



Why This Matters

The US Senate and US House Committees on Appropriations mandated this review. Section 287(g) of the amended Immigration and Nationality Act, ICE is authorized to enter into memorandums of agreements (MOAs) that permit participating law enforcement agency (LEA) personnel to function as immigration officers. ICE Enforcement and Removal Operations maintains day-to-day supervision of the 287(g) program and the Office of Professional Responsibility, 287(g) Inspections Unit, assesses the effectiveness of ICE field offices in supervising and supporting the 287(g) program, as well as LEA compliance with program policies and the MOA.

DHS Response

ICE concurred with both recommendations.

The Performance of 287(g) Agreements FY 2012 Follow-Up

What We Determined

Since 2010, the OIG has conducted four congressionally mandated reviews of the 287(g) program. This is the fourth and most recent report. Prior reports include (1) The Performance of 287(g) Agreements, OIG-10-63, issued March 2010; (2) The Performance of 287(g) Agreements Report Update, OIG-10-124, issued September 2010; and (3) The Performance of 287(g) Agreements FY2011 Update, OIG-11-119, issued September 2011. There were a total of 62 recommendations of which 60 have been closed. ICE has made significant progress in implementing OIG recommendations. The ICE Office of Personal Responsibility, 287(g) Inspections Unit has improved its operations that strengthen management controls and promote efficient and effective inspections. The following areas need additional attention:

- 1) The Office of Human Capital is conducting a study to determine the appropriate job series classification for the 287(g) Inspections Unit. The results have not been made public at the time of this report.
- 2) Depending upon the outcome, a transition plan will need to be developed to align personnel with the proper job series. This will help to ensure the continuity of the 287(g) Inspections Unit's oversight role in providing ICE management with feedback on the administration of the program.

What We Recommend

Department of Homeland Security Executive Associate Director, Office of Management and Administration:

- 1) Provide the Office of Professional Responsibility with the classification study results by December 31, 2012.

Department of Homeland Security Assistant Director, Office of Professional Responsibility, ICE:

- 2) If needed, develop a transition plan to complete any reclassification efforts during FY 2013.

For Further Information:

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