



Executive Order Summary:

Enhancing Public Safety in the Interior of the United States

On January 25, 2017, President Trump issued an Executive Order entitled: [Enhancing Public Safety in the Interior of the United States \(#13768\)](#). The directives and priorities in this order focus on broad enforcement of existing immigration laws for removal of certain foreign nationals, which could impact members of the University community. A summary of the main provisions of the order follows, however many related agency interpretations and applications remain unclear.

Enforcement Priorities: Removal of aliens that meet specified criteria

- Agencies are directed to use all lawful means in enforcing existing immigration laws against removable aliens.
- Definitions of ‘removable aliens’ are based on existing regulations of the Immigration and Nationality Act (INA), which is the basic body of US immigration law. Sections of the INA cited in the order include references to:
 - Individuals who are convicted of or admit to committing certain criminal offenses, such as:
 - ♦ Crimes of “moral turpitude” (no legal definition, but generally considered to be depraved or vile acts);
 - ♦ Violation of any law related to a controlled substance (other than a single, minor marijuana offense);
 - ♦ Crimes of domestic violence, stalking, violating a protective order, or abuse or neglect of a child;
 - ♦ Other crimes including prostitution, firearm offenses, drug abuse or addiction, trafficking, etc.
 - Individuals who pose a threat to national security and/or public safety via acts of terrorism, espionage, sabotage, or violation of laws on the export of goods, technology, or sensitive information.
 - Individuals who used willful misrepresentation to obtain a US visa or to enter the country without inspection and admission by an immigration officer.
- The order specifies additional populations who may be viewed as ‘removable aliens’ beyond these regulatory citations. The Department of Homeland Security (DHS) is directed to prioritize removal of individuals who:
 - Have been convicted of or charged with any criminal offense, even where charges remains unresolved
 - Have committed acts that constitute a chargeable criminal offense
 - Have engaged in fraud or willful misrepresentation with any official government matter or application
 - Have abused any program related to receipt of public benefits
 - Have not complied with their legal obligation to depart the US, per a finding for final order of removal
 - Otherwise pose a risk to public safety or national security, in the judgement of an immigration officer

Federal-State agreements to cooperate on immigration enforcement & Sanctuary jurisdictions

- DHS is directed to pursue agreements with States and local law enforcement, with their consent, to perform functions of immigration officers for investigation, apprehension, and detention of potential removable aliens.
- Sanctuary jurisdictions are defined as those who willfully refuse to comply with existing regulations requiring communication between government agencies about an individual’s citizenship or immigration status. Those jurisdictions will be ineligible to receive Federal grants, except for necessary law enforcement activities.

Review of Immigration Policy: Resumption of “Secure Communities” program

- DHS is directed to reinstate the Secure Communities policy, which had been replaced in November 2014 by the Priority Enforcement Program (PEP) that allocated limited immigration enforcement resources toward specific objectives. Secure Communities continues to collect fingerprint information from local law enforcement via FBI criminal checks, and will pursue detainment and transfer to Federal agents of those suspected as removable.

Other Provisions

- Hiring of an additional 10,000 Immigration and Customs Enforcement (ICE) officers, with appropriate funding.
- Assessment and collection of fines from foreign nationals who are unlawfully present and any facilitators.
- Privacy policies to exclude foreign nationals who are not US citizens or Lawful Permanent Residents.
- Diplomatic negotiations to ensure that foreign states will accept their nationals who are subject to removal.