



Removal of Aliens Claiming U.S.-Born Children

First Half, Calendar Year 2018

April 10, 2019

Calendar Year 2018 Report to Congress



**Homeland
Security**

U.S. Immigration and Customs Enforcement

Message from the Acting Director

April 10, 2019

I am pleased to present the following report, “Removal of Aliens Claiming U.S.-Born Children,” for the first half of calendar year 2018, which has been prepared by U.S. Immigration and Customs Enforcement.

This report was compiled pursuant to language in the Joint Explanatory Statement and House Report 115-239, which accompany the Fiscal Year 2018 Department of Homeland Security Appropriations Act (P.L. 115-141).

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



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

The Honorable Chuck Fleischmann
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 "R. Vitiello", written over a vertical line.

Ronald D. Vitiello
Acting Director
U.S. Immigration and Customs Enforcement



Removal of Aliens Claiming U.S.-Born Children First Half, Calendar Year 2018

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I. Legislative Language

This document responds to the reporting requirements set forth in the Joint Explanatory Statement and House Report 115-239, which accompany the Fiscal Year 2018 Department of Homeland Security Appropriations Act (P.L. 115-141).

The Joint Explanatory Statement includes the following provision:

The Department shall continue to submit quarterly Border Security Status reports and data on the deportation of parents of U.S.-born children semiannually, as in prior years.

House Report 115-239 states:

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

This report has been prepared pursuant to the report language and covers data for the first half of calendar year (CY) 2018, from January 1, 2018, through June 30, 2018.

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, releasing on bond, or placing apprehended removable aliens on supervised release, including on alternatives to detention as appropriate; 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 and who 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's (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 first half of CY 2018, January 1, 2018, through June 30, 2018.

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 January 1, 2018, through June 30, 2018.

During the reporting period, ICE sought orders of removal in the cases of 11,180 aliens who claimed to have at least one U.S.-born child. ICE obtained 4,514 final orders of removal for aliens who claimed to have at least one U.S.-born child. ICE removed 16,579 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 (474), Los Angeles (374), and Phoenix (356). 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 4,209 aliens, followed by U.S. Customs and Border Protection (CBP) with 305 aliens. The highest number of final orders obtained was for inadmissible aliens (of which there were 3,316), followed by that for deportable aliens (of which there were 1,021).

Data Tables

The number of removal orders sought or obtained by ICE:

Table A. Final Orders Sought¹ for Aliens Who Claim to Have U.S.-born Children		
CY 2018, Q1	CY 2018, Q2	Total
5,692	5,488	11,180

¹ 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			
Area of Responsibility²	CY 2018, Q1	CY 2018, Q2	Total
Atlanta	287	187	474
Baltimore	25	19	44
Boston	43	49	92
Buffalo	9	13	22
Chicago	143	104	247
Dallas	138	124	262
Denver	102	101	203
Detroit	74	69	143
El Paso	47	46	93
Houston	144	150	294
Los Angeles	187	187	374
Miami	136	109	245
New Orleans	110	107	217
New York City	39	39	78
Newark	30	35	65
Philadelphia	33	38	71
Phoenix	184	172	356
Salt Lake City	134	119	253
San Antonio	70	88	158
San Diego	25	25	50
San Francisco	86	84	170
Seattle	132	103	235
St. Paul	124	115	239
Washington	60	69	129
HQ	0	0	0
Total	2,362	2,152	4,514

² 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.

Table C. Final Orders Obtained for Aliens Who Claim to Have U.S.-born Children by Type			
Type	CY 2018, Q1	CY 2018, Q2	Total
Deportable	502	519	1,021
Inadmissible	1,769	1,547	3,316
Inadmissible – Expedited Removal	91	86	177
Others	0	0	0
Total	2,362	2,152	4,514

Table D. Final Orders Obtained for Aliens Who Claim to Have U.S.-born Children by Arresting Agency			
Arresting Agency³	CY 2018, Q1	CY 2018, Q2	Total
ICE	2,206	2,003	4,209
CBP	156	149	305
Total	2,362	2,152	4,514

Note: 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.

³ 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. ICE also includes the Default program area for interface records and the Password Issuance and Control System Default value for user initialization, only where the user programs were not updated at the time of the data run. The CBP Arresting Agency includes the following programs: Border Patrol, Inspections, Inspections - Air, Inspections - Land, and Inspections - Sea.

Table E. Number of Removals⁴ of Aliens Who Claim to Have U.S.-born Children by Type			
Type	CY 2018, Q1	CY 2018, Q2	Total
Deportation/Removal	4,917	5,162	10,079
Inadmissible	2,760	2,906	5,666
Inadmissible - Expedited Removal	362	403	765
Others	30	39	69
Total	8,069	8,510	16,579

Note: 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.

⁴ ICE removals include returns. Returns include Voluntary Returns (VR), Voluntary Departures, and Withdrawals under Docket Control. ICE removals include aliens processed for expedited removal (ER) or 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.