

Department of Homeland Security

DHS Delegation Number: 19004

Revision Number: 00

Issue Date: 9/23/2013

**DELEGATION OF
AUTHORITY TO ISSUE
GUIDANCE AND
IMPLEMENT
8 UNITED STATES CODE
1367**

I. Purpose

This Delegation vests the authority described herein in the DHS Officer for Civil Rights and Civil Liberties.

II. Delegation

Subject to my oversight, direction, and guidance, I hereby delegate to the Officer for Civil Rights and Civil Liberties the authority to provide DHS-wide guidance and oversight on the implementation of 8 United States Code (U.S.C.) Section 1367 confidentiality and prohibited source provisions (relating to applicants for and beneficiaries of Violence Against Women Act (VAWA), T visa, or U visa protections) in accordance with 8 U.S.C. 1367(d) and Section 810 of the Violence Against Women Reauthorization Act of 2013, provided that such authority will be exercised only in accordance with policies and procedures established by implementing departmental Directives or Instructions.

III. Re-delegation

Unless re-delegation is otherwise prohibited by Law or Executive Order, the authorities, responsibilities, and functions delegated herein may be re-delegated in writing to any appropriate subordinate official.

IV. Authorities

A. Title 8, U.S.C., Section 1367, "Penalties for disclosure of information" (originally enacted as Section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA));

B. Section 102 of the Homeland Security Act of 2002, Pub. L. No. 107-296, as amended, Title 6 U.S.C. § 112;

C. Immigration and Nationality Act, Pub. L. No. 82-414, as amended, Section 103(a), 8 U.S.C. § 1103(a);

D. 8 Code of Federal Regulations 2.1

E. Violence Against Women Reauthorization Act of 2013 (VAWA 2013), Public Law 113-4, Section 810, "Disclosure of Information for National Security Purposes."

V. Definitions

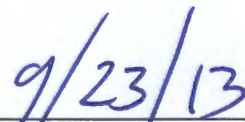
The term "1367 Information" refers to any information relating to aliens who are seeking or have been approved for immigrant status as battered spouses, children and parents under provisions of the Violence Against Women Act (VAWA), as victims of a severe form of human trafficking who generally are cooperating with law enforcement authorities (T visa), or as victims of certain criminal activity who have suffered substantial physical or mental abuse and are cooperating with law enforcement authorities (U visa). This definition includes records or other information that does not specifically identify the individual as an applicant for or beneficiary of the T visa, U visa, or VAWA protections.

VI. Office of Primary Interest

The Office for Civil Rights and Civil Liberties, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, and U.S. Immigration and Customs Enforcement are the Components of primary interest in this Delegation.



Rand Beers
Acting Secretary of Homeland Security



Date