



Deportation of Parents of U.S.-Born Citizens

Fiscal Year 2011 Report to Congress
Second Semi-Annual Report
March 26, 2012



Homeland
Security

U.S. Immigration and Customs Enforcement

Message from the Director

March 26, 2012

I am pleased to present the following report, "Deportation of Parents of U.S.-Born Citizens" for the second half of Fiscal Year (FY) 2011, as prepared by U.S. Immigration and Customs Enforcement (ICE).

This report was compiled pursuant to Section 1101 of the *FY 2011 Full-Year Continuing Appropriations Act* (P.L. 112-10) and the Joint Explanatory Statement, House Report 111-157, and Senate Report 111-31, which accompany the *FY 2010 Department of Homeland Security (DHS) Appropriations Act* (P.L. 111-83).



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

The Honorable Robert B. Aderholt
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable David E. Price
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Mary L. Landrieu
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Daniel Coats
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries related to this report may be directed to me at (202) 732-3000 or to the Department's Deputy Chief Financial Officer, Peggy Sherry, at (202) 447-5751.

Sincerely yours

A handwritten signature in black ink, appearing to read "John Morton", written over a horizontal line.

John Morton
Director
U.S. Immigration and Customs Enforcement



Deportation of Parents of U.S.-Born Children FY 2011, Second Half

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I. Legislative Language

This document responds to the legislative language set forth in Section 1101 of the *FY 2011 Full-Year Continuing Appropriations Act* (P.L. 112-10) and in the Joint Explanatory Statement, House Report 111-157, and Senate Report 111-31, which accompany the *FY 2010 DHS Appropriations Act* (P.L. 111-83). Section 1101 of P.L. 112-10 specifies that, for FY 2011, DHS is subject to the terms and conditions of P.L. 111-83, including this particular report requirement.

The Joint Explanatory Statement accompanying P.L. 111-83 includes the following language:

DEPORTATION OF PARENTS OF U.S.-BORN CHILDREN

In order to better understand the scale and intricacies of this issue, the conferees direct ICE to submit, within 60 days after the date of enactment of this Act, an evaluation of the process and data management system changes necessary to track the information discussed in both the House and Senate reports, including a timeline for implementing the required changes in fiscal year 2010. ICE is directed to begin collecting data on the deportation of parents of U.S.-born children no later than July 1, 2010, and to provide the data at least semi-annually to the Committees and the Office of Immigration Statistics

House Report 111-157 includes the following provision:

DEPORTATION OF PARENTS OF U.S.-BORN CHILDREN

In February 2009, the DHS IG estimated that more than 100,000 parents of U.S.-born children were deported from the country between 1998 and 2007. The IG also reported that ICE does not consistently track information about the U.S.-born children of those it deports. As a result, the Committee directs ICE to begin collecting data to track: the number of instances in which both parents of a particular child were removed; the length of time a parent lived in the United States before removal; and whether the U.S. citizen children remained in the United States after the parents' removal. ICE should provide this data annually to the Office of Immigration Statistics, as well as to Congress with the annual budget submission.

Senate Report 111-31 also provides:

DETENTION AND REMOVAL REPORTING

The Committee continues to request ICE to submit a quarterly report to the Committee which compares the number of deportation, exclusion, and removal orders sought and obtained by ICE. The report should be broken down: by district in which the removal order was issued; by type of order (deportation,

exclusion, removal, expedited removal, and others); by agency issuing the order; by the number of cases in each category in which ICE has successfully removed the alien; and by the number of cases in each category in which ICE has not removed the alien. The first fiscal year 2010 quarterly report is to be submitted no later than January 15, 2010.

This document serves as the second semiannual report and covers the period between January 1 and June 30, 2011.

II. Background

In response to language in the Joint Explanatory Statement accompanying P.L. 111-83, on June 24, 2010, ICE provided to Congress the FY 2010 “Deportation of Parents of U.S.-Born Citizens” report. In that report, ICE detailed its evaluation of the process and required changes to begin tracking the deportation of aliens with U.S.-born children. The report identified the following system changes that are required:

- Create fields in the Enforcement Integrated Database to capture information regarding “claimed” or “verified” citizenship of U.S.-citizen (USC) children;
- Modify the ENFORCE Alien Booking Module (EABM) to accept the new fields;
- Modify EABM to require certain fields be completed when a USC child is entered;
- Modify EABM logic to require a response for the new fields of “claimed” or “verified” if a USC child is entered; and
- Implement the changes to the ICE Integrated Decision Support (IIDS) system to capture the new data fields and create the necessary reports.

In June 2010, ICE completed Phase 1 of the implementation (bullets 1 through 4, listed previously). As a result, ICE is now able to consistently collect information about U.S.-born children of deported parents.

ICE completed the second phase of this effort, which included importing new data fields into IIDS. The IIDS reporting tool provides an efficient method of obtaining operational data for analytical and reporting purposes. Although the appropriate fields have been added to IIDS, ICE continues to vet the quality and consistency of the data captured. Like the first report to Congress, the raw data were extracted from our system of records and manually analyzed to achieve the proper results. Although this is a labor-intensive process, ICE is confident the quality of the data provided in this report is the same as that which would have been provided through an automated process.

III. Data Report

The data provided in this report are based on a reporting period of January 1, 2011, through June 30, 2011.

During the reporting period, ICE sought orders of deportation, exclusion, or removal in the cases of 39,918 aliens who claimed to have at least 1 USC child. ICE removed 46,486 aliens who claimed at least 1 USC child.

Please see the following tables for the number of deportation, exclusion, and removal orders sought or obtained by ICE by:

- Final orders sought for aliens who claim to have USC children;
- District/area of responsibility (AOR) in which the removal order was obtained;
- Final orders obtained by type of order;
- Final orders obtained by agency issuing the order; and
- Number of cases in each category in which ICE has removed an alien who claims to have at least one USC child.

The number of deportation, exclusion, and removal orders sought or obtained by ICE:

Table A. Final Orders Sought for Aliens Who Claim to Have USC Children		
FY 2011 Q2	FY 2011 Q3	Total
19,724	20,194	39,918
Fiscal year and quarter are based on the apprehension date.		
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, Order to Show Cause, and Warrant of Arrest/Notice to Appear.		

Table B. Final Orders Obtained for Aliens Who Claim to Have USC Children by District/AOR			
AOR	FY 2011 Q2	FY 2011 Q3	Total
Atlanta	1,143	1,106	2,249
Baltimore	71	70	141
Boston	117	124	241
Buffalo	92	67	159
Chicago	794	759	1,553
Dallas	524	455	979
Denver	295	265	560

Table B. Final Orders Obtained for Aliens Who Claim to Have USC Children by District/AOR			
AOR	FY 2011 Q2	FY 2011 Q3	Total
Detroit	306	233	539
El Paso	610	561	1,171
HQ	0	0	0
Houston	863	799	1,662
Los Angeles	792	704	1,496
Miami	553	465	1,018
New Orleans	549	442	991
New York City	176	102	278
Newark	152	151	303
Philadelphia	266	254	520
Phoenix	813	803	1,616
Salt Lake City	406	432	838
San Antonio	899	937	1,836
San Diego	680	670	1,350
San Francisco	324	260	584
Seattle	463	359	822
St. Paul	321	256	577
Washington, DC	188	189	377
Total	11,397	10,463	21,860
Final Order data excludes Case Category 16 and Expedited Removals with no Detention. The agency is based on the latest arresting program before the final order date. If a program does not exist for the latest arrest before the final order date, then the original arresting program is used. The AOR is based on the AOR at the time the final order was issued. If an AOR does not exist for the time the final order was issued, then the original AOR is used.			

Table C. Final Orders Obtained (by Type) for Aliens Who Claim to Have USC Children			
	FY 2011 Q2	FY 2011 Q3	Total
Deportation/Removal	2,573	2,478	5,051
Exclusion	7,850	7,004	14,854
Expedited Removal	974	976	1,950
Others	0	5	5
Total	11,397	10,463	21,860

Table D. Final Orders Obtained for Aliens Who Claim to Have USC Children by Agency Issuing the Order			
	FY 2011 Q2	FY 2011 Q3	Total
CBP	1,257	1,261	2,518
CIS	163	102	265
ICE	9,976	9,091	19,067
Unknown	1	9	10
Total	11,397	10,463	21,860
Final Order data exclude Case Category 16 and Expedited Removals with no Detention. The Agency is based on the latest encountering program before the final order date or the Agency initiating removal proceedings. If a program does not exist for the latest arrest or encounter before the final order date then the original encountering program is used. Data reported within the “Unknown” category reflect cases with no agency associated with them.			

The number of deportation, exclusion, and removal orders sought or obtained by ICE:

Table E. Number of Removals of Aliens Who Claim to Have USC Children by Category of Removal			
Type	FY 2011 Q2	FY 2011 Q3	Total
Deportation/Removal	11,256	11,396	22,652
Exclusion	8,555	7,871	16,426
Expedited Removal	955	1,091	2,046
Others	2,806	2,556	5,362
Total	23,572	22,914	46,486
Removals include Returns. Returns include Voluntary Returns, Voluntary Departures, and Withdrawals Under Docket Control. “Others” include: • Voluntary Departure – Unexpired and Unextended Departure Period; • Voluntary Departure – Extended Departure Period; • Expired Voluntary Departure Period – Referred to Investigation; • Crewmen, Stowaways, S-Visa Holders, 235(c) cases; • Historical Category for system migration only; • Relief Granted – Extended Voluntary Departure; • Voluntary Return under Safeguards; and • Removals Exclude Expedited Removals with no Detention. Starting in FY 2009, ICE began to “lock” removal statistics on October 5 at the end of each fiscal year and counted only the aliens whose removal or return was already confirmed. Aliens removed or returned in that fiscal year but not confirmed until after October 5 were excluded from the locked data and thus from ICE statistics. To ensure an accurate and complete representation of all removals and returns, ICE will include the removals and returns confirmed after October 5 into the next fiscal year. 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 Enforcement Alien Removal Module 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 the case was closed and reported in the next fiscal year removals. Because of locking the data, these removals would not otherwise be counted if not reported in the following fiscal year.			

IV. Conclusion

In accordance to the plan outlined in the FY 2010 report to Congress, ICE was able to meet all the requirements set forth in Senate Report 111-31.

The IIDS enhancements are being prioritized by the Customer Management Board (CMB). The CMB will be addressing data governance issues affecting the agency and is expected to define when the requirements set forth by Congress will be implemented.