

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

ICE Directive 1058.2: Chaplain Program

Issue Date: October 17, 2023
Effective Date: October 17, 2023
Superseded: ICE Directive 1058.1, Chaplain Program (May 28, 2021).

- 1. Purpose/Background.** U.S. Immigration and Customs Enforcement (ICE) recognizes that employees may need access to guidance, counseling, and other assistance in times of personal and professional need, as well as during or after traumatic events. This Directive establishes ICE policy for the Chaplain Program located within the Employee Resilience Unit (ERU) of the Office of Human Capital (OHC). It addresses the unique needs of ICE employees by providing comfort during times of crisis and support with a built-in understanding of the law enforcement culture. ERU’s mission is to develop and administer programs that offer assistance and support to all ICE employees in times of personal need or following critical or traumatic incidents. ICE recognizes its employees, by virtue of their profession, are exposed to situations that may create emotional or psychological trauma. The ICE Chaplain Program is in ERU, alongside three other programs: the Clinical Program, the Peer Support Program, and the Work-Life Program.
- 2. Policy.** It is ICE policy to promote the well-being of the ICE workforce and provide emotional support to ICE employees who are dealing with personal challenges or traumatic events. The Chaplain Program offers secular counseling services for ICE employees, upon request, in response to a critical incident, or in coordination with the Peer Support Program. Employees of any religious belief system or without a religious belief system may receive support counseling under this program.

Enforcement and Removal Operations (ERO), Homeland Security Investigations (HSI), and the Office of Professional Responsibility (OPR) are required to designate a National Chaplain Program Manager (NCPM) for their respective Directorates. Additionally, each ERO Field Office and HSI Special Agent-in-Charge (SAC) Office is required to designate a Chaplain Program Coordinator (CPC) to coordinate access to ICE Chaplain Program services in the office’s Area of Responsibility (AOR), including for non-ERO and non-HSI ICE employees located within those AORs. The ICE Chaplain will serve as the point of contact for all employees assigned to Headquarters seeking ICE Chaplain Program services. Within a Field Office’s or SAC Office’s AOR, CPCs will coordinate the activities of the Volunteer Community Chaplains (VCCs).

CPCs and VCCs will not promote, favor, or prefer any religion or faith group, nor promote religion over non-religion. VCCs will not solicit alms (including money and non-monetary items) and may not advertise, promote, recruit, or fundraise for organizations, institutions, initiatives, or causes while performing duties under this program. To participate in the Chaplain Program, VCCs must sign a VCC Gratuitous

Services Agreement and a VCC Terms of Service Agreement. ICE is required to follow all regulations regarding the solicitation and acceptance of such services.

- 2.1. **Eligibility.** All NCPMs and CPCs must be employees of ICE. All prospective CPCs are required to submit, through their chains of command, a memorandum describing their interest in the program, relevant experience, and qualifications to the NCPM and ICE Chaplain.

VCCs are not employees of ICE and are required to be duly ordained, sanctioned, or endorsed by the VCC's faith, group, denomination, or affiliation; have a minimum of five years of counseling or pastoral care experience; and be able to develop a good working relationship with ICE employees, law enforcement personnel, and the community. All NCPMs, CPCs, and VCCs must abide by Equal Employment Opportunity (EEO) laws, regulations, and U.S. Department of Homeland Security (DHS) and ICE EEO policies in administering their duties.

3. **Definitions.** The following definitions apply for purposes of this Directive only.
 - 3.1. **Chaplain.** A full-time federal employee who shall execute all administrative functions of the Chaplain Program.
 - 3.2. **Chaplain Program Coordinators (CPCs).** ICE employee volunteers who coordinate Chaplain Program activity within an AOR. This is a collateral duty assignment with an initial two-year term, which may be extended for an additional two-year term or terminated early, at the discretion of the HRO.
 - 3.3. **Confidentiality.** Information communicated by ICE employees to a VCC during counseling or other emotional support services provided pursuant to this Directive is protected from unauthorized disclosure in accordance with the Privacy Act and to the extent permitted under applicable law, regulation, and policy. Information not protected by confidentiality includes information about child abuse, elder care, threats to oneself, and threats to others.
 - 3.4. **Field Responsible Official (FRO).** The highest-ranking official in any ICE field location. This includes Special Agents-in-Charge, Field Office Directors, and any other officials who have been designated, in writing by the Director.
 - 3.5. **Headquarters Responsible Officials (HROs).** Executive Associate Directors (EADs) of ERO, HSI, and Management and Administration (M&A); the Principal Legal Advisor; the Associate Director of the OPR; and the Assistant Directors, Officers, or equivalent positions who report directly to the Director, Deputy Director, or Chief of Staff.
 - 3.6. **National Chaplain Program Managers (NCPMs).** Supervisory ICE employees nominated by their respective HRO to serve as the Directorate or office-level representative of ICE's Chaplain Program. This position can be a collateral duty if such

duty is consistent with the position description. NCPMs from ERO, HSI, and OPR are required to be 1801s and 1811s, as applicable.

- 3.7. **Religious Pluralism.** The state of being where all individuals in a religiously diverse society have the rights, freedoms, and safety to worship, or not, according to their consciences.
- 3.8. **Volunteer Community Chaplains (VCCs).** Non-ICE civilian personnel who are duly endorsed by a faith-based organization or secular equivalent and have been screened by the ICE Chaplain, ERU, and the OPR. VCCs cannot be and will not be compensated by ICE in any way.
- 3.9. **Solicitation.** Any verbal or physical actions that request or attempt to obtain gratuitous counseling services.

4. Responsibilities.

4.1. HROs are responsible for:

- 1) Ensuring compliance with this Directive within their Directorate and Program Offices; and
- 2) Designating a NCPM (ERO, HSI, and OPR).

4.2. ERO and HSI FROs are responsible for:

- 1) Overseeing all provisions of this Directive within their AOR; and
- 2) Selecting a CPC from ICE employees who volunteer to participate and are endorsed by the NCPM. The selection for and retention in this collateral duty assignment is at the sole discretion of the FRO, based on the best interests of the program. In the absence of volunteers, the collateral duties may be assigned by management.

4.3. The Chaplain is responsible for:

- 1) Administering the ICE Chaplain Program through the NCPMs and a network of CPCs;
- 2) Providing administrative and operational support to Chaplain operations in all AORs;
- 3) Ensuring all policies, laws, and regulations pertaining to the Chaplain Program are adhered to;
- 4) Serving as the point-of-contact for all NCPMs, CPCs, and Headquarters employees; and

- 5) Ensuring compliance with all regulations regarding the solicitation and the acceptance of gratuitous services. Pursuant to DHS Delegation Number 00910, only the Director of ICE may solicit gratuitous counseling services. Solicitation authority may not be further re-delegated to subordinate officials.

4.4. The **NCPMs** are responsible for:

- 1) Serving as a principal liaison between ICE and federal, state, and local agencies, as well as public and private organizations on program matters;
- 2) Endorsing ERO and HSI, employee volunteers for the CPC role;
- 3) Coordinating with the ICE Chaplain, ERU, and CPCs when responding to major incidents; and
- 4) Ensuring up-to-date rosters of CPCs and the Program Confidentiality Statements are posted on the ICE intranet.

4.5. The **CPCs**¹ are responsible for:

- 1) Providing information about the ICE Chaplain Program to ICE personnel within the parameters of religious pluralism;
- 2) Coordinating incident response, if required, with the NCPMs, ICE Chaplain, Peer Support Coordinators, and the ERU;
- 3) Coordinating VCC activities in their area of responsibility (AOR); and
- 4) Reporting VCC hours and activities to the ICE Chaplain Program.

4.6. The **VCCs** are responsible for:

- 1) Assisting ICE employees in accordance with, and pursuant to, this Directive;
- 2) Offering a variety of secular resources for crisis resolution in a confidential manner;
- 3) Providing routine secular guidance or support in response to critical incidents or traumatic events; and
- 4) Executing a VCC Gratuitous Donated Services Agreement and a VCC Terms of Service Agreement.

¹ CPCs are permitted to serve as both a CPC and a Peer Support Member.

- 5. Procedures.** Employees may access ICE Chaplain program support services as set out below. Rosters identifying CPCs by name, phone number, and AOR will be posted on the ICE intranet.
- 1) All employees assigned to ERO or HSI Headquarters will contact the CPC designated for Headquarters employee program support services, whereas all OPR personnel will contact the NCPM; and
 - 2) Each ERO Field Office and HSI SAC Office will designate a CPC to coordinate ICE Chaplain support services in their respective AOR.
 - a. ERO employees stationed outside ICE Headquarters will contact the CPC designated by the ERO Field Office to which they report.
 - b. HSI employees stationed outside ICE Headquarters will contact the CPC designated by the HSI SAC Office to which they report.
 - c. All OPR employees will contact the NCPM to coordinate services from ERO or HSI assets.
 - d. All other non-ERO and non-HSI employees stationed outside ICE Headquarters will contact the CPC designated by either the ERO Field Office Director or the HSI SAC responsible for the area in which they are located.
- 6. Recordkeeping.** All records produced pursuant to this Directive shall be maintained in accordance with National Archives and Records Administration (NARA)-approved retention schedules. The OHC is responsible for maintaining these records. In accordance with the General Records Schedule 2.7, item 080, such records shall be destroyed three years after the project, activity, or transaction is completed.
- 7. Authorities/References.**
- 7.1. 5 U.S.C. § 552a, The Privacy Act of 1974 (as amended).
 - 7.2. 5 U.S.C. § 7901, *Health Service Programs*.
 - 7.3. 5 U.S.C. §§ 7361 and 7362, *Drug Abuse and Alcohol Abuse and Alcoholism*.
 - 7.4. 5 U.S.C. § 7904, *Employee Assistance Programs Relating to Drug Abuse and Alcohol Abuse*.
 - 7.5. 5 C.F.R. § 792.105, *Federal Employees' Health and Counseling Programs*.

- 7.6. 5 C.F.R. § 2635, *Standards of Ethical Conduct for Employees of the Executive Branch*.
 - 7.7. 6 C.F.R. Part 5, *Disclosure of Records and Information*.
 - 7.8. Law Enforcement Mental Health and Wellness Act of 2017, Pub. L. No. 115-113, 131 Stat. 2276 (codified as amended in scattered sections of 34 U.S.C.).
 - 7.9. Executive Order 12564, *Drug-Free Federal Workplace*, 51 Fed. Reg. 32,889 (1986).
 - 7.10. Office of Personnel Management, *Federal Employee Assistance Programs: Guiding Principles, Framework, and Definitions* (Sept. 2008).
 - 7.11. DHS Management Directive 254-02, Rev. 00, *Employee Assistance Program* (May 31, 2007).
 - 7.12. DHS Management Directive 254-03, Rev. 00, *Traumatic Incident Management Program* (May 31, 2007).
 - 7.13. DHS Management Directive 256-07, Rev. 00, *Suicide Prevention, Intervention, and Prevention* (Oct. 19, 2020).
 - 7.14. DHS Delegation Number 00910, *Solicitation of Volunteer Counseling Services in Support of Component Counseling Programs* (currently in draft form).
8. **Attachments.**
- 8.1. Volunteer Community Chaplain Gratuitous Services Agreement
 - 8.2. Volunteer Community Chaplain Terms of Service Agreement
9. **No Private Right.** This document provides only internal ICE policy guidance, which may be modified, rescinded, or superseded at any time without notice. It 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. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigative prerogatives of ICE.

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Deputy Director and
Senior Official Performing the Duties of the Director
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