



U.S. Immigration
and Customs
Enforcement

August 31, 2008

MEMORANDUM FOR: Theresa C. Bertucci
Deputy Assistant Secretary for Management

FROM: *s/ Alex S. Keenan*
Alex S. Keenan
Chief Financial Officer

SUBJECT: Implementation of Assistant Secretary's Evacuation Order for
Hurricane Gustav Evacuees

This memorandum details the implementation of Assistant Secretary Myers evacuation order for Hurricane Gustav evacuees dated August 31, 2008.

For purposes of this evacuation order, the following definitions apply:

- a. Dependent – relative of the employee residing with the employee and dependent of the employee for support.
- b. Safe have – a designated area to which an employee or dependent will be or have been evacuated.

Consistent with the ICE Policy on Emergency and Special Evacuation Allowances, and the supporting procedures, the following Fiscal and Allowance Instructions are provided:

1. Based on the authority of this evacuation order, an ICE program director is authorized to direct his/her staff to prepare and fund travel authorizations, using the special accounting codes created to track Hurricane Gustav obligations and expenses, for each evacuated employee and their dependents. The initial authorization will be for the period August 31, 2008, through September 30, 2008. Employees will have the opportunity to amend the authorizations to correct the information (e.g., age of children, number of dependents, location of the save haven, return location, etc.).
2. Subsistence expense allowances are hereby approved for payment for a period of not to exceed 180 days or less if ICE management determines that the allowances are not longer necessary. Evacuees will be authorized travel expenses while in transit to the safe haven. Further, the cash withdrawal limits on the employee's government travel card may be increased according to need.
3. Travel expenses and per diem for an evacuated employee and dependents, if any, will be calculated from the employees date of departure from the evacuated area or August 31, 2008, whichever is later, through the date of arrival at the safe haven. Per diem for an employee's dependents will be at a rate equal to the rate for the employee except for

dependents under 12 years of age. Dependents under 12 years of age will be at a rate ½ the rate payable to the employee.

4. Lodging and subsistence expenses for an evacuated employee and dependents, if any, will be determine at applicable per diem rates for the safe haven or for a duty station other than the safe haven that has been approved by an appropriate authority (an ICE program director or his/her designee). Payments for these expenses shall begin on the date of arrival at the safe haven and will continue until terminated, but will not exceed 180 days.
5. For the first 30 days following the arrival at the safe haven, per diem is paid at the full allowable rates. Beginning the 31st day at the safe haven, per diem for the employee and dependents will be computed at 60 percent of the per diem rates except for dependents under 12 years of age. Dependents under 12 years of age will be at a rate one-half the rate payable to the employee (i.e., ½ of 60% per diem rate). This rate may be paid for a period not to exceed 180 days from August 31, 2008
6. Evacuees should not sign long-term leases as lodging reimbursement will be limited to the evacuation period only. Affected employees are to apply reasonable care and cost standards for the expenditure of government funds. Reimbursement of expenses will be approved in accordance with this order, ICE policy, the Federal Travel Regulations, and 5 C.F.R. §§ 550.401-408.
7. Vouchering for reimbursement under this order shall be made under standard vouchering procedures unless alternative instructions are promulgated. Assistance on the preparation of vouchers is available from your servicing Finance Office's Travel Help Desk, and contact numbers will be posted on the OFM Website.
8. Questions concerning per diem rates, and other allowance expenses, may be directed to the established ICE Office of Financial Management emergency contact point for all travel questions.

Consistent with the ICE Policy on Emergency and Special Evacuation Allowances, and the supporting procedures, the following instructions for Advance and Evacuation Payments are provided:

1. Each ICE program director, or his/her designee, is authorized to approve advance payments on behalf of their program's employees, not to exceed 30 days, when such payments are allowed and required to help employees defray immediate expenses incidental to the evacuation. Advance payments are equivalent to a loan and are treated as a debt owed to the Federal Government. The amounts are to be repaid based on the conditions set-forth by the government, unless other authorized actions (e.g., waivers) are approved by senior ICE management consistent with 5 U.S.C. § 5522(c).
2. Evacuation payments, typically received on regular periods, are also authorized for affected employee who is prevented from performing the regular duties of his/her position(s). An ICE program director or his/her designee is authorized to approve such payments. The agency may require employees to perform any work considered necessary or required to be performed during the period of the evacuation without regard to the grades or titles of the employees. Failure or refusal to perform assigned work is a basis for terminating the evacuation payment.

APPROVED:

s/Theresa C. Bertucci
Theresa C. Bertucci
Deputy Assistant Secretary for Management

August 31, 2008
Date