

## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

### Policy Number 1047.1: ICE Career Senior Executive Service Rotational Assignments

**Issue Date:** March 18, 2016  
**Effective Date:** March 18, 2016  
**Superseded:** This Directive is the originating and establishing document regarding rotational assignments of career Senior Executive Service (SES) employees within the U.S. Immigration and Customs Enforcement (ICE). This Directive supersedes any other ICE reassignment policies or agreements that may have applied to career SES employees before their appointment as an SES at ICE.

**Federal Enterprise Architecture Number:** 306-112-002b

- 1. Purpose/Background.** This Directive establishes policies and assigns roles and responsibilities regarding the rotational assignments of ICE career SES employees. Federal laws permit ICE to reassign a career SES employee to any SES position for which he or she is qualified. This includes both programmatic and geographic reassignments. As outlined in this Directive, ICE will reassign SES employees, within or outside of their local commuting area, to accomplish agency mission and provide initial and continuing development to SES employees.

This Directive applies to all existing and new ICE career SES members. This Directive does not exclude the use of the competitive SES merit staffing process to fill ICE career SES positions.

- 2. Policy.** In creating the SES, Congress envisioned a mobile corps of managers who may be reassigned to meet dynamic mission needs. 5 U.S.C. § 3131 states that the SES is to be administered so as to, “enable the head of an agency to reassign senior executives to best accomplish the agency mission,” and “provide for the initial and continuing systematic development of highly competent senior executives.” The SES system provides flexible assignment rules to accomplish these fundamental and complementary objectives.

Consistent with this vision, ICE has identified rotational assignments as a key means for increasing the professional development of its SES employees as well as effectively meeting the mission needs of the agency. Rotational assignments, including field and headquarters assignments, offer SES employees a unique opportunity to develop strong leadership skills across a wide array of offices, to operate effectively across organizational and geographical boundaries, and to deepen their knowledge of ICE-wide matters. Furthermore, rotations allow ICE to effectively match executive talent with mission needs.

3. **Definitions.** The following definitions apply for purposes of this Directive only.
  - 3.1. **Career SES Employee.** An individual in an SES position whose appointment to the position was based on a competitive SES merit staffing process and whose executive qualifications for the SES were certified by the Office of Personnel Management Qualifications Review Board.
  - 3.2. **Existing Career SES Employee.** An individual who was appointed as a career SES employee at ICE before the issuance of this Directive.
  - 3.3. **New Career SES Employee.** An individual who is appointed as a career SES employee at ICE after the issuance of this Directive.
  - 3.4. **Headquarters (HQ) Responsible Officials.** The Executive Associate Directors of Homeland Security Investigations (HSI), Enforcement and Removal Operations (ERO), and Management & Administration (M&A), and the Assistant Director for Office of Professional Responsibility (OPR).
  - 3.5. **Reassignment.** The change of an individual from one SES position to another within ICE. This includes both organizational and geographic reassignment.
4. **Responsibilities.**
  - 4.1. **ICE Deputy Director** is responsible for:
    - 1) Overseeing the overall implementation of SES rotational assignments consistent with applicable laws and in line with policies established in this Directive; and
    - 2) Reviewing and making final decisions on SES rotational assignments.
  - 4.2. **HQ Responsible Officials** are responsible for:
    - 1) Proposing and executing SES rotational assignments of career SES employees consistent with the criteria set forth in sections 5.1 and 5.2;
    - 2) Determining the length of SES rotational assignments consistent with recommendations set forth in section 5.3;
    - 3) Adhering to the consultation requirements identified in section 5.4; and
    - 4) Seeking the Deputy Director's approval for SES rotational assignments.

**4.3. ICE Human Capital Officer** is responsible for:

- 1) Distributing policy and procedural information on SES rotational assignments to the Deputy Director and HQ Responsible Officials;
- 2) Providing technical support and advice to the Deputy Director and HQ Responsible Officials; and
- 3) Preparing and maintaining documents, records and files for SES rotational assignments.

**4.4. Career SES Employees** are responsible for:

- 1) Abiding by the rules, policies and procedures governing the rotational assignments for career SES employees; and
- 2) Completing all applicable documents in a timely manner.

**5. Requirements.**

**5.1. General Considerations.** When proposing a rotational assignment, each HQ Responsible Official must consider the following factors:

- 1) The mission and operational needs of the agency;
- 2) The current and projected vacancies, including the need to fill critical vacancies;
- 3) The SES employee's suitability for the proposed position, including possession of the requisite professional and technical qualifications for the position; and
- 4) The career development opportunities the rotation will offer to the SES employee.

**5.2. Additional Considerations for SES Law Enforcement Employees in ERO, HSI, and OPR.**

- 1) To ensure greater geographic rotation among field offices and between HQ and field offices, HQ Responsible Officials for ERO, HSI and OPR must also consider the SES employee's previous geographic assignment.
- 2) Career SES employees who have completed a HQ assignment may be rotated to a field position to meet agency needs as well as to ensure SES employees maintain relevant field experience.

- 3) Career SES employees who have completed a field rotation may be rotated to a HQ executive post at the discretion of the HQ Responsible Official.
- 4) Field executives of smaller field offices should be rotated to larger field offices as part of their career development.

### **5.3. Length of Rotational Assignments.**

- 1) The HQ Responsible Official will determine the exact length of the rotation assignment on a case-by-case basis.
- 2) In determining the length of the rotational assignment, the HQ Responsible Official must ensure that the length of rotation will give the SES employee sufficient time to fulfill the operational needs of the agency and also realize the career enhancing and professional development opportunities offered by the rotation.
- 3) In this regard, it is recommended that SES employees serve a minimum of three years in their assigned position. However, ICE reserves the right to extend or shorten the length of the rotation at any time based on mission needs.
- 4) Upon completing his or her assigned rotation, the SES employee should be considered for another SES position using the general and additional considerations identified above.

### **5.4. Consultation.**

- 1) In the interest of transparency, the HQ Responsible Official will consult with the Career SES employee about the proposed rotational assignment.
- 2) Among other things, the consultation must include:
  - a) A discussion of the needs and objectives of the agency;
  - b) The SES employee's preference regarding the proposed rotation;
  - c) The proposed length of rotation; and
  - d) The career development opportunities offered by the rotation.
- 3) While HQ Responsible Official should consider the career SES member's preference, the operational or mission needs of the agency will take precedence.



**5.5. Relocation Costs and Compensation.**

- 1) If the rotational assignment requires the career SES employee to relocate to a different geographic area, ICE will provide relocation allowance in accordance with the Federal Travel Regulation.
- 2) Salary determinations for rotational assignments will be made in accordance with federal statutes and regulations for setting the pay rates for career SES members.

**6. Recordkeeping.** Records related to rotational assignments will be maintained by the Executive Resources, Office of Human Capital, and stored electronically in the Official Personnel Folder (OPF).

**7. Authorities/References.**

- 7.1. 5 United States Code (U.S.C) Section 3131.
- 7.2. 5 U.S.C. § 3395.
- 7.3. 5 Code of Federal Regulations (C.F.R) Part 317.
- 7.4. 41 C.F.R. § 302.
- 7.5. 5 C.F.R. § 534.404.
- 7.6. ICE Delegation Order 10004.1, Human Capital Management, February 24, 2014.
- 7.7. Office of Personnel Management, Guide to the Senior Executive Service, April 2014.

**8. Attachments.** None

**9. No Private Right.** These guidelines and priorities are not intended to, do not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.



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