



Share / Email 

Fact Sheet: Enhancing Public Safety in the Interior of the United States

Release Date: February 21, 2017

February 21, 2017 8:30 a.m. EST

Office of the Press Secretary

Contact: 202-282-8010

Interior enforcement of our nation's immigration laws is critically important to the national security and public safety of the United States. Aliens who illegally enter the United States and those who overstay or otherwise violate the terms of their visas have violated our nation's laws and can pose a threat to national security and public safety. This is particularly true for aliens who engage in criminal conduct in the United States. We are charged with faithfully executing the laws of the United States and we will not exempt classes or categories of removable aliens from potential enforcement. The Executive Order No. 13768 entitled "Enhancing Public Safety in the Interior of the United States" directs our Department and agencies to enforce the law, and we will do so professionally and humanely.

The Department of Homeland Security (DHS) will make use of all available systems and resources to enforce the law. DHS will also ensure that aliens ordered removed from the United States are

promptly removed. The victims of crimes committed by removable aliens and the families of victims will also receive support from the Department.

Authorities

The executive order and its implementation is grounded in authorities vested in the President by the Constitution and laws of the United States of America, including authority of the Immigration and Nationality Act (INA) (8 U.S.C. 1101 *et seq.*) and implements responsibilities to ensure that the nation's immigration laws are faithfully executed.

Actions

- **Enforcing the law.** Under this executive order, with extremely limited exceptions, DHS will not exempt classes or categories of removal aliens from potential enforcement. All of those in violation of the immigration laws may be subject to enforcement proceedings, up to and including removal from the United States. The guidance makes clear, however, that ICE should prioritize several categories of removable aliens who have committed crimes, beginning with those convicted of a criminal offense.
- **The Department's Enforcement Priorities.** Congress has defined the Department's role and responsibilities regarding the enforcement of the immigration laws of the United States. Effective immediately, and consistent with Article II, Section 3 of the U.S. Constitution and Section 3331 of Title 5, U.S. Code, Department personnel shall faithfully execute the immigration laws of the United States against all removable aliens.
- **Strengthening Programs to Facilitate the Efficient and Faithful Execution of the Immigration Laws of the United States.** Facilitating the efficient and faithful execution of the immigration laws of the United States—and prioritizing the Department's resources—requires the use of all

available systems and enforcement tools by Department personnel.

- **Exercise of Prosecutorial Discretion.** Unless otherwise directed, Department personnel may initiate enforcement actions against removable aliens encountered during the performance of their official duties. Department personnel should act consistently with the President's enforcement priorities as identified in his executive order and any further guidance issued by the director of ICE, the commissioner of CBP, and the director of USCIS prioritizing the removal of particularly dangerous aliens, such as convicted felons, gang members, and drug traffickers.
- **Establishing the Victims of Immigration Crime Engagement (VOICE) Office.** The Victims of Immigration Crime Engagement (VOICE) Office within the Office of the Director of U.S. Immigration and Customs Enforcement (ICE) will create a programmatic liaison between ICE and the known victims of crimes committed by removable aliens. The liaison will facilitate engagement with the victims and their families to ensure, to the extent permitted by law, that they are provided with information about the offender, including the offender's immigration status and custody status, and that their questions and concerns regarding immigration enforcement efforts are addressed.
- **Hiring Additional ICE Officers and Agents.** To effectively enforce the immigration laws in the interior of the United States in accordance with the president's directives, additional ICE agents and officers are necessary. The director of ICE shall—while ensuring consistency in training and standards—take all appropriate action to expeditiously hire 10,000 agents and officers, as well as additional mission support and legal staff necessary to support their activities.
- **Establishment of Programs to Collect Authorized Civil Fines and Penalties.** As soon as practicable, the director of ICE, the commissioner of U.S. Customs and Border Protection (CBP), and the director of U.S. Citizenship and Immigration Services (USCIS) shall issue guidance and

promulgate regulations, where required by law, to ensure the assessment and collection of all fines and penalties for which the Department is authorized under the law to assess and collect from removable aliens and from those who facilitate their unlawful presence in the United States.

- **Aligning the Department's Privacy Policies with the Law.** The Department will no longer afford Privacy Act rights and protections to persons who are neither U.S. citizens nor lawful permanent residents.
- **Collecting and Reporting Data on Alien Apprehensions and Releases.** The collection of data regarding aliens apprehended by ICE and the disposition of their cases will assist in the development of agency performance metrics and provide transparency in the immigration enforcement mission.
- **No Private Right of Action.** This document provides only internal DHS policy guidance, which may be modified, rescinded, or superseded at any time without notice.

Transparency

To promote transparency and make the public aware of the nature of the number of criminal aliens in the United States, the Secretary and the Attorney General will collect relevant data and provide quarterly reports on the immigration status of all aliens incarcerated under the supervision of the Federal Bureau of Prisons; the immigration status of all aliens incarcerated as federal pretrial detainees under the supervision of the U.S. Marshals Service; and the immigration status of all convicted aliens incarcerated in state prisons and local detention centers throughout the United States.

Topics: [Border Security \(/topics/border-security/\)](/topics/border-security/), [Homeland Security Enterprise \(/topics/homeland-security-enterprise/\)](/topics/homeland-security-enterprise/), [Immigration Enforcement \(/topics/immigration-enforcement/\)](/topics/immigration-enforcement/)

Last Published Date: February 21, 2017