



Statement for the Record

U.S. House of Representatives Committee on Oversight and Government Reform

Hearing on

"A 'Caravan' of Illegal Immigrants: A Test of U.S. Borders"

April 12, 2018

The National Immigration Forum (Forum) advocates for the value of immigrants and immigration to the nation. Founded in 1982, the Forum plays a leading role in the national debate about immigration, knitting together innovative alliances across diverse faith, labor, law enforcement, veterans and business constituencies in communities across the country. Leveraging our policy, advocacy and communications expertise, the Forum works for comprehensive immigration reform, sound border security policies, balanced enforcement of immigration laws, and ensuring that new Americans have the opportunities, skills, and status to reach their full potential.

Introduction

The Forum appreciates the opportunity to provide its views on U.S. border policies and the asylum process, which provide eligible individuals fleeing persecution safe haven in the United States. The United States is a nation of laws with strong border security and established legal immigration processes. The U.S. asylum system is a long-standing humanitarian effort consistent with our nation's core values. The country, in turn, has benefitted from admitted asylum seekers who make positive contributions within our local communities and to the U.S. economy.

The U.S. Border Is More Secure than Ever

The U.S. border is more secure than ever. In fiscal year (FY) 2017, Border Patrol arrests hit a 46-year low of 310,531 apprehensions, which represented a 25 percent decrease from the previous year.¹ The number of Unaccompanied Alien Children (UACs) dropped 31 percent and

¹ *CBP Border Security Report* (Rep.). (2017, December 5). Retrieved <https://www.cbp.gov/sites/default/files/assets/documents/2017-Dec/cbp-border-security-report-fy2017.pdf>

apprehensions of family units – individuals apprehended with a family member – fell 3 percent from FY 2016.² Additionally, the vast majority of U.S. Border Patrol sectors saw overall decreases in apprehensions of UACs and families.³ Furthermore, the most recent figures suggest the trend is likely to continue. In the first half of FY 2018, the U.S. Border Patrol apprehended 24 percent fewer UACs and 32 percent fewer families at the Southern Border compared to the same period in FY 2017.⁴ Throughout the first four months of FY 2018, border apprehensions remained below FY 2017 levels. While the number of apprehensions increased in February and March of 2018, the uptick appears to be consistent with typical seasonal fluctuations.⁵

The number of Border Patrol agents nearly doubled between FY 2002 and FY 2017 (increasing from 10,045 to 19,437),⁶ with the Border Patrol's budget increasing approximately 380 percent between FY 2000 and FY 2018 (from about \$1 billion to nearly \$3.8 billion).⁷ Meanwhile, the average annual number of apprehensions made by each Border Patrol agent dropped from 182 in FY 2000 to under 16 in FY 2017 – fewer than 2 apprehensions per month.⁸

Crime rates near the border remain at low levels. A recent FBI report found that larger border cities such as San Diego, Tucson and El Paso have below-average crime rates for cities their size.⁹ San Diego recorded 377.2 violent crimes per 100,000 inhabitants, which is well below the average of 729.7 per 100,000 people seen in cities with over 1 million people in 2016.¹⁰ At the same time, crime rates in El Paso and Tucson are 390.3 and 795.5 per 100,000 people, respectively, while the

² U.S. Border Patrol Southwest Border Apprehensions by Sector FY2017. (n.d.). Retrieved April 10, 2018, from <https://www.cbp.gov/newsroom/stats/usbp-sw-border-apprehensions-fy2017>

³ U.S. Border Patrol Southwest Border Apprehensions by Sector FY2017. (n.d.). Retrieved April 10, 2018, from <https://www.cbp.gov/newsroom/stats/usbp-sw-border-apprehensions-fy2017>

⁴ U.S. Border Patrol Southwest Border Apprehensions by Sector FY2018. (n.d.). Retrieved April 10, 2018, from <https://www.cbp.gov/newsroom/stats/usbp-sw-border-apprehensions>

⁵ *Apprehensions of migrants at U.S.-Mexico border rose sharply in October and November*(Rep.). (2016, December 21). Retrieved <http://www.pewresearch.org/fact-tank/2016/12/21/apprehensions-of-migrants-at-u-s-mexico-border-rose-sharply-in-october-and-november/>

⁶ *Border Patrol Agent Nationwide Staffing by Fiscal Year* (Rep.). (2017, December). Retrieved https://www.cbp.gov/sites/default/files/assets/documents/2017-Dec/BP_Staffing_FY1992-FY2017.pdf

⁷ *Enacted Border Patrol Program Budget by Fiscal Year*(Rep.). (2017, December). Retrieved https://www.cbp.gov/sites/default/files/assets/documents/2017-Dec/BP_Budget_History_1990-2017.pdf

⁸ CBP Enforcement Statistics FY2018. (n.d.). Retrieved April 10, 2018, from <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>

Border Patrol Agent Nationwide Staffing by Fiscal Year (Rep.). (2017, December). Retrieved https://www.cbp.gov/sites/default/files/assets/documents/2017-Dec/BP_Staffing_FY1992-FY2017.pdf

⁹ Crime in the U.S. 2016. (2017, May 08). Retrieved April 10, 2018, from <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016>

¹⁰ Crime in the U.S. 2016. (2017, May 08). Retrieved April 10, 2018, from <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016>

average for their size is 861.9 crimes per 100,000 inhabitants in 2016.¹¹ Other border communities in Texas such as Laredo, Brownsville and McAllen saw well-below-average crime rates as well in 2016.¹² Moreover, McAllen with 151.2 violent crimes per 100,000 people ranked as one of the safest cities in the U.S.¹³ Last year, McAllen’s crime rate was the lowest in 33 years.¹⁴ (Table 1)

Table 1. Crime Rates in Border Cities (2016)

City	Total Population	Violent Crimes Rate (per 100,000 people)
Average Very Large City	1,000,000 or more people	729.7
San Diego	1,413,414	377.2
Average Large City	500,000 to 999,999 people	861.9
El Paso	687,193	390.3
Tuscon	533,663	795.5
Average Medium City	250,000 to 499,999 people	745.5
Laredo	259,325	362.5
Average Small City	100,000 to 249,999 people	485.3
Brownsville	185,583	241.4
McAllen	142,227	151.2

Source: Crime in the U.S. 2016. (2017, May 08). Retrieved April 10, 2018, from <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016>

Central American “Caravan” Is Not a Threat

During Easter week, news broke that a number of Central American migrants gathered to travel north to seek safe haven in the U.S. The “caravan” is an annual trip guided by "*Pueblo Sin Fronteras*," an organization also known as People Without Borders.¹⁵ This year’s trip is the fifth

¹¹ Crime in the U.S. 2016. (2017, May 08). Retrieved April 10, 2018, from <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016>

¹² Crime in the U.S. 2016. (2017, May 08). Retrieved April 10, 2018, from <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016>

¹³ FBI crime report shows violent crime statistics along the border. (2018, January 22). Retrieved from <http://www.kgns.tv/content/news/FBI-crime-statistics-470567403.html>

¹⁴ (n.d.). Retrieved April 11, 2018, from <https://www.mcallenyearinreview.com/2017>

¹⁵ Shoichet, C. E. (2018, April 2). This US-bound migrant caravan sparked a Trump tweetstorm. Retrieved from <https://www.cnn.com/2018/04/02/americas/mexico-migrant-caravan/index.html>

in a row and the organizers claim the group to be the largest yet – over 1,000 people.¹⁶ However, even if all the 1,000 participants reached U.S. border and applied for asylum, they would only represent about 0.3 percent of all FY 2017 border apprehensions.

The group consists mostly of women and children¹⁷ from Honduras but also families from Guatemala and El Salvador fleeing violence, crime, and persecution in their home countries.¹⁸ Although the journey north is very dangerous, the migrants see it as a better and safer option than staying in their home countries where they face threats from local gangs and other groups.¹⁹ Migrants travel in a caravan to bring attention to their plight²⁰ and because traveling with the caravan is safer than paying coyotes to smuggle them into the U.S.²¹ In addition, by choosing to travel in a caravan and openly present themselves at the border, migrants in the caravan are seeking to adhere to the asylum process set out under U.S. law. If they instead sought to be smuggled across the border by coyotes in violation of U.S. law, they could later be found to be inadmissible and may have committed an aggravated felony by taking part in a smuggling operation.²²

The three neighboring Northern Triangle countries of Honduras, Guatemala and El Salvador consistently rank²³ among the most violent countries in the world.²⁴ El Salvador, Guatemala, Honduras still have the world's highest murder rates,²⁵ although the numbers have fallen in the

¹⁶ Shoichet, C. E. (2018, April 2). This US-bound migrant caravan sparked a Trump tweetstorm. Retrieved from <https://www.cnn.com/2018/04/02/americas/mexico-migrant-caravan/index.html>

¹⁷ Semple, K. (2018, April 4). Inside an Immigrant Caravan: Women and Children, Fleeing Violence. Retrieved from <https://www.nytimes.com/2018/04/04/world/americas/mexico-trump-caravan.html?ref=collectiontimestopicImmigrationandEmigration>

¹⁸ Sherman, C. (2018, April 4). Mexico starts giving caravan migrants transit visas. Retrieved from https://www.washingtonpost.com/world/the_americas/caravan-migrants-confused-by-president-trumps-angry-tweets/2018/04/04/1cf330b8-37bd-11e8-af3c-2123715f78df_story.html?utm_term=.b6b73fd30db3

¹⁹ The Honduran Caravan: "Everyone is hell-bent against them" [Advertisement]. (2018, April 5). Retrieved from http://directory.libsyn.com/episode/index/id/6447442/tdest_id/614755

²⁰ Semple, K. (2018, April 4). Inside an Immigrant Caravan: Women and Children, Fleeing Violence. Retrieved from <https://www.nytimes.com/2018/04/04/world/americas/mexico-trump-caravan.html?ref=collectiontimestopicImmigrationandEmigration>

²¹ The Honduran Caravan: "Everyone is hell-bent against them" [Advertisement]. (2018, April 5). Retrieved from http://directory.libsyn.com/episode/index/id/6447442/tdest_id/614755

²⁴ Kamhi, A., & Prandini, R. (2017, July). *Alien Smuggling: What Is It And How It Can Affect Immigrants*(Rep.). Retrieved https://www.ilrc.org/sites/default/files/resources/alien_smuggling_practice_advisory-20170728.pdf

²³ Labrador, R. C., & Renwick, D. (2018, January 18). *Central America's Violent Northern Triangle*(Rep.). Retrieved April 10, 2018, from Council On Foreign Relations website: <https://www.cfr.org/backgrounder/central-americas-violent-northern-triangle>

²⁴ Gagne, D. (2017, January 16). *InSight Crime's 2016 Homicide Round-up*(Rep.). Retrieved <https://www.insightcrime.org/news/analysis/insight-crime-2016-homicide-round-up/>

²⁵ Labrador, R. C., & Renwick, D. (2018, January 18). *Central America's Violent Northern Triangle*(Rep.). Retrieved April 10, 2018, from Council On Foreign Relations website: <https://www.cfr.org/backgrounder/central-americas-violent-northern-triangle>

past few years, and significantly higher homicide rates than neighboring Costa Rica, Nicaragua, and Panama.²⁶

In 2015, El Salvador became the most violent not-at-war country on the world, as its gang-related violence pushed the country’s murder rate to 103 per 100,000 people.²⁷ While the number has since fallen by almost 25 percent, it still remains eleven times higher than that of the United States.²⁸ In 2016, there were 5,278 murders in El Salvador and the country’s homicide rate reached 81.2 per 100,000, down from the 104 per 100,000 recorded in 2015.²⁹ Honduras saw 5,154 homicides in 2016, nearly identical to the 5,148 registered the previous year.³⁰ Guatemala’s murder rate fell from 29.5 per 100,000 to 27.3 with 4,520 homicides in 2016, 258 fewer than in 2015.³¹ In comparison, the United States recorded 5.4 homicides per 100,000 people in 2016.³² (Table 2.)

Table 2. Homicide Rates in Northern Triangle Countries vs. United States (2016)

Country	Homicide Rate (per 100,000 people)
El Salvador	81.2
Honduras	59.0
Guatemala	27.3
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United States	5.4

Sources:

Gagne, D. (2017, January 16). *InSight Crime’s 2016 Homicide Round-up* (Rep.). Retrieved <https://www.insightcrime.org/news/analysis/insight-crime-2016-homicide-round-up/>
 Crime in the U.S. 2016. (2017, May 08). Retrieved April 10, 2018, from <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016>

²⁶ Labrador, R. C., & Renwick, D. (2018, January 18). *Central America’s Violent Northern Triangle*(Rep.). Retrieved April 10, 2018, from Council On Foreign Relations website: <https://www.cfr.org/backgrounder/central-americas-violent-northern-triangle>

²⁷ El Salvador gang violence pushes murder rate to postwar record. (2015, September 2). Retrieved from <https://www.theguardian.com/world/2015/sep/02/el-salvador-gang-violence-murder-rate-record>

²⁸ Labrador, R. C., & Renwick, D. (2018, January 18). *Central America’s Violent Northern Triangle* (Rep.). Retrieved April 10, 2018, from Council On Foreign Relations website: <https://www.cfr.org/backgrounder/central-americas-violent-northern-triangle>

²⁹ Gagne, D. (2017, January 16). *InSight Crime’s 2016 Homicide Round-up* (Rep.). Retrieved <https://www.insightcrime.org/news/analysis/insight-crime-2016-homicide-round-up/>

³⁰ Gagne, D. (2017, January 16). *InSight Crime’s 2016 Homicide Round-up* (Rep.). Retrieved <https://www.insightcrime.org/news/analysis/insight-crime-2016-homicide-round-up/>

³¹ Gagne, D. (2017, January 16). *InSight Crime’s 2016 Homicide Round-up* (Rep.). Retrieved <https://www.insightcrime.org/news/analysis/insight-crime-2016-homicide-round-up/>

³² Crime in the U.S. 2016. (2017, May 08). Retrieved April 10, 2018, from <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016>

The caravan originally planned to travel to the U.S. border so that its members could present themselves to Border Patrol agents and seek asylum as participants have done in previous years. Following extensive coverage by the American press and criticism from the Trump administration, the caravan's organizers decided to end their journey in Mexico City, explaining that they wanted to avoid putting children on dangerous freight trains, which are infamous for causing injuries, as the trek has required in the past.³³

Once the caravan reaches Mexico City, many of the migrants plan to start their new lives there or travel to other cities in Mexico such as Puebla and Tijuana.³⁴ Others may consult their cases with volunteer lawyers to find out whether their cases are strong enough to apply for asylum in Mexico or the United States.³⁵ However, applying for asylum in Mexico is a difficult process. In January and February of 2018, Mexico detained and deported over 15,000 Central American immigrants.³⁶ Last year, the Mexican government detained 95,000 immigrants, most from the three Northern Triangle countries.³⁷ Reports indicate that while many participants in the caravan have already decided to stay in Mexico, some may to continue traveling up north³⁸ and go through the legal U.S. asylum process,³⁹ especially those whose relatives already live in the U.S. Organizers of the caravan indicated that individuals who still wanted to present themselves at the U.S. border to seek asylum would have to make the trip on their own.

³³ Schrank, D. (2018, April 4). Central American 'caravan' to end in Mexico City, migrants defiant. Retrieved from <https://www.reuters.com/article/us-usa-immigration-caravan/central-american-caravan-to-end-in-mexico-city-migrants-defiant-idUSKCN1HB2XQ>

³⁴ Semple, K. (2018, April 4). Inside an Immigrant Caravan: Women and Children, Fleeing Violence. Retrieved from <https://www.nytimes.com/2018/04/04/world/americas/mexico-trump-caravan.html?ref=collectiontimestopicImmigrationandEmigration>

³⁵ Semple, K. (2018, April 4). Inside an Immigrant Caravan: Women and Children, Fleeing Violence. Retrieved from <https://www.nytimes.com/2018/04/04/world/americas/mexico-trump-caravan.html?ref=collectiontimestopicImmigrationandEmigration>

³⁶ Here's What Enforcement At Mexico's Southern Border Is Really Like [Advertisement]. (2018, April 4). Retrieved from <http://www.wbur.org/hereandnow/2018/04/04/mexico-border-enforcement-migrants>

³⁷ Partlow, J., & Miroff, N. (2018, April 6). U.S. gathers data on migrants deep in Mexico, a sensitive program Trump's rhetoric could put at risk. Retrieved from https://www.washingtonpost.com/world/national-security/us-gathers-data-on-migrants-deep-in-mexico-a-sensitive-program-trumps-rhetoric-could-put-at-risk/2018/04/06/31a8605a-38f3-11e8-b57c-9445cc4dfa5e_story.html?utm_term=.223e883255c1

³⁸ Gonzales, D. (2018, April 7). Migrant caravan in Mexico smaller, but not disbanded, as travelers meet with lawyers. Retrieved from <https://www.usatoday.com/story/news/nation-now/2018/04/07/immigrant-caravan-mexico/494888002/>

³⁹ Lind, D. (2018, April 6). Migrant caravans, Trump's latest immigration obsession, explained. Retrieved from <https://www.vox.com/policy-and-politics/2018/4/6/17206042/caravan-mexico-trump-rape>

Central Americans Seeking Asylum Are Not in Violation of U.S. Law

Migrants who reach the U.S. border and petition for asylum at a port of entry⁴⁰ are engaging in what is known as the defensive asylum process, which is authorized by U.S. laws.⁴¹ After arriving to one of the ports of entry at the U.S.-Mexico border, the migrants will request asylum and go through an initial interview with a U.S. Customs and Border Protection (CBP) officer, who will ask them whether they face a credible fear of torture or persecution in their home country.⁴² Credible fear is defined by U.S. Citizenship and Immigration Services (USCIS) as a “significant possibility” that the individual can establish in a hearing before an Immigration Judge (IJ) that he or she has been subject to torture or persecution, or has “a well-founded fear of persecution on account of your race, religion, nationality, membership in a particular social group, or political opinion” if returned to his or her country.⁴³ If an individual fails to claim credible fear, he or she is deported under expedited removal laws.⁴⁴ Those who express credible fear undergo the first round of vetting conducted by CBP.⁴⁵ This process includes national security, terrorism, and intelligence screenings via TECS.⁴⁶

If the asylum seekers pass TECS screening, they are transported to immigration detention and referred to USCIS for a credible fear interview, which should take place within 45 days after their asylum application is filed.⁴⁷ USCIS asylum officers then make a determination whether the applicants have valid credible fear claims, and thus can either be released on parole⁴⁸ or referred

⁴⁰ The Honduran Caravan: "Everyone is hell-bent against them" [Advertisement]. (2018, April 5). Retrieved from http://directory.libsyn.com/episode/index/id/6447442/tdest_id/614755

⁴¹ Obtaining Asylum in the United States. (n.d.). Retrieved April 10, 2018, from <https://www.uscis.gov/humanitarian/refugees-asylum/asylum/obtaining-asylum-united-states>

⁴² *Frequently Asked Questions about Asylum and the Border*(Rep.). (2013, December). Retrieved <http://www.humanrightsfirst.org/sites/default/files/FAQAsylum-Border.pdf>

⁴³ Questions & Answers: Credible Fear Screening. (n.d.). Retrieved April 10, 2018, from <https://www.uscis.gov/humanitarian/refugees-asylum/asylum/questions-answers-credible-fear-screening>

⁴⁴ *Frequently Asked Questions about Asylum and the Border*(Rep.). (2013, December). Retrieved <http://www.humanrightsfirst.org/sites/default/files/FAQAsylum-Border.pdf>

⁴⁵ Credible Fear Screening and Fraud Safeguards. (2017, May 23). Retrieved April 11, 2018, from <https://www.humanrightsfirst.org/resource/credible-fear-screening-and-fraud-safeguards>

⁴⁶TECS is a CBP-owned information-sharing platform and database that contains enforcement, inspection, and intelligence records from federal, state, local, and foreign sources, as well as data on known or suspected terrorists, wanted persons, and individuals of interest for law enforcement and counterterrorism purposes; Credible Fear Screening and Fraud Safeguards. (2017, May 23). Retrieved April 11, 2018, from <https://www.humanrightsfirst.org/resource/credible-fear-screening-and-fraud-safeguards>.

⁴⁷ (n.d.). Retrieved April 11, 2018, from <https://www.uscis.gov/humanitarian/refugees-asylum/asylum/fag/how-long-does-process-take>

⁴⁸ *Options for Release from Detention for Asylum Seekers*(Issue brief). (n.d.). Retrieved April 10, 2018, from United Nations High Commissioner for Refugees website: <http://www.unhcr.org/58a216974.pdf>

to an immigration judge to present their asylum claims.⁴⁹ Those who fail the credible fear interview are deported.⁵⁰ If an IJ denies the asylum claim, the individual is either deported or stays in detention during the appeal of his or her case.⁵¹ Generally, a final decision on an asylum application is made within 180 days from the date when the application is filed.⁵²

Grants of Asylum in the U.S. Are Difficult to Obtain

In FY 2016, 20,455 individuals were granted asylum in the U.S., most of whom were from China (21.4 percent), El Salvador (10.5 percent) and Guatemala (9.5 percent).⁵³ Most of the FY 2016 asylum cases were decided through the “affirmative” asylum process⁵⁴ -- which includes only asylum seekers who have arrived in the U.S. with a valid immigration status.⁵⁵ The majority of applicants considered through the affirmative process were from El Salvador (1,404), followed by China (1,381) and Guatemala (1,317). The total number of individuals that were granted asylum affirmatively (11,729) in FY 2016 was 24 percent lower than in FY 2015. Applicants below 17 years of age accounted for more than 30 percent of successful affirmative asylum claims. Nearly 50 percent of all successful affirmative asylum claims were filed by people below the age of 24.⁵⁶

Defensive asylees (such as those in the caravan) have historically accounted for a lower number of the approved U.S. asylum applications.⁵⁷ In 2016, there were successful 8,726 defensive asylum claims, out of which 3,103 were submitted by applicants from China, followed by El Salvador (753) and Guatemala (632).⁵⁸

⁴⁹ *How Refugees Get to the U.S.* (Issue brief). (n.d.). Retrieved April 10, 2018, from Human Rights First website: <https://www.jrsusa.org/assets/Sections/Downloads/How%20Refugees%20Get%20to%20the%20US1.pdf>

⁵⁰ *How Refugees Get to the U.S.* (Issue brief). (n.d.). Retrieved April 10, 2018, from Human Rights First website: <https://www.jrsusa.org/assets/Sections/Downloads/How%20Refugees%20Get%20to%20the%20US1.pdf>

⁵¹ *How Refugees Get to the U.S.* (Issue brief). (n.d.). Retrieved April 10, 2018, from Human Rights First website: <https://www.jrsusa.org/assets/Sections/Downloads/How%20Refugees%20Get%20to%20the%20US1.pdf>

⁵² (n.d.). Retrieved April 11, 2018, from <https://www.uscis.gov/humanitarian/refugees-asylum/asylum/faq/how-long-does-process-take>

⁵³ Mossaad, N., & Baugh, R. (2018, January). *Refugees and Asylees: 2016* (Rep.). Retrieved from [https://www.dhs.gov/sites/default/files/publications/Refugees Asylees 2016 0.pdf](https://www.dhs.gov/sites/default/files/publications/Refugees%20Asylees%202016%200.pdf)

⁵⁴ Mossaad, N., & Baugh, R. (2018, January). *Refugees and Asylees: 2016* (Rep.). Retrieved from [https://www.dhs.gov/sites/default/files/publications/Refugees Asylees 2016 0.pdf](https://www.dhs.gov/sites/default/files/publications/Refugees%20Asylees%202016%200.pdf)

⁵⁵ Obtaining Asylum in the United States. (n.d.). Retrieved April 10, 2018, from <https://www.uscis.gov/humanitarian/refugees-asylum/asylum/obtaining-asylum-united-states>

⁵⁶ Mossaad, N., & Baugh, R. (2018, January). *Refugees and Asylees: 2016* (Rep.). Retrieved from [https://www.dhs.gov/sites/default/files/publications/Refugees Asylees 2016 0.pdf](https://www.dhs.gov/sites/default/files/publications/Refugees%20Asylees%202016%200.pdf)

⁵⁷ Mossaad, N., & Baugh, R. (2018, January). *Refugees and Asylees: 2016* (Rep.). Retrieved from [https://www.dhs.gov/sites/default/files/publications/Refugees Asylees 2016 0.pdf](https://www.dhs.gov/sites/default/files/publications/Refugees%20Asylees%202016%200.pdf)

⁵⁸ Mossaad, N., & Baugh, R. (2018, January). *Refugees and Asylees: 2016* (Rep.). Retrieved from [https://www.dhs.gov/sites/default/files/publications/Refugees Asylees 2016 0.pdf](https://www.dhs.gov/sites/default/files/publications/Refugees%20Asylees%202016%200.pdf)

For years, U.S. immigration courts have faced increasing backlogs.⁵⁹ In FY 2017, there were 629,051 pending cases in the U.S. immigration court system.⁶⁰ Consistent with the increasing caseloads in the immigration courts, asylum decisions were up sharply in FY 2017, with a total of 30,179 decided cases, a 35-percent increase from 22,312 cases resolved in FY 2016. This represented the largest number of decided asylum cases since FY 2005.⁶¹ Although asylum grants increased in FY 2017, denials increased even faster, with immigration courts denying 61.8 percent of asylum cases, up from 44.5 percent in FY 2012,⁶² marking the fifth consecutive year where the denial rate has increased. Of the asylum cases decided by U.S. immigration courts between FY 2012 and FY 2017, applicants from El Salvador, Honduras and Guatemala had some of the largest denial rates -- about 79 percent, 78 percent and 75 percent, respectively.⁶³ The increasing denial rate corresponded with a larger share of asylum seekers who were unable to obtain legal representation. While in FY 2007, only 13.6 percent of asylum seekers were unrepresented, in FY 2017 the figure reached 20.6 percent. Without representation, asylum seekers are less likely to obtain favorable asylum rulings. Only 1 in 10 individuals wins his or her asylum petition in court.⁶⁴

Conclusion

Our border is safer than ever. U.S. border policies have already proven to be effective. The last several administrations have significantly increased the number of Border Patrol agents and CBP officers, while number of apprehensions at the U.S. Southern border have reached a 46-year low.

The majority of the Central American migrants travelling with the caravan through Mexico are women, children and seniors, who do not represent a threat to the U.S. Many of them plan to stay in Mexico, where the caravan has ended its journey. While a minority may continue the trek to the U.S.-Mexico border, they plan to apply for asylum and go through the lawful immigration process that is consistent with U.S. law. The National Immigration Forum believes that it is in our interest to let the asylum seekers, who reach the U.S. ports of entry and legally apply for asylum,

⁵⁹ *Immigration Court Backlog Tool*. (n.d.). Retrieved April 10, 2018, from Transactional Records Access Clearinghouse (TRAC) website: http://trac.syr.edu/phptools/immigration/court_backlog/

⁶⁰ *Immigration Court Backlog Tool*. (n.d.). Retrieved April 10, 2018, from Transactional Records Access Clearinghouse (TRAC) website: http://trac.syr.edu/phptools/immigration/court_backlog/

⁶¹ *Asylum Representation Rates Have Fallen Amid Rising Denial Rates*(Rep.). (2017, November 28). Retrieved April 10, 2018, from Transactional Records Access Clearinghouse (TRAC) website: <http://trac.syr.edu/immigration/reports/491/>

⁶² *Asylum Representation Rates Have Fallen Amid Rising Denial Rates*(Rep.). (2017, November 28). Retrieved April 10, 2018, from Transactional Records Access Clearinghouse (TRAC) website: <http://trac.syr.edu/immigration/reports/491/>

⁶³ *Asylum Representation Rates Have Fallen Amid Rising Denial Rates*(Rep.). (2017, November 28). Retrieved April 10, 2018, from Transactional Records Access Clearinghouse (TRAC) website: <http://trac.syr.edu/immigration/reports/491/>

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to go through legal immigration process and allow those who meet the U.S. legal requirements settle and start new lives in America.