

## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

**Policy Number:** 1048.1      **ICE Lines of Authority**

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1. **Purpose/Background.** Successful and efficient organizations require clearly delineated lines of authority and delegation of responsibility. To promote the efficiency of operations, provide clarity and transparency, and eliminate duplication of efforts in fulfilling the U.S. Immigration and Customs Enforcement (ICE) mission, this Directive establishes the lines of authority, core responsibilities, and reporting structures for Senior Management Officials within ICE. This Directive does not revoke or supersede any other delegation of authority or responsibility.
2. **Policy.** ICE will operate in accordance with the structure and assigned responsibilities set forth in this Directive. Senior Management Officials are delegated the authority to execute the roles and responsibilities described in this Directive. All roles and responsibilities assigned and delegations made are subject to applicable federal laws and policies. Conflicts among delegated roles will be elevated through the relevant chain(s) of command for resolution.
3. **Definitions.**
  - 3.1. **Senior Management Officials.** Refers to the ICE Director; Deputy Director; Chief of Staff; the Executive Associate Directors (EADs) of Enforcement and Removal Operations, Homeland Security Investigations, and Management and Administration; and the Assistant Directors, Officers, or equivalent positions that report to the Director, Deputy Director, or the EADs. This term also includes the Principal Legal Advisor, who reports to the Department of Homeland Security (DHS) General Counsel. Senior Management Officials engage with senior interagency stakeholders, including Congress, on behalf of ICE and also lead subordinate senior executives or other senior staff within their chains of command.
4. **Responsibilities.**
  - 4.1. **The Director** is responsible for:
    - 1) Directing, managing and administering ICE, its employees, and programs;
    - 2) Investigating and, where appropriate, referring for prosecution any criminal violation of federal law relating to or involving ICE's mission;

- 3) Enforcing the civil immigration and nationality laws of the United States;
- 4) Carrying out other duties prescribed by law or delegated by the Secretary of the Department of Homeland Security (DHS); and
- 5) Serving as the first-line supervisor for:
  - a. The Deputy Director;
  - b. The ICE Chief of Staff; and
  - c. The non-career personnel who serve as Assistant Directors for:
    - i. The Office of Public Affairs;
    - ii. The Office of Congressional Relations;
    - iii. The Office of Detention Policy and Planning; and
  - d. The Assistant Director for the Office of Diversity and Civil Rights.

**4.2. The Deputy Director is the principal deputy to the Director and is responsible for:**

- 1) Assisting the Director with leading and supervising all operational programs including all criminal investigations and/or civil enforcement operations. This includes assisting in the planning, directing, managing, and coordination of all ICE functions;
- 2) Managing the daily activities of the agency's operational and management functions;
- 3) Assuming the responsibilities of the Director for the agency when the Director is absent;
- 4) Serving as the first assistant to the Director under the Vacancy Reform Act of 1998, 5 United States Code (U.S.C.) §§ 3345-49d;
- 5) Setting performance expectations for the EADs, the Assistant Directors and Officers who report directly to the Director or Deputy Director;
- 6) Serving as ICE's representative to the DHS Deputies Management Action Group or other similar groups;
- 7) Approving the agency's structural and functional alignments and full-time equivalent allocations, and setting policies and business strategies to meet agency needs and to support DHS goals and priorities;

- 8) Serving as Chairperson of the Executive Resources Board and the Business Management Council;
- 9) Developing and implementing strategies and methodologies to promote effective change management throughout ICE;
- 10) Performing as the first-line supervisor for the EADs of Enforcement and Removal Operations, Homeland Security Investigations and Management & Administration, and the Assistant Director for the Office of Professional Responsibility; and
- 11) Approving the recruitment, assignment, reassignment and transfers of members of the career Senior Executive Service.

**4.3. The Chief of Staff is responsible for:**

- 1) Providing input to and guidance regarding Presidential Administration policies and procedures;
- 2) Conducting special projects as requested by the Director;
- 3) Providing general oversight of legislative and public affairs initiatives;
- 4) Serving as the ICE liaison to the DHS Chiefs of Staff;
- 5) Providing oversight over the formal review of all agency reports and documents, executive correspondence, interagency communications and preparation of official documents for the Director's signature; and
- 6) Serving as the principal liaison to the White House and its offices.

**4.4. The Executive Associate Director of Enforcement and Removal Operations (ERO) is responsible for:**

- 1) Overseeing the enforcement of immigration and nationality laws of the United States;
- 2) Conducting operations focused on identifying, locating, arresting, and presenting for prosecution those aliens subject to exclusion, deportation, or removal from the United States;
- 3) Managing the ICE detention operations and providing medical care and public health services to detained aliens in the custody of the agency;
- 4) Detaining or releasing on bond, supervision, or other appropriate conditions, aliens for purposes of exclusion, deportation, or removal, or as otherwise provided by law;
- 5) Identifying, arresting, detaining, bringing removal proceedings, and pursuing the removal of aliens who are inadmissible or deportable;

- 6) Planning, coordinating and managing the removal from the United States of aliens who are subject to exclusion, deportation, or removal;
- 7) Coordinating the transportation and custodial transfer of unaccompanied alien children in conjunction with the U.S. Customs and Border Protection and the Department of Health and Human Services' Office of Refugee Resettlement and consistent with the Trafficking Victims Protection Reauthorization Act;
- 8) Exercising limited Title 19 customs enforcement authority to make arrests subject to the limitations of the Director's delegation of such authority to the ERO EAD;
- 9) Partnering with state and local law enforcement agencies to identify and remove criminal aliens under § 287(g) of the Immigration and Nationality Act (INA);
- 10) Providing law enforcement support services to federal, state and local law enforcement partner agencies, as available, relating to the identification, location, and arrest of aliens subject to removal from the United States as well as foreign nationals known or suspected of being involved in criminal activity and under investigation by state and local enforcement partners, or by ERO for criminal immigration violations; and
- 11) Exercising such other duties and powers prescribed by the Director.

**4.5. The Executive Associate Director of Homeland Security Investigations (HSI) is responsible for:**

- 1) Overseeing the investigation of domestic, transnational, and international criminal activities. This includes investigating and, where appropriate, referring for prosecution any criminal violation of federal law relating to:
  - a. Border control and security, including the prevention of the entry or residence of terrorists, criminals, and human rights violators;
  - b. Customs, trade, fraud, false statements, or the import or export of merchandise, including the illicit possession, movement of, or trade in goods, services, property, contraband, arms, instruments of terrorism, war materials, items controlled or prohibited from export, child exploitation, intellectual property, or monetary laundering or bulk cash smuggling;
  - c. The unlawful importation or exportation of certain vehicles;
  - d. Gangs or criminal syndicates engaged in criminal activity;
  - e. Firearms, explosives, or other destructive devices involving an alien;
  - f. Counter-proliferation;

- g. The subjection of persons to forms of human trafficking;
  - h. The production, procurement, counterfeiting, alteration or use of fraudulent documents or fraudulently obtaining immigration benefits;
  - i. Unlawful use of personal information, including immigration fraud, or use that relates to or affects border security, terrorism, customs, immigration, naturalization, trade, travel or transportation security;
  - j. Travel security; and
  - k. Cybercrime, including exploitation, fraud, the online theft of intellectual property and sensitive controlled data, and other related activity in connection with computers, electronic media, and internet enabled devices.
- 2) Identifying, arresting and bringing removal proceedings against aliens who are inadmissible or deportable in connection with HSI national security investigations and prioritized compliance enforcement.
  - 3) Administering the Cyber Crimes Center, the Student and Exchange Visitor Program, the Intellectual Property Rights Coordination Center, the Export Enforcement Coordination Center, and the HSI Forensic laboratory;
  - 4) Enforcing federal law relating to the unlawful employment of unauthorized aliens, and immigration and naturalization fraud;
  - 5) Coordinating, as otherwise permitted by law, with federal, state, local, tribal and foreign agencies in carrying out the duties of HSI;
  - 6) Serving as the liaison to DHS Office of Intelligence and Analysis and the Counter-Terrorism Advisory Board and overseeing the agency's intelligence functions, including administering:
    - a. The operations of the ICE Joint Intelligence Operations Center and the Human Smuggling and Trafficking Center;
    - b. The ICE Continuity of Operations Program, the ICE Tactical Medical Program, the ICE Rapid Response Team Program, and the ICE Medical Countermeasures Program;
    - c. The production of all strategic-level intelligence collections and analysis as well as setting agency-wide policies;
    - d. The Secret and Top Secret network functions for the agency; and

- 7) Overseeing the agency's international operations, including managing liaison offices in foreign countries in support of law enforcement activities that require international cooperation;
- 8) Supervising all ICE personnel participating in federal investigative task forces led by other agencies subject to the limitations of the Director's delegation of such authority to HSI; and
- 9) Exercising such other duties and powers prescribed by the Director.

**4.6. The Executive Associate Director of Management and Administration (M&A) is responsible for:**

- 1) Planning, directing, managing and coordinating the agency's administrative and management support functions;
- 2) Collaborating with all Directorates and Program Offices to promote optimal structure, functions, and sound fiscal responsibility for management and administrative activities;
- 3) Overseeing the delivery of ICE's budget justifications, managing budget distributions, and overseeing the execution of ICE's budget through financial policies, standards and systems for ICE's programs, projects, and activities;
- 4) Delivering human capital programs on behalf of the agency;
- 5) Establishing acquisition strategies and oversight for all contracting activities and contracts;
- 6) Developing and maintaining a solid integrated information technology infrastructure;
- 7) Collaborating with internal stakeholders to promote equal employment opportunities to ensure that ICE achieves a diverse workplace;
- 8) Ensuring the implementation of strong privacy protections and records management practices;
- 9) Ensuring timely responses to Freedom of Information Act requests;
- 10) Developing an overarching training strategy that meets Directorate and Program Office-specific training needs;
- 11) Providing basic and advanced law enforcement tactical training and use of force training, as well as providing law enforcement personnel with firearms, intermediate force weapons, protective equipment, logistical support and policy guidance to increase the safety and improve the tactical proficiency of the armed workforce;

- 12) Identifying, developing, drafting, and communicating agency policies and regulations;
- 13) Maintaining a management control system that meets the requirements of the Federal Managers' Financial Integrity Act as well as the Office of Management and Budget (OMB) and DHS regulations;
- 14) Serving as ICE's representative on the DHS Management Council, and aligning ICE programs and initiatives with DHS goals and priorities; and
- 15) Serving as the first-line supervisor for:
  - a. The Chief Financial Officer;
  - b. The Human Capital Officer;
  - c. The Chief Information Officer;
  - d. The Chief Acquisition Officer/Head of Contracting Activity;
  - e. Freedom of Information Act Officer; and
  - f. The Assistant Directors for:
    - i. The Office of Training and Development;
    - ii. The Office of Policy;
    - iii. The Office of Firearms and Tactical Program; and
    - iv. Privacy and Records.

**4.6.1. The Chief Financial Officer is responsible for:**

- 1) Serving as the principal advisor to the Director, the Deputy Director, Senior Management Officials, and DHS officials on matters relating to ICE's financial resources;
- 2) Serving as the principal liaison to OMB and the congressional appropriations committees on all matters related to ICE's budget;
- 3) Overseeing the agency's financial integrity by:

- a. Advising agency programs throughout the budget formulation and execution process, and validating program reporting to ensure accuracy, consistency relevancy and timeliness;
  - b. Maintaining a management control system that meets the requirements of the Federal Managers' Financial Integrity Act, OMB Circular A-123, Improper Payments Elimination and Recovery Improvement Act (IPERIA), Government Performance and Results Act Modernization Act of 2010 (GPRAMA), and other federal laws, regulations and policies;
  - c. Preparing ICE's annual Statement of Assurance for Submission to the DHS Secretary;
  - d. Maintaining an integrated agency-wide financial accounting system; and
  - e. Overseeing agency financial transactions and preparing annual financial statements.
- 4) Managing agency-wide assets and facilities programs; and
  - 5) Overseeing ICE's balanced workforce strategy.

**4.6.2. The Human Capital Officer is responsible for:**

- 1) Serving as the principal advisor to the Director, the Deputy Director, and Senior Management Officials on matters related to human capital policy, guidance, and procedure, including providing expert guidance on hiring, motivating, and sustaining a quality workforce, managing the operation of nationally centralized personnel activities, and improving ICE employee morale and engagement;
- 2) Managing, leading, and promoting the effective human resource practices consistent with applicable laws, rules and regulations as well as merit system principles. This includes:
  - a. Leading workforce and succession planning to include recruitment, deployment, and retention programs and strategies;
  - b. Supporting the strategic alignment of ICE leadership through assessment of organizational design, position classification, and cascading of the alignment into individual performance objectives and associated recognition and award programs;
  - c. Providing strategic advice and executing requirements documented in ICE's table of organization related to recruitment and hiring;
  - d. Providing process and strategic advice for compensation and benefits, including retirement, life, and health benefits;



- e. Delivering employee and labor relations systems, expertise, and guidance, including: standards to govern disciplinary cases; counsel related to non-adverse disciplinary cases; and labor relations strategies and expertise to support the negotiation of collective bargaining agreements and compliance with those agreements;
  - f. Delivering work-life balance programs, including employee assistance, peer support, alternative work schedules and telework, drug and alcohol free workplaces, and family friendly support; and
  - g. Providing workers compensation program and fitness for duty program and related strategies;
- 3) Serving as ICE's representative on the DHS Human Capital Leadership Council and related working groups, and aligning ICE human capital programs and initiatives with DHS goals and priorities; and
  - 4) Establishing human capital policy agenda and priorities, and evaluating progress, and results related to policy development.

**4.6.3. The Chief Information Officer is responsible for:**

- 1) Serving as the principal advisor to the Director, the Deputy Director, and Senior Management Officials on all matters related to ICE's information technology (IT) policy, guidance, and procedure;
- 2) Operating an information system at an acceptable level of risk to agency operations (including mission, functions, image, or reputation), agency assets, or individuals;
- 3) Carrying out all programmatic and delivery aspects of ICE's IT programs and systems, including providing IT services to support the ICE mission;
- 4) Developing IT budgets, IT resource allocation plans, and IT expenditure plans for delivering and maintaining IT solutions;
- 5) Collaborating with Directorates and Program Offices to ensure the implementation of IT processes is timely, cost-effective, and consistent with applicable statutes, regulations and policies;
- 6) Developing, coordinating, and implementing policies and procedures for all IT requirements;
- 7) Maintaining an information resource management program that allows for the efficient collection, use, storage, archival, retrieval and disposal of data in compliance with applicable laws, regulations and policies;

- 8) Managing and overseeing an effective security architecture that protects ICE's information systems and networks from internal and external threats;
- 9) Ensuring compliance with applicable laws, rules and regulations, including the Government Performance and Results Act of 1993, the Clinger-Cohen Act, OMB Circular A-130 (Management of Federal Information Resources), and the Federal Information Security Management Act as amended by Public Law 113-283, the Federal Information Security Modernization Act of 2014;
- 10) Overseeing the training and certification of ICE staff on information assurance in accordance with DHS policies and programs; and
- 11) Serving as ICE's representative to the DHS Chief Information Officer Council to collaborate on Department IT strategies, initiatives, goals and priorities.

**4.6.4. The Chief Acquisition Officer (CAO)/Head of Contracting Activity (HCA) is responsible for:**

- 1) Serving as the principal advisor to the Director, , the Deputy Director, Senior Management Officials, and DHS officials on matters relating to the acquisition of and contracting for supplies, services, financial assistance, real property and other business agreements;
- 2) Serving as the DHS-appointed HCA and overseeing the direct management of the entire acquisition function within ICE;
- 3) Providing mission-focused acquisition and contract services to support the ICE mission;
- 4) Overseeing the training and certification of the ICE Acquisition Workforce (Contracting, Program Managers, Contracting Officer Technical Representatives and other acquisition career fields) in accordance with DHS policies and programs;
- 5) Serving as ICE's representative on the DHS HCA Council, establishing a Departmental acquisition strategic plan, and setting priorities for the acquisition function;
- 6) Managing the ICE Acquisition Review Boards; and
- 7) Supervising the Component Acquisition Executive who is responsible for:
  - a. Developing, implementing, managing, and overseeing ICE acquisition processes in accordance with statutory, regulatory and higher-level requirements, especially the DHS Acquisition Management Directive;

- b. Coordinating with the contracting and procurement processes of the CAO/HCA and the capital planning and investment control process with the Chief Information Officer and Chief Financial Officer;
- c. Performing Acquisition Decision Authority (ADA) duties for non-major (Level 3) acquisitions and being the approving official for Level 3 acquisition documents;
- d. Serving as the final ICE endorsement official before the submission of acquisition documents for Level 1 and Level 2 acquisition programs to DHS for approval, and serving as the ICE representative at DHS-level ADA forums;
- e. Providing agency execution oversight to help ensure acquisition programs operate within their approved cost, schedule and performance baselines; and
- f. Addressing acquisition workforce matters for acquisition personnel other than contracting personnel (which is the responsibility of the CAO/HCA).

**4.6.5. The Assistant Director for the Office of Training and Development** is responsible for:

- 1) Developing, establishing, and maintaining policies, procedures and standards for ICE basic law enforcement training and curriculum development;
- 2) Coordinating the design and delivery of career development and supervisory leadership programs for ICE personnel;
- 3) Facilitating the accreditation of ICE training programs;
- 4) Overseeing the instructional design process for classroom delivery and distance learning;
- 5) Serving as the primary liaison to Federal Law Enforcement Training Center and DHS on training-related initiatives and requests;
- 6) Gathering data to measure the effectiveness of ICE training and career development programs; and
- 7) Overseeing the various training-related systems and databases.

**4.6.6. The Assistant Director for the Office of Policy** is responsible for:

- 1) Identifying and coordinating the development of ICE policies;
- 2) Effectively communicating ICE's organizational priorities and policies to internal and external stakeholders;

- 3) Serving as the primary liaison to DHS Policy and the policy offices of DHS components on policy initiatives;
- 4) Supporting, coordinating and promoting strategic management projects throughout ICE;
- 5) Coordinating and overseeing the development, review and clearance of ICE regulations and federal register publications;
- 6) Serving as the primary ICE liaison to DHS regarding all aspects of the regulatory process;
- 7) Maintaining a comprehensive repository of all ICE policies, delegation orders and agency agreements; and
- 8) Ensuring that ICE policies align with ICE priorities and DHS policies.

**4.6.7. The Assistant Director for the Office of Firearms and Tactical Programs is responsible for:**

- 1) Providing ICE personnel with firearms, intermediate force weapons, protective equipment, advanced training, logistical support, and guidance that will increase safety and improve the tactical proficiency of the armed workforce;
- 2) Managing the acquisition of all ICE firearms, ammunition, military equipment, body armor and ballistic resistant products, and law enforcement equipment;
- 3) Developing governance to ensure the armed workforce has clear guidelines for the application of force, including advanced firearms, defensive tactics, and other advanced use of force related training;
- 4) Implementing strategies and initiatives to increase the effectiveness and tactical proficiency of the armed workforce;
- 5) Providing certifications to ICE Firearms Instructors and Defensive Tactics Instructors who administer to the recurring Special Response Team and specialized training needs of ICE armed personnel;
- 6) Collecting use of force metrics for all ICE law enforcement entities in order to identify the latest trends related to shooting incidents, unintended discharges of firearms, intermediate use of force, and lost/stolen firearms and body armor;
- 7) Maintaining a comprehensive system of tracking sensitive equipment, including firearms, protective equipment, ammunition, distraction devices, and credentials; and
- 8) Providing lifecycle inventory management of all ICE firearms, including establishing governance regarding maintenance, repairs, modifications, and decommissioning.

**4.6.8. The Assistant Director for Privacy and Records is responsible for:**

- 1) Ensuring and monitoring agency compliance with the Privacy Act of 1974, and other federal privacy laws and policies;
- 2) Creating and implementing policies and procedures to protect personal privacy and enhance the quality of personal information held by ICE;
- 3) Performing privacy risk assessments on agency information technology systems, procurements, collections of information, regulations, data sharing agreements, and other programmatic activities, and deciding on appropriate strategies to mitigate privacy risks posed by these activities;
- 4) Deciding individual requests for amendment of records under the Privacy Act of 1974, 5 U.S.C. § 552a(d);
- 5) Promoting privacy awareness and compliance by providing employees with privacy advice, resources, and training;
- 6) Reviewing and approving various directives, procurements, standard operating procedures, forms and other collection instruments, and public documents before approval and/or distribution to ensure compliance with relevant privacy laws and policies;
- 7) Managing incidents involving the loss or compromise of sensitive personally identifiable information (SPII) held by ICE;
- 8) Authorizing the release of information about individuals to the news media and public pursuant to the Privacy Act of 1974 and DHS policies;
- 9) Addressing privacy complaints from employees and the public;
- 10) Establishing an active records management program within ICE that is consistent with the Federal Records Act, National Archives and Records Administration (NARA) regulations and guidance, and policies established by DHS and OMB; and
- 11) Designating an ICE Records Officer responsible for the ICE records management program.

**4.6.9. The Freedom of Information Act Officer is responsible for:**

- 1) Ensuring and monitoring agency compliance with the Freedom of Information Act (FOIA) by receiving, tracking, and processing all FOIA requests according to applicable laws, regulations and policies;

- 2) Coordinating the gathering, review, redaction, production and protection of documents and materials responsive to lawful FOIA requests both at the administrative level and in support of any FOIA litigation filed by requesters; and
- 3) Reviewing and releasing proactive disclosures of information to promote agency transparency, and reviewing and approving the release of documents as part of congressional and other external inquiries.

**4.7. The Assistant Director for the Office of Professional Responsibility (OPR) is responsible for:**

- 1) Responding to and conducting investigations of allegations of criminal and administrative employee misconduct;
- 2) Ensuring that investigations are thoroughly conducted in an impartial and independent manner, and ensuring that comprehensive reports of investigations are prepared for judicial or management action;
- 3) Maintaining the Joint Intake Center to ensure timely intake of and response to allegations of criminal or administrative employee misconduct;
- 4) Ensuring complete and thorough investigations and inquiries into allegations of Prison Rape Elimination Act violations;
- 5) Managing the inspection and review of Directorates, Program Offices, and detention facilities to assess their efficiency and effectiveness in implementing operational and legal requirements, policies, and procedures, and providing executive management with an independent review of the agency's organizational health to evaluate their contributions to the overall ICE mission;
- 6) Serving as the Chief Security Officer for ICE, and directing, coordinating, and administering ICE security operations to protect ICE personnel, information and facilities from internal and external threats;
- 7) Administering the Insider Threat Program to protect the integrity of the agency from those who seek to harm the agency through insider access;
- 8) Ensuring the integrity and efficiency of the ICE mission by integrating all security disciplines into a comprehensive, layered security approach;
- 9) Protecting Sensitive Compartmented Information from unauthorized access and managing the Sensitive Compartmented Information Facility lifecycle process; and
- 10) Accounting for, maintaining and safeguarding communications security equipment at headquarters and field locations.

**4.8. The Assistant Director for the Office of Diversity and Civil Rights (ODCR) is responsible for:**

- 1) Ensuring equal opportunity and diversity management values are integrated into the core principles of the agency;
- 2) Advising the Director and Senior Management Officials regarding civil rights and civil liberties matters;
- 3) Coordinating with the Human Capital Officer to ensure that all ICE workforce plans include specific strategies to ensure a balanced, diverse and inclusive workforce;
- 4) Receiving, adjudicating, and resolving claims of workplace discrimination, retaliation and harassment, or violations of equal opportunity principles;
- 5) Facilitating the ICE Alternative Dispute Resolution program;
- 6) Receiving, adjudicating and resolving requests for the provision of reasonable accommodation by disabled employees and applicants for employment;
- 7) Coordinating a National Disability Plan to ensure reasonable accommodations are provided to all ICE stakeholders;
- 8) Coordinating ICE responses to inquiries and related recommendations made by the DHS Office for Civil Rights and Civil Liberties, including facilitating consensus and clearance among ICE Directorates and Program offices;
- 9) Conducting Organizational Climate Assessments;
- 10) Conducting outreach to public and private groups, schools and universities, including minority serving institutions, to promote and improve equal employment opportunities; and
- 11) Preparing ICE's civil rights and civil liberties reports, including annual reports required by U.S. Equal Employment Opportunity Commission's Management Directive 715.

**4.9. The Assistant Director for the Office of Congressional Relations (OCR) is responsible for:**

- 1) Developing and implementing engagement strategies to achieve congressional approval of the agency's authorities, programs and policies;
- 2) Advising the Director and Senior Management Officials on Congressional interests; and

- 3) Acting as the principal liaison between ICE and Congress, with the primary responsibility of providing timely and accurate information about the agency, and its programs and policies.

**4.10. The Assistant Director for the Office of Public Affairs (OPA) is responsible for:**

- 1) Serving as the lead responsible official manager for the agency's engagement with the media and general public;
- 2) Supervising all agency engagement with media outlets and similar organizations at both the headquarters and field office level;
- 3) Providing full and appropriate information to the media and the general public concerning ICE's activities in furtherance of its mission;
- 4) Advising the Director and Senior Management Officials on media engagement and outreach strategies;
- 3) Overseeing the development and production of external and internal facing online, print, and multi-media products;
- 4) Managing ICE's online presence and developing national marketing plans for ICE Directorates and Program Offices;
- 5) Preparing speeches and other outreach materials for the Director and Senior Management Officials;
- 6) Overseeing and approving branding initiatives and products for ICE, and serving as ICE's liaison to DHS on branding matters; and
- 7) Overseeing agency-wide communication methods and strategies, including the establishment of protocols for improved employee communication and tools to facilitate effective flow of information.

**4.11. The Assistant Director for the Office of Detention Policy and Planning (ODPP) is responsible for:**

- 1) Coordinating and leading ICE's efforts to enhance and improve the immigration detention system, including through the development of new policies and detention standards;
- 2) Advising the Director and appropriate Senior Management Officials on detention policy issues;
- 3) Collaborating with the EAD of ERO in the implementation of detention policies, including through data analysis, tracking, evaluation of detention facility inspections and oversight systems, and review of individual cases where applicable, and in the



development of new civil detention facilities to ensure conditions of confinement consistent with the administrative purposes of detention;

- 4) Developing, executing, and overseeing ICE's efforts to comply with DHS regulations implementing the Prison Rape Elimination Act;
- 5) Collaborating with the EAD of ERO to assess and respond to critical incidents, serious deficiencies, and other events impacting detention conditions, including the utilization of long-term segregation, in order to ensure effective, timely, and comprehensive agency-wide review and response; and
- 6) Working with non-governmental organizations and other government agencies to address inquiries regarding ICE's detention system and obtaining input on detention reform initiatives.

**4.12. The Principal Legal Advisor, who is subject to the oversight of the DHS General Counsel, is responsible for:**

- 1) Ensuring Directorates and Program Offices are provided a full range of legal counsel and services;
- 2) Representing ICE in all exclusion, deportation, and removal proceedings consistent with 6 U.S.C § 252(c) and before other administrative agencies and tribunals;
- 3) Assisting and advising Directorates and Program Offices and the Department of Justice in all aspects of federal litigation involving ICE equities; and
- 4) Adjudicating administrative claims made against ICE and administrative appeals contesting adverse determinations by ICE.

**5. Procedures/Requirements.**

**5.1.** The Executive Associate Directors of M&A, ERO and HSI, and the Assistant Directors for OPR, OPA, OCR, ODCR and ODPP, and the Principal Legal Advisor may establish mission support functions to manage and execute their program's mission. These programs may not duplicate mission support functions and responsibilities led by M&A Assistant Directors. These functions include:

- 1) Adhering to all administrative and management requirements as outlined in ICE directives, policies, and procedures;
- 2) Supporting workforce planning, succession planning, and workforce management efforts to ensure appropriate determinations of position and structural requirements, to drive strategic recruitment and retention efforts, and to manage personnel assignments;

- 3) Performing strategic and risk management planning, budget formulation, requirements development, and performance activities to support the annual justification processes and reporting requirements managed by the Chief Financial Officer (CFO);
  - 4) Developing financial planning and programming activities within the office to ensure resources are applied strategically to carry out the office's mission;
  - 5) Managing the execution of the allocated budgets in line with requirements set forth by law, regulation, policy, and the CFO;
  - 6) Preparing requests for action by the CFO, Human Capital Officer, Chief Information Officer, and the Chief Acquisition Officer to carry out their delegated authorities;
  - 7) Providing liaison duties to carry out functions housed within M&A; and
  - 8) Liaising with agency subject matter experts to ensure the operational needs of the organization are addressed in ICE policies and procedures.
6. **Authorities/References.** The authorities/references listed below are illustrative and not intended to provide an exhaustive list of all authorities or references related to ICE Directorate and Program Offices.
- 1) Vacancy Reform, 5 United States Code (U.S.C.) §§ 3345-49d.
  - 2) Homeland Security Act of 2002, as amended, 6 U.S.C. §§ 202 – 203, § 211, § 236 and §§ 251 – 254.
  - 3) Immigration and Nationality Act of 1952, as amended, 8 U.S.C. §1101, *et seq.*
  - 4) 18 U.S.C. §§ 841 – 848, 921 – 931, and § 1030.
  - 5) 19 U.S.C. §§ 482, 1401, 1467, 1486, 1499, 1507, 1509, 1581-84, 1586-87, 1589a-1590, 1595, 1619, 1628, 1681, 1703, 2071, and 2081.
  - 6) 22 U.S.C. § 7102.
  - 7) Department of Homeland Security (DHS) Reorganization Plan Modification of January 30, 2003, H.R. Doc. No. 108-32 (2003) (also set forth as a note to 6 U.S.C. § 542).
  - 8) 8 Code of Federal Regulations (C.F.R.), including but not limited to §§ 2.1 and 100.1.
  - 9) 19 C.F.R., Parts 142, 145, 148, 151, 161, 162, and 163.
  - 10) 29 C.F.R. § 1614.

- 11) DHS Delegation Number 7030.2, "Delegation of Authority to the Assistant Secretary for U.S. Immigration and Customs Enforcement," dated March 1, 2003.
- 12) DHS Delegation Number 0160.1, "Delegation to Department of Homeland Security Organizational Elements," dated March 3, 2004.
- 13) DHS Delegation Number 0400.2, "Delegation to the General Counsel," dated September 14, 2004.
- 14) DHS Delegation Number 04000, "Delegation for Information Technology," dated June 5, 2012.
- 15) DHS Chief Privacy Officer Memorandum "Delegation of Authority to ICE Privacy Officer," dated June 29, 2009.
- 16) DHS Management Directive 0006, "Human Capital Line of Business Integration and Management," dated October 28, 2004.
- 17) DHS Management Directive 0400, "General Counsel Organization," dated January 24, 2003.
- 18) DHS Management Directive 102-01, "Acquisition Management Directive," dated July 28, 2015.
- 19) ICE Delegation Number 0001, "Delegation of Authority to the Directors, Detention and Removal and Investigations; and to Field Office Directors, Special Agents in Charge and Certain Other Officers of the Bureau of Immigration and Customs Enforcement," dated June 6, 2003.
- 20) ICE Delegation Order 1001.3, "Delegation of Authority (I) for Settlement of Equal Employment Opportunity Complaints, Merit Systems Protection Board Appeals, and Grievances; (II) for Settlement of Procurement-Related Litigation and Claims; (III) for Settlement of Federal Tort Claims Act Litigation and Administrative Claims; and (IV) for Settlement of Employee Personal Property Claims and Small Claims," dated June 4, 2013.
- 21) ICE Delegation Order 10004.1, "Human Capital Management," dated February 24, 2014.
- 22) ICE Directive 2007.2, "ICE Acquisition Policy," dated June 19, 2014.

**7. Attachment. None.**

8. **No Private Right.** This is an internal ICE management directive and is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.



Sarah R. Saldaña

Director

U.S. Immigration and Customs Enforcement