



Homeland Security Investigations

Narcotics and Transnational Organized Crime Rewards Programs Handbook

HSI HB 16-03 / August 11, 2016



U.S. Immigration
and Customs
Enforcement

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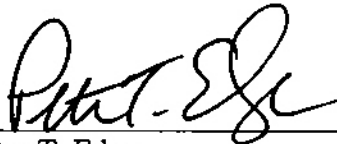
Foreword

The Narcotics and Transnational Organized Crime Rewards Programs Handbook provides a single source of national policies, procedures, responsibilities, guidelines, and controls to be followed by U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Special Agents when recommending informants for participation in the Department of State (DOS)'s Rewards Programs. This Handbook contains instructions and guidance to help ensure uniformity and operational consistency among all HSI field offices. Oversight over ICE's submissions to and interactions with the Rewards Programs resides with the Unit Chief, Undercover Operations Unit.

This is the originating and establishing HSI Handbook on HSI's participation in the DOS Narcotics and Transnational Organized Crime Rewards Programs.

The Narcotics and Transnational Organized Crime Rewards Programs Handbook is an internal policy of HSI. It is not intended, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter, nor are any limitations hereby placed on otherwise lawful enforcement prerogatives of ICE. This Handbook is For Official Use Only (FOUO) – Law Enforcement Sensitive. It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with Department of Homeland Security policy relating to FOUO information and the ICE Directive on Safeguarding Law Enforcement Sensitive Information. This information shall not be distributed beyond the original addressees without prior authorization of the originator. If disclosure of this Handbook or any portion of it is demanded in any judicial or administrative proceeding, the HSI Records and Disclosure Unit, as well as the appropriate ICE Counsel and/or U.S. Attorney, should be consulted so that appropriate measures can be taken to invoke privileges against disclosure. This Handbook contains information which may be exempt from disclosure to the public under the Freedom of Information Act, Title 5, United States Code, Section 552(b), and protected from disclosure pursuant to the law enforcement privilege. Any further request for disclosure of this Handbook or information contained herein should be referred to the HSI Records and Disclosure Unit.

The HSI Policy Unit is responsible for coordinating the development and issuance of HSI policy. All suggested changes or updates to this Handbook should be submitted to the HSI Policy Unit, which will coordinate all revisions with the Undercover Operations Unit.



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Executive Associate Director
Homeland Security Investigations

11 AUG 2016
Date

**NARCOTICS AND TRANSNATIONAL ORGANIZED CRIME
REWARDS PROGRAMS HANDBOOK**

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NARCOTICS AND TRANSNATIONAL ORGANIZED CRIME REWARDS PROGRAMS HANDBOOK

Chapter 1. PURPOSE AND SCOPE

The Narcotics and Transnational Organized Crime Rewards Programs Handbook provides policy and procedures for U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) managers, supervisors, and Special Agents (SAs) when submitting an HSI confidential informant (CI) for a reward under the Department of State (DOS)'s Bureau of International Narcotics and Law Enforcement Affairs (INL) Narcotics Rewards Program (NRP) or Transnational Organized Crime Rewards Program (TOCRP) (collectively "Rewards Programs").

Chapter 2. INTRODUCTION

Under Section 36 of the Department of State Basic Authorities Act of 1956 (P.L. 84-885), as amended (Title 22, United States Code (U.S.C.), Section 2708 *et seq.*), Congress provided the authority for DOS to establish several rewards programs, including rewards programs focusing on foreign narcotics trafficking and transnational organized crime. The purpose of this authority was to provide additional tools to help the U.S. Government identify, locate, and bring to justice major violators of U.S. narcotics and transnational organized crime laws.

DOS INL administers both rewards programs and provides policy guidance, as needed. Under the Rewards Programs, the submission and approval of reward proposals consist of two distinct steps: 1) Reward Offer and 2) Reward Payment. The HSI Confidential Informants and Investigative Section, Undercover Operations Unit (UOU), oversees ICE's submissions to and interactions with the Rewards Programs, ensuring that all reward proposal submissions are appropriate and meet the requirements established by DOS INL.

Chapter 3. DEFINITIONS

The following definitions are provided for the purposes of this Handbook:

3.1 Chief of Mission

The Chief of Mission, under the direction of the President of the United States and designated by the Secretary of State, is the principal officer in charge, or the Ambassador, of a diplomatic mission of the United States or of a U.S. office in a foreign country. The Chief of Mission is fully responsible for the direction, coordination, and supervision of all U.S. Government employees within the Executive Branch assigned to that diplomatic mission and is informed of their activities and operations.

3.2 Chargé(e) d’Affaires

A diplomat, usually a diplomatic secretary, counselor, or minister, who heads a diplomatic mission (e.g., an embassy) in the absence of the Ambassador.

3.3 Classified Information

Classified information is information that has been determined, pursuant to Executive Order (EO) 13526, “Classified National Security Information,” or any predecessor EO, to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

(b) (7) (E)



3.7 For Official Use Only

For Official Use Only (FOUO) information is unclassified information of a sensitive nature, not otherwise categorized by statute or regulation, the unauthorized disclosure of which could adversely impact a person's privacy or welfare, the conduct of federal programs, or other programs or operations essential to the national interest.

3.8 Law Enforcement Sensitive

Law Enforcement Sensitive (LES) information is a type of FOUO information that is compiled for law enforcement purposes, the loss or misuse of, or unauthorized access to, which could adversely affect the national interest or the conduct of investigative work, disclose the identity of a CI or a source of information, endanger life or physical safety, or impact the privacy to which individuals are entitled under the Privacy Act or the Department of Homeland Security (DHS) Directive 047-01, Privacy Policy and Compliance, dated July 7, 2011.

3.9 Major Violator of Transnational Organized Crime Activity

Any individual who threatens U.S. national interests through transnational organized crime activity beyond drug trafficking, such as human trafficking, wildlife trafficking, cybercrime, money laundering, and trafficking in arms and other illicit goods.

3.10 Major Violator of U.S. Narcotics Law

Any individual who has been designated a significant foreign narcotics trafficker under the Foreign Narcotics Kingpin Designation Act, designated as a Consolidated Priority Organization Target (CPOT), or anyone identified and recognized as a major violator of U.S. narcotics law.

3.11 Request Proposal

The Request Proposal is the format that INL recommends for the submission of requests for reward offers and payments. The content requirements for the letters are prescribed in INL's "Narcotics Reward Payment Request Guidance," (dated February 2013) and "Transnational Organized Crime Rewards Program Standard Operating Procedure," dated August 29, 2014. (Note: See Sections 8.1, 9.1, and 9.2 of this Handbook for further guidance.)

3.12 Rewards Committees

INL manages the NRP in consultation with the Narcotics Rewards Committee (NRC), and the TOCRP in consultation with the Interagency Rewards Committee (IRC). The NRC members are the INL Assistant Secretary of State (Chair), representatives from the Department of Justice (DOJ), Department of the Treasury (Treasury), DHS, including ICE HSI, and other relevant federal law enforcement agencies and DOS regional bureaus. The IRC members are DOS (INL, the Office of the Legal Advisor's Office of Law Enforcement and Intelligence, and the Office of Emergencies in the Diplomatic and Consular Service), DHS, ICE HSI, DOJ, Federal Bureau of Investigation, Drug Enforcement Administration, Department of the Treasury, Internal Revenue Service, National Security Council, Office of the Director of National Intelligence, Central Intelligence Agency, and Department of Defense. In addition to these permanent members, other U.S. Federal agencies or DOS bureaus may be invited to participate on an *ad hoc* basis.

Eligible NRP or TOCRP nominations are submitted to the NRC or IRC, respectively, for concurrence. The IRC must unanimously recommend approval of both the reward offer and the amount requested; the IRC may agree to change the amount. For the NRP, the NRC makes specific reward payment recommendations to the Secretary of State, who, in turn, must obtain the concurrence of the Attorney General (in cases where there is U.S. criminal jurisdiction). For the TOCRP, once the IRC reaches a consensus, TOCRP seeks internal DOS clearance and forwards the nomination to the INL Assistant Secretary with a recommendation for approval or denial.

3.13 Reward Offer

A Reward Offer is an authorization from the Secretary of State to post and publicize a monetary reward. An authorized Reward Offer enables HSI SAs to offer a reward for information that can lead to the arrest and/or conviction of targets, identification or location of key leaders, dismantling of a major narcotics trafficking ring or transnational criminal organization, or disruption of financial mechanisms of networks in cases involving narcotics-related offenses committed primarily outside the United States, or, in cases of transnational organized crime, involving at least one jurisdiction outside the United States. This can be accomplished by HSI or DOS posting reward offers on the internet, social media (e.g., Twitter and Facebook) and/or advertising them through other means, such as TV, radio, and posters.

3.14 Reward Payment

A Reward Payment is a payment for information related to the target of a Reward Offer. The Secretary of State may approve a reward payment to an HSI CI in cases involving at least one jurisdiction outside the United States, based on the receipt of information that disrupts significant criminal activity or leads to the dismantling of a major narcotics trafficking ring or transnational criminal organization. Examples of outcomes that may merit a reward payment include, but are not limited to, the arrest and/or conviction of a key leader or the dismantling of a transnational criminal organization that pose a threat to U.S. national interests.

3.15 Sensitive But Unclassified Information

Sensitive But Unclassified Information (SBU) is an umbrella term used to refer to the many different types of information that both Congress and Federal agencies have determined require some form of protection from unauthorized disclosure. SBU includes information protected by statute (e.g., Sensitive Security Information (SSI) and Protected Critical Infrastructure Information (PCII)) and DHS policy (e.g., FOUO).

Chapter 4. AUTHORITIES/REFERENCES

- A. Title 22, U.S. Code, Chapter 38, Section 2708, Department of State Rewards Program.
- B. Title 32, Code of Federal Regulations, Part 2001, “Classified National Security Information” – contains supplemental requirements for identifying and safeguarding classified information.
- C. EO 13526, Classified National Security Information – contains requirements for identifying and safeguarding classified information.
- D. DHS Instruction 121-01-011, Administrative Security Program, dated April 25, 2011 – contains requirements for identifying and safeguarding classified information by DHS Components.
- E. DHS Management Directive 11042.1, Safeguarding Sensitive But Unclassified (For Official Use Only) Information, dated January 6, 2005 – contains requirements for identifying and safeguarding FOUO and LES information.
- F. ICE Directive 4003.2, Safeguarding Law Enforcement Sensitive Information, dated May 20, 2014, or as updated – contains requirements for identifying and safeguarding LES information.
- G. DOS, Narcotics Reward Payment Request Guidance, dated February 2013.
- H. DOS, Transnational Organized Crime Rewards Program Standard Operating Procedure, dated August 29, 2014.

Chapter 5. RESPONSIBILITIES

5.1 Executive Associate Director, Homeland Security Investigations

The Executive Associate Director of HSI is responsible for the oversight of the policies and procedures set forth in this Handbook.

5.2 Deputy Assistant Director, Investigative Services Division

The Deputy Assistant Director (DAD), Investigative Services Division (ISD), is responsible for the overall implementation of the provisions of this Handbook.

5.3 Unit Chief, Undercover Operations Unit

The Unit Chief, UOU, is responsible for approving proposals for the DOS Rewards Programs.



5.5 National Program Manager, Rewards Programs

The Rewards Program National Program Manager (NPM) is responsible for ensuring that HSI proposals meet the requirements mandated by INL, consulting with SAs, providing guidance to HSI field offices on completing proposals for the NRP and TOCRP, derivatively classifying field office reward offers and payment requests in consultation with SAs, serving as the liaison to DOS for the Rewards Programs, and representing HSI on the IRC.

5.6 Special Agents in Charge and Attachés

Special Agents in Charge (SACs) and Attachés (or Assistant Attachés if no Attaché is present in country) are responsible for implementing the provisions of this Handbook within their respective areas of responsibility.

5.7 Group Supervisors

Group Supervisors (GSs) are responsible for ensuring that proposals comply with HSI and DOS INL requirements prior to submission to UOU.

5.8 Assistant Attachés

Assistant Attachés are responsible for briefing the Attaché and the Chief of Mission on the NRP or TOCRP proposals received from the UOU NPM. The Assistant Attaché is also responsible for forwarding the cable to DOS.

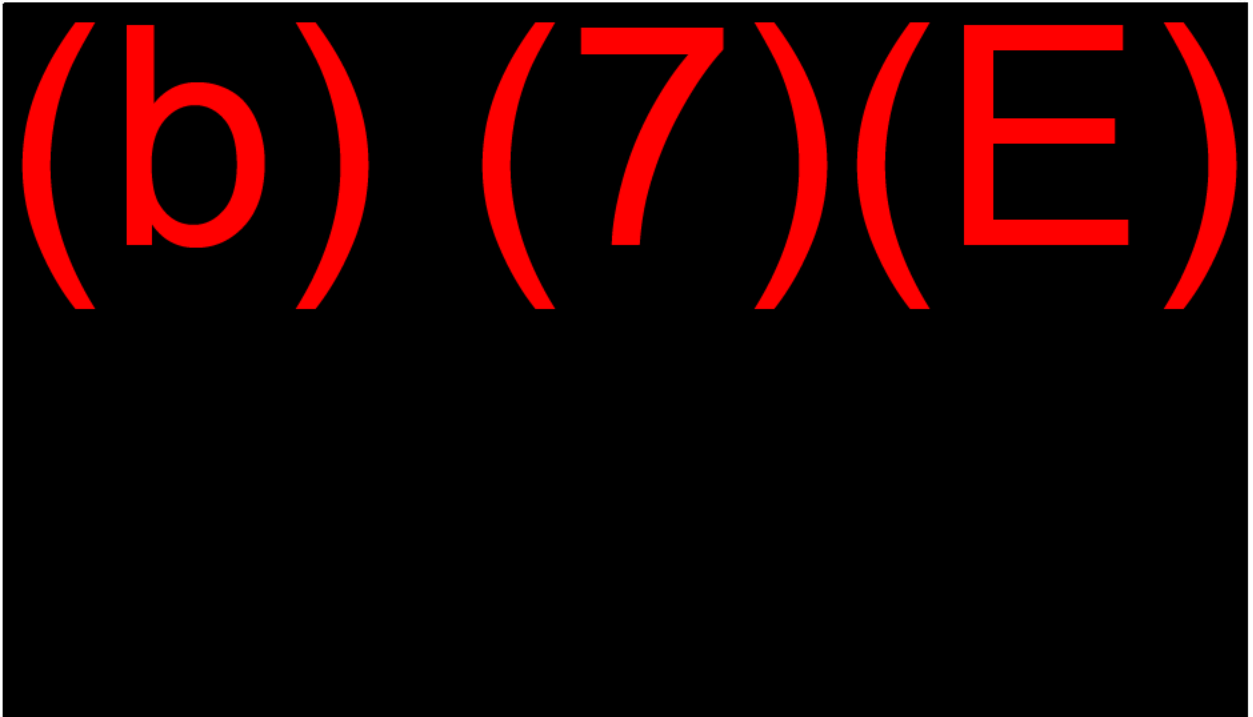
5.9 Special Agents

SAs are responsible for complying with the provisions of this Handbook. SAs must complete the Office of Professional Responsibility (OPR) Security Division's Derivative Classification Training Webinar and obtain access to the Homeland Security Data Network (HSDN) prior to submitting a request.



Chapter 7. PREPARING AND TRANSMITTING PROPOSALS FOR REWARD PAYMENTS

The following procedures must be followed when requesting reward payments:



(b) (7) (E)

Completed proposals must be forwarded to the DAD of ISD for review. Once all requirements are met for the applicable request, the NRP/TOCRP NPM will mark the proposal in accordance with the requirements in Chapter 10. The HSI Attaché is responsible for briefing the U.S. Ambassador or Chargé(e) d’Affaires to obtain his or her concurrence. Once concurrence is received from the Ambassador or Chargé(e) d’Affaires, the HSI Attaché Office is responsible for converting the content into cable formatting and forwarding the cable to INL.

(Note: All requests must conform to DOS guidelines and have concurrence from the SAC, the HSI Attaché, the appropriate U.S. Ambassador, and—for reward payments only for matters over which there is federal criminal jurisdiction—the appropriate U.S. Attorney. All requests to INL must include the requested reward offer or reward payment amount, which may not exceed \$5 million.)

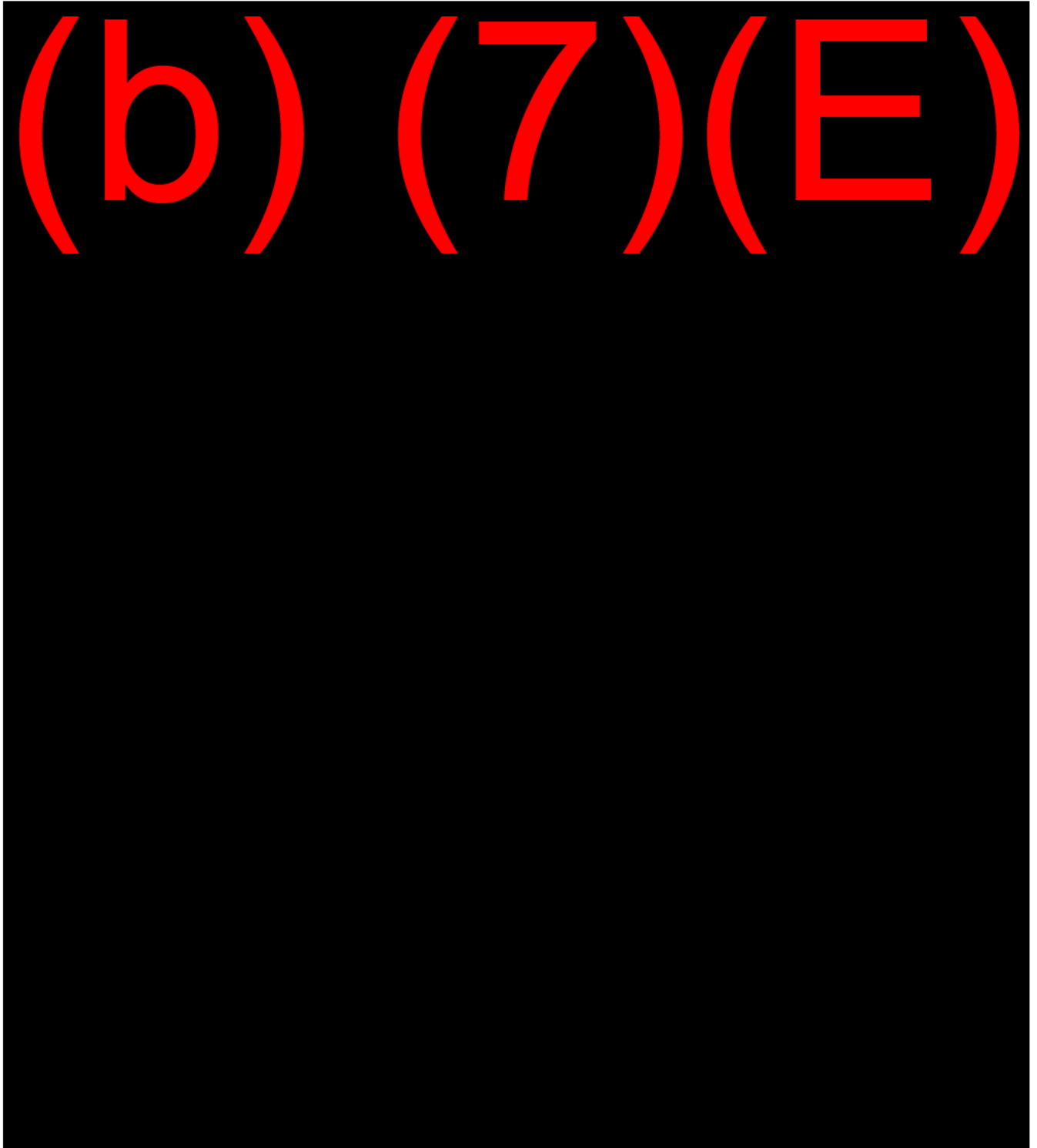
Chapter 8. NARCOTICS REWARDS PROGRAM

The Narcotics Rewards Program was established by Congress in 1986 as a tool to assist the U.S. Government in identifying and bringing to justice the major violators of U.S. narcotics laws responsible for bringing hundreds of tons of illicit drugs into the United States each year. Under this program and subject to the availability of appropriated funds, the Secretary of State has the statutory authority (22 U.S.C. § 2708) to offer rewards of up to \$25 million for information leading to the arrest and/or conviction of major narcotics traffickers who operate outside the United States to send drugs into the United States. For the purpose of this Handbook, HSI reward offers and payment requests may not exceed \$5 million. (Note: Promises of a reward payment from the DOS NRP may NOT be made to CIs. Only the Secretary of State may make the determination to pay a reward. Note also: U.S. and foreign government employees, including police, are not eligible for rewards under the NRP.)

The IRC must unanimously recommend approval of both the reward offer and the amount requested; the IRC may agree to change the amount. Once the IRC reaches a consensus, NRP will seek internal DOS clearance and forward the nomination to the INL Assistant Secretary with a recommendation for approval or denial. The INL Assistant Secretary will send a letter to ISD confirming the decision and the reward amount. If a nomination is denied, the letter will also include the basis for denial. Approved reward offers are embargoed until a date determined by DOS in consultation with ISD.

8.1 Narcotics Reward Offer and Payment Proposal Format

The following format, including section headings, will be used for all NRP proposals. This format is taken from DOS's NRP Reward Payment Request Guidance. Each of the section headings below should be numbered in the proposal. (Note: SAs must not submit the proposal using "all caps.")



(b) (7) (E)

(b) (7) (E)

7) Include the following affirmation statement in the request cable:

“I, (requesting SA’s full name), hereby confirm that all the information in this request is true and accurate and that the individual(s) recommended for a reward payment meets all the statutory qualifications for eligibility. The Reward Program Participant provided the information voluntarily, without any promises that a reward payment would be made. (Name and title of supervisor) of my parent agency has approved this recommendation.”

8.2 Criteria for Determining Reward Amounts

In preparing the Request Proposal, HSI will determine the initial amount of the reward based on the following factors:

(b) (7) (E)

HSI SAs should take these factors into consideration to determine if a reward amount is appropriate. The initial reward payment proposal is presented to the IRC for review and

validation. The IRC must unanimously agree on the proposed reward amount in order for the case to move forward. DOS provides a criteria checklist to assist in determining the initial reward proposal. (Note: For more information about the criteria checklist, SAs should contact the Rewards Program NPM.)

Chapter 9. TRANSNATIONAL ORGANIZED CRIME REWARDS PROGRAM

Established by Congress in 2013, the TOCRP is a tool used by the U.S. Government to identify, locate, and bring to justice members of significant transnational criminal organizations. Under this program and subject to the availability of appropriated funds, the Secretary of State has statutory authority (22 U.S.C. § 2708) to offer rewards for information leading to the dismantling of transnational criminal organizations or the disruption of their finances, the identification or location of key leaders, or the arrest and/or conviction of significant members operating outside the United States.

Any U.S. federal agency may nominate an individual or organization for a TOCRP reward offer of up to \$25 million. Per DOS policy and for the purpose of this Handbook, HSI reward offers and payment requests may not exceed \$5 million. The IRC must unanimously recommend approval of both the reward offer and the amount requested; the IRC may determine that a different award amount is appropriate. Once the IRC reaches a consensus, TOCRP will seek internal DOS clearance and forward the nomination to the INL Assistant Secretary with a recommendation for approval or denial. The INL Assistant Secretary will send a letter to ISD confirming the decision and the reward amount. If a nomination is denied, the letter will also include the basis for denial. Approved reward offers are embargoed until a date determined by DOS in consultation with ISD.

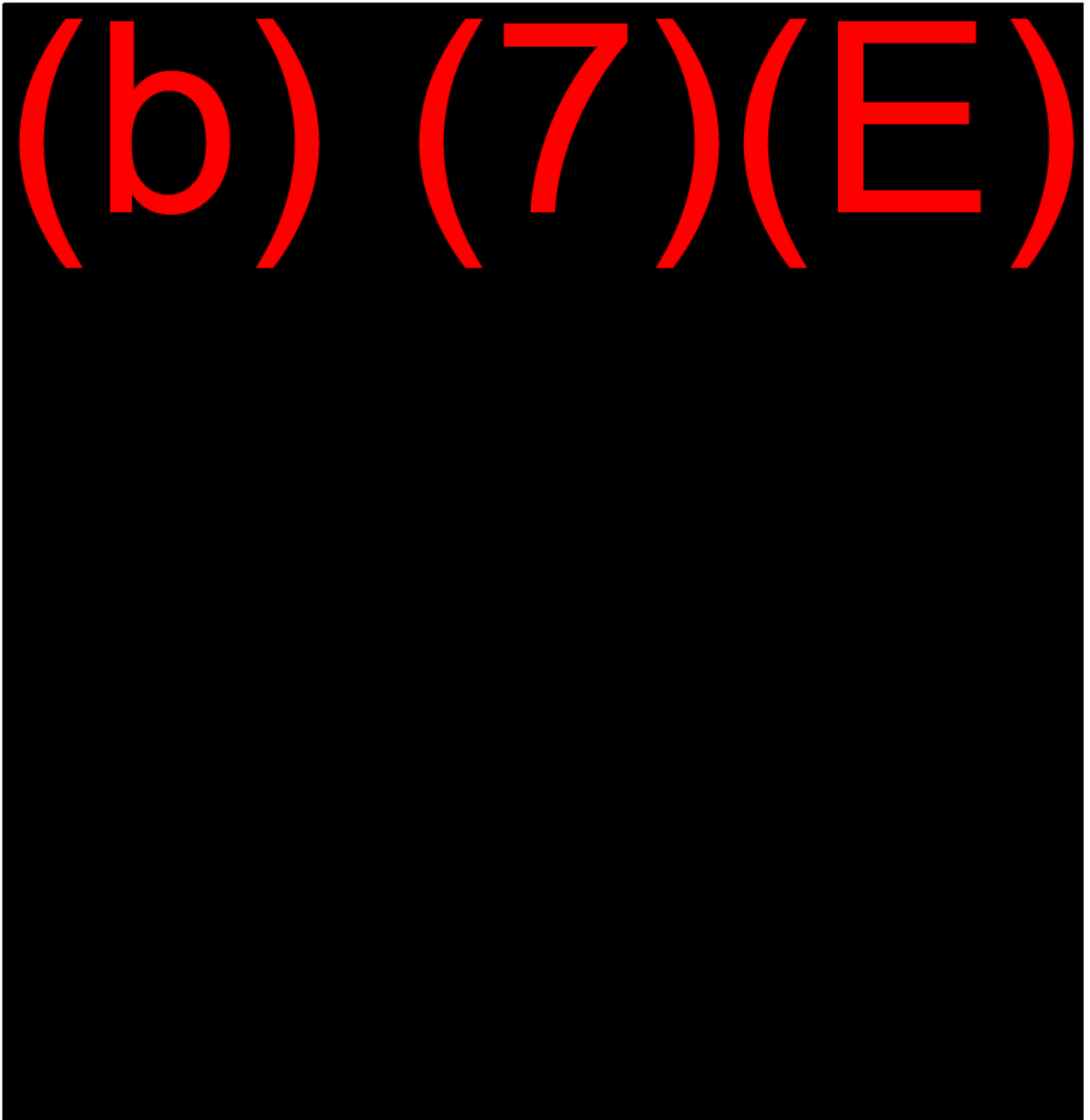
9.1 Reward Offer Proposal Format

The following format, including section headings, will be used for all Transnational Organized Crime reward offer proposals. All nomination proposals for reward offers must include the requestor's (SA) name, rank, office location, and contact information, including phone number and email address.



(b) (7)(E)

(b) (7)(E)



9.2 Reward Payment Proposal Format

The following format, including section headings, will be used for all TOCRP reward payment proposals. All nomination proposals for reward payments must include the requestor's (SA) name, rank, office location, and contact information, including phone number and e-mail address.



(b) (7)(E)

(b) (7)(E)

(b) (7) (E)

F. Required Statement:

Include the following statement in the request cable:

“I, (requesting SA’s full name), hereby confirm that all the information in this request is true and accurate and that the individual(s) recommended for a reward payment meet(s) all the statutory qualifications for eligibility. The Reward Program Participant provided the information voluntarily, without any promises that a reward payment would be made. (Name and title of supervisor) of my parent agency has approved this recommendation.”

Chapter 10. HSI MARKING REQUIREMENTS

SAs will prepare draft reward offer and payment requests and supplemental e-mails when recommending CIs for participation in the Rewards Programs. The NPM will review the draft, place appropriate classification markings, and finalize the document for submission to the HSI Attaché for the Attaché to debrief the INL in-country point of contact and the U.S. Ambassador. (See Appendix A, Marking Requirements - Summary.) The HSI Attaché representative will be responsible for ensuring that a cable is transmitted, with the final proposal, to INL.

(b) (7) (E)

(b) (7)(E)

(b) (7) (E)

(b) (7)(E)

(b) (7) (E)

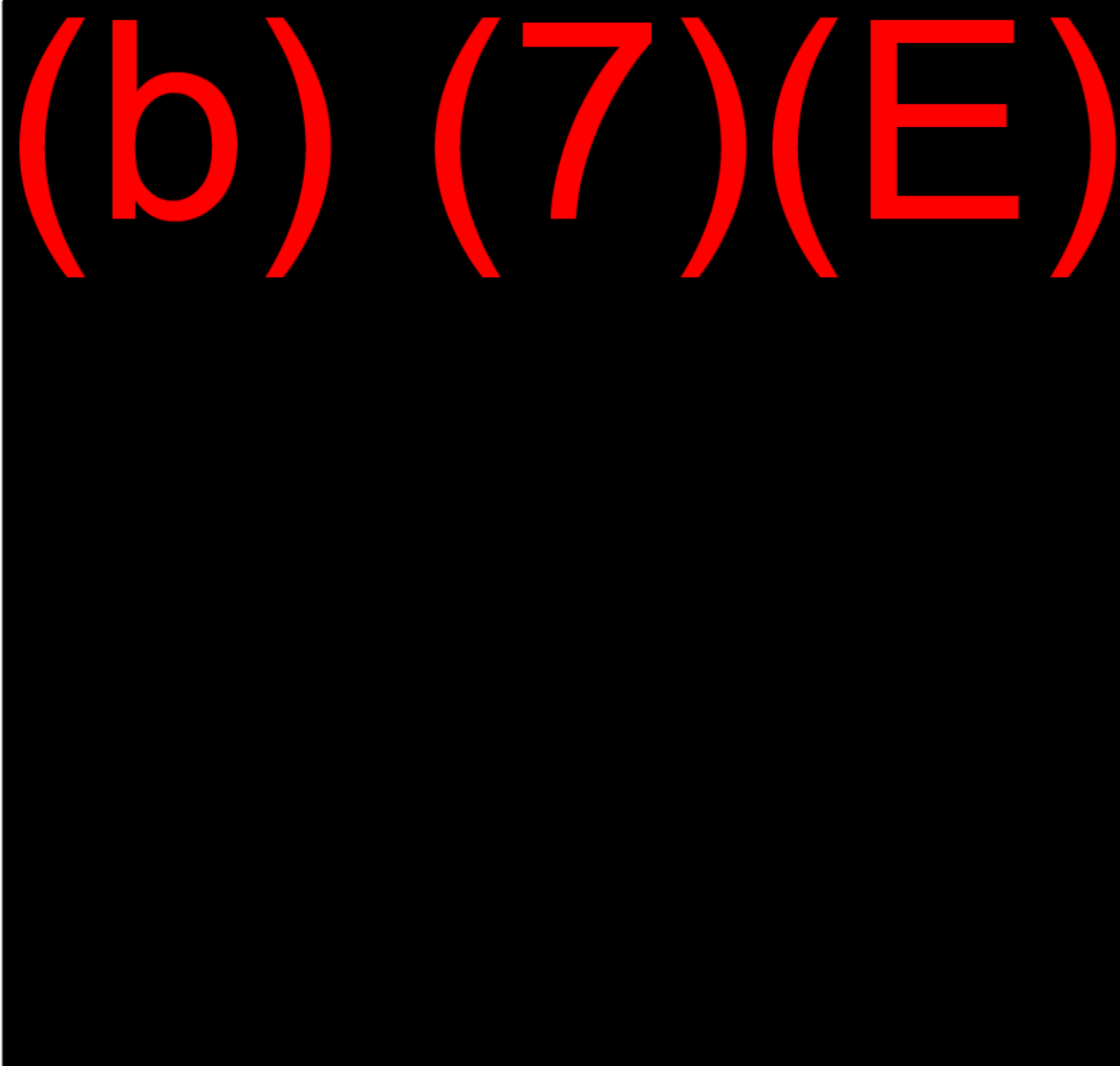
(b) (7) (E)

Chapter 11. DOS BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS MARKING REQUIREMENTS

Documents recommending CIs for participation in the Rewards Programs that are being provided to INL must be marked in accordance with the requirements in EO 13526 and the instructions from INL. (See Appendix A, Marking Requirements - Summary.)

11.1 Final Proposal

The UOU NPM shall prepare the final classified proposal for transmission to the HSI Attaché Office for the Attaché to debrief the INL in-country point of contact and the U.S. Ambassador. The HSI Attaché representative is responsible for ensuring that a cable is transmitted with the final proposal to the INL as follows:



(b) (7)(E)

(b) (7) (E)

(b) (7) (E)

11.2 E-mails Transmitting Supplemental Information to INL

The UOU NPM shall respond to INL questions and requests for additional information via classified e-mail.

(b) (7) (E)



(b) (7)(E)

(b) (7) (E)

Chapter 12. TRANSMISSION REQUIREMENTS

12.1 HSI Transmission Requirements

Proposals and supplemental e-mails must be transmitted in accordance with the following requirements:

A. E-mails Containing or Transmitting Classified Information.

E-mails containing or transmitting classified information must be transmitted in accordance with the requirements in DHS Instruction 121-01-011, Administrative Security Program, dated April 25, 2011. (Note: This Section addresses information that is classified *prior to* its association with the Rewards Programs. Information classified *because of* its association with the Rewards Program is discussed in Section 11.1.A(3)(b).)

B. E-mails Containing or Transmitting FOUO/LES.

E-mails containing FOUO/LES information (but not containing classified information) or transmitting proposals that are marked “FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE” must be transmitted by one of the following methods:

(b) (7) (E)

(b) (7) (E)

12.2 DOS INL Transmission Requirements

The final proposal and supplemental e-mails must be transmitted to INL via (b) (7) (E)

(b) (7) (E)

(b) (7) (E)

(b) (7) (E)

ACRONYMS

CI	Confidential Informant
CPOT	Consolidated Priority Organization Target
DAD	Deputy Assistant Director
DHS	U.S. Department of Homeland Security
DOJ	Department of Justice
DTO	Drug Trafficking Organization
DOS	Department of State
EO	Executive Order
FGI	Foreign Government Information
FOUO	For Official Use Only
GS	Group Supervisor
HB	Handbook
HSDN	Homeland Secure Data Network
HSI	Homeland Security Investigations
ICE	U.S. Immigration and Customs Enforcement
INL	Bureau of International Narcotics and Law Enforcement Affairs
INTERPOL	International Criminal Police Organization
IRC	Interagency Rewards Committee
ISD	Investigative Services Division
LES	Law Enforcement Sensitive
NF	Not Releasable to Foreign Nationals
NOFORN	Not Releasable to Foreign Nationals
NPM	National Program Manager
NRC	Narcotics Rewards Committee
NRP	Narcotics Rewards Program
OPR	Office of Professional Responsibility
PCII	Protected Critical Infrastructure Information
RPP	Rewards Program Participant
SA	Special Agent
SAC	Special Agent in Charge
SBU	Sensitive But Unclassified
SCG	Security Classification Guide
SIPRNet	Secret Internet Protocol Router Network
SSI	Sensitive Security Information
TOCRP	Transnational Organized Crime Rewards Program
UOU	Undercover Operations Unit
U.S.C.	United States Code