

## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

### Policy Number: 10086.1 Oversight of ICE Personnel Serving on Federal Investigative Task Forces

**Issue Date:** March 25, 2016

**Effective Date:** March 25, 2016

**Superseded:** None.

**Federal Enterprise Architecture Number:** 306-112-002a

1. **Purpose/Background.** This Directive clarifies the coordination processes among U.S. Immigration and Customs Enforcement (ICE) personnel serving on federal task forces to promote efficiency of operations and transparency regarding responsibilities and procedures.
2. **Policy.** HSI and ERO cooperate and collaborate in their respective and complementary law enforcement missions. All HSI Special Agents in Charge (SACs) and ERO Field Office Directors (FODs) must regularly communicate to ensure awareness of related enforcement efforts and eliminate redundancies. To ensure efficiency and proper operational coordination, HSI will have oversight of all ICE personnel assigned to federal task forces, other than U.S. Marshals Service Fugitive Task Forces, as described in this Directive. ERO and HSI will continue conducting all other law enforcement operations in a coordinated manner consistent with their statutory authorities and their responsibilities as set forth in other applicable delegations, directives, memoranda, and policy guidance.
3. **Definitions.** None.
4. **Responsibilities.**
  - 4.1. **Homeland Security Investigations,** in light of this directive, is responsible for overseeing ERO officers serving on federal investigative task forces, other than U.S. Marshals Service Fugitive Task Forces, only to the extent of the ERO officers' involvement in the task forces is related to fugitive investigations.
5. **Procedures/Requirements.** ERO task force officers, excluding those serving U.S. Marshals Service Fugitive Task Forces, will conduct the following actions under the guidance and supervision of HSI group supervisors: operational activities and preparing and submitting operational reports. This oversight is for purposes of operational and investigative supervision and coordination only; HSI group supervisors will not provide performance ratings or otherwise formally supervise any ERO officers.
  - 1) ERO task force officers will document all investigative activity and statistics into the Investigative Case Management System.
6. **Authorities/References.**

- 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) 19 U.S.C. §§ 482, 1401, 1467, 1486, 1499, 1507, 1509, 1581-84, 1586-87, 1589a-1590, 1595, 1619, 1628, 1703, 2071, and 2081.
  - 5) 8 Code of Federal Regulations (C.F.R.), §§ 2.1 and 100.1.
  - 6) 19 C.F.R., Parts 142, 145, 148, 151, 161, 162, and 163.
  - 7) 29 C.F.R. § 1614.
  - 8) DHS Delegation No. 7030.2: *Delegation of Authority to the Assistant Secretary for U.S. Immigration and Customs Enforcement* (Nov. 13, 2004).
7. **Attachments.** None.
8. **No Private Right of Action.** 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 or diminish any rights, substantive or procedural, enforceable at law or equity by any party in any criminal, civil, or administrative matter. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigative prerogatives of ICE.



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