



# **Deportation of Aliens Claiming U.S.-Born Children**

Second Half, Calendar Year 2017

*June 26, 2018*

Fiscal Year 2017 Report to Congress



**Homeland  
Security**

*U.S. Immigration and Customs Enforcement*

# Message from the Acting Director

June 26, 2018

I am pleased to present the following report, "Deportation of Aliens Claiming U.S.-Born Children," for the second half of calendar year 2017, which has been prepared by U.S. Immigration and Customs Enforcement.

This report was compiled pursuant to language in House Report 114-668 and Senate Report 114-264, which accompany the Fiscal Year 2017 Department of Homeland Security Appropriations Act (P.L. 115-31).

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:



The Honorable Kevin Yoder  
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Lucille Roybal-Allard  
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Shelley Moore Capito  
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jon Tester  
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries related to this report may be directed to me at (202) 732-3000.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Homan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Thomas D. Homan  
Acting Director



# Deportation of Aliens Claiming U.S.-Born Children Second Half, Calendar Year 2017

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# I. Legislative Language

This document responds to the reporting requirements set forth in House Report 114-668 and Senate Report 114-264, which accompany the Fiscal Year 2017 Department of Homeland Security Appropriations Act (P.L. 115-31).

House Report 114-668 states:

Consistent with prior years, ICE shall continue submitting semiannual reports to the Committees on the removal of parents of U.S. citizen minors.

Senate Report 114-264 states:

The Committee continues its requirement that the Department submit ... data on the deportation of parents of U.S.-born children semiannually, as in prior years.

This report has been prepared pursuant to the report language and covers data for the second half of calendar year (CY) 2017, from July 1, 2017, through December 31, 2017.

## II. Background

U.S. Immigration and Customs Enforcement (ICE) is responsible for enforcing federal laws that govern border control, customs, trade, and immigration in order to promote homeland security and public safety. ICE's Enforcement and Removal Operations (ERO) deportation officers enforce the Nation's immigration laws by identifying and arresting removable aliens, detaining or placing apprehended removable aliens in Alternatives to Detention programs when necessary, and removing them from the United States. To ensure the national security and public safety of the United States and the faithful execution of the immigration laws, ERO deportation officers can take enforcement action against any removable alien who is in the United States in violation of an immigration law that is encountered in the course of the officers' duties.

ICE takes into account numerous factors, including family ties, when making enforcement decisions. As a result, ICE has taken a number of steps when making these decisions and continues to collaborate and to consult with its intergovernmental partners, including the U.S. Department of Health and Human Services, and external stakeholders, including state courts and state child welfare agencies, to assess existing immigration enforcement practices.

This report was compiled using the ICE Integrated Decision Support reporting tool, a method used for obtaining operational data from the Enforcement Integrated Database and the Enforcement Case Tracking System (ENFORCE) Alien Removal Module (EARM) for analytical and reporting purposes. Similar to prior reports submitted to Congress, the raw data are extracted from the ICE systems of record and are analyzed manually to achieve accurate and consistent reporting. The policies and priorities cited reflect those in place during the second half of CY 2017, from July 1, 2017, through December 31, 2017.

In January 2013, ICE completed implementation of a new detainee intake process, the Risk Classification Assessment (RCA) tool, to improve the consistency and transparency of ICE custody and release decisions. ICE programmed the RCA, which is a part of the ENFORCE suite of applications, to allow officers to identify and track parents who are the primary caregivers of minor children. ENFORCE provides a standardized way for field offices to generate regular reports of detained primary caretakers and provides to ICE personnel the ability to monitor individual cases.

### III. Summary

The data provided in this report are based on a reporting period of July 1, 2017, through December 31, 2017.

During the reporting period, ICE sought orders of removal in the cases of 10,981 aliens who claimed to have at least one U.S.-born child. ICE obtained 6,267 final orders of removal for aliens who claimed to have at least one U.S.-born child. ICE removed 14,616 aliens who claimed at least one U.S.-born child.

Additionally, the ICE areas of responsibility (AOR) in which the most final orders were obtained for aliens who claimed to have at least one U.S.-born child were Atlanta (625), Los Angeles (520), and Phoenix (512). The agency that apprehended the most aliens for whom final orders were obtained and who claimed to have at least one U.S.-born child was ICE, with 5,132, followed by U.S. Customs and Border Protection (CBP), with 1,110. The leading types of final orders obtained were for inadmissible aliens, with 4,296, followed by those for deportable aliens, with 1,358.

#### Data Tables

The number of removal orders sought or obtained by ICE:

<b>Table A. Final Orders Sought for Aliens Who Claim to Have U.S.-Born Children</b>		
<b>CY 2017, Q3</b>	<b>CY 2017, Q4</b>	<b>Total</b>
5,520	5,461	10,981

Final Orders Sought are identified as the following processing dispositions: Administrative Deportation, Expedited Removal (I-860), Expedited Removal Limited Review, Expedited Removal with Credible Fear, Notice to Appear Detained, Notice to Appear Released, Office of Special Counsel, Warrant of Arrest/Order to Show Cause, and Warrant of Arrest/Notice to Appear.

Calendar year and quarter are based on the apprehension date.

**Table B. Final Orders Obtained for Aliens Who Claim to Have  
U.S.-Born Children by AOR**

<b>Area of Responsibility</b>	<b>CY 2017, Q3</b>	<b>CY 2017, Q4</b>	<b>Total</b>
Atlanta	307	318	625
Baltimore	27	19	46
Boston	38	40	78
Buffalo	19	20	39
Chicago	162	142	304
Dallas	165	154	319
Denver	129	105	234
Detroit	78	80	158
El Paso	150	162	312
Houston	201	233	434
Los Angeles	278	242	520
Miami	167	134	301
New Orleans	154	139	293
New York City	63	45	108
Newark	49	34	83
Philadelphia	47	56	103
Phoenix	262	250	512
Salt Lake City	159	144	303
San Antonio	188	244	432
San Diego	49	60	109
San Francisco	174	164	338
Seattle	152	142	294
St. Paul	102	109	211
Washington, D.C.	65	44	109
HQ	0	2	2
<b>Total</b>	<b>3,185</b>	<b>3,082</b>	<b>6,267</b>

The AOR is based on the AOR at the time that the final order was issued. If AOR information is not present in the system of record for the time that the final order was issued, then the latest case AOR is used.

<b>Table C. Final Orders (by Type) Obtained for Aliens Who Claim to Have U.S.-Born Children</b>			
<b>Type</b>	<b>CY 2017, Q3</b>	<b>CY 2017, Q4</b>	<b>Total</b>
Deportable	733	625	1,358
Inadmissible	2,165	2,131	4,296
Inadmissible - Expedited Removal	286	323	609
Others	1	3	4
<b>Total</b>	<b>3,185</b>	<b>3,082</b>	<b>6,267</b>

<b>Table D. Final Orders Obtained for Aliens Who Claim to Have U.S.-Born Children by Arresting Agency</b>			
<b>Arresting Agency</b>	<b>CY 2017, Q3</b>	<b>CY 2017, Q4</b>	<b>Total</b>
ICE	2,639	2,493	5,132
CBP	530	580	1,110
Other	16	9	25
<b>Total</b>	<b>3,185</b>	<b>3,082</b>	<b>6,267</b>

All final order statistics are based on current ICE program or component, which attributes all cases back to the program or component of the officer who processed the latest arrest prior to the final order (within the calendar year half). However, if this information is unavailable in the system of record, the Case Cause Encounter is used.

The ICE Arresting Agency includes the following ERO and Homeland Security Investigations (HSI) Arresting Agency programs: 287(g) Program, Alternatives to Detention, ERO Criminal Alien Program, Detained Docket Control, Detention and Deportation, Law Enforcement Area Response Unit, Mobile Criminal Alien Team, Nondetained Docket Control, Juvenile, Fugitive Operations, Violent Criminal Alien Section, Joint Criminal Alien Response Team, Probation and Parole, Quick Response Team, User Fee Investigations, Joint Terrorism Task Force, Nonuser Fee Investigations, HSI Criminal Arrest Only, and Intelligence.

The CBP Arresting Agency includes the following programs: Border Patrol, Inspections, Inspections - Air, Inspections - Land, and Inspections - Sea.

The "Other" Arresting Agency includes the Default program area for interface records and the Password Issuance and Control System Default value for user initialization only where the users programs were not updated at the time of the data run.

<b>Table E. Number of Removals of Aliens Who Claim to Have U.S.-Born Children by Type</b>			
<b>Type</b>	<b>CY 2017, Q3</b>	<b>CY 2017, Q4</b>	<b>Total</b>
Deportation/Removal	4,278	4,538	8,816
Inadmissible	2,483	2,599	5,082
Inadmissible - Expedited Removal	297	337	634
Other	49	35	84
<b>Total</b>	<b>7,107</b>	<b>7,509</b>	<b>14,616</b>

Fiscal Year Data Lag/Case Closure Lag is defined as the physical removal of an alien occurring in a given month; however, the case is not closed in EARM until a subsequent fiscal year after the data are locked. Because the data from the previous fiscal year are locked, the removal is recorded in the month that the case was closed and is reported in the next fiscal year removals. This will result in a higher number of recorded removals in a fiscal year than actual departures.

ICE removals include returns. Returns include Voluntary Returns, Voluntary Departures, and Withdrawals under Docket Control.

ICE removals include aliens processed for expedited removal (ER) or voluntary return (VR) that are turned over to ERO for detention. Border Patrol primarily processes aliens for ER and not detained by ERO, and those for VR after June 1, 2013, and not detained by ERO; CBP should be contacted for those statistics.

“Other” Removals include: Voluntary Departure - Unexpired and Unextended Departure Period; Voluntary Departure - Extended Departure Period; Expired Voluntary Departure Period - Referred to Investigations; Crewmen, Stowaways, S-Visa Holders, and 235(c) cases; Historical Category for system migration only; Relief Granted - Extended Voluntary Departure; and Voluntary Return under Safeguards.