

Asylum in America, by the Numbers

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Headline: A migration crisis is overwhelming government resources as thousands of people come to the United States looking for safety every day.

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Reporting from Washington

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Under President Biden, the Border Patrol has arrested more people for illegally crossing the southern border into the country than in any other period since the government started keeping count in 1960.

His time in office coincides with a global migration movement driven by tens of millions of people displaced because of war, persecution, climate change, violence and human rights abuses, according to the United Nations.

More Americans far from the border are witnessing the trend as migrants make their way to cities around the country. Most of these migrants have been told to appear in immigration court, often years from now. Some seek asylum with the goal of staying in the country permanently.

Republicans have long used immigration as a cudgel against Democrats. Now Democratic officials in parts of the country are asking the Biden administration to do more to help support the hundreds of thousands of migrants who arrive in their cities with nothing.

It is drawing attention to an [immigration system that has been under strain for decades](#). Congress has [failed to update laws](#) designed to address the American economy and migration trends of 30 years ago. And the asylum system, chronically understaffed and underfunded, has a backlog of two million cases that some say is insurmountable.

Here is a by-the-numbers look at the current system based on data from U.S. Citizenship and Immigration Services, Customs and Border Protection and the [Transactional Records Access Clearinghouse](#) at Syracuse University.

More than six million arrests

Border Patrol agents made that many arrests from February 2021 through the end of this September. During that time, border officials quickly released more than 1.7 million people to

stay in the country temporarily. Thousands more were transferred to an immigration detention center and released to do the same.

People have one year from the day they enter the United States to file an asylum application. There is no public data about the percentage of people who cross into the country without authorization and end up applying for asylum.

More than 800,000 applications

That is the number of people who applied for asylum in the past year, a 63 percent jump over the number of applications filed in the previous year.

Because people have a year to apply for asylum, the number of applications each month often correlates with the number of crossings the previous year. In the 2022 fiscal year, border officials made 2.3 million apprehensions, the highest number of [illegal crossings recorded since at least 1960](#), when the government first began tracking such entries.

More than two million in backlog

That is the number of people in the United States who are waiting for an answer from the federal government about whether they will be granted asylum.

Some of the migrants face persecution or torture in their home countries and could qualify for [asylum in the United States](#). **But most do not fit within the qualifications** set in a 1980 law that Congress has not updated.

During periods of increased crossings in the past couple of years, at least half of the migrants who have been apprehended have been given permission to stay in the country and fight deportation orders in immigration court.

Although the numbers vary by month, [U.S. government data shows](#) that more than half of the people who crossed the southern border illegally in July and August were released from custody after a few days with permission to stay temporarily.

Fewer than 1,500 judges and asylum officers

There are 659 immigration judges and about 800 asylum officers who make decisions about asylum claims. In July, the government received about nine applications for every case it closed.

Asylum applications are filed to two separate government agencies: immigration court, which is part of the Justice Department, and the United States Citizenship and Immigration Services, an agency within the Homeland Security Department.

Immigration court is typically the route used by people who have crossed into the country illegally at the southern border. They line up to turn themselves in to Border Patrol agents and are placed in deportation proceedings. While their cases are being decided, they can apply for asylum in immigration court.

It would cost more than \$2 billion to eliminate the immigration court backlog over the next five years, according to [analyses](#) and data in [recent funding requests](#).

People who apply for asylum through U.S. Citizenship and Immigration Services often are those who came to the country legally, such as through a humanitarian parole program or on a visitor's visa.

The agency would not provide an estimated cost for what it would take to get rid of its asylum backlog. But officials say it is too deeply underfunded to catch up any time soon. The agency's asylum backlog just exceeded one million for the first time.

Ten years in limbo

That is how long some people wait for the government to issue a decision on their asylum claim. Recent estimates show the wait times average [three years](#) in immigration court and [10 years](#) if an application is filed with U.S. Citizenship and Immigration Services. Even as additional resources are added to help manage the overwhelming workload, far more asylum applications are filed each year than the government is able to resolve.

For many, the yearslong wait for a decision is benefit enough. Asylum seekers can work legally and often live in much safer environments than the ones they fled. Policymakers say this waiting period, which tends to grow as the backlog grows, has been one of the biggest drivers of illegal immigration.

1.3 million with deportation orders

That is the number of people who have been told they must leave the country but are still living in the United States, according to an official familiar with the internal government data. This includes people whose asylum claims have been denied. Once migrants are told by an immigration judge that they must leave the country, they have 90 days to do so. But many never do.

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