

Issue Date: 10/30/2003

# REVIEW AND APPROVAL OF FOREIGN DHS POSITIONS

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## I. Purpose

This directive provides policy and procedures for the review and approval of foreign DHS positions.

## II. Scope

This directive applies to all DHS organizational elements except the Office of the Inspector General.

## III. Authorities

- A. 5 U.S.C.: Government Organization and Employees.
- B. 5 C.F.R.: Administrative Personnel.
- C. The Homeland Security Act of 2002, codified in Title VI, U.S. Code.
- D. NSDD 38, National Security Decision Directive for Staffing at Diplomatic Missions and Their Overseas Constituent Posts.

## IV. Definitions

- A. **Employee**: (defined in 5 USC Section 2105) - An individual who has been appointed in the Federal civil service, is engaged in the performance of a Federal function under authority of law or regulation, and is not otherwise exempt from 5 USC, Sections 2301 and 2302.
- B. **DHS Foreign Office**: Any Department of Homeland Security office located outside the 50 states, the District of Columbia, and all territories, possessions and commonwealths of the United States of America.
- C. **Position**: Positions covered by this directive include any permanent or time-limited positions that are filled on either a full or part time basis.

## V. Responsibilities

A. **The Deputy Secretary of Homeland Security**, or his or her designee, shall be responsible for the approval of the establishment of all positions in DHS foreign offices.

## VI. Policy & Procedures

A. **Policy.**

Prior to the assignment of any DHS personnel to a foreign position, the Deputy Secretary of Homeland Security or his/her designee must approve the establishment of the position and work with the Department of State to receive the approval of the Chief of Mission for the host country.

B. **Procedures.**

1. The DHS element requesting the establishment of a foreign position will submit a position description and a memorandum justifying the creation of the position to the Director of International Affairs for a preliminary review.

2. The Director of International Affairs will submit the request to the Deputy Secretary with a recommendation to approve or disapprove the position.

C. **Questions or Concerns Regarding the Process.** Any questions or concerns regarding this directive should be addressed to the Department of Homeland Security, Office of the Chief of Staff.