

Office of the Director

U.S. Department of Homeland Security
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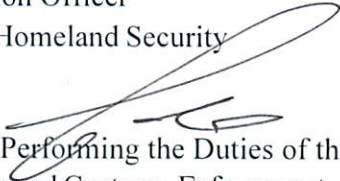


**U.S. Immigration
and Customs
Enforcement**

December 1, 2025

MEMORANDUM FOR: Dominic Mancini
Deputy Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget

THROUGH: Antoine McCord
Chief Information Officer
Department of Homeland Security

FROM: Todd M. Lyons 
Senior Official Performing the Duties of the Director
U.S. Immigration and Customs Enforcement
Department of Homeland Security

SUBJECT: Emergency Request under the Paperwork Reduction Act
Regarding Suspicious/Criminal Activity Tip Reporting OMB No.
1653-0049

This memorandum requests emergency approval, pursuant to the Paperwork Reduction Act (PRA), from the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), for the U.S. Immigration and Customs Enforcement (ICE) collection of information titled, Emergency Request under the Paperwork Reduction Act Regarding Suspicious/Criminal Activity Tip Reporting OMB No. 1653-0049. The Department of Homeland Security (DHS), in consultation with ICE, is seeking approval to include additional fields on the ICE tip form allowing law enforcement officers to provide tip information on aliens in local or state custody on ICE detainers on an emergency basis because “public harm is reasonably likely to result if normal clearance procedures are followed.”¹

The changes outlined below seek to implement specific fields to clarify the information needed

¹ DHS ICE is seeking emergency approval pursuant to OMB’s regulations implementing the PRA at 5 C.F.R. § 1320.13, *Emergency processing*.

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from law enforcement officers that will enable ICE to initiate or support legally authorized investigations or enforcement activities. ICE works closely with local, state, and federal law enforcement agencies to ensure that aliens with criminal histories do not continue to threaten national security, public safety, and the integrity of United States immigration laws. In certain cases, these efforts require ICE law enforcement officers to lodge immigration detainers against potentially dangerous aliens. ICE lodges immigration detainers against certain aliens who have been arrested for criminal activity and taken into custody by federal, state, or local law enforcement agencies. An immigration detainer is a request from ICE that asks a federal, state, or local law enforcement agency — including a jail, prison, or other confinement facility — to: (1) notify the requesting ICE entity as early as possible before a removable alien is released from their custody; and (2) maintain custody of the alien for a period not to exceed 48 hours beyond the time that the individual would otherwise be released, allowing ICE time to assume custody for removal purposes in accordance with federal immigration law.

When a state or local law enforcement agency honors a detainer, they notify ICE before releasing a potentially dangerous alien. ICE officers or agents then assume custody of the alien at the state or local jail or prison by conducting an administrative arrest before they can be released into the surrounding community. When a state or local law enforcement agency does not honor a detainer or releases an alien for whom ICE has issued a detainer, there is a reasonable likelihood of public harm stemming from a potentially dangerous person being released into the community. Additionally, ICE officers must then pursue the alien at-large, which is more dangerous for the public, the alien, and ICE officers. So-called “sanctuary jurisdictions” limit their cooperation with federal immigration enforcement, often providing sanctuary to aliens illegally present in the United States. This limited cooperation frequently includes refusal to honor ICE detainers.

Currently, the ICE Tip Form contains an open text field requesting that tips from law enforcement officers be as specific and as detailed as possible and encourages officers to provide identifying details. ICE seeks to establish separate fields that define for law enforcement officers the specific elements of information that are most useful to ICE in identifying and locating aliens who present a risk of public harm. Receiving this information in separate fields will also enable ICE to more rapidly ingest the data and refer actionable tips to field offices in a timely manner. Soliciting more detailed information from law enforcement officers who complete the ICE Tip Form will support ICE’s timely taking of criminal and civil immigration enforcement action against potentially dangerous aliens, particularly in jurisdictions that do not honor ICE detainers.

Subject Information

ICE is adding the following specific fields to collect sufficient information enabling ICE to engage and take appropriate enforcement action on a subject prior to the subject’s release from a local or state facility, regardless of whether a jurisdiction chooses to honor an ICE detainer:

- Subject’s Country of Birth or Citizenship
- Subject’s Phone Number
- Alien Registration Number (A number)
- Fingerprint Identification Number (FIN number)

- Federal Bureau of Investigation Number (FBI number)
- Event Number
- Other Identification Number
- Vehicle
- Other Relevant Information (for example, subject release location, time of release, etc.)
- Facility Name
- Facility Address
- Subject's Forwarding Address
- Subject's Charges

Fields requesting the subject's country of birth or citizenship, A number, FIN number, FBI number, event number, other identification number, and the subject's charges are necessary to substantiate an alien's identity, immigration status and history, and criminal history.

Fields requesting the subject's phone number, vehicle, forwarding address and other relevant information are necessary to enable ICE to locate, engage, and take appropriate enforcement action against a subject in the event of the subject's release prior to or without ICE notification.

Fields requesting the facility name, facility address, and other relevant information are necessary to enable ICE to locate, engage, and take appropriate enforcement action prior to a subject's release into the community, regardless of whether a jurisdiction chooses to honor an ICE detainer.

None of the aforementioned new fields are designated as mandatory for completion, which enables a law enforcement officer to provide any information they have available. ICE may or may not receive sufficient information to conduct immigration enforcement activity if every field on the form is not completed. By requesting inclusion of all the aforementioned new fields, ICE is more likely to receive actionable information to enable ICE to successfully enforce immigration laws.

Emergency Justification

1. Information Is Necessary Prior to the Timeframes Established Under the PRA

Collection 1653-0049 expires on October 31, 2027. Currently, the approved tip form has an open text field for law enforcement officials to submit information about criminal aliens and others. In order for ICE to expeditiously coordinate an investigation and arrest, it is essential to have timely and accurate information to follow up on reported suspicious or criminal activity. The current open text field is not conducive to receiving all of the necessary information; therefore, it is necessary to make the change to specific fields with specific questions. In order to comply with the President's Executive Order 14287, *Protecting American Communities from Criminal Aliens*, and to ensure that national security and public safety needs are being met, ICE cannot wait until 2027 to make these changes. Therefore, DHS is requesting this emergency request be approved as quickly as possible.

2. Information Is Essential to the Mission of the Agency

On April 28, 2025, the President issued Executive Order 14287, *Protecting American Communities from Criminal Aliens*. Section 1 states: “This invasion at the southern border requires the Federal Government to take measures to fulfill its obligation to the States.” Suspicious/Criminal Activity Tip Reporting assists ICE in accomplishing the goals in the Executive Order and ICE’s mission to protect American through criminal investigations and enforcing immigration laws to preserve national security and public safety. As one of the nation’s premier law enforcement agencies, ICE investigates more than 400 possible violations of criminal law and works with law enforcement agencies to ensure the safety of our communities. ICE receives critical assistance from the public and law enforcement through reports of suspicious and criminal activity, allowing ICE to further investigate crimes and take enforcement actions that safeguard the United States and its communities. In order for ICE to expeditiously coordinate an investigation and arrest, it is essential to have timely and accurate information to follow up on reported suspicious or criminal activity. Information from the public and from law enforcement officers is especially important where ICE does not otherwise receive cooperation from state and local jurisdictions in locating and arresting potentially dangerous aliens.

3. Public Harm Is Reasonably Likely to Result if Normal Clearance Procedures Are Followed

Sanctuary jurisdictions that do not honor ICE detainers often release individuals with criminal histories, including violent offenses, posing significant risks to public safety. By enabling state law enforcement to securely and anonymously report these releases, emergency approval of this information collection request ensures ICE can act immediately to apprehend dangerous individuals, mitigating threats to both human life and property. Obtaining information from law enforcement about a suspicious activity or criminal activity is critical in allowing ICE to further investigate to preserve national security and public safety. Adding data fields for law enforcement officers enables ICE to obtain accurate, complete, and timely information on specific criminal aliens being released from state and local law enforcement facilities, allowing ICE to take criminal and civil enforcement action consistent with its statutory authorities and mission. As this webform allows law enforcement the ability to inform ICE when and where a criminal alien is going to be released from local custody, any delay in implementing the webform updates would harm the public if ICE is unable to take action before these aliens that pose a risk to public safety are released into the community. It is critical that ICE receive this information so the agency can respond and investigate expeditiously.

4. Consultations With Interested Parties

This emergency request is based, in part, on consultations with ICE Enforcement and Removal Operations (ERO) and in part with local and state law enforcement officials. Both indicated that

an open text field would place more of a burden on officers because officers were not sure what information would be useful to ICE and ICE would then need to follow-up with individual officers. Specific questions will help lighten the burden on both law enforcement officials and ICE because less follow-up will be necessary. Additionally, specific questions will enable ERO to do the following:

- Substantiate an alien's identity, immigration status and history, and criminal history.
- Locate, engage, and take appropriate enforcement action against a subject in the event of the subject's release prior to or without ICE notification.
- Locate, engage, and take appropriate enforcement action prior to a subject's release into the community, regardless of whether a jurisdiction chooses to honor an ICE detainer.
- Receive sufficiently actionable tip information to enable ICE to successfully enforce immigration laws.

5. Conclusion

Following the normal clearance procedures under the PRA would delay implementation and harm the public safety. As discussed, ICE certifies that this request meets the requirements of 5 C.F.R. § 1320.13(a) and it is vital that this revised collection be implemented immediately because: (1) this information is essential to the mission of the agency and (2) this information is necessary prior to the timeframes established under the PRA.

In addition to the emergency clearance, ICE will also complete the normal OMB review process and post the 60-Day and 30-Day Federal Register Notices following the Emergency Federal Register Notice.

Thank you for your consideration. Please contact Bradley Etter, Deputy Assistant Director for the ICE Homeland Security Investigations Office of Intelligence, at (832) 525-1961 with any questions or concerns.