



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

May 5, 2021

MEMORANDUM FOR: Tae D. Johnson  
Acting Director

THROUGH: Matthew C. Allen /S/  
Senior Official Performing the Duties of the Deputy  
Director

Corey A. Price /S/  
Acting Executive Associate Director  
Enforcement and Removal Operations

Patrick J. Lechleitner /S/  
Acting Executive Associate Director  
Homeland Security Investigations

Staci A. Barrera /S/  
Executive Associate Director  
Management and Administration

Waldemar Rodriguez /S/  
Associate Director  
Office of Professional Responsibility

John D. Trasviña /S/  
Principal Legal Advisor  
Office of the Principal Legal Advisor

FROM: Christopher S. Kelly /S/  
Assistant Director  
Office of Policy and Planning

SUBJECT: ICE Directive 2008.1, Partial Payment of Invoices

Purpose

To request your approval to rescind and archive U.S. Immigration and Customs Enforcement (ICE) Directive 2008.1 (originally issued as ICE Directive 2-5.0), Partial Payment of Invoices.

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Background

Generally, invoices are paid in full when goods and services are received and accepted by an authorized Government official. However, ICE Directive 2008.1 established a policy and procedure for partial payment of invoices. Under the directive, a partial payment may be made in three circumstances:

1. If the lesser amount is the result of non-receipt and/or acceptance of a portion of the goods and/or services rendered;
2. After a discount deduction is applied when the invoice is valid and the corresponding obligation record has sufficient funds available; or
3. In the event of a contractual dispute (a partial payment may only be made to a vendor at the contracting officer's direction).

This directive applies to all program offices.

Discussion

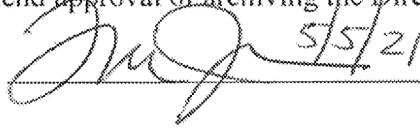
Although ICE Directive 2008.1 remains in effect, in practice OCFO has limited partial payments to the third circumstance listed above and requests that the directive be rescinded and archived. That directive also prohibits payments that exceed obligations. This prohibition is already expressed in the Financial Management Policy Manual, so it is not being rescinded. The current practice of limited partial payment is not specifically addressed in the Financial Management Policy Manual (FMPM) but is listed in the Office of Financial Management *Standard Operating Procedures (SOP) for Receipt & Acceptance and Invoicing* (March 1, 2021). A note near the top of page 9 of the SOP states:

Partial payments on invoices are only allowed on certain contracts that might not be meeting the performance standards outlined in the contract. The CO adjusts the invoice based on the agreed amount discussed with the vendor.

OCFO is aware that the policy for partial payments is not included in the FMPM and intends to update the manual to include it during the next update cycle. However, OCFO requests that ICE Directive 2008.1 be rescinded and archived as soon as possible to avoid confusion while new verbiage for the FMPM is developed.

Recommendation

I recommend approval of archiving the Directive. Please indicate and date your decision below:

Approve:  5/5/21 Disapprove: \_\_\_\_\_

Modify: \_\_\_\_\_ Need more discussion: \_\_\_\_\_

Attachments:

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ICE Directive 2008.1, Partial Payment of Invoices

Page 3 of 3

1. U.S. Immigration and Customs Enforcement, ICE Directive 2008.1, Partial Payment of Invoices (Jan. 18, 2008).
2. U.S. Immigration and Customs Enforcement Office of Financial Management (OFM) Standard Operating Procedures (SOP) for Receipt & Acceptance and Invoicing (Mar. 1, 2021).

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