

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

**ICE Directive 30012.3: Disciplinary and Adverse Action**

**Issue Date:** October 17, 2023  
**Effective Date:** October 17, 2023  
**Superseded:** ICE Directive 30012.2, *Disciplinary and Adverse Action* (Dec. 3, 2019).

- 1. Purpose/Background.** This Directive sets forth procedural guidance for administering disciplinary and adverse action, retains the Adverse Action Panel (AAP), and establishes a pool of deciding officials. It applies to all ICE employees, except for personnel within the Office of the Principal Legal Advisor (OPLA), political appointees (including Schedule C appointees), and SES employees at the Executive Associate Director level and above.<sup>1</sup> In order to create a culture of excellence, openness and accountability, all Department of Homeland Security (DHS) components were directed by memorandum dated August 18, 2022, to implement certain disciplinary processes regarding misconduct by employees. Components were directed to establish centralized bodies that are dedicated to proposing and deciding upon discipline for the most serious misconduct. To this end, components were also tasked to identify serious misconduct warranting consideration of the centralized bodies under adverse action proceedings. Accordingly, U.S. Immigration and Customs Enforcement (ICE) is updating the Directive to comply with these requirements.

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