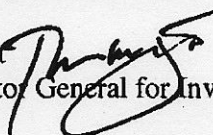




Homeland Security

DEC 16 2009

MEMORANDUM FOR: James F. Tomsheck, Assistant Commissioner
Office of Internal Affairs
U.S. Customs and Border Protection

FROM: Thomas M. Frost 
Assistant Inspector General for Investigations

SUBJECT: U.S. Customs and Border Protection, Office of Internal Affairs
Participation in Criminal Investigations and Task Forces

It has come to my attention that employees of the U.S. Customs and Border Protection (CBP), Office of Internal Affairs, are currently conducting criminal investigations independently and under the auspices of task force operations. The Office of Inspector General (OIG) is the organizational element within the U.S. Department of Homeland Security (DHS) that is statutorily responsible for conducting and coordinating all investigations of suspected criminal wrongdoing by DHS employees, and has specific oversight responsibility for internal investigations performed by components, including CBP.

I direct that as of this date, your office cease criminal investigation of any matter involving a DHS program or employee. I further direct that upon receipt of this memorandum, your office cease all participation in all task force operations, and likewise halt the release of information pertaining to suspected criminal activity or other misconduct by DHS employees or against DHS programs, to any investigative entity, except as coordinated through the OIG.

To ensure compliance with this directive and continuity of investigations, I require that you send a complete list of all such investigations in which your agency is participating no later than five business days from the receipt of this memorandum. After a review of that list, I will contact your office with a list of matters on which you should proceed, should there be any.

Furthermore, as it is the responsibility of this office to carry out all criminal investigations such as those described above, it is likewise, our prerogative to represent the DHS on all task forces involving DHS employee or program corruption matters. To guarantee the effective continuity of our Department's representation, I require that you send me a complete list of all task forces in which your office has participated within five business days of the receipt of this memorandum.

Should you have any questions, you may contact me directly at (202) 254-4100, or a member of your staff may contact Special Agent in Charge Steve McGovern at (202) 254-4300.