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Oversight of the Administration's Criminal Alien Removal Policies

Before

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Written Responses to Questions for the Record

Questions for the Record Submitted by Senator Al Franken

Questions for Dr. Marc R. Rosenblum, PhD:

1. How many individuals have been formally removed by the Obama administration? How many individuals were formally removed by the Clinton and George W. Bush administrations? For each of those administrations, how do the number of individuals formally removed compare to the total number of deportations?

Response

As you know, U.S. immigration law provides for two main types of deportations: formal removals (known as formal deportations prior to 1997) and informal returns (also known as voluntary returns or voluntary departures). The following table describes formal removals, informal returns, and total deportations for the Clinton, George W. Bush, and Obama administrations. The table also includes data on total apprehensions at apprehensions at the Southwest border.

Table 1: Immigration Enforcement, FY1993-FY2015

	Total Apprehensions	SWB apprehensions	Removals	Returns	Total Deportations
1993	1,327,261	1,212,886	42,542	1,243,410	1,285,952
1994	1,094,719	979,101	45,674	1,029,107	1,074,781
1995	1,394,554	1,271,390	50,924	1,313,764	1,364,688
1996	1,649,986	1,507,020	69,680	1,573,428	1,643,108
1997	1,536,520	1,368,707	114,432	1,440,684	1,555,116
1998	1,679,439	1,516,680	174,813	1,570,127	1,744,940
1999	1,714,035	1,537,000	183,114	1,574,863	1,757,977
2000	1,814,729	1,643,679	188,467	1,675,876	1,864,343
Subtotal: Clinton	12,211,243	11,036,463	869,646	11,421,259	12,290,905
2001	1,387,486	1,235,717	189,026	1,349,371	1,538,397
2002	1,062,270	929,809	165,168	1,012,116	1,177,284
2003	1,046,422	905,065	211,098	945,294	1,156,392
2004	1,264,232	1,139,282	240,665	1,166,576	1,407,241
2005	1,291,142	1,171,428	246,431	1,096,920	1,343,351
2006	1,206,457	1,072,018	280,974	1,043,381	1,324,355
2007	960,756	858,722	319,382	891,390	1,210,772
2008	1,043,863	705,022	359,795	811,263	1,171,058
Subtotal: Bush	9,262,628	8,017,063	2,012,539	8,316,311	10,328,850
2009	889,203	540,851	391,597	582,624	974,221

2010	796,587	447,731	382,265	474,233	856,498
2011	678,606	327,577	387,134	322,124	709,258
2012	671,327	356,873	418,397	230,386	648,783
2013	662,483	414,397	438,421	178,371	616,792
2014	588,875	479,371	414,481	162,814	577,295
2015	406,595	331,335	NA	NA	462,463
Subtotal: Obama	4,693,676	2,898,135	2,764,330*	2,080,980*	4,845,310

Source: 2003-2013 data from DHS Statistical Yearbook, FY2013; FY2014-FY2015 data from DHS press releases announcing end of year enforcement statistics for those years.

Notes: Beginning in FY2008, total apprehensions include administrative arrests conducted by ICE Enforcement and Removal Operations. DHS end of year FY2015 enforcement statistics do not include a breakdown of removals versus returns. Obama administration subtotals include estimated subtotals of removals and returns based on the assumption that the breakdown of removals versus returns in the FY2015 total deportations numbers reflect the same ratio as the FY2014 removals and returns.

As the table illustrates, the Obama administration has formally removed substantially more people than either of its immediate predecessors (and more than any previous administration): about 2.8 million formal removals during the first 7 years of the Obama administration versus 2.0 million formal removals during 8 years of the Bush administration and 870,000 during 8 years of the Clinton administration.

Looked at as a proportion of total apprehensions, the Obama administration has formally removed 52 percent of the number of people it has apprehended (2.8 million removals compared to 4.7 million apprehensions). By comparison, the Bush administration removed 22 percent of its total apprehensions, and the Clinton administration removed 7 percent.

2. What explains the fluctuations in the total number of deportations over the current and previous two administrations?

Response

The most important determinant of total deportations for these three administrations (and for all previous ones) is the total number of apprehensions: in general, DHS and INS have deported about 100 percent of those they apprehend. (Relatively few people are granted relief from removal, compared to the total number of people apprehended and deported; and prior to 2008 people who came into DHS/INS custody through the criminal justice system typically were not counted as apprehensions.)

The reason that total deportations have fallen under the Obama administration (4.8 million total deportations in 7 years, compared to 10.3 million under Bush and 12.3 million under Clinton) is that total apprehensions have fallen. The apprehension numbers, in turn, are driven by Southwest border apprehensions, which have fallen from 11.0 million under Clinton to 8.0 million under

Bush to just 2.9 million under Obama. The drop in border apprehensions is widely recognized to be the result of fewer unauthorized immigrants attempting to enter the United States unlawfully. In other words, deportations are down under the Obama administration for the simple reason that illegal immigration is less prevalent. With fewer unauthorized immigrants attempting to enter the United States, DHS is deporting fewer border crossers.

What has caused the reduction in illegal entry attempts? In part, falling illegal inflows reflect reduced employment opportunities during and after the Great Recession of 2008-09. But with apprehensions of traditional border crossers (i.e., excluding Central American women and children requesting political asylum in the United States) declining every year since 2005, it is now beyond doubt that reduced inflows transcend the business cycle and also reflect U.S. enforcement efforts, along with demographic changes in Mexico.

3. How would you characterize immigration enforcement under the Obama administration, the Clinton administration, and the George W. Bush administration?

Response

Measured by any reasonable statistics, the Obama administration has been extraordinarily tough on immigration enforcement. The Obama administration has deported a similar share of total apprehensions as its two predecessors, but it has used the tougher enforcement tool of formal removals for a much larger share of these deportations. The Obama administration has also prosecuted a higher share of border crossers in federal criminal court than any of its predecessors.

In addition, the Obama administration has been more successful at apprehending and deporting people from within the United States than its predecessors. Overall, more than a third (38 percent) of Obama administration apprehensions have occurred at locations other than the Southwest border (i.e., generally, interior apprehensions). By comparison, just 13 percent of Bush administration apprehensions and 10 percent of Clinton administration apprehensions occurred at interior and other non-SWB locations. These data illustrate how the Obama administration's embrace of new data matching capabilities (i.e., IDENT/IAFIS interoperability) has redefined the nature of immigration enforcement in the 21st century—a change which, in turn, has required the administration to take steps to establish enforcement priorities to make the most efficient use of this newly enhanced enforcement capacity.