

Department of Homeland Security U.S. Immigration and Customs Enforcement	ICE Delegation Order
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ORDER NUMBER: ICE DO 002-2021	FEA NUMBER: 306-112-002a	ISSUE DATE: April 16, 2021	EFFECTIVE DATE: April 16, 2021
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SUBJECT:

Delegation of Authority to Provide for the Primary and Secondary Schooling of and Transportation of Dependents of U.S. Immigration and Customs Enforcement Personnel Stationed Outside of the Continental United States, Fiscal Year 2021

DELEGATED BY:

Director,
U.S. Immigration and Customs Enforcement

DELEGATED TO:

Executive Associate Director, Homeland Security Investigations

Executive Associate Director, Enforcement and Removal Operations

Associate Director, Office of Professional Responsibility

Principal Legal Advisor, Office of the Principal Legal Advisor

SOURCE OF AUTHORITY BEING DELEGATED:

U.S. Department of Homeland Security (DHS) Delegation Number: 00900, Revision Number: 02, *Delegation of Authority to Provide for the Primary and Secondary Schooling of and Transportation of Dependents of DHS Personnel Stationed OCONUS, Fiscal Year 2020* (Aug. 7, 2020); and

Consolidated Appropriations Act, 2021, Public Law 116-260, Division F, Title V, § 529, Dec. 27, 2021.

SUPERSEDED ORDER(S):

ICE Delegation Order 004-2020: *Delegation of Authority to Provide for the Primary and Secondary Schooling of and Transportation of Dependents of U.S. Immigration and Customs Enforcement Personnel Stationed Outside of the Continental United States, Fiscal Year 2020*

DELEGATION:

By virtue of the authority granted to the Director of U.S. Immigration and Customs Enforcement (ICE) in Department of Homeland Security (DHS) Delegation Number: 00900, Revision: 02, entitled, *Delegation of Authority to Provide for the Primary and Secondary Schooling of and Transportation of Dependents of DHS Personnel Stationed OCONUS, Fiscal Year 2020*, dated August 7, 2020, I hereby delegate to the Executive Associate Directors of Homeland Security Investigations and Enforcement and Removal Operations, the Associate Director of the Office of Professional Responsibility, and the Principal Legal Advisor the authority to provide for the primary and secondary schooling and transportation of dependents of ICE personnel

stationed Outside of the Continental United States (OCONUS) in non-foreign areas using discretionary funds, in accordance with the provisions of DHS Delegation Number: 00900, Revision: 02.

Officials exercising delegated authority under this Delegation may provide for the primary and secondary schooling and transportation of dependents of ICE personnel stationed OCONUS in non-foreign areas using discretionary funds, in accordance with the provisions of DHS Delegation Number 00900, Revision: 02 and ICE Financial Management Policy Manual (FMPM), Chapter 2, Section 2.6.1 – Funding Dependent Education Reimbursement for Private School Tuition.

Officials exercising their delegated authority under this Delegation may provide for the primary and secondary schooling of dependents of ICE personnel stationed OCONUS in non-foreign locations at costs for any given area not in excess of those of the Department of Defense for the same area when it is determined by the relevant ICE official that the schools, if any, available in the locality are unable to provide adequately for the education of those dependents.

Whenever the relevant ICE official determines that schools located in the same area in which an ICE worksite is located are not accessible by public means of transportation on a regular basis, he or she may provide for the transportation of dependents of ICE personnel between the schools serving the area and the ICE worksite consistent with ICE FMPM, Chapter 2, Section 2.6.1, and DHS policies governing the use of government vehicles including Directive 118-02, Transportation of Non-Government Personnel and Family Members in Government Owned/Leased Vehicles, and DHS Instruction Manual 119-06-001-01, Motor Vehicle Fleet Program.

Officials exercising their delegated authority under this Delegation shall not use funds that were initially designated by Congress for any of the following purposes: Overseas Contingency Operations/Global War on Terrorism; an emergency requirement pursuant to a concurrent resolution on the budget or section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985; or Disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

This Delegation expires by operation of law, or on September 30, 2021, whichever is sooner, unless the authority is extended by operation of a continuing resolution(s), in which case this Delegation will expire at the end of such extension(s) or by operation of law, whichever is sooner.

The authorities delegated herein may be further redelegated in writing to subordinate officials at the Senior Executive Service (SES) level.

Nothing in the delegation provided by this order shall be construed to limit my exercise of such authority, or my authority to direct and control such employees in their exercise of the delegated authority.


Tae D. Johnson
Acting Director
U.S. Immigration and Customs Enforcement