voluntary returns, but they are not generally subject to removal (see **Repatriation Process**).

When an inadmissible applicant for admission is ordered removed pursuant to an ER order or when an inadmissible Visa Waiver Program (VWP) applicant is processed for a visa waiver refusal, and if the individual does not express an intent to apply for asylum nor express a fear of persecution or torture, the individual is removed from the United States or refused admission under the VWP. In addition, those individuals who withdraw their application for admission in lieu of either ER or INA § 240 removal proceedings also immediately depart the United States. Those applicants for admission being processed for ER or being refused admission under the VWP who express an intent to apply for asylum or a fear of persecution or torture, are referred to a USCIS asylum officer for a determination of eligibility for some form of humanitarian relief or protection, such as asylum, withholding of removal, or protection under the regulations implementing CAT. For noncitizens processed for ER and found to have a credible fear or noncitizens initially placed in removal proceedings under INA § 240, CBP OFO officers issue a Form I-862, *Notice to Appear*, to initiate removal proceedings under INA § 240, or USCIS may retain and adjudicate the application for asylum. Noncitizens referred to INA § 240 proceedings may be transferred to ICE for a custody determination.

⁷ For further details on implementation of MPP under the Biden Administration, see OHSS, *Migrant Protection Protocols Cohort Report, December 2022*, available at https://www.dhs.gov/sites/default/files/2023-02/2023_0127_public_migrant_protection_protocols_cohort_report_december_2022.pdf.

⁸ This report does not include data on visa adjudications made by Department of State with input from ICE through the visa security program.

ICE Administrative Arrests

ICE administrative arrests include arrests of noncitizens for civil immigration violations (i.e., noncitizens who are unlawfully present in the United States or lawfully present but subject to removal because they have violated the terms of their entry) to consider initiating removal proceedings against them.⁹ ICE typically identifies potentially removable persons in the interior of the United States by working with federal, state, and local law enforcement agencies to confirm the immigration status of arrested or incarcerated individuals, as well as by conducting operations to detain certain at-large removable persons. Additionally, ICE officers may conduct at-large arrests of noncitizens in the community. Noncitizens arrested by ICE may be permitted to depart voluntarily, removed administratively, or referred to an IJ for removal proceedings.

ICE Enforcement Priorities

On January 20, 2021, President Biden issued an executive order directing the Department to establish enforcement priorities focused on protecting national and border security, addressing the humanitarian challenges at the Southern Border, and ensuring public health and safety.¹⁰ As a result of the order, on January 20, 2021, the Department established interim civil immigration enforcement priorities that imposed a 100-day moratorium on removals of certain noncitizens within the United States.¹¹ On February 18, 2021, ICE issued interim enforcement and removal guidance that directed ICE officers and agents to focus ICE's limited civil immigration enforcement and removal resources on cases presumed to be national security, public safety, and border security priorities.¹² The removal moratorium was blocked by a judicial order and the civil immigration enforcement priorities were also the subject of litigation in *State of Texas et al. v. United States et al.* and other cases; however, the interim guidance was generally in effect and covered ICE arrests and removals for most of the period from February 2021 through the end of the fiscal year. On September 30, 2021, DHS Secretary Mayorkas announced new permanent enforcement guidance "Guidelines for the Enforcement of Civil Immigration Law" (Mayorkas Memorandum), which went into effect November 29, 2021.¹³ On June 10, 2022, the U.S. District Court for the Southern District of Texas issued a Final Judgment vacating the Mayorkas Memorandum and remanded the matter to DHS for further consideration in *Texas v. United States*, No. 6:21-00016 (S.D. Tex. June 10, 2022). Accordingly, effective June 25, 2022, ICE ceased to follow the Guidelines and made enforcement decisions on a case-by-case basis for the remainder of the period covered by this report. On June 23, 2023, the Supreme Court reversed the district court decision and allowed the guidance to be implemented, which ICE started immediately.

⁹ Administrative arrests are distinguished from arrests of persons for criminal violations (criminal arrests), which are beyond the scope of this report.

¹⁰ "Executive Order 13993 of January 25, 2021, Revision of Civil Immigration Enforcement Policies and Priorities," *Federal Register* 86, no. 14. (January 25, 2021): 7051.

¹¹ Acting Secretary David Pekoske, "Review of and Interim Revision to Civil Immigration Enforcement and Removal Policies and Priorities," January 20, 2021, https://www.dhs.gov/sites/default/files/publications/21_0120_enforcement-memo_signed.pdf.

¹² Acting Director Tae Johnson, "Interim Guidance: Civil Immigration Enforcement Priorities," February 18, 2021, https://www.ice.gov/doclib/news/releases/2021/021821_civil-immigration-enforcement-interim-guidance.pdf.

¹³ Secretary Alejandro N. Mayorkas, "Guidelines for the Enforcement of Civil Immigration Law," September 30, 2021, <https://www.ice.gov/doclib/news/guidelines-civilimmigrationlaw.pdf>.

Benefit Denial

USCIS may issue an NTA upon determining that the noncitizen beneficiary of an application for an immigration or naturalization benefit is inadmissible under INA § 212 or deportable under INA § 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, following a positive credible fear determination) or, in certain cases, upon the subject's request.¹⁴

Detention Process

When noncitizens enter ICE custody, ICE Enforcement and Removal Operations (ERO) makes a custody determination for noncitizens whom ICE arrests or CBP encounters and transfers to ICE. In certain circumstances, ICE is bound by mandatory detention requirements in accordance with U.S. immigration laws. For those who are not subject to mandatory detention, ICE officers conduct the custody determinations based on whether the noncitizen is a risk to public safety or a flight risk, and the availability and prioritization of resources. Options currently available to ICE include immigration detention or release on one of the agency's release mechanisms, including bond, parole, release on own recognizance, or supervised release. ICE may impose conditions on some forms of release including supervised alternatives to detention. ICE may redetermine custody at any point while the person is in removal proceedings.

Repatriation Process

Inadmissible and deportable persons may be subject to repatriation. Repatriations include execution of removal orders, which carry penalties such as bars to admission, and returns, which generally do not carry such penalties. Types of removal orders include removal orders issued pursuant to proceedings in immigration court, expedited removal, reinstatement of a previous removal order, and administrative removal. Depending upon the individual circumstances of the case, penalties associated with removal may include a bar of between five years and life from future admission into the United States. Noncitizens who unlawfully reenter the United States following removal may also be subject to criminal charges and imprisonment for up to 20 years.

Returns

Certain noncitizens found inadmissible at a POE or apprehended near the border, or who are otherwise determined to be removable, may be offered the opportunity to withdraw their application for admission or voluntarily return to their home country in lieu of immigration removal proceedings. Generally, individuals withdrawing an application for admission or accepting an offer of voluntary return waive their right to a hearing, remain in custody until their departure from the country, and, if applicable, agree to depart the United States under supervision. Some noncitizens apprehended within the United States or placed in removal proceedings before an IJ may have the opportunity to agree to voluntarily depart (also a form of "return"). Certain DHS officials may

¹⁴ Individuals may request that USCIS issue an NTA allowing them to seek relief in removal proceedings. If USCIS determines that a person has not established a credible fear or reasonable fear, the subject may request an appearance before an IJ for reconsideration of that determination.

grant voluntary departure prior to an immigration hearing, or an IJ may do so during or at the conclusion of an immigration hearing. Returns are considered a form of discretion since returnees are exempted from certain administrative penalties associated with removal; but despite the “voluntary” label all three forms of return involve mandatory repatriation from the United States.

Removal Proceedings

Noncitizens issued an NTA are referred for an immigration hearing pursuant to INA § 240 under the jurisdiction of Department of Justice (DOJ) Executive Office for Immigration Review (EOIR). Removal hearings before an immigration court are administrative proceedings during which noncitizens may present evidence before an IJ that they are not removable and/or they are eligible for relief or protection from removal. IJs may issue an order of removal; grant voluntary departure; terminate, dismiss, or administratively close proceedings; or grant relief or protection from removal. Forms of relief or protection from removal may include the grant of an application for asylum, adjustment of status, or cancellation of removal. Noncitizens ordered removed by an IJ generally can appeal the order to the Board of Immigration Appeals (BIA) and may petition to have certain unfavorable BIA decisions reviewed by the U.S. Courts of Appeals.

Expedited Removal

ER is a process wherein DHS may remove certain noncitizens from the United States administratively pursuant to INA § 235(b)(1)(A)(i). Under ER, inadmissible noncitizens meeting certain criteria may be removed without appearing before an IJ. UCs are not subject to ER. For most of the period since 2004, three groups of noncitizens who have not been admitted or paroled and who are without proper documentation or who attempt to gain entry through fraud or misrepresentation may be processed for ER:

- 1) certain noncitizens who arrive at a POE;¹⁵
- 2) certain noncitizens who entered the United States by sea without being admitted or paroled and who have not been physically present in the United States continuously for the two-year period prior to the determination of inadmissibility;¹⁶ and
- 3) certain noncitizens encountered within 100 miles of the U.S. land border who cannot establish to the officer’s satisfaction that they have been continuously physically present in the United States for the 14-day period immediately prior to the date of encounter.¹⁷

¹⁵ DOJ Immigration and Naturalization Service (INS) and EOIR, “Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures,” *Federal Register* 62, no. 44 (March 6, 1997): 10312.

¹⁶ DOJ INS, “Notice Designating Aliens Subject to Expedited Removal Under § 235(b)(1)(A)(iii) of the Immigration and Nationality Act,” *Federal Register* 67, no. 219 (November 13, 2002): 68924.

¹⁷ DHS CBP, “Designating Aliens for Expedited Removal,” *Federal Register* 69, no. 154 (August 11, 2004): 48877.

On July 23, 2019, DHS published a notice in the Federal Register announcing an expansion of noncitizens amenable to ER, pursuant to 8 U.S.C. 1225, to include noncitizens present in the United States who were not covered under previous ER designations, who were inadmissible because they lacked valid entry documents or had entered through fraud or misrepresentation, who had not been admitted or paroled, and who had been in the United States for less than two years.¹⁸ The 2019 Designation was challenged in federal court, and its implementation was subject to a preliminary injunction on September 27, 2019. The Court of Appeals for the D.C. Circuit reversed the injunction on June 23, 2020, and DHS was permitted to implement the Designation, pending the outcome of litigation. In February 2021, President Biden directed DHS to reconsider the 2019 Designation. On October 14, 2021, as a matter of policy and discretion, ICE ceased applying the designation. The Secretary conducted his review of the July 23, 2019, ER designation and determined that maintaining the authority to apply expedited removal to the maximum extent provided by statute is inadvisable at this time due to the Department’s need to prioritize the use of its limited enforcement resources, as well as the operational complexities of implementing this designation. As a result, on March 21, 2022, Secretary Mayorkas issued a notice entitled “Rescission of the Notice of July 23, 2019, Designating Aliens for Expedited Removal,” which formally rescinded the 2019 Designation with immediate effect.¹⁹ The notice notes that ICE officers are no longer permitted to use the July 23, 2019, ER designation, which applied to certain noncitizens encountered anywhere within the United States within two years of their entry.

On March 25, 2022, Acting ICE Director Tae D. Johnson rescinded ICE Policy Memorandum 11058.2, *Superseding Implementation Guidance for July 2019 Designation of Aliens Subject to Expedited Removal* (Oct. 2, 2020), which had implemented the July 23, 2019, ER designation.

¹⁸ DHS, “Designating Aliens for Expedited Removal,” *Federal Register* 84, no. 141 (July 23, 2019): 35409.

¹⁹ DHS, “Rescission of the Notice of July 23, 2019, Designating Aliens for Expedited Removal,” *Federal Register* 84, no. 54 (March 21, 2022): 16022.

Asylum Processing Rule

On May 31, 2022, DHS and DOJ began implementing “Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protection Claims by Asylum Officers” (87 Federal Register 18078) to ensure that those subject to expedited removal who are eligible for asylum are granted relief quickly and those who are not are promptly removed. By establishing a process for the efficient and thorough review of asylum claims, the new rule aims to reduce existing immigration court backlogs and to shorten the adjudication process to several months. The rule has been implemented in a phased manner, beginning with a small number of individuals and growing as USCIS builds operational capacity.

Under this rule, certain individuals in ER proceedings who indicate an intention to apply for asylum, express a fear of persecution or torture, or express a fear of return to their country, will be referred to USCIS for a credible fear screening. A USCIS asylum officer will conduct a credible fear interview to determine whether the noncitizen(s) has a credible fear of persecution or torture. If an asylum officer finds the noncitizen(s) has a credible fear of persecution or torture, USCIS may either: 1) retain the application for asylum and schedule a second interview, known as an Asylum Merits Interview; or 2) issue an NTA before an IJ with EOIR for consideration of any asylum, withholding of removal, and CAT protection claims. The implementation of the rule has been paused as of April 12, 2023.²⁰

Reinstatement of Final Removal Orders

DHS may administratively reinstate final removal orders pursuant to INA § 241(a)(5), without further hearing or review, for noncitizens who unlawfully reenter the United States after DHS has previously removed them or after they have departed voluntarily under an order of removal. In cases in which DHS reinstates the prior order of removal, the order is reinstated from its original date, and the person is generally ineligible and may not apply for relief from removal except under certain conditions described below.

Administrative Removal

Pursuant to INA § 238(b), DHS may administratively remove noncitizens who have been convicted of an aggravated felony and who did not have U.S. lawful permanent resident status at the commencement of removal proceedings, except under certain conditions described below.²¹

Fear Claims and Consideration of Relief from Administrative Forms of Removal

Noncitizens subject to expedited removal, reinstatement of a prior order of removal, or administrative removal generally are not entitled to proceedings before an IJ or consideration for relief or protection from removal. However, if a person expresses a fear of persecution or torture upon return to his or her country of nationality or makes a claim to certain forms of legal status in the United States, the individual is referred to an USCIS asylum officer for a determination of their potential eligibility for seeking protection. In some cases, the individual may then be referred to an IJ. The specific fear screening procedures for establishing the right for review by an IJ differ for each administrative removal process.²²

²⁰ For further details on implementation of the Asylum Processing Rule, see OHSS, *Asylum Processing Rule Cohort Reports*, available at dhs.gov/ohss/topics/immigration/asylum-processing-rule-report.

²¹ See also INA § 101(a)(43) (defining “aggravated felony”).

²² For information on fear screening see <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/reasonable-fear-screenings> and <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/credible-fear-screenings>.

TRENDS AND CHARACTERISTICS OF ENFORCEMENT ACTIONS

DHS Initial Immigration Enforcement Actions

In 2022, DHS made a total of 2,915,000 initial immigration enforcement actions, which included 330,000 CBP OFO administrative encounters, 2,436,000 CBP enforcement encounters (USBP encounters and CBP OFO enforcement encounters), and 148,000 ICE administrative arrests (Tables 1 and 2).²³ This total represented an increase of 39 percent from 2021, mainly due to the larger numbers of USBP encounters at the Southwest Border in 2022. Most of the increase was driven by initial encounters of nationals of extra-regional countries (i.e., countries other than Mexico and the NCA countries), which increased almost three-fold from 600,000 in 2021 to 1,480,000 in 2022. Mexico was the leading single country of nationality in 2022, when overall enforcement encounters of Mexicans increased 20 percent from 696,000 in 2021 to 837,000 in 2022. Nationals from the NCA countries numbered 579,000 in 2022, a 21 percent decrease from 730,000 in 2021.

CBP Encounters

In 2022, CBP made a total of 2,767,000 enforcement encounters (the total of USBP apprehensions, OFO inadmissibility determinations, and Title 42 expulsions), an increase of 41 percent from the 1,957,000 encounters in 2021. This total includes 330,000 OFO administrative encounters, 221,000 OFO enforcement encounters, and 2.2 million USBP encounters, 99.6 percent of which were at the Southwest Border.

OFO Administrative Encounters

The 330,000 OFO administrative encounters represented an increase of 91 percent from 173,000 administrative encounters in 2021 (Table 2). While nearly all CBP OFO enforcement encounters (more than 99 percent) occurred at air or land ports, the plurality of administrative encounters (47 percent) was at sea-ports, reflecting the large number of foreign crewmen required to

²³ Data in this report are rounded for readability; refer to accompanying data tables and the Yearbook of Immigration Statistics for precise counts.

Table 1.

DHS Initial Enforcement Encounters of Noncitizens by Agency and Country of Nationality: Fiscal Years 2013 to 2022

(Countries ranked by 2022 initial enforcement encounters)

Agency and country of nationality	2013		2014		2015		2016		2017		2018		2019		2020 ¹		2021 ¹		2022 ¹		
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
AGENCY																					
Total	786,223	100.0	805,333	100.0	596,560	100.0	683,782	100.0	607,677	100.0	739,486	100.0	1,175,841	100.0	609,265	100.0	1,865,379	100.0	2,584,220	100.0	
CBP USBP	420,789	53.5	486,650	60.4	337,117	56.5	415,816	60.8	310,531	51.1	404,142	54.7	859,501	73.1	405,020	66.5	1,662,167	89.1	2,214,653	85.7	
Southwest Sectors (subtotal)	414,397	52.7	479,370	59.5	331,333	55.5	408,870	59.8	303,916	50.0	396,579	53.6	851,508	72.4	400,635	65.8	1,659,206	88.9	2,206,437	85.4	
CBP OFO	123,740	15.7	125,338	15.6	134,172	22.5	153,532	22.5	146,137	24.0	166,920	22.6	162,302	13.8	90,668	14.9	121,577	6.5	221,451	8.6	
Southwest land border (subtotal)	63,062	8.0	65,297	8.1	72,140	12.1	96,216	14.1	81,276	13.4	101,805	13.8	105,901	9.0	48,582	8.0	67,741	3.6	135,062	5.2	
ICE ERO	229,698	29.2	181,719	22.6	117,983	19.8	110,104	16.1	143,470	23.6	158,581	21.4	143,099	12.2	103,603	17.0	74,082	4.0	142,750	5.5	
ICE HSI	11,996	1.5	11,626	1.4	7,288	1.2	4,330	0.6	7,539	1.2	9,843	1.3	10,939	0.9	9,974	1.6	7,553	0.4	5,366	0.2	
COUNTRY OF NATIONALITY																					
Total	786,223	100.0	805,333	100.0	596,560	100.0	683,782	100.0	607,677	100.0	739,486	100.0	1,175,841	100.0	609,265	100.0	1,865,379	100.0	2,584,220	100.0	
Mexico	472,720	60.1	405,843	50.4	330,921	55.5	325,348	47.6	264,716	43.6	307,535	41.6	312,130	26.5	362,105	59.4	695,582	37.3	836,844	32.4	
Guatemala	75,041	9.5	101,695	12.6	73,111	12.3	97,967	14.3	93,519	15.4	153,814	20.8	292,022	24.8	62,848	10.3	293,954	15.8	243,913	9.4	
Cuba	15,432	2.0	3,724	0.5	3,014	0.5	3,739	0.5	5,076	0.8	10,065	1.4	36,082	3.1	15,048	2.5	40,549	2.2	233,602	9.0	
Honduras	65,965	8.4	112,530	14.0	45,228	7.6	68,778	10.1	67,225	11.1	103,533	14.0	276,805	23.5	52,920	8.7	331,397	17.8	230,593	8.9	
Venezuela	679	0.1	640	0.1	683	0.1	1,333	0.2	2,383	0.4	4,210	0.6	10,465	0.9	4,265	0.7	52,590	2.8	206,075	8.0	
Nicaragua	2,968	0.4	3,228	0.4	1,900	0.3	2,086	0.3	2,005	0.3	4,547	0.6	15,641	1.3	3,123	0.5	52,633	2.8	175,054	6.8	
Colombia	3,007	0.4	2,568	0.3	2,807	0.5	3,256	0.5	3,491	0.6	4,066	0.5	4,705	0.4	2,970	0.5	10,381	0.6	140,059	5.4	
El Salvador	52,389	6.7	81,651	10.1	53,336	8.9	88,097	12.9	67,500	11.1	47,993	6.5	102,484	8.7	23,887	3.9	104,586	5.6	104,261	4.0	
Haiti	3,435	0.4	2,796	0.3	1,907	0.3	7,840	1.1	10,793	1.8	1,478	0.2	4,148	0.4	6,316	1.0	50,608	2.7	60,598	2.3	
Brazil	2,416	0.3	2,353	0.3	2,877	0.5	6,112	0.9	6,643	1.1	8,555	1.2	22,198	1.9	9,228	1.5	58,151	3.1	60,219	2.3	
All other countries, including unknown	92,171	11.7	88,305	11.0	80,776	13.5	79,226	11.6	84,326	13.9	93,690	12.7	99,161	8.4	66,555	10.9	174,948	9.4	293,002	11.3	

¹ CBP data for 2020 to 2022 include CBP encounters resulting in Title 42 expulsions.
 Note: Statistics reported by OHSS, CBP OFO, and ICE may vary slightly due to differences in methodology and reporting date.
 Source: Office of Homeland Security Statistics Persist Dataset.

stay on board their ships docked at seaports. The proportions of administrative encounters arriving at land ports and airports (53 percent) was up from an average of 52 percent in 2013–2019, as a result of OFO’s role in implementing U4U²⁴ and the effects of the COVID-19 pandemic on international travel.

Ukraine was the leading country of nationality for administrative encounters, with over 94,000 encounters in 2022, more than a ten-fold increase from 8,600 in 2021, followed by the Philippines (54,000 encounters) and India (38,000 encounters). Almost all Ukrainians received parole dispositions under U4U; most Filipinos were crew members detained on board their vessels; and most Indian nationals were either crew members detained on board their vessels or withdrawals of application for admission. In addition to the growth in Ukrainian administrative encounters, most other leading countries of nationality also experienced increases from 2021 to 2022, with the largest percentage increases during this period for France (14-fold increase), Indonesia (114 percent increase), and Canada (111 percent increase) (Table 3).

CBP Enforcement Encounters

CBP made 2,436,000 enforcement encounters in 2022, an increase of 37 percent from the 1,784,000 enforcement encounters in 2021 (Table 3.1) and the focus for the remainder of this section. USBP encounters comprised 91 percent of CBP enforcement

²⁴ On April 21, 2022, the United States announced U4U, which provides a pathway for Ukrainian citizens and their immediate family members who are outside the United States to come to the United States and stay temporarily in a two-year period of parole. Participating Ukrainians must have a supporter in the United States who agrees to provide them with financial support for the duration of their stay in the United States. For more information, visit <https://www.dhs.gov/ukraine>.

encounters in 2022, down from 93 percent in 2021. Del Rio, TX USBP Sector had the largest number of encounters, accounting for 22 percent of encounters in 2022 (Table 3.2). CBP OFO enforcement encounters increased by 82 percent from 122,000 in 2021 to 221,000 (Table 3.3). The leading country of origin for these encounters was Mexico, with 30 percent of the total, followed by Haiti (12 percent), Canada (8.8 percent), and Russia (7.5 percent). The Laredo, TX Field Office led in the number of OFO enforcement encounters with 28 percent of the total, followed by San Diego, CA (24 percent) and Buffalo, NY (13 percent).

Demographic Changes in Southwest Border Encounters

Historically, single adults from Mexico arriving at the Southwest Border were the largest group of CBP enforcement encounters, but in recent years, more noncitizens from the NCA countries have been encountered, along with growing numbers of extra-regional nationals from other countries (Figure 2). Mexican nationals accounted for an average of 96 percent of enforcement encounters between 1970 and 2009, but their share declined throughout the 2010s to an all-time low of 23 percent in 2019, increased to 64 percent in 2020, and then fell back the following two years to 34 percent in 2022. During the 2010s, most of the drop in Mexico’s share was driven by growing numbers of encounters of Northern Central Americans, which increased from 30 percent in 2013 to a record high of 65 percent in 2019. With the start of the pandemic, NCA encounters fell back to 24 percent of the total in 2020, 41 percent in 2021, and 23 percent in 2022.

One of the most noteworthy changes in CBP encounters during the recent period has been the steep increase in Southwest Border encounters of extra-regional nationals, which grew from an average of 28,000 encounters in 2013–2018 (6 percent of encounters during that period) to 116,000 in 2019 (12 percent of encounters), 378,000 in 2021 (22 percent), and 1 million in 2022 (43 percent)—a 35-fold increase over the 2013–2018 annual average. The leading Southwest Border extra-regional countries in 2022 were Cuba (221,000 encounters, up 64-fold from an average of 3,400 enforcement encounters in 2013–2018), Venezuela (188,000, 860-fold increase), Nicaragua (164,000, 94-fold increase), Colombia (125,000, 342-fold increase), and Haiti (54,000, 18-fold increase).

A second noteworthy change in Southwest Border enforcement encounters has been the shift from almost all encounters consisting of SAs to larger numbers of FM, and UCs—a trend with important policy implications since families and children are subject to additional legal protections and require far more resources to process. Family unit individuals increased from about 13,000 encounters in 2013 (3 percent of the total) to an average 120,000 in 2016–2018 (26 percent), to 523,000 in 2019 (an all-time high of 55 percent). Family encounters fell back to 60,000 in 2020 (15 percent), their lowest level since 2014, before returning to 479,000 in 2021 (28 percent) and an all-time high of 544,000 in 2022 (23 percent).²⁵

Numbers of UCs also set all-time highs in both 2021 (147,000) and 2022 (152,000), up from 41,000 in 2013, an average of 58,000 in 2014–2018, and 79,000 in 2019. Despite these high absolute numbers, UCs were just 6 percent of the total in 2022, down from 8 percent in 2021 and an average of 12 percent in 2014–2018. The lower proportion of UCs is largely a function of the changing citizenship mix at the border, as UCs typically

account for about 20 percent of NCA encounters compared to about 5 percent of Mexican encounters and 2 percent of extra-regional encounters.

Repeat vs. Unique Encounters

The increase in total encounters in 2021 and 2022 was amplified by rising numbers of repeat encounters, defined as encounters of individuals with at least one previous encounter during the prior year (one-year repeat encounters) or the prior 30 days (30-day repeat encounters). Overall, the one-year re-encounter rate for Southwest Border encounters in 2022 was 26 percent, up from 15 percent from 2014 through February 2020 and down from 35 percent in 2021 (Figure 5). The 30-day repeat encounter rate in 2022 was 19 percent, up from a 30-day re-encounter rate of 7.0 percent from 2014 through February 2020 and down from 27 percent in 2021. Thus, while CBP made 2,341,000 Southwest Border encounters in 2022, they included just 1,742,000 unique one-year encounters (i.e., individuals not previously encountered in the prior 12 months).

The higher re-encounter rates coincided with the start of the pandemic and CBP’s assistance with the implementation of the Title 42 Order. As noted by the CDC in its Title 42 Order, the implementation of the Title 42 Order was considered a vital tool for preventing the spread of COVID-19 by limiting enforcement processing time and the numbers of noncitizens held in close quarters in temporary CBP custody. Yet the streamlined nature of Title 42 processing and the fact that large numbers of non-Mexicans (in addition to Mexicans) were expelled to the border area rather than their home countries appear to have encouraged many noncitizens expelled under the Title 42 Order to make repeated entry attempts. From the start of the pandemic and the initiation of Title 42 expulsions through February 28, 2023, 33 percent of all Title 42 expulsions were followed by a re-encounter of the same individual within 30 days, compared with a 30-day re-encounter

²⁵ Both USBP and OFO began collecting data on UC encounters in FY 2008, but only began collecting data on FMs in FY 2012 (for USBP) and in March 2016 (for OFO). Data quality on FM encounters may be less reliable in the first months and years of its collection.

Table 2.

Noncitizen Inadmissibility Determinations or Expulsions by Type of Encounter and Mode of Travel: Fiscal Years 2013 to 2022

Characteristic	2013		2014		2015		2016		2017		2018		2019		2020 ¹		2021 ¹		2022 ¹	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total all encounters	205,623	100.0	225,016	100.0	254,714	100.0	274,617	100.0	216,257	100.0	281,928	100.0	287,977	100.0	241,763	100.0	294,351	100.0	551,928	100.0
Air	49,655	24.1	53,659	23.8	65,158	25.6	64,422	23.5	59,803	27.7	48,780	17.3	53,237	18.5	42,951	17.8	52,959	18.0	114,346	20.7
Land	103,642	50.4	118,662	52.7	139,790	54.9	174,868	63.7	136,477	63.1	153,367	54.4	157,153	54.6	87,742	36.3	101,742	34.6	279,805	50.7
Sea	52,326	25.4	52,695	23.4	49,672	19.5	35,327	12.9	19,778	9.1	19,022	6.7	77,575	26.9	111,057	45.9	139,648	47.4	157,777	28.6
Unknown.....	0	0.0	0	0.0	94	0.0	0	0.0	199	0.1	60,759	21.6	12	0.0	13	0.0	2	0.0	0	0.0
Enforcement encounters	123,740	60.2	125,338	55.7	134,172	52.7	153,532	55.9	146,137	67.6	166,920	59.2	162,302	56.4	90,668	37.5	121,577	41.3	221,451	40.1
Air	34,910	17.0	35,831	15.9	38,840	15.2	35,152	12.8	41,457	19.2	40,790	14.5	41,223	14.3	32,050	13.3	41,714	14.2	43,047	7.8
Land	86,387	42.0	87,747	39.0	94,039	36.9	117,310	42.7	103,505	47.9	123,656	43.9	120,025	41.7	58,100	24.0	79,444	27.0	177,314	32.1
Sea	2,443	1.2	1,760	0.8	1,245	0.5	1,070	0.4	994	0.5	880	0.3	1,046	0.4	516	0.2	418	0.1	1,090	0.2
Unknown.....	0	0.0	0	0.0	48	0.0	0	0.0	181	0.1	1,594	0.6	8	0.0	2	0.0	1	0.0	0	0.0
Administrative encounters	81,883	39.8	99,678	44.3	120,542	47.3	121,085	44.1	70,120	32.4	115,008	40.8	125,675	43.6	151,095	62.5	172,774	58.7	330,477	59.9
Air	14,745	7.2	17,828	7.9	26,318	10.3	29,270	10.7	18,346	8.5	7,990	2.8	12,014	4.2	10,901	4.5	11,245	3.8	71,299	12.9
Land	17,255	8.4	30,915	13.7	45,751	18.0	57,558	21.0	32,972	15.2	29,711	10.5	37,128	12.9	29,642	12.3	22,298	7.6	102,491	18.6
Sea	49,883	24.3	50,935	22.6	48,427	19.0	34,257	12.5	18,784	8.7	18,142	6.4	76,529	26.6	110,541	45.7	139,230	47.3	156,687	28.4
Unknown.....	0	0.0	0	0.0	46	0.0	0	0.0	18	0.0	59,165	21.0	4	0.0	11	0.0	1	0.0	0	0.0

¹ Data for 2020 to 2022 include CBP OFO encounters resulting in Title 42 expulsions.
 Note: Statistics reported by OHSS and CBP OFO may vary slightly due to differences in methodology.
 Source: Office of Homeland Security Statistics Persist Dataset.

Table 3.

Noncitizen Inadmissibility Determinations for Administrative Reasons (Administrative Encounters) by Country of Nationality: Fiscal Years 2013 to 2022

(Ranked by 2022 noncitizens determined inadmissible)

Country of nationality	2013		2014		2015		2016		2017		2018		2019		2020		2021		2022	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	81,883	100.0	99,678	100.0	120,542	100.0	121,085	100.0	70,120	100.0	115,008	100.0	125,675	100.0	151,095	100.0	172,774	100.0	330,477	100.0
Ukraine	2,752	3.4	3,209	3.2	2,745	2.3	2,169	1.8	936	1.3	3,941	3.4	4,542	3.6	7,438	4.9	8,574	5.0	94,124	28.5
Philippines	22,872	27.9	23,515	23.6	22,047	18.3	15,208	12.6	8,208	11.7	30,394	26.4	30,156	24.0	45,264	30.0	45,647	26.4	53,701	16.2
India	8,098	9.9	6,770	6.8	5,492	4.6	4,783	4.0	3,636	5.2	5,828	5.1	6,623	5.3	16,959	11.2	26,076	15.1	37,747	11.4
Canada	4,989	6.1	4,439	4.5	3,516	2.9	3,345	2.8	3,452	4.9	8,683	7.5	13,163	10.5	12,374	8.2	13,025	7.5	27,504	8.3
China, People's Republic	11,744	14.3	12,061	12.1	12,809	10.6	9,714	8.0	5,173	7.4	15,543	13.5	17,192	13.7	15,265	10.1	22,355	12.9	22,295	6.7
Mexico	8,762	10.7	8,138	8.2	11,437	9.5	13,737	11.3	17,861	25.5	22,302	19.4	21,353	17.0	10,986	7.3	10,630	6.2	17,540	5.3
Russia	2,191	2.7	2,082	2.1	1,761	1.5	1,161	1.0	601	0.9	2,899	2.5	2,660	2.1	5,183	3.4	8,970	5.2	14,481	4.4
France	182	0.2	264	0.3	293	0.2	298	0.2	275	0.4	195	0.2	366	0.3	1,356	0.9	364	0.2	5,184	1.6
Indonesia	931	1.1	783	0.8	788	0.7	539	0.4	562	0.8	1,094	1.0	1,279	1.0	1,574	1.0	2,316	1.3	4,959	1.5
Burma	2,035	2.5	1,987	2.0	2,045	1.7	1,525	1.3	667	1.0	2,707	2.4	3,179	2.5	3,034	2.0	3,830	2.2	4,442	1.3
All other countries, including unknown	17,327	21.2	36,430	36.5	57,609	47.8	68,606	56.7	28,749	41.0	21,422	18.6	25,162	20.0	31,662	21.0	30,987	17.9	48,500	14.7

Note: Statistics reported by OHSS and CBP OFO may vary slightly due to differences in methodology. Source: Office of Homeland Security Statistics Persist Dataset.

Table 3.1.

CBP Enforcement Encounters of Noncitizens by Selected Countries of Nationality: Fiscal Years 2013 to 2022

(Countries ranked by 2022 enforcement encounters)

Country of nationality	2013		2014		2015		2016		2017		2018		2019		2020 ¹		2021 ¹		2022 ¹	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
CBP Total	544,529	100.0	611,988	100.0	471,289	100.0	569,348	100.0	456,668	100.0	571,062	100.0	1,021,803	100.0	495,688	100.0	1,783,744	100.0	2,436,104	100.0
Extra-regional countries ²	85,543	15.7	75,439	12.3	74,499	15.8	86,124	15.1	90,439	19.8	98,057	17.2	167,455	16.4	88,324	17.8	416,430	23.3	1,086,560	44.6
Mexico	315,476	57.9	284,844	46.5	251,158	53.3	252,570	44.4	175,032	38.3	210,720	36.9	227,071	22.2	298,222	60.2	664,107	37.2	805,518	33.1
Guatemala	56,525	10.4	85,660	14.0	63,289	13.4	88,564	15.6	78,417	17.2	135,268	23.7	272,084	26.6	49,294	9.9	284,049	15.9	232,738	9.6
Honduras	48,673	8.9	97,077	15.9	36,643	7.8	60,958	10.7	54,956	12.0	89,520	15.7	262,374	25.7	42,385	8.6	320,079	17.9	213,809	8.8
El Salvador	38,312	7.0	68,968	11.3	45,700	9.7	81,132	14.2	57,824	12.7	37,497	6.6	92,819	9.1	17,463	3.5	99,079	5.6	97,479	4.0
USBP Total	420,789	100.0	486,650	100.0	337,117	100.0	415,816	100.0	310,531	100.0	404,142	100.0	859,501	100.0	405,020	100.0	1,662,167	100.0	2,214,653	100.0
Extra-regional countries ²	14,349	3.4	18,244	3.7	14,423	4.3	22,181	5.3	15,359	4.9	23,118	5.7	80,190	9.3	45,456	11.2	369,220	22.2	953,451	43.1
Mexico	267,734	63.6	229,177	47.1	188,122	55.8	192,969	46.4	130,454	42.0	155,452	38.5	169,536	19.7	254,633	62.9	608,502	36.6	739,922	33.4
Guatemala	54,692	13.0	81,116	16.7	57,160	17.0	75,246	18.1	66,807	21.5	116,808	28.9	265,129	30.8	47,828	11.8	279,280	16.8	228,592	10.3
Honduras	46,865	11.1	91,475	18.8	33,848	10.0	53,402	12.8	47,900	15.4	77,128	19.1	254,561	29.6	40,476	10.0	309,164	18.6	199,427	9.0
El Salvador	37,149	8.8	66,638	13.7	43,564	12.9	72,018	17.3	50,011	16.1	31,636	7.8	90,085	10.5	16,627	4.1	96,001	5.8	93,261	4.2
CBP OFO Total	123,740	100.0	125,338	100.0	134,172	100.0	153,532	100.0	146,137	100.0	166,920	100.0	162,302	100.0	90,668	100.0	121,577	100.0	221,451	100.0
Extra-regional countries ²	71,194	57.5	57,195	45.6	60,076	44.8	63,943	41.6	75,080	51.4	74,939	44.9	87,265	53.8	42,868	47.3	47,210	38.8	133,109	60.1
Mexico	47,742	38.6	55,667	44.4	63,036	47.0	59,601	38.8	44,578	30.5	55,268	33.1	57,535	35.4	43,589	48.1	55,605	45.7	65,596	29.6
Guatemala	1,808	1.5	5,602	4.5	2,795	2.1	7,556	4.9	7,056	4.8	12,392	7.4	7,813	4.8	1,909	2.1	10,915	9.0	14,382	6.5
Honduras	1,163	0.9	2,330	1.9	2,136	1.6	9,114	5.9	7,813	5.3	5,861	3.5	2,734	1.7	836	0.9	3,078	2.5	4,218	1.9
El Salvador	1,833	1.5	4,544	3.6	6,129	4.6	13,318	8.7	11,610	7.9	18,460	11.1	6,955	4.3	1,466	1.6	4,769	3.9	4,146	1.9

¹ Data for 2020 to 2022 include CBP encounters resulting in Title 42 expulsions; data do not include persons who were prevented from entry under Title 42 authority before entering the United States.

² Extra-regional countries include unknown.

Note: Table excludes OFO administrative encounters.

Source: Office of Homeland Security Statistics Persist Dataset.

rate of 5.3 percent for Title 8 repatriations.²⁶ For encounters between March 20, 2020 to March 31, 2022, the re-encounter rates within 12 months were 42 percent for Title 42 expulsions, versus 10 percent for Title 8 repatriations.

²⁶ OHSS's "forward-looking" re-encounters methodology links all Title 8 and Title 42 repatriations and expulsions to any subsequent CBP encounters of the same individuals to evaluate, for each repatriation or expulsion, whether a re-encounter occurred during a following time period. The use of repatriations and expulsions as the initial event creates a potential recidivist population and allows for the calculation of re-encounter rates, defined as the share of potential recidivists who are actually re-encountered. OHSS also maintains a "backward-looking" unique vs. repeat encounters dataset, which reports on the share of encounters in a given time period that has been previously encountered in a prior comparison period.

Title 8 vs. Title 42 Encounters²⁷

The share of Title 42 encounters out of all CBP enforcement encounters has declined for Mexicans and extra-regional nationals and across family categories. After DHS began assisting the CDC in the implementation of its Title 42 Order in March 2020, approximately 90 percent of CBP enforcement encounters (205,000 encounters) in the remainder of 2020 resulted in Title 42 expulsions, including 93 percent of Mexican encounters, 90 percent of NCA encounters, and 52 percent of extra-regional encounters. In 2021, 62 percent of all CBP enforcement encounters (1,064,000

²⁷ This report includes data on Title 42 expulsions occurring at and between POEs, but CBP did not collect data on persons who were expelled from the international boundary line under Title 42 authority before entering a POE and who therefore never formally apply for admission to the United States.

encounters) were expelled under the Title 42 Order, including 90 percent of Mexican encounters, 57 percent of NCA encounters, and 22 percent of extra-regional encounters. In 2022, 46 percent of all CBP enforcement encounters (1,080,000 encounters) were expelled under the Title 42 Order, including 87 percent of Mexican encounters, 63 percent of NCA encounters, and 4 percent of extra-regional encounters (Figure 4). Fifty-nine percent of SA enforcement encounters in 2022 were processed under Title 42 authority (down from 85 percent in 2021), compared to 21 percent of FMs (down from 27 percent in 2021). While 3 percent of UC encounters were processed under Title 42 authority in 2021, almost no UCs processed were under Title 42 authority after November 2020.^{28,29} As a share of encounters, CBP's use of Title 42 authority peaked in the first months of the pandemic and declined steadily thereafter, largely driven by the growing numbers of extra-regional nationals encountered, as the United States had limited agreements in place to permit expulsions directly to non-Mexican, non-NCA countries and as Mexico permitted limited Title 42 expulsions of extra-regional nationals to its territory.

ICE Administrative Arrests

ICE ERO and ICE Homeland Security Investigations (HSI) made a total of 148,000 administrative arrests³⁰ in 2022, up 81 percent from 82,000 in 2020 and down 10 percent from the pre-pandemic average of 164,000 in 2013–2019 (Figure 6). ICE ERO administrative arrests increased 93 percent from 74,000 in 2021 to 143,000 in 2022. ICE HSI administrative arrests decreased 29 percent from 7,600 in 2021 to 5,400 in 2022. Mexico was the leading country of nationality for ICE administrative arrests in 2022 with 31,000, approximately the same as 2021, though making up a smaller percentage of the total at 21 percent in 2022 compared to 39 percent in 2021 (Table 3.4).

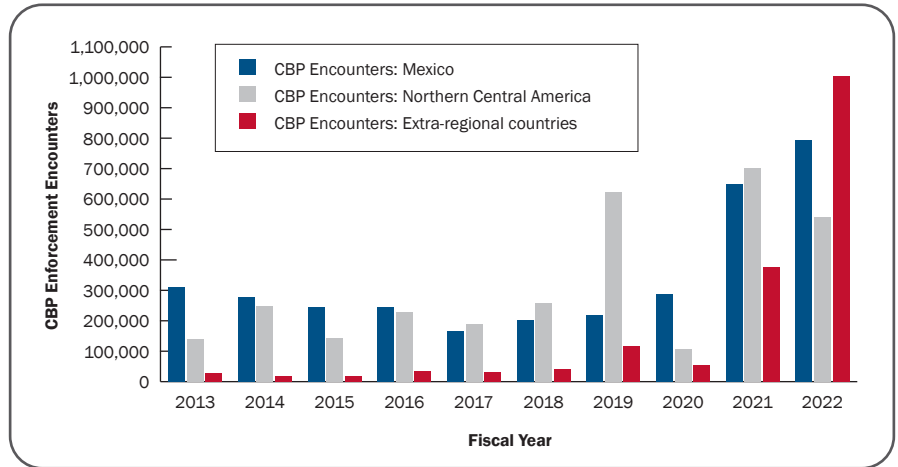
²⁸ On November 18, 2020, the U.S. District Court for the District of Columbia issued an injunction that prevented DHS from expelling UCs under Title 42 authority. Although this injunction was stayed by the D.C. Circuit Court of Appeals pending appeal, the CDC subsequently issued orders excepting UCs from expulsion under Title 42, and ultimately terminated the Title 42 orders as applied to UCs. OHSS estimates 37 UC encounters were inadvertently processed under Title 42 authority between December 2020 and September 2022.

²⁹ Breakdowns of CBP operational data can be found at <https://www.cbp.gov/newsroom/stats>.

³⁰ ICE administrative arrests include arrests of noncitizens for civil immigration violations (i.e., noncitizens who are unlawfully present in the United States or lawfully present but subject to removal because they have violated the terms of their entry) to consider initiating removal proceedings against them; they are distinguished from arrests of persons for criminal violations (criminal arrests), which are beyond the scope of this report.

Figure 2.

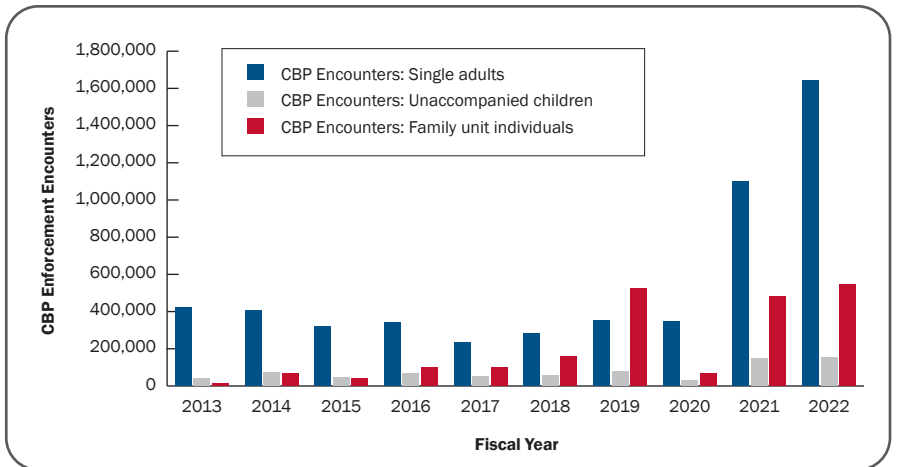
CBP Enforcement Encounters on the Southwest Border by Selected Countries: Fiscal Years 2013 to 2022



Note: Data for 2020 to 2022 include CBP encounters resulting in Title 42 expulsions. Source: Office of Homeland Security Statistics Persist Dataset.

Figure 3.

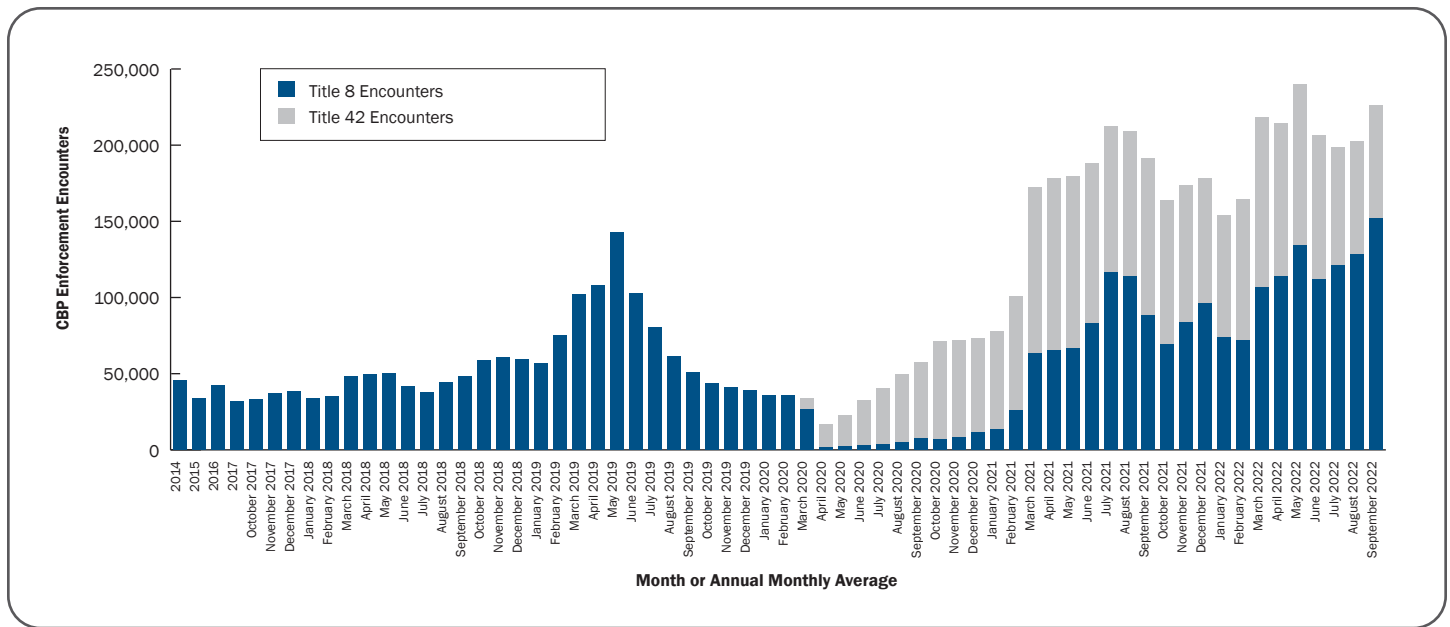
CBP Enforcement Encounters on the Southwest Border by Family Unit Status: Fiscal Years 2013 to 2022



Notes: USBP started tracking individuals in family units in 2012 and OFO started tracking individuals in family units in 2016. Data for 2020 to 2022 include CBP encounters resulting in Title 42 expulsions. Source: Office of Homeland Security Statistics Persist Dataset.

Figure 4.

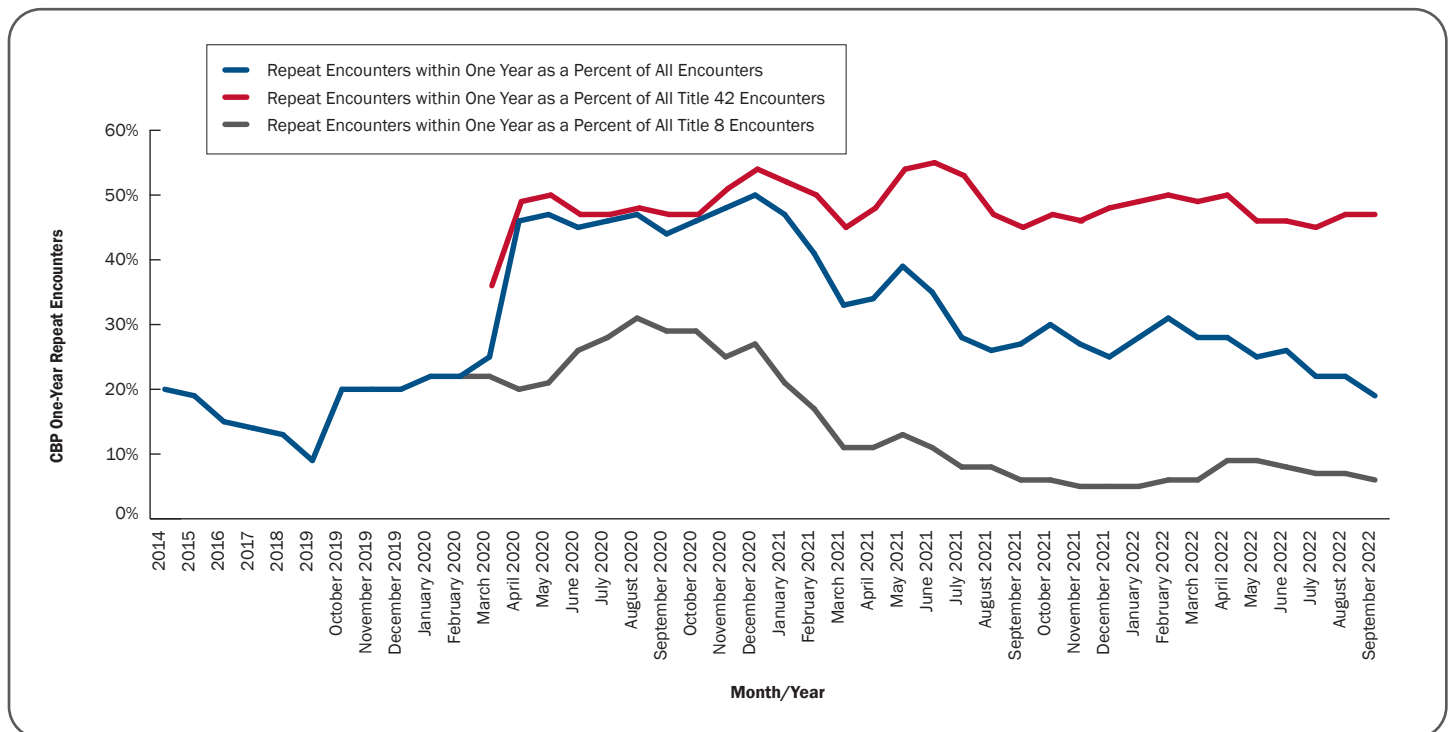
CBP Enforcement Encounters by Title Authority and Month or Annual Monthly Average: Fiscal Years 2014 to 2022



Notes: Data include CBP encounters resulting in Title 42 expulsions. Title 42 expulsions began on March 20, 2020 for USBP encounters. Data are valid as of January 31, 2023.
Source: Office of Homeland Security Statistics Persist Dataset.

Figure 5.

CBP Southwest Border Repeat Encounters within One Year as a Percent of Encounters by Title Authority: Fiscal Years 2014 to 2022



Notes: Data for 2020 to 2022 include USBP encounters resulting in Title 42 expulsions. Title 42 expulsions began on March 20, 2020 for USBP encounters. All encounters prior to this date are Title 8 encounters. Data are valid as of January 31, 2023.
Source: Office of Homeland Security Statistics Persist Dataset.

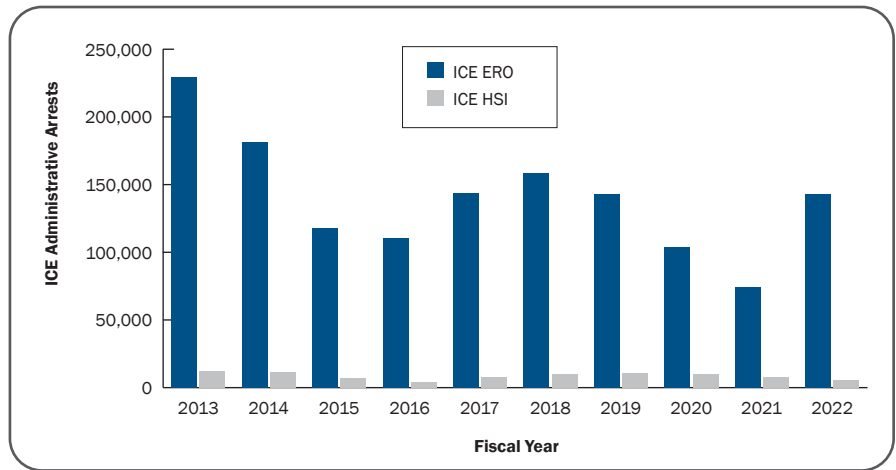
Arrests of nationals from NCA countries increased by 30 percent from 27,000 in 2021 to 35,000 in 2022. Several other top 10 countries, such as Brazil, Colombia, Nicaragua, and Venezuela had large percentage increases between 2021 and 2022. As a result, Mexicans and NCA nationals as a share of total ICE administrative arrests decreased sharply from 83 percent in 2020 and 71 percent in 2021 to 45 percent in 2022.

Notices to Appear

DHS issued 952,000 NTAs to initiate removal proceedings before an IJ in 2022, an 85 percent increase from 2021 and a 177 percent increase over the pre-pandemic average of 344,000 from 2013 to 2019. The increase was largely driven by the much higher numbers of CBP encounters and ICE ERO administrative arrests in 2022 (Table 4). All four agencies issuing NTAs saw their numbers increased in 2022 from 2021. USBP issued 595,000 NTAs in 2022, a 68 percent increase from 2021 and a 299 percent increase from the 2013–2019 average of 149,000. ICE ERO issued 198,000 in 2022, up 250 percent from 2021 and up 193 percent from the 2013–2019 average of 68,000. CBP OFO issued 94,000 NTAs in 2022, a 131 percent increase from 2021 and a 161 percent increase from the 2013–2019 average of 36,000. USCIS issued 64,000 NTAs in 2022, a 2 percent increase from 2021 and a 30 percent decrease from the 2013–2019 average of 91,000.

Figure 6.

ICE Administrative Arrests by Agency: Fiscal Years 2013 to 2022



Source: Office of Homeland Security Statistics Persist Dataset.

Detentions

ICE ERO, the agency responsible for immigration detention, initiated 312,000 detention book-ins in 2022, a 47 percent increase from 2021 but a 21 percent decrease from the pre-pandemic average for 2013–2019 (Table 5 and Figure 7). With most Mexican and NCA single adults expelled under Title 42 authority, 35,000 Mexican nationals were booked-in to ICE detention, up 5 percent from 2021 but down 78 percent from the 2013–2019 average; and 27,000 noncitizens from NCA countries were booked-in to detention, down from 29,000 in 2021 and down 86 percent from their 2013–2019 average.³¹ At the same time, the demographic shift at the border drove large increases of book-ins of nationals of Nicaragua, Colombia, Venezuela, and other extra-regional countries, which collectively accounted for 80 percent of

³¹The reduced detention population in 2021–2022 was also a function of injunctions and other court orders limiting or prohibiting intakes, imposing population limits, and/or mandating releases. See, e.g., *Hernandez Roman v. Wolf*, No. 20-00768 (C.D. Cal. filed Apr. 4, 2020) (imposing a maximum capacity of 475, prohibiting new intakes at the Adelanto ICE Processing Facility, and requiring mitigation measures); *Fraihat v. U.S. Immigr. and Customs Enft.*, No. 19-1546 (C.D. Cal. filed August 19, 2019), 445 F. Supp. 3d 709 (C.D. Cal. 2020) (requiring custody redeterminations nationwide and imposing extensive mitigation measures), *rev'd* 16 F.4th 613 (9th Cir. 2021); *Favela-Avendano v. Asher*, No. 20-700 (W.D. Wash. filed May 8, 2020) (prohibiting transfers to the Northwest ICE Processing Center of any detainee who had not received COVID-19 testing prior to transfer and/or was not transferred in a manner that reasonably protected against cross-exposure between COVID-19 positive and negative detainees).

Table 3.4.

ICE Administrative Arrests by Country of Nationality: Fiscal Years 2013 to 2022

(Countries ranked by 2022 administrative arrests)

Characteristic	2013		2014		2015		2016		2017		2018		2019		2020		2021		2022			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent		
COUNTRY																						
Total	241,694	100.0	193,345	100.0	125,271	100.0	114,434	100.0	151,009	100.0	168,424	100.0	154,038	100.0	113,577	100.0	81,635	100.0	148,116	100.0	148,116	100.0
Mexico	157,244	65.1	120,999	62.6	79,763	63.7	72,778	63.6	89,684	59.4	96,815	57.5	85,059	55.2	63,883	56.2	31,475	38.6	31,326	21.1	31,326	21.1
Venezuela	321	0.1	250	0.1	152	0.1	142	0.1	442	0.3	418	0.2	507	0.3	377	0.3	2,618	3.2	17,191	11.6	17,191	11.6
Honduras	17,292	7.2	15,453	8.0	8,585	6.9	7,820	6.8	12,269	8.1	14,013	8.3	14,431	9.4	10,535	9.3	11,318	13.9	16,784	11.3	16,784	11.3
Guatemala	18,516	7.7	16,035	8.3	9,822	7.8	9,403	8.2	15,102	10.0	18,546	11.0	19,938	12.9	13,554	11.9	9,905	12.1	11,175	7.5	11,175	7.5
Nicaragua	1,277	0.5	1,050	0.5	543	0.4	430	0.4	623	0.4	677	0.4	875	0.6	583	0.5	2,249	2.8	10,888	7.4	10,888	7.4
Colombia	1,530	0.6	1,256	0.6	1,041	0.8	886	0.8	1,054	0.7	1,147	0.7	1,103	0.7	825	0.7	664	0.8	10,762	7.3	10,762	7.3
Cuba	2,185	0.9	1,811	0.9	1,128	0.9	1,131	1.0	1,730	1.1	2,127	1.3	2,338	1.5	1,320	1.2	1,495	1.8	9,287	6.3	9,287	6.3
Ecuador	1,653	0.7	1,457	0.8	845	0.7	704	0.6	1,055	0.7	1,095	0.7	1,305	0.8	1,076	0.9	5,670	6.9	8,504	5.7	8,504	5.7
El Salvador	14,077	5.8	12,683	6.6	7,636	6.1	6,965	6.1	9,676	6.4	10,496	6.2	9,665	6.3	6,424	5.7	5,507	6.7	6,782	4.6	6,782	4.6
Brazil	1,347	0.6	996	0.5	567	0.5	486	0.4	954	0.6	1,176	0.7	1,156	0.8	895	0.8	594	0.7	4,824	3.3	4,824	3.3
All other countries, including unknown	26,252	10.9	21,355	11.0	15,189	12.1	13,689	12.0	18,420	12.2	21,914	13.0	17,661	11.5	14,105	12.4	10,140	12.4	20,593	13.9	20,593	13.9

Note: ICE administrative arrests include ICE ERO administrative arrests and ICE HSI administrative arrests.
Source: Office of Homeland Security Statistics Persist Dataset.

Table 4.

Notices to Appear Issued by DHS Component: Fiscal Years 2013 to 2022

(Ranked by 2022 Notices to Appear)

Component	2013		2014		2015		2016		2017		2018		2019		2020		2021		2022	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	224,178	100.0	273,727	100.0	191,978	100.0	270,494	100.0	278,037	100.0	380,534	100.0	787,525	100.0	209,585	100.0	513,841	100.0	951,762	100.0
USBP	42,078	18.8	118,753	43.4	64,775	33.7	93,146	34.4	88,315	31.8	116,428	30.6	521,894	66.3	57,928	27.6	353,911	68.9	595,495	62.6
ICE ERO	101,571	45.3	78,753	28.8	43,860	22.8	42,573	15.7	66,534	23.9	75,924	20.0	63,343	8.0	48,561	23.2	56,636	11.0	198,051	20.8
CBP OFO	23,633	10.5	19,537	7.1	26,508	13.8	42,546	15.7	31,477	11.3	47,936	12.6	61,892	7.9	19,364	9.2	40,843	7.9	94,482	9.9
USCIS	56,896	25.4	56,684	20.7	56,835	29.6	92,229	34.1	91,711	33.0	140,246	36.9	140,396	17.8	83,732	40.0	62,451	12.2	63,734	6.7

Source: Office of Homeland Security Statistics Persist Dataset and analysis of USCIS data.

Table 5.

Initial Admissions to ICE Detention Facilities by Country of Nationality: Fiscal Years 2013 to 2022

(Countries ranked by 2022 initial admissions to ICE detention facilities)

Country of Nationality	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Total	440,540	425,728	307,342	352,882	323,591	396,448	510,854	182,869	211,450	311,575
Nicaragua	2,323	2,382	1,469	1,544	1,514	3,428	7,893	1,467	26,920	48,069
Colombia	1,853	1,559	1,495	1,542	1,453	1,584	1,661	1,156	3,122	39,268
Venezuela	295	270	265	463	666	1,128	3,252	1,246	23,482	36,690
Mexico	244,532	172,560	143,834	134,546	121,405	139,967	121,258	86,685	32,895	34,539
Cuba	1,455	1,111	1,132	1,271	3,755	8,514	23,706	4,693	18,125	27,587
Peru	1,445	1,366	863	915	941	1,084	948	488	1,036	15,836
Ecuador	4,717	5,351	3,097	3,196	2,455	2,548	6,710	3,913	17,402	11,600
Honduras	50,622	76,708	34,899	46,753	43,411	62,461	104,166	16,860	13,106	11,275
Brazil	1,423	1,376	1,802	4,056	4,791	5,477	10,093	5,833	21,413	11,248
Turkey	167	143	111	148	217	380	231	162	1,217	10,763
All other countries, including unknown	131,708	162,902	118,375	158,448	142,983	169,877	230,936	60,366	52,732	64,700

Notes: Excludes HHS ORR and Mexican Interior Repatriation Program facilities. Statistics reported by OHSS and ICE may vary slightly due to differences in methodology and reporting date.
Source: Office of Homeland Security Statistics Persist Dataset.

ICE book-ins in 2022 compared to an average of 14 percent in 2013–2019.

Repatriations and Expulsions

DHS completed a total of 1,474,000 repatriations and expulsions in 2022, an increase of 141 percent from 2020 and an increase of 10 percent from 2021 (the only other years for which expulsion data are available) (Figure 8).³² The high numbers of expulsions in 2022 contributed to lower numbers of removals and returns as many fewer border encounters were processed under Title 8 authority.

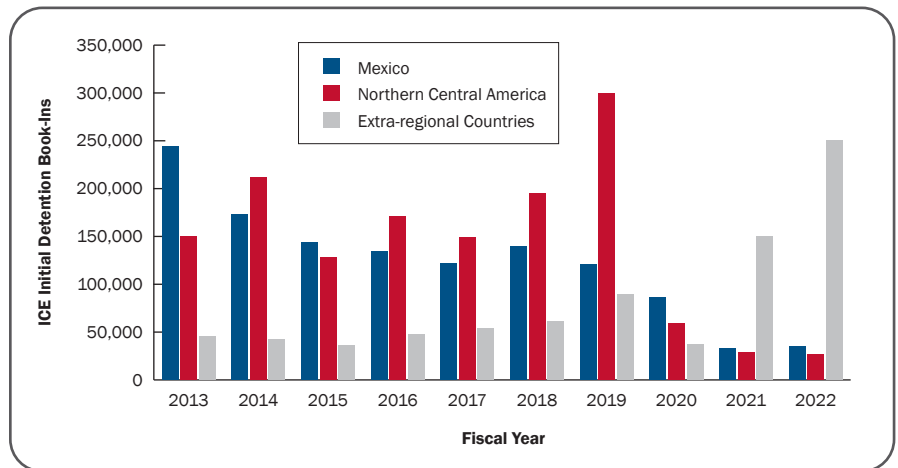
Title 42 Expulsions

CBP completed 1,104,000 expulsions under the CDC’s Title 42 Order in 2022, including 1,055,000 by USBP and 49,000 by OFO. Mexico was the leading nationality for Title 42 expulsions (692,000, or 64 percent of all Title 42 expulsions), followed by Guatemala (154,000 or 14 percent) and Honduras (134,000, or 12 percent). Most Title 42 expulsions were of SAs (983,000, or 89 percent),

³² As previously noted, many people expelled under Title 42 authority were encountered on multiple occasions, so the total count of expulsions exceeds the number of unique individuals expelled.

Figure 7.

ICE Initial Detention Book-ins by Selected Countries: Fiscal Years 2013 to 2022



Source: Office of Homeland Security Statistics Persist Dataset.

followed by FMs (116,000, or 11 percent).³³ In 2022, ICE Air Operations conducted overseas Title 8 removal flights and Title 42 expulsion flights, while the Juvenile and Family Management Division (JFMD) conducted overseas Title 42 expulsion flights. According to ICE reporting, ICE Air Operations assisted CBP in expelling 65,076 SAs in 2022, while JFMD expelled an additional 52,137 FMs under Title 42 authority.³⁴

Removals

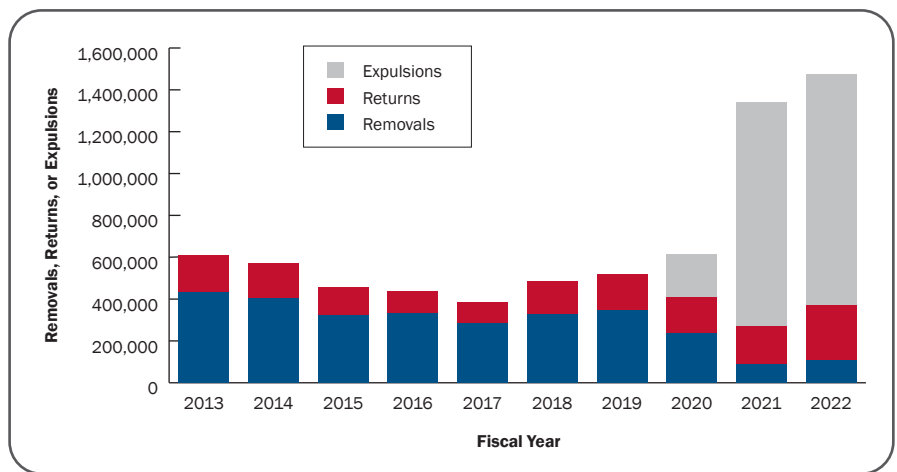
DHS completed 109,000 removals of noncitizens in 2022, a 27 percent increase from 2021 (Table 6). Approximately 55 percent of all removals resulted from a USBP apprehension in 2022. ICE administrative arrests led to the next largest share of removals (24 percent), and CBP OFO determinations of inadmissibility led to 22 percent. ICE ERO completed 62 percent of DHS removals, CBP OFO completed 20 percent, and USBP completed the remaining 19 percent. ER accounted for 50 percent of all removals while 33 percent were based on the reinstatement of prior removal orders. Removals of nationals from Mexico made up 57 percent of removals while removals of persons from the NCA countries made up 19 percent.

Fifty-eight percent of ICE ERO removals in 2022 were of noncitizens with prior criminal convictions, compared to an average criminal

removal rate of 42 percent for the pre-pandemic 2013–2019 period.³⁵ Sixty-six percent of the removals of Mexican nationals, 45 percent of the removals of those from the NCA countries, and 51 percent of removals of nationals from other countries involved those with prior criminal convictions (Table 7). The combination of immigration violations, drug offenses, and assault accounted for just 38 percent of criminal removals' prior offenses, down from a 2013–2019 average of 56 percent of criminal offenses falling in these three categories. Immigration offenses alone accounted for 15 percent of 2022 criminal removal previous offenses, down from an average of 31 percent for 2013–2019 (Table 8). At the same time, aggravated felons accounted for 14 percent of 2022 ICE ERO removals.

³⁵ All data in this paragraph exclude criminal removals by CBP as CBP Enforcement Integrated Database (EID) does not identify if noncitizens removed have criminal convictions. OHSS estimates the resulting undercount is very small as CBP refers most noncitizens with criminal convictions to ICE.

Figure 8.
Noncitizen Removals, Returns, or Expulsions: Fiscal Years 2013 to 2022



Source: Office of Homeland Security Statistics Persist Dataset.

³³ As previously noted, UCs became exempt from expulsion under Title 42 beginning in 2021.

³⁴ ICE Annual Report Fiscal Year 2022, <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2022.pdf>

Table 6.
Noncitizen Removals by Component and Removal Type: Fiscal Years 2013 to 2022

Component and removal type	2013		2014		2015		2016		2017		2018		2019		2020		2021		2022		
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
APPREHENDING COMPONENT																					
Total	432,334	100.0	405,193	100.0	324,428	100.0	332,331	100.0	284,365	100.0	327,608	100.0	347,090	100.0	237,364	100.0	85,783	100.0	108,733	100.0	
ICE	115,193	26.6	93,902	23.2	65,730	20.3	62,070	18.7	74,128	26.1	83,979	25.6	74,966	21.6	54,965	23.2	28,594	33.3	25,690	23.6	
USBP	288,986	66.8	283,475	70.0	227,529	70.1	236,261	71.1	171,462	60.3	205,892	62.8	233,788	67.4	152,020	64.0	32,179	37.5	59,343	54.6	
CBP OFO	28,155	6.5	27,816	6.9	31,169	9.6	34,000	10.2	38,775	13.6	37,737	11.5	38,336	11.0	30,379	12.8	25,010	29.2	23,700	21.8	
REMOVING COMPONENT																					
Total	432,334	100.0	405,193	100.0	324,428	100.0	332,331	100.0	284,365	100.0	327,608	100.0	347,090	100.0	237,364	100.0	85,783	100.0	108,733	100.0	
ICE	332,028	76.8	301,914	74.5	227,783	70.2	233,240	70.2	211,606	74.4	238,957	72.9	247,835	71.4	173,849	73.2	53,485	62.3	67,055	61.7	
USBP	78,816	18.2	82,452	20.3	73,753	22.7	73,507	22.1	48,233	17.0	62,497	19.1	71,384	20.6	43,750	18.4	10,753	12.5	20,411	18.8	
CBP OFO	21,490	5.0	20,827	5.1	22,892	7.1	25,584	7.7	24,526	8.6	26,154	8.0	27,871	8.0	19,765	8.3	21,545	25.1	21,267	19.6	
REMOVAL TYPE																					
Total	432,334	100.0	405,193	100.0	324,428	100.0	332,331	100.0	284,365	100.0	327,608	100.0	347,090	100.0	237,364	100.0	85,783	100.0	108,733	100.0	
Expedited Removals	197,613	45.7	188,412	46.5	152,614	47.0	155,786	46.9	121,503	42.7	143,699	43.9	163,101	47.0	99,732	42.0	36,962	43.1	54,655	50.3	
Reinstatements	162,352	37.6	158,436	39.1	128,403	39.6	134,561	40.5	111,076	39.1	122,981	37.5	127,671	36.8	92,254	38.9	27,786	32.4	36,086	33.2	
All other removals	72,369	16.7	58,345	14.4	43,411	13.4	41,984	12.6	51,786	18.2	60,928	18.6	56,318	16.2	45,378	19.1	21,035	24.5	17,992	16.5	

Note: Statistics reported by OHSS and ICE may vary slightly due to differences in methodology. Source: Office of Homeland Security Statistics Persist Dataset.

Table 7.

Noncitizen Removals by Criminal Status and Country of Nationality: Fiscal Years 2013 to 2022

(Ranked by 2022 noncitizen removals)

Country of nationality	2013		2014		2015		2016		2017		2018		2019		2020		2021		2022	
	Total	Percent Criminal ¹	Total	Percent Criminal ¹	Total	Percent Criminal ¹	Total	Percent Criminal ¹	Total	Percent Criminal ¹	Total	Percent Criminal ¹	Total	Percent Criminal ¹	Total	Percent Criminal ¹	Total	Percent Criminal ¹	Total	Percent Criminal ¹
Total	432,334	45.9	405,193	42.5	324,428	37.9	332,331	35.1	284,365	38.2	327,608	45.2	347,090	48.9	237,364	50.2	85,783	71.2	108,733	58.1
Mexico	306,901	47.6	265,039	47.6	232,435	38.2	236,609	35.1	181,962	40.3	208,063	43.3	202,587	48.5	148,706	52.7	50,650	75.0	62,047	65.7
El Salvador	21,132	44.8	26,678	33.6	21,823	32.9	20,346	33.2	18,339	35.0	14,931	47.2	18,038	48.8	12,167	41.4	2,790	72.9	7,325	27.5
Guatemala	47,021	32.8	54,406	25.2	33,350	31.4	33,869	31.3	32,850	33.6	49,156	40.3	53,346	43.3	28,367	36.3	7,723	57.1	6,802	51.6
Honduras	36,640	45.3	40,881	34.4	20,243	42.1	22,073	39.1	22,070	41.8	28,397	44.7	40,651	44.3	20,573	46.7	5,053	63.3	6,545	56.7
Colombia	1,479	62.8	1,381	63.4	1,589	49.8	2,097	36.5	2,029	30.4	2,666	86.5	2,879	89.1	1,950	82.1	3,021	90.1	5,823	46.4
Nicaragua	1,340	51.6	1,318	48.8	929	47.4	885	44.3	903	41.7	962	58.9	2,262	46.7	1,457	42.9	1,034	39.2	2,680	16.9
Brazil	1,579	23.7	996	28.2	1,019	27.8	1,509	22.2	1,718	23.6	2,133	55.5	2,403	61.8	2,295	58.0	1,965	22.8	2,507	38.8
Ecuador	1,512	38.3	1,586	36.0	1,430	34.1	1,432	32.5	1,376	36.3	1,437	62.5	2,485	59.5	3,119	48.3	1,854	42.3	1,821	37.0
Dominican Republic	2,325	78.3	2,080	78.9	1,885	80.6	1,987	74.8	2,021	74.7	1,880	80.0	2,203	73.5	1,923	77.5	1,728	79.2	1,722	63.9
Haiti	534	85.8	399	88.2	466	57.5	382	69.1	5,723	5.9	1,026	45.0	728	58.9	915	42.7	398	51.0	1,543	8.0
All other countries, including unknown	11,871	50.3	10,429	49.4	9,259	42.9	11,142	35.5	15,374	31.0	16,957	68.1	19,508	66.7	15,892	55.5	9,567	79.1	9,918	72.4

¹ Refers to removals of persons who have a prior criminal conviction.
 Note: Statistics reported by OHSS and ICE may vary slightly due to differences in methodology.
 Source: Office of Homeland Security Statistics Persist Dataset.

Table 8.

Criminal Noncitizen Removals by Crime Category: Fiscal Years 2013 to 2022

(Ranked by 2022 crime category)

Crime category	2013		2014		2015		2016		2017		2018		2019		2020		2021		2022	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
Total	198,488	100.0	172,395	100.0	122,815	100.0	116,734	100.0	108,519	100.0	148,203	100.0	169,898	100.0	119,142	100.0	61,117	100.0	63,226	100.0
Immigration ¹	62,033	31.3	54,645	31.7	37,621	30.6	37,128	31.8	28,533	26.3	41,834	28.2	63,066	37.1	39,961	33.5	6,899	11.3	9,628	15.2
Dangerous Drugs ²	30,692	15.5	28,199	16.4	22,445	18.3	21,687	18.6	19,635	18.1	18,087	12.2	16,718	9.8	13,243	11.1	8,611	14.1	8,583	13.6
Assault	20,192	10.2	17,719	10.3	13,359	10.9	12,168	10.4	12,334	11.4	12,286	8.3	12,464	7.3	9,479	8.0	5,717	9.4	5,575	8.8
Traffic Offenses ³	29,966	15.1	24,725	14.3	16,090	13.1	15,111	12.9	15,668	14.4	17,439	11.8	18,449	10.9	12,373	10.4	4,125	6.7	3,466	5.5
Sexual Assault	3,168	1.6	2,953	1.7	2,505	2.0	2,495	2.1	2,439	2.2	2,429	1.6	2,362	1.4	2,070	1.7	1,944	3.2	1,802	2.9
Weapon Offenses	5,277	2.7	4,588	2.7	3,524	2.9	3,477	3.0	3,222	3.0	3,200	2.2	3,002	1.8	2,501	2.1	1,710	2.8	1,625	2.6
Sex Offenses	2,594	1.3	2,423	1.4	1,959	1.6	1,978	1.7	2,113	1.9	2,084	1.4	1,897	1.1	1,679	1.4	1,454	2.4	1,441	2.3
Burglary	5,504	2.8	4,749	2.8	3,463	2.8	3,126	2.7	3,033	2.8	2,781	1.9	2,591	1.5	1,975	1.7	1,101	1.8	1,199	1.9
Robbery	2,597	1.3	2,400	1.4	2,034	1.7	1,917	1.6	2,014	1.9	1,857	1.3	1,634	1.0	1,315	1.1	1,066	1.7	954	1.5
Invasion of Privacy	726	0.4	660	0.4	373	0.3	329	0.3	378	0.3	461	0.3	456	0.3	305	0.3	98	0.2	931	1.5
All other categories, including unknown	35,739	18.0	29,334	17.0	19,442	15.8	17,318	14.8	19,150	17.6	45,745	30.9	47,259	27.8	34,241	28.7	28,392	46.5	28,022	44.3

¹ Including entry and reentry false claims to citizenship, and human smuggling.
² Including the manufacturing, distribution, sale, and possession of illegal drugs.
³ Including hit and run and driving under the influence.
 Notes: Data refer to removal of persons who have a prior criminal conviction. Criminals removed by CBP are excluded; CBP EID does not identify if persons removed were criminals. Statistics reported by OHSS and ICE may vary slightly due to differences in methodology.
 Source: Office of Homeland Security Statistics Persist Dataset.

Returns

DHS completed 261,000 returns of noncitizens to their home countries in 2022, a 47 percent increase from 2021 (Tables 9 and 10). USBP returns increased by 28 percent, ICE ERO returns were about the same, and CBP OFO returns (the largest share of returns) increased by 51 percent from 2021 to 2022. These included 180,000 administrative returns and 81,000 enforcement returns.

OFO Administrative Returns

The number of OFO administrative returns increased by more than 40 percent from 2021 to 2022 (Table 9). The leading country of nationality was the Philippines (22 percent), followed by India (17 percent) and Canada (12 percent), which increased more than four-fold and overtook China (11 percent) as the third-highest number of administrative returns. Returns of French nationals increased by more than twenty-fold from fewer than 250 in 2021 to over 5,000 in 2022. Administrative returns were predominantly foreign crew members detained on board their vessels, though withdrawals increased more than five-fold in number from 11,000 in 2021 to 63,000 in 2022, resulting in a four-fold increase in proportion from 8.7 percent to 35 percent.

Enforcement Returns

The majority of enforcement returns were completed by CBP OFO (60 percent), followed by USBP (34 percent) and ICE (6 percent). The leading countries of nationality were Mexico (52 percent) and Canada (19 percent), which was in line with each of the previous nine years where the two constituted about two-thirds or more of all enforcement returns. A plurality of enforcement returns were withdrawals (49 percent) followed by voluntary returns (38 percent), though the number of withdrawals more than doubled from 18,000 in 2021 to 39,000 in 2022.

DATA AND METHODS

This report uses administrative record data processed according to a set of defined rules. To the extent possible, these rules group events into time periods according to when the event took place, rather than the date of case completion, closure, or update.

The removal and return numbers included here are estimates due to the absence of explicit records on CBP-performed removals and because a return cannot be confirmed for noncitizens who are returned without supervision until the noncitizen verifies their departure with a U.S. consulate. OHSS updates previously reported estimates as new data become available.

Apprehension and inadmissibility data are collected in the EID using Form I-213, *Record of Deportable-Inadmissible Alien*, and EID Arrest Graphical User Interface for Law Enforcement (EAGLE). Data on detained individuals 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. OHSS' and ICE's methodologies for reporting immigration enforcement statistics differed slightly prior to 2016, resulting in small discrepancies between historic ICE and OHSS numbers.

FOR MORE INFORMATION

For more information about immigration and immigration statistics, visit the OHSS web page at <http://ohss.dhs.gov>.

Table 9.

OFO Administrative Returns of Noncitizens by Country of Nationality and Type: Fiscal Years 2013 to 2022

(Countries ranked by 2022 returns)

Characteristic	2013		2014		2015		2016		2017		2018		2019		2020		2021		2022		
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
COUNTRY OF NATIONALITY																					
Total	44,707	100.0	45,666	100.0	43,237	100.0	30,341	100.0	15,072	100.0	72,756	100.0	89,719	100.0	113,857	100.0	128,339	100.0	180,266	100.0	
Philippines	20,875	46.7	21,610	47.3	19,957	46.2	13,230	43.6	6,051	40.1	27,574	37.9	27,199	30.3	37,513	32.9	37,620	29.3	39,891	22.1	
India	1,576	3.5	1,752	3.8	1,275	2.9	852	2.8	855	5.7	3,286	4.5	4,060	4.5	13,241	11.6	21,033	16.4	30,156	16.7	
Canada	31	0.1	15	0.0	30	0.1	4	0.0	19	0.1	3,243	4.5	7,418	8.3	6,607	5.8	4,894	3.8	21,238	11.8	
China, People's Republic	10,228	22.9	10,428	22.8	10,744	24.8	7,101	23.4	3,081	20.4	14,619	20.1	16,503	18.4	14,107	12.4	20,957	16.3	19,545	10.8	
Russia	1,860	4.2	1,786	3.9	1,342	3.1	781	2.6	344	2.3	2,633	3.6	2,451	2.7	4,416	3.9	8,098	6.3	12,369	6.9	
Mexico	142	0.3	30	0.1	125	0.3	552	1.8	269	1.8	2,253	3.1	7,426	8.3	4,923	4.3	5,221	4.1	7,705	4.3	
Ukraine	2,508	5.6	2,964	6.5	2,485	5.7	1,930	6.4	737	4.9	3,693	5.1	4,267	4.8	6,175	5.4	7,161	5.6	6,699	3.7	
France	18	0.0	61	0.1	40	0.1	37	0.1	19	0.1	74	0.1	245	0.3	1,255	1.1	247	0.2	5,049	2.8	
Burma	1,915	4.3	1,881	4.1	2,004	4.6	1,437	4.7	616	4.1	2,593	3.6	3,110	3.5	2,802	2.5	3,498	2.7	3,736	2.1	
Turkey	908	2.0	1,027	2.2	992	2.3	890	2.9	311	2.1	2,111	2.9	1,952	2.2	1,965	1.7	2,889	2.3	3,177	1.8	
All other countries, including unknown ...	4,646	10.4	4,112	9.0	4,243	9.8	3,527	11.6	2,770	18.4	10,677	14.7	15,088	16.8	20,853	18.3	16,721	13.0	30,701	17.0	
RETURN TYPE																					
Total	44,707	100.0	45,666	100.0	43,237	100.0	30,341	100.0	15,072	100.0	72,756	100.0	89,719	100.0	113,857	100.0	128,339	100.0	180,266	100.0	
Crew member detained	44,707	100.0	45,666	100.0	43,237	100.0	30,341	100.0	15,072	100.0	65,055	89.4	69,329	77.3	91,727	80.6	117,180	91.3	117,444	65.2	
Withdrawal	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	7,701	10.6	20,390	22.7	22,130	19.4	11,159	8.7	62,822	34.8	

Notes: Statistics reported by OHSS and ICE may vary slightly due to differences in methodology and reporting date.

Source: Office of Homeland Security Statistics Persist Dataset.

Table 10.

Enforcement Returns of Noncitizens by Component, Country of Nationality, and Type: Fiscal Years 2013 to 2022

(Countries ranked by 2022 returns)

Characteristic	2013		2014		2015		2016		2017		2018		2019		2020		2021		2022		
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
COMPONENT																					
Total	134,265	100.0	118,170	100.0	86,399	100.0	76,137	100.0	85,380	100.0	87,202	100.0	81,401	100.0	53,595	100.0	49,664	100.0	81,121	100.0	100.0
CBP OFO	59,526	44.3	63,050	53.4	61,799	71.5	52,307	68.7	60,375	70.7	55,783	64.0	40,872	50.2	28,872	53.9	22,896	46.1	48,345	59.6	59.6
USBP	38,669	28.8	40,323	34.1	16,158	18.7	16,022	21.0	13,055	15.3	14,000	16.1	21,488	26.4	9,958	18.6	21,857	44.0	27,909	34.4	34.4
ICE	36,070	26.9	14,797	12.5	8,442	9.8	7,808	10.3	11,950	14.0	17,419	20.0	19,041	23.4	14,765	27.5	4,911	9.9	4,867	6.0	6.0
COUNTRY OF NATIONALITY																					
Total	134,265	100.0	118,170	100.0	86,399	100.0	76,137	100.0	85,380	100.0	87,202	100.0	81,401	100.0	53,595	100.0	49,664	100.0	81,121	100.0	100.0
Mexico	88,240	65.7	72,688	61.5	40,521	46.9	36,761	48.3	39,359	46.1	39,947	45.8	42,086	51.7	27,252	50.8	30,993	62.4	42,218	52.0	52.0
Canada	23,931	17.8	23,253	19.7	22,512	26.1	18,411	24.2	18,515	21.7	14,901	17.1	11,104	13.6	7,440	13.9	7,088	14.3	15,693	19.3	19.3
China, People's Republic	1,525	1.1	1,896	1.6	2,121	2.5	1,592	2.1	2,162	2.5	1,924	2.2	1,341	1.6	909	1.7	297	0.6	1,848	2.3	2.3
India	904	0.7	1,054	0.9	1,116	1.3	1,574	2.1	1,493	1.7	2,158	2.5	1,374	1.7	944	1.8	460	0.9	1,778	2.2	2.2
Chile	47	0.0	137	0.1	262	0.3	357	0.5	493	0.6	443	0.5	550	0.7	467	0.9	787	1.6	1,436	1.8	1.8
Spain	1,059	0.8	880	0.7	916	1.1	769	1.0	1,122	1.3	1,263	1.4	1,370	1.7	886	1.7	713	1.4	1,376	1.7	1.7
United Kingdom	1,291	1.0	1,151	1.0	1,108	1.3	923	1.2	1,100	1.3	1,360	1.6	1,371	1.7	694	1.3	335	0.7	1,103	1.4	1.4
Colombia	444	0.3	367	0.3	501	0.6	586	0.8	768	0.9	715	0.8	841	1.0	493	0.9	597	1.2	936	1.2	1.2
Italy	519	0.4	537	0.5	581	0.7	488	0.6	718	0.8	748	0.9	787	1.0	507	0.9	335	0.7	826	1.0	1.0
Bahamas	486	0.4	551	0.5	448	0.5	141	0.2	222	0.3	309	0.4	286	0.4	124	0.2	469	0.9	727	0.9	0.9
All other countries, including unknown	16,305	12.1	16,207	13.7	16,761	19.4	14,676	19.3	19,650	23.0	23,743	27.2	20,577	25.3	14,003	26.1	8,059	16.2	13,907	17.1	17.1
RETURN TYPE																					
Total	134,265	100.0	118,170	100.0	86,399	100.0	76,137	100.0	85,380	100.0	87,202	100.0	81,401	100.0	53,595	100.0	49,664	100.0	81,121	100.0	100.0
Withdrawal	51,649	38.5	55,437	46.9	54,170	62.7	46,321	60.8	51,901	60.8	46,344	53.1	30,745	37.8	21,807	40.7	17,911	36.1	39,421	48.6	48.6
Voluntary Return	64,534	48.1	48,766	41.3	20,226	23.4	19,113	25.1	17,395	20.4	18,812	21.6	25,897	31.8	14,355	26.8	24,500	49.3	30,907	38.1	38.1
Voluntary Departure	11,905	8.9	8,084	6.8	5,794	6.7	5,481	7.2	8,376	9.8	13,906	15.9	15,547	19.1	11,768	22.0	3,402	6.9	2,063	2.5	2.5
All other returns, including unknown	6,177	4.6	5,883	5.0	6,209	7.2	5,222	6.9	7,708	9.0	8,140	9.3	9,212	11.3	5,665	10.6	3,851	7.8	8,730	10.8	10.8

Notes: Statistics reported by OHSS and ICE may vary slightly due to differences in methodology and reporting date.
Source: Office of Homeland Security Statistics Persist Dataset.