



Summary of S. 2538

ICE Agent Support Act of 2016

March 2016

Senators Ted Cruz (R-TX) and Jeff Sessions (R-AL) introduced the ICE Agent Support Act of 2016 to guarantee that U.S. Immigration and Customs Enforcement (ICE) agents have the funding and resources necessary to enforce the law as required by Congress. The companion bill in the House (H.R. 4597) was introduced by Congressman Mo Brooks (R-AL).

Allocating Funds to Support ICE's Enforcement Mission

Section 2 of the bill amends Section 280 of the Immigration and Nationality Act (8 U.S.C. 1330) to require that statutory fines and penalties collected from illegal aliens and deposited into the Treasury Department's Immigration Enforcement Account be used to offset money being appropriated for identifying and removing criminal aliens. The relevant statutory provisions call for fines and civil penalties for refusing to leave the United States after being ordered or agreeing to do so, using false documents, or engaging in marriage fraud.

Establishment of Criminal Investigator Positions

Section 3 of the bill requires that within 30 days of enactment, the Secretary of Homeland Security establish a percentage of criminal investigator positions in ICE's Enforcement and Removal Operations Division.

Why This Bill is Necessary

At a Senate Judiciary Committee hearing last December, ICE Director Sarah Saldaña indicated that her agency lacks the resources to fulfill its core immigration enforcement mission. This bill addresses Saldaña's concerns by providing ICE with dedicated, substantial revenue from immigration related fines and penalties that are not currently being enforced by the Obama administration. Considering that the bill's enactment would generate hundreds of millions of dollars in revenue that the agency needs, the Obama administration would have to begin enforcing the law in order to provide ICE agents with adequate resources to do their jobs efficiently and effectively.

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