

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
ICE Policy System

DISTRIBUTION:	ICE
DIRECTIVE NO.:	2-2.0
ISSUE DATE:	December 5, 2007
EFFECTIVE DATE:	December 5, 2007
REVIEW DATE:	December 5, 2010
SUPERSEDES:	See Section 3 Below.

DIRECTIVE TITLE: INVESTMENT REVIEW PROCESS

1. PURPOSE and SCOPE.

- 1.1. This Directive provides for executive guidance and oversight for all U.S. Immigration and Customs Enforcement (ICE) capital investments and ensures that the ICE investment portfolio includes the blend of strategic investments needed to support ICE mission goals and objectives. The Directive ensures compliance with the ICE and Department of Homeland Security (DHS) enterprise architectures and provides oversight for the ICE portfolio of capital assets, including information technology (IT) systems and projects, as well as non-IT capital assets. This Directive is in accordance with and supports DHS Management Directive (MD) 1400, Investment Review Process.
- 1.2. This Directive applies to the entire capital assets portfolio. Investments whose acquisition cost exceeds \$5M or whose life cycle cost exceeds \$20M require Investment Review Board (IRB) approval. In addition, investments in financial systems in excess of \$500K annually and investments deemed high risk require IRB approval. Investments below these thresholds may be approved by the Portfolio Working Groups via a delegation of authority memorandum.
- 1.3. This Directive applies to all ICE Program Offices, unless specifically exempted by statutory or other authority. This Directive applies to the acquisition of capital assets, investments and service contracts.
- 1.4. This Directive encompasses the establishment of an Investment Review Board, Information Technology (IT) Portfolio Working Group, and Asset Management and Services (AMS) Portfolio Working Group.

2. AUTHORITIES/REFERENCES.

- 2.1. Federal Acquisition Streamlining Act (FASA) of 1994 requires agencies to establish and achieve measurable performance goals for major acquisition programs. (Public Law (Pub. L.) 103-355, FASA 10 United States Code (U.S.C.) 2222 and FASA 41 U.S.C. 263).

- 2.2. Government Performance and Results Act (GPRA) of 1993 establishes the foundation for budget decision-making designed to achieve strategic goals and meet agency mission objectives (Pub. L.103-62, Office of Management and Budget (OMB)).
- 2.3. Clinger-Cohen Act (CCA) of 1996, Section 5122, "Capital Planning and process for maximizing the value and assessing and managing the risks of [its] information technology acquisitions." (P.L. 104-106, 40 U.S.C. 11312-11313).
- 2.4. Executive Order (EO) 13011, "Federal Information Technology," July 19, 1996.
- 2.5. OMB Circular A-11 (Exhibit 300), "Preparation and Submission of Budget Estimates."
- 2.6. OMB Circular A-130, "Management of Federal Information Resources."
- 2.7. Information Technology Investment Management (ITIM) v1.1 March 2004 (U.S. Government Accountability Office (GAO) report: GAO-04-394G).
- 2.8. DHS MD 0003, Acquisition of Line of Business Integration and Management.
- 2.9. DHS MD 1330, Planning, Programming, Budgeting, Execution (PPBE).
- 2.10. DHS MD 1400, Investment Review Process.
- 2.11. ICE System Lifecycle Management Handbook.
3. **SUPERSEDED/CANCELLED POLICY/SUMMARY OF CHANGES.** This Directive is the originating and establishing Directive for the Investment Review Process.
4. **BACKGROUND.** Federal agencies are required to implement investment review oversight and processes for their capital investments. The Department of Homeland Security has established a capital planning and investment control process to manage its capital investments. DHS MD 1400, Investment Review Process, requires ICE executive approval for all capital investments. This policy outlines how ICE will ensure senior level oversight and approval.
5. **DEFINITIONS.** The following definitions are provided for the purpose of this Directive.
 - 5.1. **Acquisition.** The process of acquiring by contract with appropriated funds, either by purchase or lease, of real property, equipment or other durable goods, supplies and services (including construction) that support the missions and goals of an executive agency.

- 5.2. **Acquisition Program.** A directed, funded effort that provides a new, improved or continued material or information system or service capability in response to an approved need.
- 5.3. **Asset Management.** The formal, directed agency management of land, structures and equipment for the entire life cycle from planning through disposition in accordance with statutes and regulations and with OMB, DHS and ICE Policy.
- 5.4. **Capital Assets.** Defined in OMB Circular A-11 and include land, structures, equipment and intellectual property (e.g., software), and information technology (including IT service contracts) used by the federal government and having an estimated useful life of two years or more.
- 5.5. **Capital Investment.** The acquisition of a capital asset and the management of that asset through its life cycle after the initial acquisition.
- 5.6. **Capital Planning Investment Control (CPIC).** A systematic approach to selecting, managing, and evaluating information technology investments. CPIC is mandated by the CCA of 1996 which requires federal agencies to focus more on the results achieved through IT investments while streamlining the federal IT procurement process.
- 5.7. **Enterprise Architecture (EA).** A strategic information asset base that defines the mission; the information necessary to perform the mission; the technologies necessary to perform the mission; and the transitional processes for implementing new technologies in response to changing mission needs. EA includes a baseline architecture, a target architecture, and a sequencing plan.
- 5.8. **Investment.** Any capital asset, service contract, steady-state operation, or development effort acquired or used for the purpose of furthering the DHS mission.
- 5.9. **Investment Review Board (IRB).** The executive-level decision-making body for ICE capital investments including information systems and technology, as well as non-IT capital assets. The ICE IRB is responsible for executive oversight for all ICE capital investments.
- 5.10. **Office of Management and Budget (OMB).** Assists the President in overseeing the preparation of the Federal budget and supervises its administration in Executive Branch agencies. Also, OMB oversees and coordinates the Administration's procurement, financial management, information and regulatory policies.
- 5.11. **Systems Lifecycle Management (SLM).** A process for controlling and evaluating the technical, security, and qualitative aspects of technology projects and managing their integration into the ICE and DHS operating environment, in compliance with OMB Circular A-130, Management of Federal Information Resources.

- 5.12. Working Groups.** Representative bodies comprised of senior level representation from across the ICE mission and mission support offices and programs. These groups are chartered to collaboratively manage the ICE investment portfolio and make recommendations to the ICE Investment Review Board.
- 6. POLICY.** It is ICE policy to establish and maintain an Investment Review Process that enables effective executive-level oversight for ICE investments and ensures that the ICE investment portfolio provides the blend of strategic investments needed to meet ICE mission goals and objectives.
- 7. RESPONSIBILITIES.**
- 7.1.** The Deputy Assistant Secretary for Management will serve as the Chair of the IRB. The Deputy Assistant Secretary for Operations will serve as the Acting Chair in the absence of the Chair.
- 7.2.** IRB membership is comprised of Headquarters Program Office Principals as identified in the IRB charter. The IRB will review ICE investment programs at appropriate milestones to determine their readiness to progress to the next acquisition phase and will make recommendations to the Assistant Secretary on the readiness of ICE investments to proceed to DHS milestone reviews. The IRB will also provide portfolio oversight of investment and service contracts on a periodic basis.
- 7.3.** The Assistant Secretary is the final decision authority on all matters that come before the IRB, except in situations where the Assistant Secretary expressly delegates decision authority to the Board.
- 7.4.** Working Groups serve as central, collaborative forums to:
- 1) Determine asset strategies;
 - 2) Ensure projects are technically feasible to implement; and
 - 3) Make recommendations to the IRB.
- 7.5.** Working Group members also serve as Portfolio Managers for those capital investments for which their office or program has been designated as the system owner or program/project sponsor. They will ensure that their office and program heads are briefed on matters coming before the Working Group to ensure that IRB members can confidently represent and vote on behalf of their organization.
- 7.6.** IT Portfolio Working Group members are empowered to represent their programs and offices in developing and communicating consensus recommendations to the IRB concerning ICE IT capital investments. The IT Portfolio Working Group is responsible for making programmatic recommendations to the ICE IRB on proposed new investments, changes to existing investments, and issues concerning other Departmental

capital planning and investment control. The Deputy Chief Information Officer (CIO) is the chair of the IT Portfolio Working Group.

- 7.7. AMS Portfolio Working Group members are empowered to represent their programs and offices in developing and communicating consensus recommendations to the ICE IRB concerning ICE non-IT capital investments. The AMS Portfolio Working Group is responsible for making programmatic recommendations to the ICE IRB on proposed new investments, changes to existing investments, and issues concerning other Departmental capital planning and investment control. The Director, Asset Management, Office of the Chief Financial Officer (CFO), is the chair of the AMS Portfolio Working Group.
- 7.8. The ICE CFO is responsible for ensuring integration of investment management with budget and performance management. The IRB Support, under the leadership of the CFO, is responsible for assisting the IRB in fulfilling its role by facilitating the integration, coordination and quality of investment activities; providing IRB meeting support; and developing and maintaining process assets.
- 7.9. The ICE CIO is responsible for monitoring the performance of IT programs, evaluating the performance of those programs, and advising whether to continue, modify, or terminate a program or project.
- 7.10. The ICE Director of Asset Management is responsible for the integration, oversight and strategic direction of the management of assets including all Property, Plant, Equipment, Facilities and Infrastructure.
- 7.11. The ICE Director of Acquisition Management, Head of Contracting, is responsible for ensuring that investment decisions are based on sound acquisition strategies that will deliver needed goods and services on schedule and at appropriate costs.
- 7.12. Roles, responsibilities, and operating procedures are included in the IRB and Working Groups' respective charters.


8. PROCEDURES.

- 8.1. The IRB and Portfolio Working Groups will be governed by approved charters.
- 8.2. Investment reviews will follow requirements outlined in DHS (b)(7)(E). Requests for approval to proceed to the next acquisition phase will be submitted to the IRB before proceeding to a DHS Review. Submissions will be in accordance with DHS and ICE requirements and will be supported at a minimum by a documented Mission Needs Statement, Acquisition Plan and Acquisition Program Baseline. Expenditure Plans and OMB Exhibit 300 will be similarly approved by the IRB.
- 8.3. Prior to IRB submission, investments will be reviewed by the IRB Support, under the leadership of the CFO, for alignment with policies and standards.

8.4. Investments will be carried out in accordance with ICE policies including the SLM, computer security and CPIC.

9. **ATTACHMENTS. NONE.**

10. **NO PRIVATE RIGHT STATEMENT.** This Directive is an internal policy statement of ICE. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; or any other person.

Approved  _____
Julie L. Myers
Assistant Secretary
U.S. Immigration and Customs Enforcement