



Information Sheet

President Donald Trump's Executive Orders On Immigration Enforcement and Border Control

On January 25, 2017, President Donald Trump signed two immigration executive orders: "[Border Security and Immigration Enhancement](#)" and "[Enhancing Public Safety in the Interior of the United States](#)". These two orders set the stage for a significant expansion of immigration enforcement against undocumented immigrants at the U.S. southern border and in the interior—with an impact surpassing Trump's pledge to deport 3 to 4 million "criminal" immigrants.

Increases in detentions and deportations, further denial of due process, and a more deeply militarized border—including the building of a massive border wall—all point towards greater discrimination, harassment, family separation, human rights violations and threats to the health and safety of immigrant communities. Both of the orders are based in President Trump's appeal to fears over national security, the racist and xenophobic demonization of immigrants as criminals and potential terrorists, and the age-old scapegoating of immigrants for economic woes.

Read NNIRR's commentary (Jan. 25, 2017) on the executive orders at <http://www.nnirr.org/drupal/Trump-executive-orders>

The main elements of the two orders include:

- **The denial of federal funding to "sanctuary cities"**--those local jurisdictions that have exercised their rights to limit their involvement and resources towards federal immigration enforcement.
- **The use of federal enforcement partnerships with states and localities through the 287g program and revival of the Secure Communities program.** *287g provides for the deputization of local policing agencies as immigration enforcers; it has been widely critiqued for increasing racial profiling by local police. Secure Communities was a problematic local-federal information-sharing program to identify "deportable" immigrants in local jails. Widely protested and legally challenged, it was ended under the Obama Administration and substituted with the Priority Enforcement Program.*
- **Fines and penalties** for undocumented immigrants as well as for those who "facilitate" their presence. In addition to the undocumented, this broad language could be interpreted to also include those who provide physical sanctuary—such as those in faith-based communities—community-based organizations, or other members of a household.

- **An expansion of priority enforcement targets**, to include those who have been convicted of a criminal offense, those who have been charged but not convicted, as well as, anyone who “may have” committed an act that could be chargeable as a criminal offense. *In effect, an expansion of the notion of “criminality” that seems to include all undocumented immigrants.*
- **Provides that an “immigration officer” can determine if a “removable alien” poses a “risk to public safety or national security”.** *Low level agents could make decisions on the fate of anyone arriving at the border—or already be in the interior—including asylum seekers.*
- **The hiring of 10,000 more ICE agents and 5,000 more Border Patrol agents.** *There are currently more than 21,000 Border Patrol agents. Immigration and Customs Enforcement, or ICE, has more than 20,000 employees in more than 400 offices in the US and abroad. The additional 10,000 more agents is a substantial increase, presumably for “enforcement and removal” operations.*
- **Sanctions against countries that refuse to accept deported nationals.**
- **Immediate (further) construction of the border wall** “with appropriate materials”, along with increased personnel and technology to “achieve complete operational control” of the southern border. *There is currently almost 700 miles of border fencing of various types along the almost 2,000 mile-long southern land border. Many argue that Trump’s wall would cause more migrant deaths, trample on environmental protections and harm land and wildlife, intrude on Native American lands and private properties, cost an extraordinary amount of money (over \$25 billion by some accounts) and do nothing to address the reasons why people will cross the border. Apart from the wall, the executive order also specifies a major expansion in personnel and technology use, such as surveillance drones and radar towers.*
- **Expansion of the use of punitive detention, mandatory detention and detention facilities.** *The U.S. maintains more than 40,000 detention beds—a number that would go significantly higher to accommodate President Trump’s proposed deportations. Trump has indicated he would call on private prison companies to build and maintain more facilities. He has also called for a federal hiring freeze, which could affect the hiring of new immigration judges to process all the people who would be placed in detention. Immigration courts are already backlogged by more than 500,000 cases.*
- **Access to federal lands.** All officers and employees of the US, as well as State and local officers are authorized to have access to all Federal lands and to perform actions they consider necessary on them. *One of the concerns here is that “necessary” actions may include waiving environmental protections of wildlife, wild lands, and natural resources.*

For more information on these executive orders and other developments under the Trump Administration, please visit our website: [Resist – Information and Resources for the Trump Era](https://www.nnirr.org)