

U.S. Department of Homeland Security
Bureau of Immigration and Customs Enforcement

JUN 30 2003

MEMORANDUM FOR All Special Agents in Charge

FROM Interim Director (b)(6); (b)(7)(c)
Office of Investigations

SUBJECT Delegation of Authority for Warrants of Arrest

Attached you will find a Delegation of Authority authorizing all Supervisory Special Agents (SSA) the authority to issue arrest warrants for immigration violations under 8 CFR 287.5(e)(2). The concurrent authority to issue immigration bonds is found in the INS Special Agent Field Manual (M-490) in Section 14.3(a)(2), which provides that an agent authorized in 8 CFR 287.5(e)(2) to issue an Immigration Warrant of Arrest may also issue a Notice of Custody Determination (Form I-286). This augments the SSA's existing authority to issue Notices to Appear (NTA) under Section 8 CFR 239.1(a).

By policy, the SAC may limit those supervisors authorized to exercise this authority in order to meet their individual operational needs.

Attachment

Department of Homeland Security
Bureau of Immigration and Customs Enforcement
Delegation Number: 0093

DELEGATION OF AUTHORITY FROM THE DIRECTOR OF INVESTIGATIONS TO SUPERVISORY SPECIAL AGENTS OF THE BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT

1. Purpose

This delegation vests in Supervisory Special Agents of the Investigations Program of the Bureau of Immigration and Customs Enforcement (ICE) the authorities described herein in order to accomplish the mission of ICE. This delegation is made through, and the exercise of any authorities herein is subject to, the authority, direction, and control of the Under Secretary for Border and Transportation Security, and the Assistant Secretary for ICE.

2. Delegations

Pursuant to the authority vested in the Secretary of Homeland Security by law, including the Homeland Security Act of 2002, as amended (HSA), and delegated to the Assistant Secretary for ICE in Department of Homeland Security (DHS) Delegation No. 7030, and subsequently re-delegated in ICE Delegation Number 0001, I hereby delegate to Supervisory Special Agents the authority under 8 C.F.R. § 287.5(e)(2) to issue arrest warrants for immigration violations.

3. Re-delegations

Supervisory Special Agents are not authorized to re-delegate the authority delegated herein.

4. Authorities

Homeland Security Act of 2002, as amended, Pub. L. No. 107-296, 116 Stat. 2135 (November 25, 2002); Section 287 of the Immigration and Nationality Act of 1952, as amended, 8 U.S.C. § 1357; Title 8, Code of Federal Regulations; the President's Homeland Security Reorganization Plan, November 25, 2002, as modified, January 30, 2003; DHS Delegation Number 7030; ICE Delegation Number 0001.

5. Office of Primary Interest

The Bureau of Immigration and Customs Enforcement, Investigations, is the office of primary interest in this delegation.

Director of Investigations
Bureau of Immigration and
Customs Enforcement

Dated: