



U.S. Department of
Homeland Security

Secretary Mayorkas Issues New Guidance for Enforcement Action at Protected Areas

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WASHINGTON – Continuing with a series of enforcement reforms, Secretary of Homeland Security Alejandro N. Mayorkas today issued a [new, comprehensive policy \(guidelines-enforcement-actions-or-near-protected-areas\)](#) to guide Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) enforcement actions in or near protected areas, replacing previous sensitive locations guidance. The first-ever policy for both ICE and CBP provides an expanded and non-exhaustive list of protected areas, including new designations such as places where children gather, disaster or emergency relief sites, and social services establishments.

“In our pursuit of justice, including in the execution of our enforcement responsibilities, we impact people’s lives and advance our country’s well-being in the most fundamental ways. As a result, when conducting an enforcement action, ICE and CBP agents and officers must first examine and consider the impact of where actions might possibly take place, their effect on people, and broader societal interests,” said Secretary Mayorkas. “We can accomplish our law enforcement mission without denying individuals access to needed medical care, children access to their schools, the displaced access to food and shelter, people of faith access to their places of worship, and more. Adherence to this principle is a bedrock of our stature as public servants.”

The new policy, which is effective immediately, supersedes and rescinds all previous sensitive locations guidance and establishes that enforcement actions should not be taken in or near a location that would restrain people’s access to essential services or engagement in essential activities.

DHS officers and agents will use their judgment to determine whether a location is a “protected area” taking into consideration the activities that take place there, the importance of those activities to the well-being of people and the communities of which they are a part, and the impact an enforcement action would have on people’s willingness to be in the protected area and receive or engage in the essential services or activities that are offered there.

Some examples of protected areas include, but are not limited to:

- Schools, such as known and licensed daycares, pre-schools, and other early learning programs; primary schools; secondary schools; post-secondary schools up to and including colleges and universities; as well as scholastic or education-related activities or events
- Medical treatment and healthcare facilities, including COVID-19 vaccination locations
- Places of worship or religious study, such as churches, synagogues, mosques, and temples
- Places where children gather such as a playground, recreation center, childcare center, before- or after-school care center, foster care facility, group home for children, or school bus stop
- Social services establishments such as a crisis center, domestic violence shelter, victims services center, child advocacy center, supervised visitation center, family justice center, community-based organization, facility that serves disabled persons, homeless shelter, drug or alcohol counseling and treatment facility, or food bank or pantry or other establishment distributing food or other essentials of life to people in need
- Disaster or emergency response and relief centers
- Religious or civil ceremonies or observances, such as funerals and weddings
- Public demonstrations, such as parades, demonstrations, or rallies

All employees for whom this guidance is relevant will receive updated training. Additionally, any enforcement action taken in or near a protected area must be fully documented in each component’s Privacy Act-compliant electronic system of record in a manner that can be searched and validated.

Today’s announcement builds on a series of other enforcement actions Secretary Mayorkas has taken, including [Guidelines for the Enforcement of Civil Immigration Law](https://www.dhs.gov/news/2021/09/30/secretary-mayorkas-announces-new-immigration-enforcement-priorities) ([/news/2021/09/30/secretary-mayorkas-announces-new-immigration-enforcement-priorities](https://www.dhs.gov/news/2021/09/30/secretary-mayorkas-announces-new-immigration-enforcement-priorities)), [Guidance to Limit ICE and CBP Civil Enforcement Actions In or Near Courthouses](https://www.dhs.gov/news/2021/04/27/dhs-announces-new-guidance-limit-ice-and-cbp-civil-enforcement-actions) ([https://www.dhs.gov/news/2021/04/27/dhs-announces-new-guidance-limit-ice-and-cbp-civil-enforcement-actions-](https://www.dhs.gov/news/2021/04/27/dhs-announces-new-guidance-limit-ice-and-cbp-civil-enforcement-actions)

or-near), and the [Worksite Enforcement Strategy](/news/2021/10/12/dhs-releases-worksite-enforcement-strategy-protect-american-labor-market-workers-and) (/news/2021/10/12/dhs-releases-worksite-enforcement-strategy-protect-american-labor-market-workers-and).

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