

implement a managerial rotation program under which employees of such agency holding positions involving supervisory or managerial responsibility and classified, in accordance with chapter 51 of title 5, as a GS-14 or above, shall—

- (i) gain some experience in all the major functions performed by such agency; and
- (ii) work in at least one local office of such agency.

**(B) Report**

Not later than 2 years after the date on which the transfer of functions specified under section 251 of this title takes effect, the Secretary shall submit a report to the Congress on the implementation of such program.

**(b) Chief of Policy and Strategy**

**(1) In general**

There shall be a position of Chief of Policy and Strategy for U.S. Immigration and Customs Enforcement.

**(2) Functions**

In consultation with U.S. Immigration and Customs Enforcement personnel in local offices, the Chief of Policy and Strategy shall be responsible for—

- (A) making policy recommendations and performing policy research and analysis on immigration enforcement issues; and
- (B) coordinating immigration policy issues with the Chief of Policy and Strategy for U.S. Citizenship and Immigration Services (established under part E of this subchapter), as appropriate.

**(c) Legal advisor**

There shall be a principal legal advisor to the Assistant Secretary of U.S. Immigration and Customs Enforcement. The legal advisor shall provide specialized legal advice to the Assistant Secretary of U.S. Immigration and Customs Enforcement and shall represent the agency in all exclusion, deportation, and removal proceedings before the Executive Office for Immigration Review.

(Pub. L. 107-296, title IV, §442, Nov. 25, 2002, 116 Stat. 2193; Pub. L. 118-96, §3(b)(2), Oct. 1, 2024, 138 Stat. 1571.)

AMENDMENT OF SECTION

*For termination of amendment by section 6 of Pub. L. 118-96, see Termination Date of 2024 Amendment note below.*

**Editorial Notes**

REFERENCES IN TEXT

Part E of this subchapter, referred to in subsecs. (a)(3)(C) and (b)(2)(B), was in the original “subtitle E”, meaning subtitle E (§§451-462) of title IV of Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2195, which enacted part E (§271 et seq.) of this subchapter, amended sections 1356 and 1573 of Title 8, Aliens and Nationality, and enacted provisions set out as a note under section 271 of this title. For complete classification of subtitle E to the Code, see Tables.

AMENDMENTS

2024—Pub. L. 118-96, §3(b)(2)(C), 6, temporarily substituted “U.S. Immigration and Customs Enforcement”

for “the Bureau of Border Security” wherever appearing. See Termination Date of 2024 Amendment note below.

Pub. L. 118-96, §§3(b)(2)(A), 6, temporarily amended section catchline generally, substituting “U.S. Immigration and Customs Enforcement” for “Establishment of Bureau of Border Security”. See Termination Date of 2024 Amendment note below.

Subsec. (a). Pub. L. 118-96, §§3(b)(2)(D)(i), 6, temporarily struck out “of Bureau” after “Establishment” in heading. See Termination Date of 2024 Amendment note below.

Subsec. (a)(3)(C). Pub. L. 118-96, §§3(b)(2)(D)(ii), 6, which directed the temporary substitution of “affecting U.S.” for “affecting the Bureau of”, was executed by making the temporary substitution for “that may affect the Bureau of” to reflect the probable intent of Congress. See Termination Date of 2024 Amendment note below.

Subsec. (a)(4). Pub. L. 118-96, §§3(b)(2)(D), 6, temporarily substituted “the agency.” for “the Bureau.” See Termination Date of 2024 Amendment note below.

Subsec. (a)(5)(A). Pub. L. 118-96, §§3(b)(2)(B), 6, temporarily substituted “agency” for “bureau” wherever appearing. See Termination Date of 2024 Amendment note below.

Subsec. (b)(2). Pub. L. 118-96, §§3(b)(2)(E)(i), 6, temporarily substituted “U.S. Immigration and Customs Enforcement” for “Bureau of Border Security” in introductory provisions. See Termination Date of 2024 Amendment note below.

Subsec. (b)(2)(B). Pub. L. 118-96, §§3(b)(2)(E)(ii), 6, temporarily substituted “U.S.” for “the Bureau of”. See Termination Date of 2024 Amendment note below.

Subsec. (c). Pub. L. 118-96, §§3(b)(2)(B), 6, temporarily substituted “agency” for “bureau”. See Termination Date of 2024 Amendment note below.

**Statutory Notes and Related Subsidiaries**

TERMINATION DATE OF 2024 AMENDMENT

Pub. L. 118-96, §6, Oct. 1, 2024, 138 Stat. 1572, provided that: “This Act [enacting section 258 of this title, amending this section and section 253 of this title and enacting provisions set out as a note under section 258 of this title] and the amendments made by this Act shall cease to have force or effect beginning on October 1, 2030.”

CHANGE OF NAME

Bureau of Border Security, referred to in section catchline and text, changed to Bureau of Immigration and Customs Enforcement by Reorganization Plan Modification for the Department of Homeland Security, eff. Mar. 1, 2003, H. Doc. No. 108-32, 108th Congress, 1st Session, set out as a note under section 542 of this title.

**§ 253. Professional responsibility and quality review**

The Secretary shall be responsible for—

- (1) conducting investigations of noncriminal allegations of misconduct, corruption, and fraud involving any employee of U.S. Immigration and Customs Enforcement that are not subject to investigation by the Inspector General for the Department;
- (2) inspecting the operations of U.S. Immigration and Customs Enforcement and providing assessments of the quality of the operations of such agency as a whole and each of its components; and
- (3) providing an analysis of the management of U.S. Immigration and Customs Enforcement.

(Pub. L. 107-296, title IV, §443, Nov. 25, 2002, 116 Stat. 2194; Pub. L. 114-125, title VIII,

§ 802(g)(1)(B)(v)(II), Feb. 24, 2016, 130 Stat. 212; Pub. L. 118–96, § 3(b)(3), Oct. 1, 2024, 138 Stat. 1571.)

#### AMENDMENT OF SECTION

*For termination of amendment by section 6 of Pub. L. 118–96, see Termination Date of 2024 Amendment note below.*

#### Editorial Notes

##### AMENDMENTS

2024—Par. (2). Pub. L. 118–96, §§ 3(b)(3), 6, temporarily substituted “such agency” for “such bureau”. See Termination Date of 2024 Amendment note below.

2016—Pub. L. 114–125 substituted “Secretary” for “Under Secretary for Border and Transportation Security” in introductory provisions and “U.S. Immigration and Customs Enforcement” for “the Bureau of Border Security” in pars. (1) to (3).

#### Statutory Notes and Related Subsidiaries

##### TERMINATION DATE OF 2024 AMENDMENT

Amendment by Pub. L. 118–96 to cease to have force or effect beginning on Oct. 1, 2030, see section 6 of Pub. L. 118–96, set out as a note under section 252 of this title.

#### § 254. Employee discipline

Notwithstanding any other provision of law, the Secretary may impose disciplinary action on any employee of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection who willfully deceives Congress or agency leadership on any matter.

(Pub. L. 107–296, title IV, § 444, Nov. 25, 2002, 116 Stat. 2194; Pub. L. 114–125, title VIII, § 802(g)(1)(B)(v)(III), Feb. 24, 2016, 130 Stat. 212.)

#### Editorial Notes

##### AMENDMENTS

2016—Pub. L. 114–125 amended section generally. Prior to amendment, text read as follows: “The Under Secretary for Border and Transportation Security may, notwithstanding any other provision of law, impose disciplinary action, including termination of employment, pursuant to policies and procedures applicable to employees of the Federal Bureau of Investigation, on any employee of the Bureau of Border Security who willfully deceives the Congress or agency leadership on any matter.”

#### § 255. Report on improving enforcement functions

##### (a) In general

The Secretary, not later than 1 year after being sworn into office, shall submit to the Committees on Appropriations and the Judiciary of the House of Representatives and of the Senate a report with a plan detailing how the Bureau of Border Security, after the transfer of functions specified under section 251 of this title takes effect, will enforce comprehensively, effectively, and fairly all the enforcement provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) relating to such functions.

##### (b) Consultation

In carrying out subsection (a), the Secretary of Homeland Security shall consult with the At-

torney General, the Secretary of State, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, the Secretary of Labor, the Commissioner of Social Security, the Director of the Executive Office for Immigration Review, and the heads of State and local law enforcement agencies to determine how to most effectively conduct enforcement operations.

(Pub. L. 107–296, title IV, § 445, Nov. 25, 2002, 116 Stat. 2194.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (a), is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to chapter 12 (§ 1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Bureau of Border Security, referred to in subsec. (a), changed to Bureau of Immigration and Customs Enforcement by Reorganization Plan Modification for the Department of Homeland Security, eff. Mar. 1, 2003, H. Doc. No. 108–32, 108th Congress, 1st Session, set out as a note under section 542 of this title.

#### § 256. Sense of Congress regarding construction of fencing near San Diego, California

It is the sense of the Congress that completing the 14-mile border fence project required to be carried out under section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) should be a priority for the Secretary.

(Pub. L. 107–296, title IV, § 446, Nov. 25, 2002, 116 Stat. 2195.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, referred to in text, is section 102(b) of title I of div. C of Pub. L. 104–208, which is set out as a note under section 1103 of Title 8, Aliens and Nationality.

#### § 257. Report

##### (a) In general

The Secretary of Homeland Security shall submit an annual report to the congressional committees set forth in subsection (b) that includes a description of—

(1) the cross-border tunnels along the border between Mexico and the United States discovered during the preceding fiscal year; and

(2) the needs of the Department of Homeland Security to effectively prevent, investigate and prosecute border tunnel construction along the border between Mexico and the United States.

##### (b) Congressional committees

The congressional committees set forth in this subsection are—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;