APPENDIX I – AUTHORITIES/REFERENCES

8 U.S.C. § 1103. *Powers and duties of the Secretary, the Under Secretary, and the Attorney General.*

8 U.S.C. § 1357. *Powers of immigration officers and employees.*

19 U.S.C. § 1589a. *Enforcement authority of customs officers.*

5 C.F.R. § 339, *et. seq. Medical Qualification Determinations.*

8 C.F.R. § 1.2. *Definitions.*

8 C.F.R. § 2.1. *Authority of the Secretary of Homeland Security.*

8 C.F.R. Part 287. *Field Officers; Powers and Duties.*

49 C.F.R. § 175.10. *Exceptions for passengers, crewmembers, and air operators.*

49 C.F.R. § 1540.111. *Carriage of weapons, explosives, and incendiaries by individuals.*

49 C.F.R. § 1544.219. *Carriage of accessible weapons.*

49 C.F.R. § 1544.221. *Carriage of prisoners under the control of armed law enforcement officers.*

49 C.F.R. § 1544.223. *Transportation of Federal Air Marshals.*

DHS Policy Statement 044-05, Revision #01, *Update to the Department Policy on the Use of Force* (Feb. 6, 2023), or as amended or superseded.

DHS Instruction Manual 119-03-001-01, *Personal Property Asset Management Manual* (May 22, 2018), or as amended or superseded.

Memorandum from Acting Deputy DHS Secretary Russell Deyo, *Required Reporting of Off-Duty Contact with Law Enforcement by DHS Law Enforcement Personnel and the Suspension and/or Revocation of Authority to Carry a Firearm or other Weapon and Perform Law Enforcement Duties*, (Jan. 10, 2017), or as amended or superseded.

ICE Directive No. 3002.1, ICE Badge and Credential Program (Jan. 12, 2010), or as amended or superseded.

ICE Directive No. 10092.1, **(b)(7)(E)** Collection (Dec. 28, 2020).

ICE Directive No.1044.2, Response to and Evaluation of Critical Incidents Involving ICE Employees, Non-Employee Status Individuals, and Officers Acting Pursuant to ICE Authority (Feb. 9, 2023), or as amended or superseded.

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ICE Directive No. 1005.2, Domestic Violence: Lautenberg Amendment Compliance Policy (Nov. 23, 2012), or as amended or superseded.

ICE Directive No. 1040.1, Premium Pay Guide (May 7, 2015), or as amended or superseded.

U.S. Customs and Border Protection, *Seized Asset Management and Enforcement Procedures Handbook* (July 2011), or as amended or superseded.

ICE Memorandum from Associate Director for OPR and the Assistant Director for OFTP, *New Use of Force, Assaults and Discharges Reporting Process* (Oct. 15, 2015), or as amended or superseded.

ICE Firearms Remedial Training Guidelines (Feb. 2013), or as amended or superseded.

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Issue Date: September 24, 2025

APPENDIX II – ICE-APPROVED FIREARMS AND INTERMEDIATE FORCE WEAPONS

As stated in Chapters 2 and 3 of the *ICE Firearms and Use of Force Handbook*, Authorized Officers may only carry those firearms and intermediate force weapons determined to be suitable by the Assistant Director for OFTP. Each Program Head may, at their discretion, restrict the carriage of approved weapons by their Authorized Officers. A comprehensive list of all requirements, model variants, and procedures to purchase a POW is maintained at the (b)(7)(E) (b)(7)(E)

This Appendix lists those firearms and intermediate force weapons approved by the Assistant Director for OFTP.

(b)(7)(E)

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Issue Date: September 24, 2025

(b)(7)(E)

CALEB VITELLO (b)(6),(b)(7)(C)

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APPENDIX III – GUIDELINES AND PROCEDURES FOR (b)(7)(E) (b)(7)(E)

Among the intermediate force devices approved by the *ICE Firearms and Use of Force Handbook* are (b)(7)(E). This Appendix establishes ICE guidelines and procedures regarding the use of (b)(7)(E) (b)(7)(E) (b)(7)(E) The Assistant Director for OFTP must approve all (b)(7)(E)

Authorized Officers who meet the requirements outlined in Chapter 2.A.1 of this Handbook may carry and use (b)(7)(E) as part of their law enforcement duties if expressly authorized by their Directorate or Program Office. The use of (b)(7)(E) must comply with applicable laws and the current DHS and ICE use of force policies. Authorized Officers must complete annual training on when and how to use (b)(7)(E) before they are authorized to carry their assigned (b)(7)(E) deployments of (b)(7)(E) within the ICE use of force continuum and must be properly reported and evaluated. Directorates and Program Offices may not acquire, test, or evaluate (b)(7)(E) without the approval of the Assistant Director for OFTP. Only ICE-issued (b)(7)(E) may be used for law enforcement duties. The carriage or use of personally owned (b)(7)(E) for law enforcement duties is strictly prohibited.

(b)(7)(E)

(b)(7)(E)

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B. Training and Certification

1) (b)(7)(E) will only be issued to Authorized Officers who have been trained and certified on when and how to use (b)(7)(E)

2) Authorized Officers must be recertified annually on the use of (b)(7)(E)

3) (b)(7)(E) instructors must be recertified every five (5) years or as directed by the Assistant Director of the OFTP. [3]

4) Exposure to (b)(7)(E) as part of the training and certification process is voluntary for Authorized Officers.

5) Authorized Officers assigned to (b)(7)(E) must obtain training created by OFTP that outlines the techniques which accompany this technology, including use of force techniques when such (b)(7)(E) are deployed. This training is intended to maximize the effectiveness of the (b)(7)(E) and enhance the safety of the officers and/or agents involved, the subject, and any bystanders.

6) All initial and follow-on training with (b)(7)(E) will be recorded in the ICE (b)(7)(E) (b)(7)(E) of record.

7) The Assistant Director for OFTP must approve all (b)(7)(E)-related training, whether for instructors or law enforcement officers, before it is implemented.

C. Carriage and Maintenance of (b)(7)(E)

(b)(7)(E)

[3] Master instructors authorized by the agency to certify field instructors must maintain recertification as required by the (b)(7)(E) utilized by ICE.

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(b)(7)(E)

D. Deployment of (b)(7)(E)

1) Authorized Officers must always comply with all current DHS and ICE use of force policies when using (b)(7)(E)

(b)(7)(E)

[4] An Authorized Officer may not have (b)(7)(E)

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E. Special Circumstances

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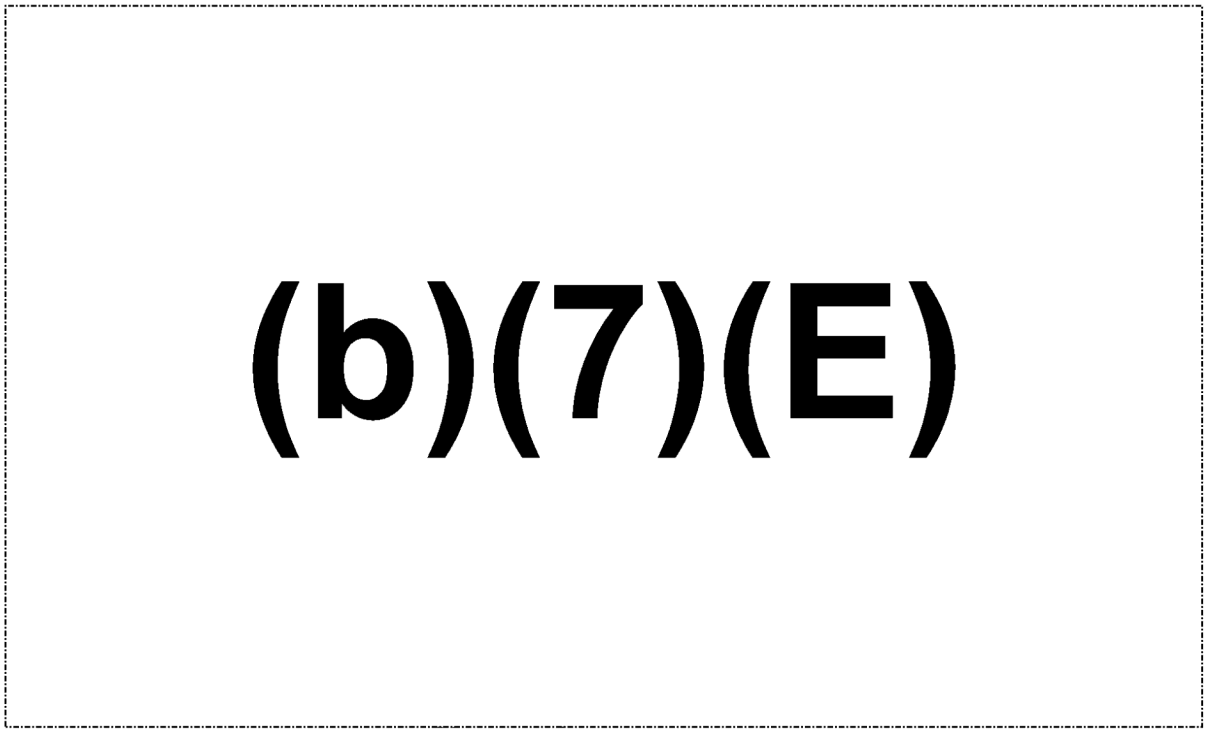
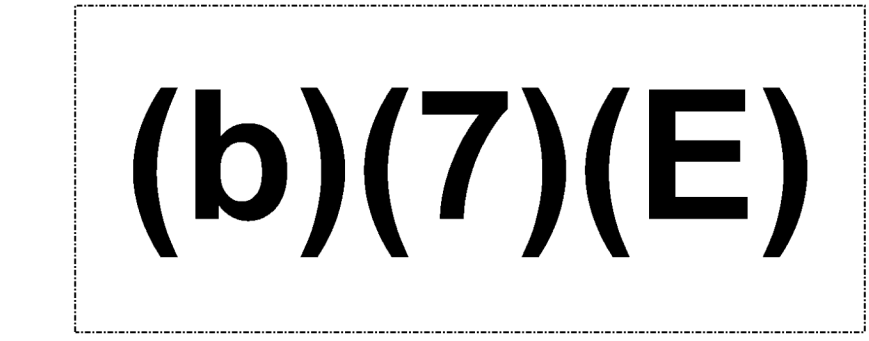
F. Medical Considerations



G. Reporting Requirements

1) When reporting the deployment of an (b)(7)(E) Authorized Officers must follow all procedures outlined in the Chapter 4.B of the *ICE Firearms and Use of Force Handbook* for use of force reporting requirements. Supervisors are required to complete a Significant Incident Report (SIR) in the (b)(7)(E); an ICE Use of Force, Assaults, and Discharge (UFAD) report; and a memorandum containing a narrative description of the event. In addition to the information normally contained in a UFAD report, the following items – (b)(7)(E) (b)(7)(E) – must also be included:



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(b)(7)(E)

(b)(7)(E)

H. Accountability

1) OFTP is the only ICE office that is authorized to place (b)(7)(E) in, or remove them from, the (b)(7)(E)

2) Program Heads must approve the use of (b)(7)(E) before they are assigned to their respective Authorized Officers.

(b)(7)(E)

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3) All (b)(7)(E) will be tracked in the (b)(7)(E) and inventoried each year consistent with the accountability requirements outlined in the Chapter 6.B of the *ICE Firearms and Use of Force Handbook*.

4) An (b)(7)(E) will be assigned to an individual user in the (b)(7)(E) (b)(7)(E)

5) The Firearms Coordinator or Defensive Tactics Coordinator will issue and inventory (b)(7)(E) prescribed by the Assistant Director for OFTP.

6) (b)(7)(E) must be secured consistent with the requirements contained in Chapter 6.D of the *ICE Firearms and Use of Force Handbook*. (b)(7)(E) (b)(7)(E) must be securely stored when not in use.

7) Lost or stolen (b)(7)(E) must be reported in accordance with the procedures set forth in Chapter 6.F of the *ICE Firearms and Use of Force Handbook*.

I. Recordkeeping

1) OFTP will retain records related to law enforcement training, to include firearms, physical, and tactical, for 40 years, in accordance with the ICE Training Record Schedule (DAA-567-2015-0009), item 3, Completed Law Enforcement Course Student Records, as well as item 14, Student Training Records (post academy).

2) OFTP will retain records related to use of force incidents for 45 years, in accordance with the ICE Protective Equipment Record Schedule (DAA-0567-2015-0008), item 1, Use of Force Incident Case Files.

3) OFTP will retain records related to inventory and control of firearms for 15 years, in accordance with the Protective Equipment Records Schedule (DAA-0567-2015-0008), item 5, Lost or Stolen Firearms and (b)(7)(E) Records.

(b)(6),(b)(7)(C)

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APPENDIX IV – ICE COURSES ON DEMONSTRATION OF FIREARMS PROFICIENCY

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(b)(7)(E)

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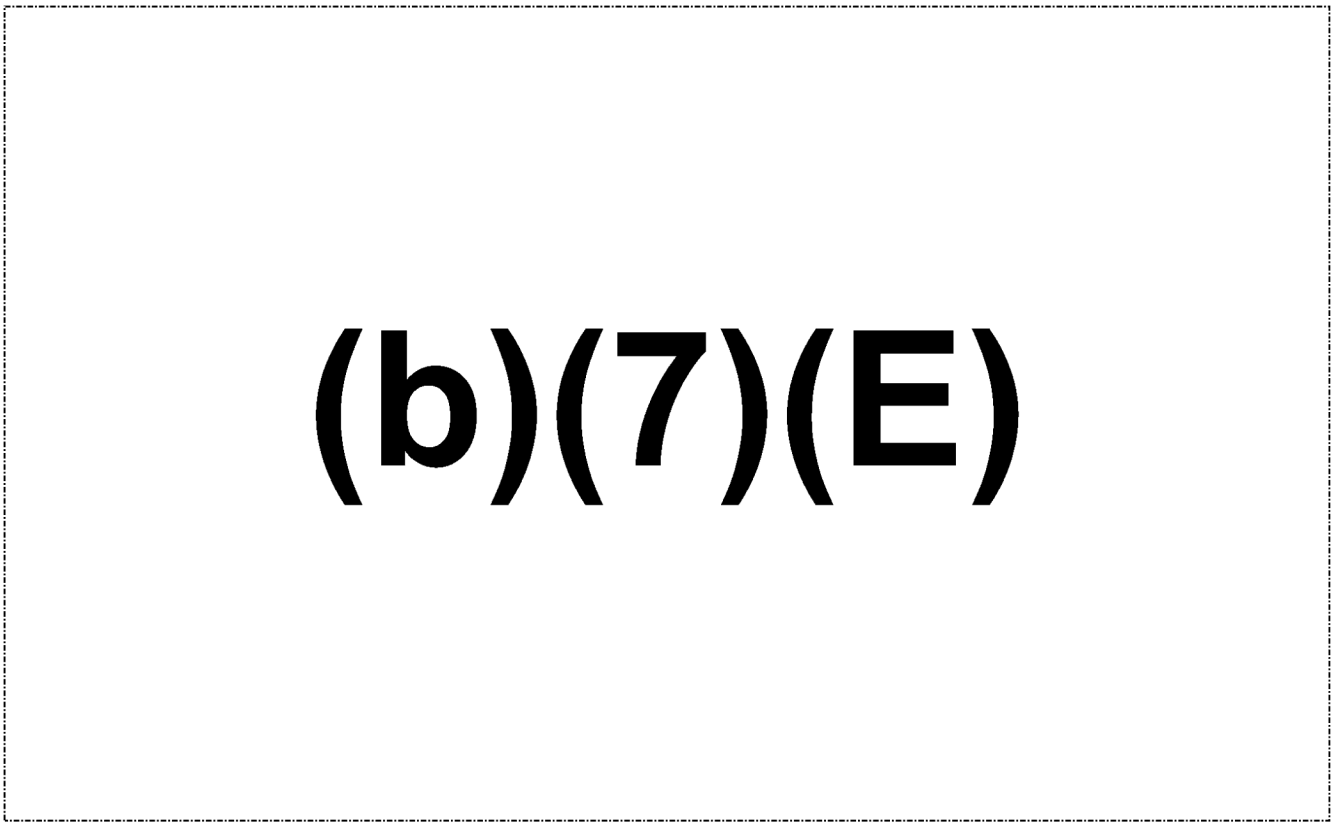

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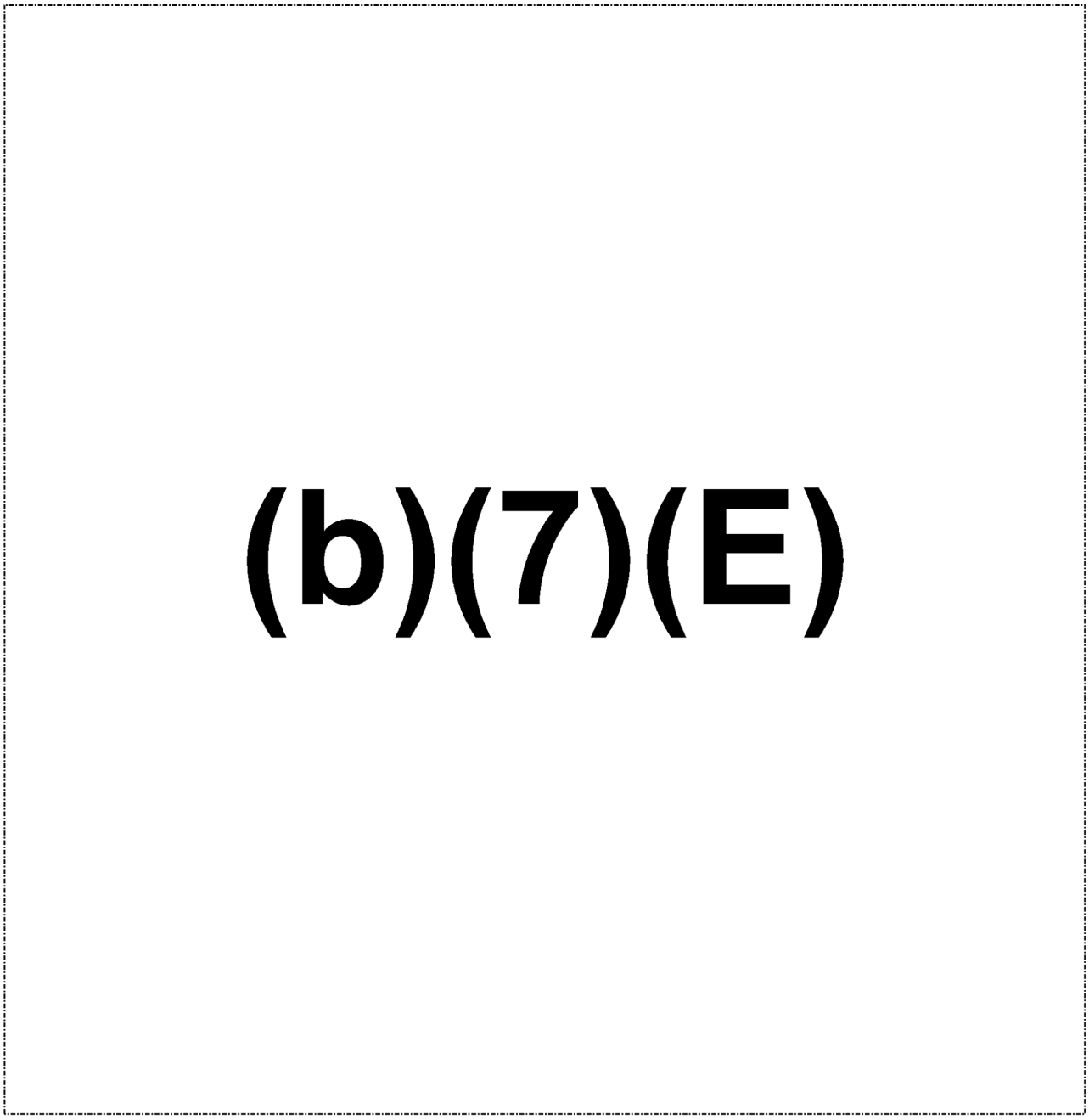

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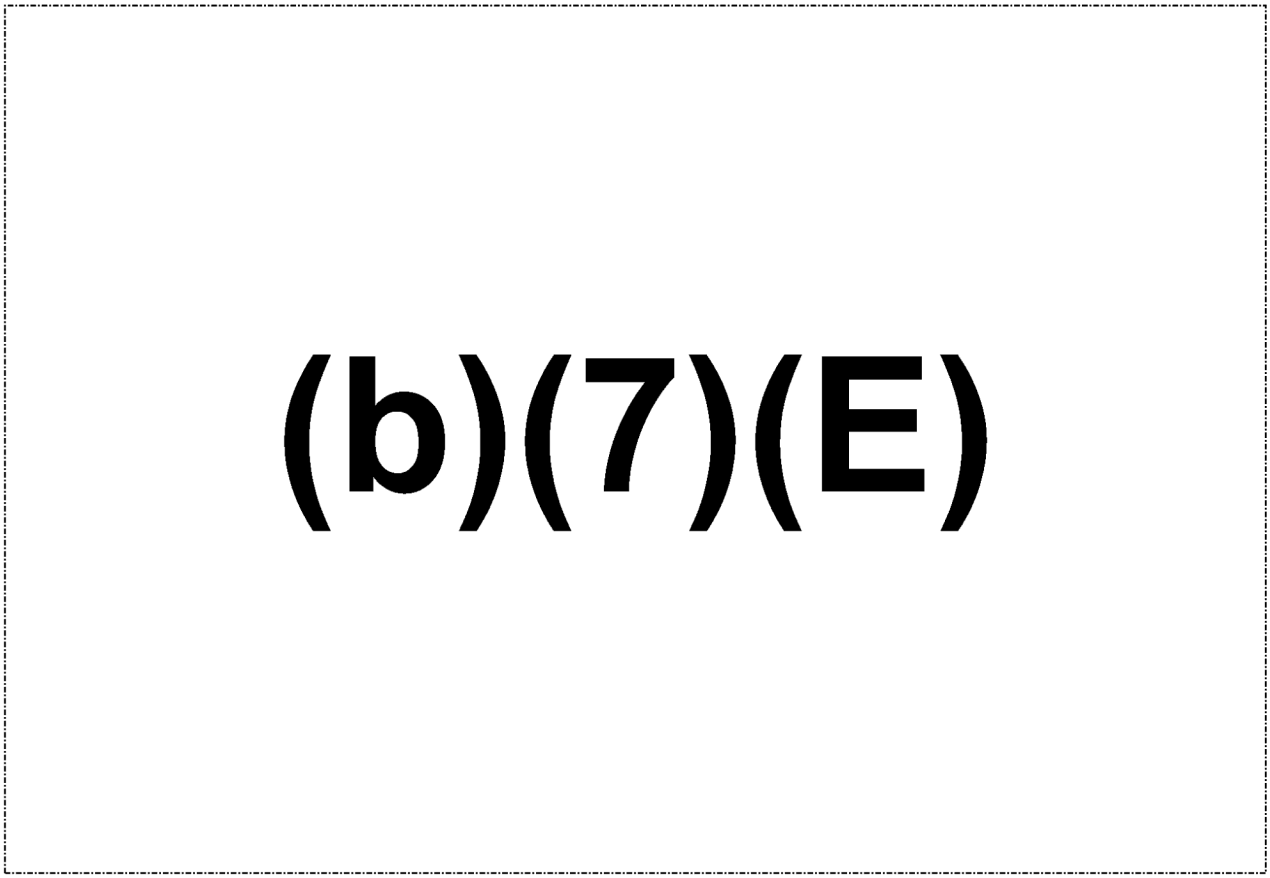

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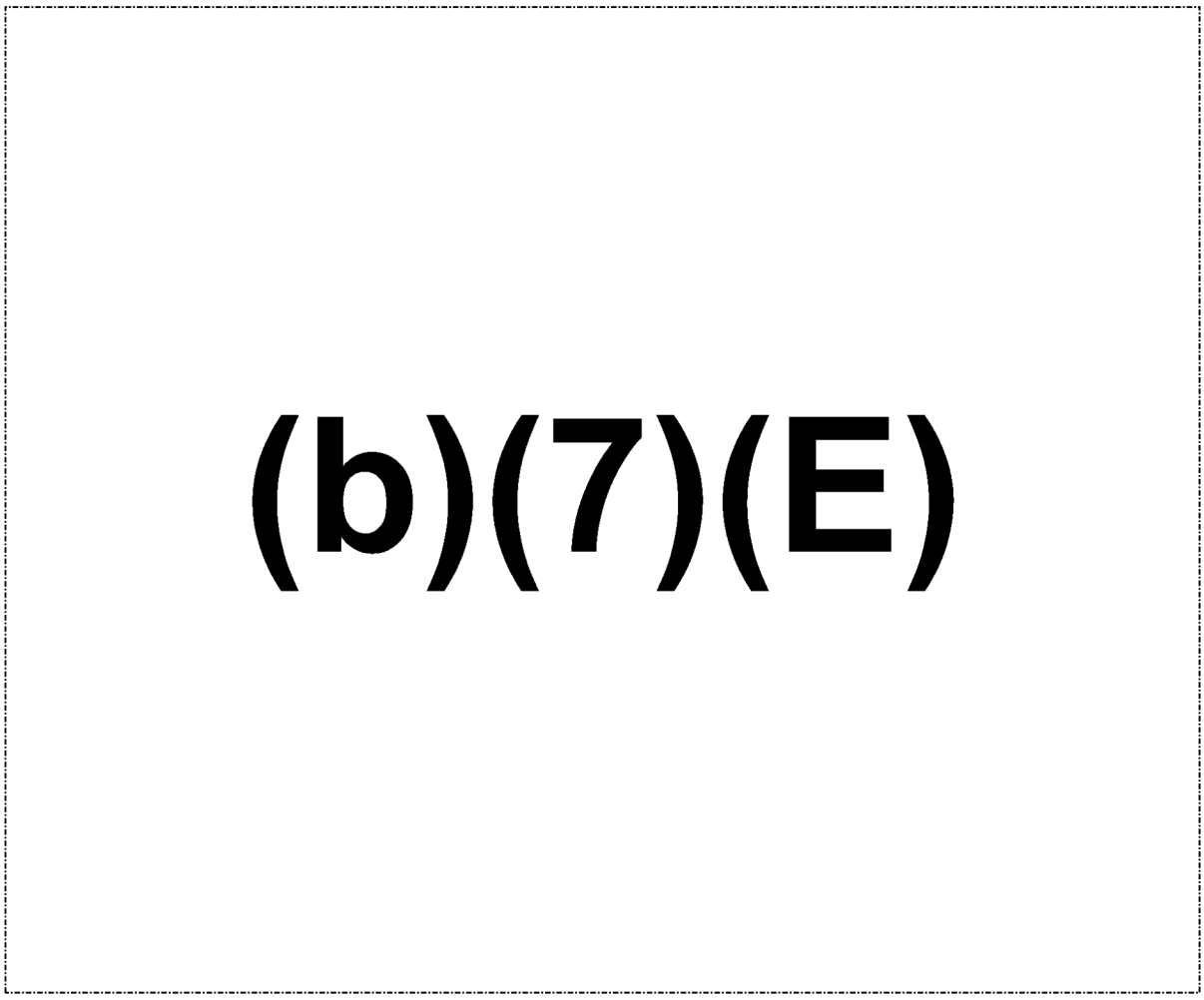

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APPENDIX VI – USE OF FORCE TRAINING REQUIREMENTS

A. Introduction. Chapter 5 of the *Firearms and Use of Force Handbook* requires that Authorized Officers demonstrate proficiency in the use of firearms and intermediate force. The core training requirements that Authorized Officers must complete to meet the requirements of the Handbook are outlined in Section C of this document.

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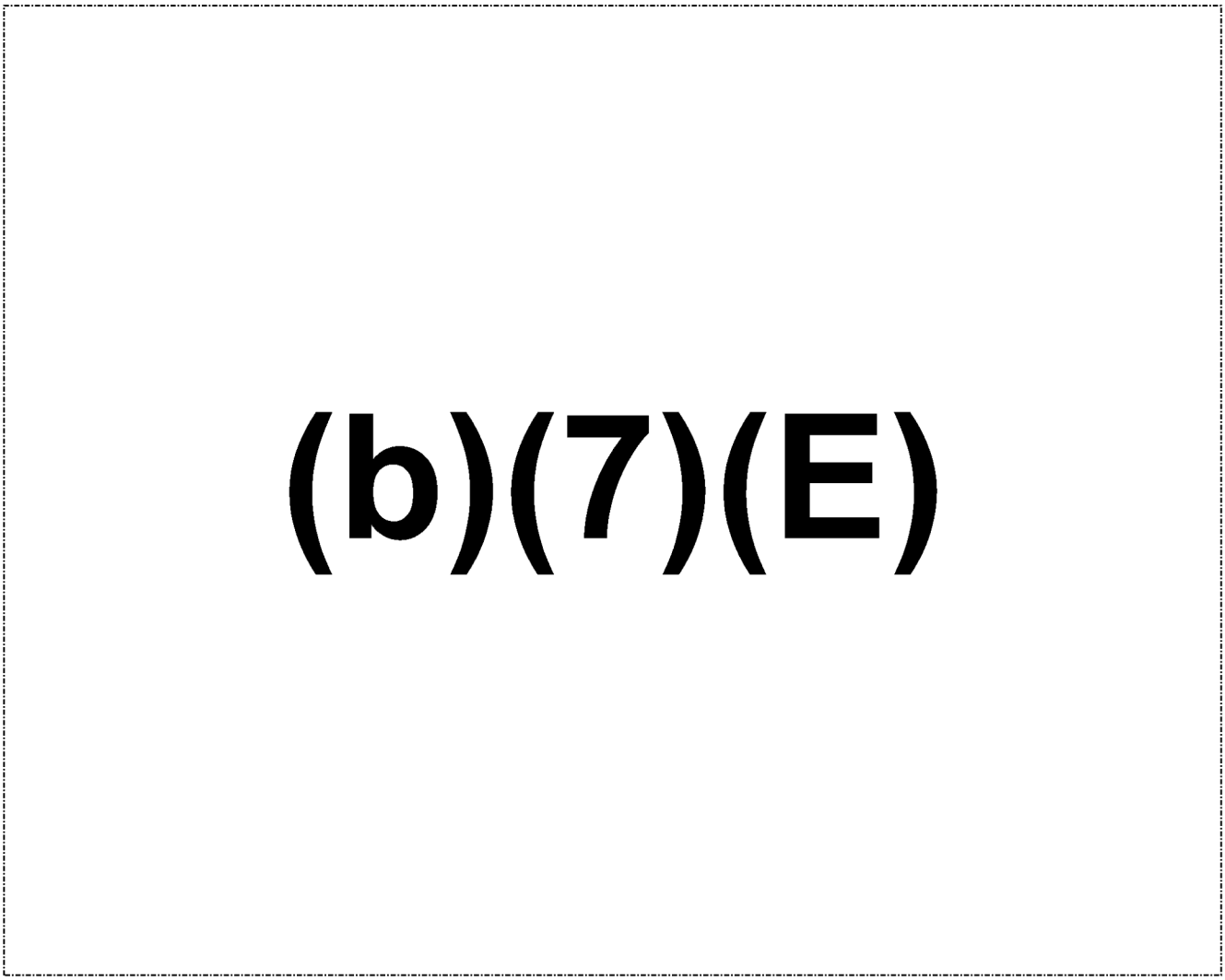
APPENDIX VIII – GUIDELINES AND PROCEDURES FOR USE OF (b)(7)(E) (b)(7)(E)

This appendix establishes guidelines and procedures relating to the use of (b)(7)(E) It assigns responsibilities for agency employees and establishes procedures and protocols concerning (b)(7)(E) including use, maintenance, storage, accountability, and training. This appendix applies to all components of ICE with (b)(7)(E) officers.

This appendix serves as the authoritative reference for ICE employees regarding (b)(7)(E) use in the performance of their law enforcement duties. As such, ICE employees who (b)(7)(E) or oversee those who (b)(7)(E) are expected to be familiar with the contents of this appendix and are required to take appropriate action to comply with policies and procedures established herein. Violation of the policies and procedures contained in this appendix may be grounds for disciplinary or other appropriate action. This document provides internal ICE policy only, which may be modified, rescinded, or superseded at any time without notice. Inquiries related to this appendix should be directed to the ICE Office of Firearms and Tactical Programs (OFTP).



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(b)(7)(E)

C. Responsibilities

1) OFTP is responsible for:

- Developing all national policy and procedures and exercising program management responsibility for ICE's (b)(7)(E) program.
- Providing training for (b)(7)(E)
- Coordinating all research, testing, evaluation, procurement, distribution, and destruction of ICE-issued (b)(7)(E)
- Developing standard operating procedures for the selection, procurement, issuance, accountability, replacement, and disposal of all ICE-owned and issued (b)(7)(E)

(b)(7)(E)

- Maintaining the (b)(7)(E). Unless otherwise identified by OFTP, (b)(7)(E) and will be the official system of record for the accountability, transfer, and inventory of all ICE (b)(7)(E) (b)(7)(E)

2) (b)(7)(E) are responsible for:

- Coordinating requests for new or replacement (b)(7)(E) are responsible for securing all unissued (b)(7)(E) in accordance with this policy and transferring and shipping expired, damaged, or otherwise excess (b)(7)(E) to OFTP.
- Adhering to training requirements as established by OFTP, including performing proper (b)(7)(E) for new or replacement requests and ensuring proper (b)(7)(E) at the time of issuance for all AOs.
- Maintaining inventory of (b)(7)(E) and related items assigned to the (b)(7)(E)

3) Supervisors are responsible for:

- Ensuring ICE AOs under their supervision are equipped with ICE-issued (b)(7)(E) (b)(7)(E)
- Supervisors of (b)(7)(E) ICE employees requiring (b)(7)(E) for their assigned duties are responsible for requesting permission through their RO and receiving OFTP concurrence.
- Ensuring that issued (b)(7)(E) has not exceeded its (b)(7)(E)
- Ensuring that all personnel issued (b)(7)(E) comply with the mandatory requirements for (b)(7)(E) as specified in Section D of this appendix.

4) ICE employees who have been issued (b)(7)(E) are responsible for:

- Properly caring for and inspecting issued (b)(7)(E) in accordance with the (b)(7)(E)
- Ensuring that issued (b)(7)(E) (b)(7)(E)
- Attending, participating in, and completing all mandated (b)(7)(E) training as required by ICE and/or their operational component.
- Properly storing and securing all government-issued (b)(7)(E)
- (b)(7)(E) accepting all government-issued (b)(7)(E) in the (b)(7)(E) (b)(7)(E) in accordance with ICE inventory requirements.
- Requesting replacement (b)(7)(E) is identified as (b)(7)(E) (b)(7)(E)

D. Procedures/Requirements for Training and the (b)(7)(E)

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12) Employees shall notify their supervisor(s) of the need to replace (b)(7)(E) (b)(7)(E) This includes in cases of significant v (b)(7)(E) (b)(7)(E)

13) (b)(7)(E) that is no longer serviceable will be physically and (b)(7)(E) transferred to OFTP for final disposal. Replacement of (b)(7)(E) shall be coordinated with the designated official for that operational component, most often the (b)(7)(E)

(b)(7)(E)

15) Additional guidance or instructions regarding the identification, procurement, replacement, transfer, tracking, use, and inventory of (b)(7)(E) may be issued by OFTP to address agency transition, reorganization, and/or realignment.

E. Recordkeeping

1) ICE uses (b)(7)(E) to provide oversight and lifecycle accountability for specified law enforcement assets and equipment. The RO must conduct an annual inventory of all ICE law enforcement assets that are accountable, as prescribed by OFTP and in accordance with current DHS personal property guidelines.

F. Authorities/References

8 U.S.C. § 1103.

DHS Manual 119-03-001-01, Personal Property Asset Management Program Manual Revision #01 (May 22, 2018).

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Issue Date: January 8, 2025

ICE Directive 19009.3, Firearms and Use of Force (May 26, 2023), or as updated.

U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, (b)(7)(E) (b)(7)(E) (b)(7)(E) (last visited Feb. 15, 2022).

U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, NIJ (b)(7)(E) (Oct. 2023), or as updated.

U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *NIJ* (b)(7)(E) (Dec. 1981), or as updated.

U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, NIJ (b)(7)(E) (Oct. 2023), or as updated.

(b)(6),(b)(7)(C),(b)(7)(F)

(b)(6),(b)(7)(C),(b)(7)(F)
Acting Assistant Director
Office of Firearms and Tactical Programs
U.S. Immigration and Customs Enforcement

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APPENDIX IX – USE OF FORCE TRAINING ENHANCED REQUIREMENTS

A. Introduction. Chapter 5 of the *Firearms and Use of Force Handbook* requires that Authorized Officers (AOs) demonstrate proficiency in the use of firearms at least quarterly. This Appendix outlines the enhanced requirements.[1]

B. Requirements.

1) The Enhanced Requirements outlined in Section C may be completed during any quarter of the fiscal year, as long as all are completed during the course of the year and at least one of each is completed during quarters two and four.

C. Enhanced Requirements. In addition to the core requirements outlined in Appendix VI that apply to all Authorized Officers, the following Authorized Officers must also complete the enhanced requirements at least once annually as outlined in this Appendix.

1) Field first-line supervisory officers and agents;

2) Field non-supervisory officers and agents; and

3) Field officers and agents in managerial positions who plan to participate in enforcement actions as part of their duties. Note: Officers and agents in managerial positions must complete the enhanced requirements before participating in any planned enforcement action as part of their duties.

Officers and agents listed above must complete the enhanced requirements even when they are assigned to Headquarters on a temporary duty assignment. The Special Agent in Charge or the Field Office Director is responsible for ensuring that all officers and agents in the field, including officers and agents in managerial positions who plan to participate in enforcement actions, complete these enhanced requirements at least yearly.

[1] All operational AOs must complete the training and exercises outlined in both Appendix VI and IX; SACs, FODs, and any other non-operational AO are exempt from the enhanced requirements outlined in Appendix IX.

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Enhanced Requirements

(b)(7)(E)

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(b)(7)(E)

D. Criteria for Completion of Training Requirements.

(b)(7)(E)

E. Suspension. Without an authorized exemption as detailed in Chapter 5.B.3.c of the Handbook, an AO who has not successfully completed all required UFTEs on an annual and quarterly basis will result in the suspension of the AO's authority to carry ICE

firearms, as set forth in Chapter 5.B of the Handbook. The processes for suspension of an AO's authority to carry ICE firearms are outlined in Chapter 2.H of the Handbook.

CALEB VITELLO (b)(6),(b)(7)(C)

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Chapter 1: Policy on Use of Force by Authorized Officers

A. General Guidelines

1) An Authorized Officer may use force only when no reasonably effective, safe, and feasible alternative appears to exist and may use only the level of force that is objectively reasonable in light of the totality of facts and circumstances confronting the officer at the time force is applied..[1]

   a) This standard does not require Authorized Officers to meet force with equal or lesser force.

   b) Authorized Officers do not have a duty to retreat to avoid the reasonable use of force, nor are they required to wait for an attack before using reasonable force to stop a threat.

2) Use of force is necessary when it is reasonably required to carry out the Authorized Officer's law enforcement duties in a given situation, considering the totality of facts and circumstances of a particular situation, and there appears to be no reasonably effective, safe, and feasible alternative to the use of force in carrying out the Authorized Officer's law enforcement duties in a given situation. *See* Section 5.2 of ICE Directive No. 19009.3, Firearms and Use of Force (May 26, 2023) and Chapter 1.B. of this Handbook for more information.

3) When feasible, Authorized Officers must employ tactics to de-escalate by the use of communication or other techniques during an encounter to stabilize, slow, or reduce the intensity of a potentially violent situation without using physical force, or with a reduction in force. *See* Section 5.5 of U.S. Immigration and Customs Enforcement (ICE) Directive 19009.3, Firearms and Use of Force (May 26, 2023) and Chapter 1.E. of this Handbook for more information. Recognizing that it is not always possible to obtain a subject's voluntary compliance, these tactics should be attempted only when feasible and when a delay is not likely to create a greater threat to the safety of the Authorized Officer or others.

4) Authorized Officers have a duty to intervene to prevent or stop a perceived use of excessive force by another Authorized Officer when it is safe to do so. Authorized Officers shall report any such incident to the Office of Professional Responsibility without unreasonable delay. Failure to intervene and/or report will be considered misconduct and may result in adverse action.

5) An Authorized Officer may have to rapidly increase or decrease force and employ

[1] The requirement that force be used only when no reasonably effective, safe, and feasible alternative appears to exist does not create a duty to retreat, requirement to wait for an attack before using force, an obligation to meet force with equal or lesser force, or a continuum or checklist of alternative steps that must be tried before resorting to force. This requirement is only meant to convey the importance of de-escalation, and that such techniques should be employed when reasonable and practical to do so.

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varying use of force options, depending on the totality of circumstances present and the evolving situation.

6) Based on the totality of facts and circumstances, different Authorized Officers may have different responses to the same situation, any of which may be both reasonable and necessary. The level of force applied must reflect the totality of the circumstances surrounding the situation, including the presence of imminent danger to the Authorized Officer or others.

7) The supervisor of any ICE employee involved in a use of force incident must ensure the employee is offered psychological first aid services from the Peer Support Response Team and/or an ICE Operational Behavioral Health Professional as soon as possible and on scene, if practical.

8) When an Authorized Officer uses deadly force, either on or off duty, the Authorized Officer, following a verbal report of the incident as required in Chapter 4.C.1.a, must immediately be placed on administrative leave for (b)(7)(E) consecutive workdays.[2] This period of absence is not for disciplinary purposes. The Office of Human Capital (OHC) Employee and Labor Relations (E&LR) and the Office of the Principal Legal Advisor (OPLA) must be consulted regarding any extensions of administrative leave.

9) Following any use of force incident and when safe to do so, Authorized Officers must seek medical assistance for any person who appears or claims to be injured.

10) Every use of force incident and any discharge of an ICE firearm by an Authorized Officer (other than intentional discharges in a training activity where no injury or property damage occurs) must be properly reported and reviewed in accordance with the procedures and guidelines set forth in Chapter 4 of this Handbook.

11) ICE firearms and authorized intermediate force weapons may only be carried by Authorized Officers who have successfully demonstrated proficiency by qualifying in accordance with the requirements in this Handbook. Authorized Officers, their supervisors, and their managers will be provided training and guidance on the issuance, use, safeguarding, and maintenance of ICE firearms, intermediate force weapons, and related use of force equipment.

12) Every Authorized Officer must, at the appropriately designated intervals, demonstrate proficiency with each ICE firearm, intermediate force weapons, and restraining devices they are authorized to carry (b)(7)(E) (b)(7)(E)

13) (b)(7)(E)

[2] The requirement for (b)(7)(E) days of administrative leave does not apply to an unintentional discharge that occurs during training or evaluations at a range under the supervision of a Firearms Instructor which does not result in an injury or death.

14) Nothing in this section should be interpreted or construed as a requirement to retreat or delay the reasonable use of force, unless unexpected circumstances make it objectively reasonable and tactically sound to do so. The delay of enforcement action could be reasonable, in view of the totality of circumstances and information known to officers at the scene, but continuation of enforcement action and associated use of force shall not be deemed unreasonable simply because the use of force is required to complete the action.

B. Objectively Reasonable and the Totality of Facts and Circumstances

1) The "reasonableness" of a particular use of force will be reviewed based on the totality of the facts and circumstances confronting the Authorized Officer at the time of the use of force. Reasonableness is an objective standard viewed from the perspective of a reasonable officer on the scene, rather than with 20/20 vision of hindsight.

2) The totality of the circumstances are all factors existing in each individual case which are used to determine the reasonableness of an Authorized Officer's actions. These factors include, but are not limited to:

   a) The seriousness of the offense at issue;

   b) Whether the subject poses an imminent threat to the safety of the Authorized Officer or others;

   c) Whether the subject is actively resisting or attempting to evade arrest by flight;

   d) Whether circumstances are uncertain and rapidly evolving;

   e) The foreseeable risk of injury to subject(s) involved and others;

   f) The level of training, strength, size, injury, and/or physical exhaustion of the Authorized Officer at the time of the event;

   g) The apparent level of training, strength, size, and age of the subject(s);

   h) The weapons involved and/or available;

   i) The presence of other officers, subjects, or bystanders; and

   j) Environmental conditions.

C. Use of Intermediate Force

1) Intermediate force is physical force that is neither likely nor intended to cause death or serious bodily injury. Authorized Officers may use force, including intermediate force, only when no reasonably effective, safe, and feasible alternative appears to

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exist and use only the level of force that is objectively reasonable in light of the totality of facts and circumstances confronting the Authorized Officer at the time force is applied. The use of force must be both objectively reasonable and necessary in order to carry out the Authorized Officer's law enforcement duties.

2) Any use of intermediate force must be both objectively reasonable and necessary in order to carry out the Authorized Officer's law enforcement duties.

3) Intermediate force weapons may be used in situations where (b)(7)(E) techniques are not sufficient to bring a disorderly, non-compliant, or violent subject under control, but where deadly force is not deemed justified.

D. Use of Deadly Force

1) Deadly force is force that is likely to cause death or serious bodily injury.

2) The *DHS Update to the Department Policy on the Use of Force* dated February 6, 2023, or as amended or superseded, governs the use of deadly force by all DHS law enforcement officers.

3) Authorized Officers may use deadly force only when the officer has a reasonable belief that the subject of such force poses an imminent danger of serious bodily injury or death to the officer or to another person. Deadly force is not authorized against a person whose actions are only a threat to themselves or property.

4) Deadly force is not authorized solely to prevent the escape of a fleeing suspect. Deadly force against a fleeing subject is only authorized if there is probable cause to believe that the escape of the suspect would pose an imminent danger of death or serious bodily injury to the officer or another person.

5) When feasible, and if to do so would not increase the danger to the Authorized Officer or others, a verbal warning to submit to the authority of the Authorized Officer shall be given before the use of deadly force.

6) Deadly force shall not be used against a person whose actions are only a threat to themselves or property. This prohibition expressly does not apply if the person poses an imminent threat of death or serious physical injury to the officer or to another person.

7) Authorized Officers may use any (b)(7)(E) accessible when they or others are faced with the imminent threat of death or serious bodily injury.

8) The use of firearms to discharge (b)(7)(E) munitions or specially designed (b)(7)(E) munitions against structures does not constitute the use of deadly force unless there is reason to believe that the (b)(7)(E) munitions or specially designed (b)(7)(E) munitions are likely to cause the death of a person or serious bodily injury (b)(7)(E) (b)(7)(E)

9) Deadly force may be used against animals when the officer has a reasonable belief

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that the animal(s) pose an imminent danger of serious bodily injury or death to the officer or to other persons in close proximity to the animal, or to humanely euthanize a seriously injured or diseased animal.

10) Discharging a firearm from a moving vehicle is only permitted when deadly force is authorized.

E. ICE Use of Force Continuum

1) The ICE Use of Force Continuum describes and categorizes the application of various levels of force an Authorized Officer may use to gain control over a resistant subject.

2) The Continuum is not a ladder and does not prescribe a series of sequential steps that an Authorized Officer is mandated to take in order to escalate or de-escalate force. An Authorized Officer may have to rapidly intensify or diminish force and employ varying use of force options through the Continuum, to include skipping portions of the Continuum in their entirety, depending on the totality of circumstances present and the evolving situation.

3) Outlined below are the 5 levels of the Continuum (with associated non-exhaustive examples of each):

a) First level (Officer Presence):

(b)(7)(E)

b) Second level (Verbal Commands):

(b)(7)(E)

c) Third level (Soft Techniques):

(b)(7)(E)

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(b)(7)(E)

d) Fourth level (Hard Techniques):

(b)(7)(E)

e) Fifth level (Deadly Force):

(b)(7)(E)

F. Firearms and Use of Force Incident Review Committee

1) When reviewing use of force incidents and enforcement-related officer safety issues, the Firearms and Use of Force Incident Review Committee will determine the following:

   a) Did the use of force adhere to current ICE policy or, if ICE policy has been updated, the policy in effect at the time of the incident; and

   b) Whether, changes, if any, are needed to tactics, training, equipment, or policy.

2) When the committee determines the use of force was not in compliance with ICE policy and/or changes are needed to current tactics, training, equipment, and/or policy, OFTP will conduct a thorough review of the UoF incident, consult with the appropriate ICE components, and report back to the Committee with proposed corrective actions.

3) The Firearms and Use of Force Incident Review Committee shall meet as needed.

4) The Firearms and Use of Force Incident Review Committee shall share lessons learned regarding use of force policies, training, law enforcement administrative matters, and oversight to a Law Enforcement Coordination Council (LECC), established by the Secretary of Homeland Security and supported by the Office of Strategy, Policy, and Plans.

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Chapter 2: Firearms

A. Authority to Carry ICE Firearms

1) To carry an ICE firearm, an Authorized Officer must:

   a) Be authorized to carry firearms by federal law, including 19 U.S.C. § 1589a, 8 U.S.C. § 1357, 8 C.F.R. § 287, or other statutory authority as delegated to ICE employees by the Director of ICE;

   b) Be issued an ICE badge and credentials indicating the Authorized Officer is permitted to bear firearms;

   c) Have successfully completed the mandatory basic law enforcement training related to the Authorized Officer's statutory authority, including basic firearms training required for the ICE-specific job series and title, or have successfully completed a substantially equivalent training program as determined by the appropriate and relevant ICE EAD;

   d) Demonstrate and maintain proficiency, as set forth in Chapter 5 of this Handbook, in the use of ICE firearms and intermediate force weapons that the Authorized Officer is authorized to carry; and

   e) Adhere to all applicable policies, use of force proficiency, and training requirements set forth in this Handbook.

2) The ICE Director may approve, as permitted by law, additional individuals or classes of individuals to be authorized to carry an ICE firearm(s) in the performance of official duties.

3) All ICE employees who are not Authorized Officers, or who are not otherwise authorized by ICE to transport firearms, are prohibited by federal law from carrying any firearm into a federally owned, rented, or leased facilities, including federally leased or owned parking lots.

B. Carriage of ICE Firearms

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(b)(7)(E)

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(b)(7)(E)

C. Personally Owned Firearms

1) Authorized Officers may request authorization to carry an ICE-approved POW(s) from their respective Responsible Official in accordance with the procedures established by OFTP.

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(b)(7)(E)

5) Nothing in this Handbook shall be construed as interfering with the right that Authorized Officers may have as private citizens to carry a personally owned firearm off-duty for personal use. Authorized Officers must comply with all applicable federal, state, and local laws when exercising this right.

D. Flying Armed on a Commercial Aircraft

1) Authorized Officers with arrest authority may carry their ICE firearms[1] in the cabin of a commercial aircraft in accordance with federal regulations and procedures contained in this section. This permission extends to non-official travel unless the Authorized Officer is prohibited from carrying ICE firearms while in non-duty status. A Program Head may restrict the authority to carry firearms in the cabin of commercial aircraft as the Program Head deems appropriate, including limiting it to official travel only.

2) Authorized Officers must abide by the Transportation Security Administration (TSA) and Federal Aviation Administration (FAA) regulations when flying armed or transporting firearms in their luggage.[2]

3) Each Authorized Officer who carries an ICE firearm while traveling on board a commercial aircraft must successfully complete the ICE-approved Law Enforcement Officers Flying Armed training course before the Authorized Officer's planned travel.

(b)(7)(E)

[1] This includes ICE-approved POWs.
[2] *See* 49 C.F.R. §§ 1540.111, 1544.219, 1544.221, and 1544.223.
[3] This prohibition does not include long guns that have been de-weaponized pursuant to a TSA Bulletin released on May 6, 2020.

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(b)(7)(E)

7) In cases that require transporting multiple firearms or (b)(7)(E) firearms on commercial aircraft, Authorized Officers must follow TSA and FAA regulations and the published guidelines provided by OFTP.

(b)(7)(E)

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(b)(7)(E)

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(b)(7)(E)

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(b)(7)(E)

I. Alcohol and Medication

1) Authorized Officers are prohibited from consuming alcoholic beverages while carrying an ICE firearm. (b)(7)(E)

(b)(7)(E)

2) Authorized Officers are prohibited from carrying any ICE firearms after consumption of alcohol or over-the-counter and prescription medication if such consumption

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creates a safety concern as to their judgment and/or ability to carry and control the firearms.

J. Suspension or Revocation of the Authority to Carry Firearms

1) The authority to carry an ICE firearm and the authority to perform law enforcement duties may be suspended or revoked by the ICE Director, the Deputy Director, Program Heads, or Responsible Officials. The authority to carry an ICE firearm for official duty may also be suspended by an ICE supervisor.

   a) A *suspension* is the temporary removal of the Authorized Officer's authority to perform law enforcement duties and to carry an ICE firearm in the performance of the officer's official duties.

   b) A *revocation* is the permanent termination of the Authorized Officer's authority to perform law enforcement duties and to carry an ICE firearm.

2) A suspension or revocation will result in the Authorized Officer's surrender of items listed in Chapter 2.K.1, including all ICE-issued (b)(7)(E) ICE-issued (b)(7)(E) items.

3) In accordance with law, regulation, and policy, a revocation of the authority to perform law enforcement duties and/or carry a firearm may be grounds for disciplinary action up to, and including, removal from position.

4) Situations that require mandatory suspension or warrant revocation include, but are not limited to:

   a) Notification of an Authorized Officer's conviction for a misdemeanor crime of domestic violence.[5] If the conviction is confirmed, the Authorized Officer's authority will be revoked.

   b) Notification of an Authorized Officer's arrest or charge for a misdemeanor crime of domestic violence.

   c) Notification of an Authorized Officer's off-duty contact with a law enforcement officer/agency where the allegation contains a component of unlawful or unjustified violence by the Authorized Officer.[6]

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[5] Refers to Lautenberg Amendment, 18 U.S.C. § 922(g)(9), which prohibits anyone who has been convicted in any court of a misdemeanor crime of domestic violence from possessing any firearm or ammunition. *See* ICE Directive 1005.2, Domestic Violence: Lautenberg Amendment Compliance Policy (Nov. 23, 2012), or as updated.

[6] *See* Memorandum from Acting Deputy DHS Secretary Russell Deyo, *Required Reporting of Off-Duty Contact with Law Enforcement by DHS Law Enforcement Personnel and the Suspension and/or Revocation of Authority to Carry a Firearm or other Weapon and Perform Law Enforcement Duties* (Jan. 10, 2017), or as updated.

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i) For purposes of this provision, "contact with a law enforcement officer/ agency" means all instances where an Authorized Officer is off-duty and not acting in an official capacity and is questioned, interviewed, detained, or arrested as a subject of an enforcement action or investigation by a law enforcement agency (either internal to DHS or external) during the course of said agency's official duties to determine if the Authorized Officer was a party to an alleged violation of law.

ii) Examples of "unlawful or unjustified violence" include, but are not limited to, allegations of homicide, manslaughter, assault, battery, threat of deadly harm, rape, sexual assault, robbery, domestic violence, kidnapping, and stalking.

d) Notification of the issuance of a protective or temporary restraining order against the Authorized Officer related to an allegation of domestic violence or based on some other form of alleged violent behavior, or a court order restricting the Authorized Officer's contact with another individual or ability to possess a firearm.

e) Notification of the Authorized Officer's failure to demonstrate proficiency in the use of all firearms that the Authorized Officer carries, or to complete other mandatory training requirements without an authorized exemption. See Chapter 5 for further details.

f) Instances where there is evidence of:

i) A medical/psychological condition that would impede the safe and effective use of a firearm;

ii) Substance abuse;

iii) Consumption of alcoholic beverages in violation of Chapter 2.I. of this Handbook;

iv) Taking medication that impairs judgment and/or the ability to safely use or control a firearm;

v) Commission of a felony;

vi) Misuse of a firearm;

vii) Serious breaches of integrity or security;

g) The existence of a criminal investigation or an administrative inquiry[7] which

[7] *See* ICE Directive 17011.1, Administrative Inquiries Involving Employee Misconduct (May 5, 2005), or as updated.

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precludes the performance of law enforcement duties; and/or

h) When it is in the best of interest of ICE or in circumstances that may call into question the Authorized Officer's ability to safely and effectively use a firearm.

5) Timeline for Suspension, Revocation and Consultation

a) Requirements for conviction for a misdemeanor crime of domestic violence (section 2.J.4[a]).[8]

i) The supervisor must suspend the Authorized Officer's authority to carry an ICE firearm and perform law enforcement duties within 24 hours of being initially notified of a conviction for a misdemeanor crime of domestic violence.

ii) Once the existence of a qualifying conviction is confirmed, in consultation with the Responsible Official, OHC E&LR, OPR, and OPLA, the authority to carry an ICE firearm and perform law enforcement duties must be revoked.

b) Requirements for sections 2.J.4[b]-[h].

i) The Authorized Officer's authority to carry an ICE firearm and perform law enforcement duties must be suspended or revoked within 72 hours of notification of the potentially qualifying event. Upon notification, the supervisor or Responsible Official must take immediate action to determine if the notification received is in fact a qualifying event under Chapter 2.J.4[b]-[h].[9] The supervisor or Responsible Official must make this determination, in consultation with leadership, OHC E&LR, OPR, and OPLA within 72 hours of notification of the potentially qualifying event.

ii) The supervisor must document efforts to confer and consult with the above-mentioned entities.

6) Notice of ICE Firearm Suspension or Revocation

a) The supervisor must provide a verbal notice to the Authorized Officer at the time of suspension or revocation.

[8] An officer's authority to carry a firearm must be suspended when the officer is charged or arrested for a misdemeanor crime of domestic violence. *See* Section 2.J.4[b].

[9] If the Authorized Officer is presenting an immediate threat (*e.g.,* situations in which the Authorized Officer is threatening or exhibiting violent or disruptive behavior, and/or appears to be under the influence of substances impairing judgment or safety), the supervisor must also consider removal of the Authorized Officer from ICE premises. For additional guidance, supervisors should refer to ICE Directive 1045.1, Guidance for Supervisors on Mission Readiness and Employee Safety (Aug. 4, 2015), or as updated.

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b) The supervisor must provide a written notice to the Responsible Official of the action taken within 24 hours of any suspension. The written notice must identify the Authorized Officer involved and explain the reason(s) for the suspension.

c) The Responsible Official must provide a written notification to the affected Authorized Officer explaining: (1) the reason for the suspension or revocation of the authority to carry an ICE firearm and law enforcement badge and credentials; and (2) limitations on the performance of duties. This written notification must be provided to the Authorized Officer within five (5) business days after the verbal notification by the supervisor. The Responsible Official must also communicate this notification to the Authorized Officer's supervisor.

d) In the event of revocation or if the suspension of the Authorized Officer's authority to carry a firearm and perform law enforcement duties extends beyond 72 hours, the Responsible Official must provide written notification to the respective Program Head, or designee, identifying the Authorized Officer involved and explaining the reason(s) for the action. When the Deputy Director or Program Head is the immediate supervisor of the Authorized Officer, notification to the next higher level of management is not required. However, a permanent record of the action must be maintained by the Deputy Director or Program Head making the decision.

7) The Authorized Officer's authorization to carry an ICE firearm must remain suspended by the Responsible Official until the Authorized Officer has been authorized to return to duty and has met the requirements of this Handbook and all other applicable ICE policies.

K. Retrieval of Firearms and Other Law Enforcement Equipment

1) In all situations where an Authorized Officer's authority to carry an ICE firearm is suspended or revoked, the Authorized Officer must immediately return all of the following assigned items to the Firearms Coordinator or his or her supervisor:

(b)(7)(E)

2) The Firearms Coordinator must complete the transfer of any ICE-issued firearm from

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the Authorized Officer to the reserve and record the suspension of any authorization to carry an ICE-approved POW in (b)(7)(E). Additionally, the Firearms Coordinator must ensure that the suspension of all other items listed in subsection K.1 is appropriately reflected in (b)(7)(E) if the item is tracked in (b)(7)(E).

3) If an Authorized Officer fails to comply with subsection K.1, the Authorized Officer's supervisor must make all reasonable attempts to retrieve the items that have not been returned. The supervisor must document all actions taken in attempting to retrieve these items.

   a) If an Authorized Officer whose authority to carry a firearm has been suspended or revoked fails to cooperate with the supervisor's reasonable attempts to retrieve any of the items listed in subsection K.1, the supervisor must elevate the matter to the Program Head as soon as possible through the Responsible Official in the supervisor's chain of command.

   b) Where an Authorized Officer refuses to surrender any of the items listed in subsection K.1 or fails to respond in a timely manner to attempts by the supervisor to retrieve said items, these items will be treated as stolen.[10]

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[10] *See* Chapter 6 for accountability for lost or stolen firearms and ammunition, and Appendix III regarding accountability for [(b)(7)(E)]

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Chapter 3: Intermediate Force Weapons

A. General Guidelines

1) (b)(7)(E)

2) Authorized Officers are required to demonstrate proficiency and successfully complete the initial training, certification, and recertification requirements for each intermediate force weapon that they are issued. *See* Chapter 5 and Appendix VI for additional information.

3) Personally owned intermediate force weapons are prohibited for official duty or for use in any official capacity.

4) Authorized Officers must report any loss, damage, or theft of intermediate force weapons. *See* Chapter 6.F. of this Handbook for additional information.

5) The Firearms Coordinator or Defensive Tactics Coordinator must document the issuance, theft, or loss of all intermediate force weapons in (b)(7)(E) except for (b)(7)(E)

B. (b)(7)(E) and (b)(7)(E)

1) All (b)(7)(E) and (b)(7)(E) (b)(7)(E) must be approved for use by Authorized Officers by the Assistant Director for OFTP.

2) (b)(7)(E) Munitions:

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(b)(7)(E)

3) (b)(7)(E) Munitions:

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(b)(7)(E)

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Chapter 4: Use of Force Reporting Requirements

A. General Guidelines

1) Local, State, Tribal, and Federal law enforcement agencies may investigate use of force incidents occurring within their jurisdictions, including those resulting in serious bodily injury or death of an individual (critical incidents). Accordingly, ICE employees involved in a critical incident should anticipate an investigation by other appropriate outside law enforcement authorities. They may be interviewed by law enforcement representatives of those agenc(ies) or subpoenaed to a grand jury or court proceeding.

2) All uses of force shall be documented and investigated pursuant to ICE Directive 19009.3, Firearms and Use of Force (May 26, 2023). As part of their official duties, ICE employees are required to complete reports describing actions taken in an official capacity. ICE employees are afforded all constitutional protections, including due process, the right to counsel, protection against unreasonable searches and seizures, protection against self-incrimination, and will generally not be compelled to produce a statement in the case of an active criminal investigation. ICE bargaining unit employees also have the right to Union representation.

3) Per DHS Policy Statement 044-05 (Revision 01), *Update to the Department Policy on the Use of Force* (Feb. 6, 2023) and related timelines, reportable data elements, and other reporting requirements established by DHS Office of Strategy, Policy, and Plans, ICE will report the following force incidents and data:

   a) Any injury or death to an officer, subject, or bystander;

   b) Any use of deadly force against a person, to include when a firearm is discharged at a person;

   c) Any intentional deployment of an intermediate force/less-than lethal weapon or device against a subject, including (b)(7)(E) against a subject;

   d) Any use of a vehicle, weapon, or physical tactic or technique that delivers (b)(7)(E) (b)(7)(E) to a subject; and

   e) Use of (b)(7)(E) against a maritime vessel or aircraft.

4) ICE shall participate in the Federal Bureau of Investigation's (FBI) National Use of Force Data Collection program and report such data to the FBI in the manner prescribed.

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B. Reporting the Use of Intermediate Force

1) Authorized Officers

a) Unless physically incapacitated or otherwise unable, Authorized Officers must orally report to a supervisor any use of (b)(7)(E) (b)(7)(E) resulting in any injury within one hour of the time the incident occurred, or as soon as is practical, or within one hour of the time the Authorized Officer becomes aware of the incident, or as soon as is practical.

b) The verbal report must contain the following information (if known):

i) Time, date, and location of the incident;

ii) Names of Authorized Officers involved or present;

iii) Subject information (*e.g.*, number of subjects, identity, physical description);

iv) Weapons or techniques used or present;

v) Nature of the enforcement action that resulted in the use of force or the circumstances surrounding the use of force if not during an enforcement action;

vi) Witness information;

vii) Any injuries sustained by either Authorized Officers, subjects, or bystanders; and

viii) Property damage.

c) If the intermediate use of force involves the deployment of an (b)(7)(E) Authorized Officers must also report additional information specified in Appendix III of this Handbook.

2) Supervisors

When notified about the use of intermediate force, the supervisor must:

a) Immediately provide a verbal report of the incident to his or her Responsible Official through their established chain of command.

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b) Follow up the verbal report with a written report, through their chain of command, containing all relevant information provided during the verbal report, including any relevant information learned after the verbal report. If the incident involves the deployment of (b)(7)(E) the written report must also include information listed in Appendix III. The report may be in a memorandum format or may use another written reporting format prescribed by the respective Directorate or Program Office.

c) Complete an ICE Use of Force, Assaults, and Discharge (UFAD) report, which is associated within the (b)(7)(E), within 48 hours of the incident.

3) OFTP

When notified about the use of intermediate force, OFTP must:

a) Maintain records and track all reported incidents involving the use of intermediate force weapons.

b) Make a preliminary assessment, based on all available information, on whether the use of intermediate force adhered to current ICE policy at the time of the incident and document such assessment. If OFTP's preliminary assessment questions or identifies that the use of intermediate force did not comply with current ICE policy, OFTP will refer those incidents to OPR for review.

c) Report quarterly, or as needed, all intentional uses of intermediate force weapons or any uses of intermediate force that result in serious bodily injury or death to the DHS Office of Strategy, Policy, and Plans..[1]

4) When the use of (b)(7)(E) subsequently results in serious bodily injury or death, the incident must be reported using the procedures for reporting the use of deadly force.

C. Reporting the Use of Deadly Force

1) Authorized Officer

a) If it is safe and possible to do so, the Authorized Officer must provide a verbal report of the incident to his or her immediate supervisor within one hour of the time a use of deadly force occurs, or as soon as is practical. If it is not safe and

[1] This data should be reported to the DHS Office of Strategy, Policy, and Plans along with other requirements outlined in Section (VII)(C) of DHS Policy 044-05 (Revision 01), *Update to the Department Policy on the Use of Force* (Feb. 6, 2023).

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possible to do so within this timeframe, the Authorized Officer must provide a verbal report of the incident to his or her immediate supervisor as soon as is possible. The report must contain the following information (if known):

i) Time, date, and location of the incident;

ii) Names of the Authorized Officers involved or present;

iii) Subject information (*e.g.*, number of subjects, identity, physical description);

iv) Weapons or techniques used or present;

v) Nature of the enforcement action that resulted in the use of deadly force, or the circumstances surrounding the use of deadly force if not during an enforcement action;

vi) Witness information;

vii) Any injuries sustained by either Authorized Officers, subjects, or bystanders; and

viii) Property damage.

b) If the immediate supervisor is incapacitated or otherwise unavailable, the Authorized Officer must notify another supervisor in his or her direct chain of command or area of responsibility.

2) Supervisor

a) Upon notification of a use of deadly force, a supervisor must immediately provide a verbal report of the incident to:

i) The Responsible Official and the respective Program Head, through the appropriate chain of command;

ii) OPR; and

iii) The ICE Joint Intelligence Operations Center (JIOC).

b) The supervisor must ensure that local law enforcement authorities are notified of incidents involving property damage, bodily injury, or death.

c) The supervisor must follow up the initial verbal report with a written report containing all relevant information provided during the verbal report, including any relevant information learned after the verbal report. Such reports may be in a

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memorandum format or may use the established case reporting format prescribed by their Directorate or Program Office, as long as it contains the required information.

d) The supervisor must ensure that the written report is sent to OPR, OFTP, and his or her respective Program Head through their chain of command within 48 hours of the incident.

e) The supervisor must also complete a UFAD report, which is associated with the (b)(7)(E), within 48 hours of the incident.

f) The supervisor must provide supplemental written reports, separate from the UFAD report, as additional information is obtained.

3) If an ICE employee witnesses a deadly force incident during the course of official duties, he or she may be required to submit a written report.

4) A field office may not conduct an investigation into a use of deadly force incident without first coordinating with and receiving approval from OPR. This does not preclude field office personnel who are at the scene of an incident from preserving evidence and obtaining names and contact information from witnesses on scene for submission to OPR and other agencies conducting an investigation under their primary jurisdiction.[2]

D. Discharge of a Firearm

1) Authorized Officers must report the following firearms discharges in accordance with the reporting requirements for use of deadly force outlined in Chapter 4.C:

a) Any discharge of an ICE firearm (even if unintentional), including by any person other than an Authorized Officer;

b) Any discharge of a firearm that is observed as an act of assault against any Authorized Officer or ICE employee, and the assault is, or reasonably appears to be, related to the Authorized Officer's or the ICE employee's ICE employment, must be reported by the Authorized Officer who observes the incident;[3]

[2] For more information on responsibilities and procedures related to critical incidents, refer to ICE Directive 1044.2, Response to and Evaluation of Critical Incidents Involving ICE Employees, Non-Employee Status Individuals, and Officers Acting Pursuant to ICE Authority (Mar. 3, 2023), or as updated.

[3] Per ICE Directive 17012.2, Reporting and Investigating Threats and Assaults Against ICE Employees and Facilities (Jan. 29, 2020), or as updated, ICE employees must report any known threat or assault directed against them as a result of their official duties, actions, or employment with ICE.

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c) Any discharge of a firearm by a law enforcement officer from another agency when the discharge occurs during a multi-agency operation involving the Authorized Officer(s); and

d) The discharge of (b)(7)(E) munitions from a (b)(7)(E) (b)(7)(E)

2) Authorized Officers need not report the following firearms discharges:

a) The intentional discharge of ICE firearms during training (*e.g.*, demonstration, practice, training, and qualification, or competition events) where no personal injury or property damage occurs;[4] and

b) The discharge of firearms when Authorized Officers are deployed (militarily) and under the control of another department in a foreign country (*e.g.*, under the direction of the Department of Defense during wartime or armed conflicts).

3) Examinations of Firearms by OFTP

a) If the discharge of an ICE firearm by an Authorized Officer results in personal injury or any property damage, regardless of how minor or who owns the property, the Firearms Coordinator must immediately send the firearm and ammunition to OFTP for examination unless the firearm is required for an ongoing federal, state, local, or tribal law enforcement investigation or legal action.

b) A shooter-induced, unintentional discharge in which there is no personal injury or property damage and for which the Authorized Officer acknowledges responsibility does not require examination of the firearm by OFTP. However, if an unintentional discharge occurs and the Authorized Officer has a reason to believe that the ICE firearm has malfunctioned, the Firearms Coordinator must immediately send the firearm to OFTP for examination.

c) Before sending the firearm to OFTP, the Firearms Coordinator must ensure that the firearm and (b)(7)(E) are unloaded and that neither were cleaned or altered since the incident. At no time may an ICE firearm be disassembled except by an authorized Equipment Specialist Ordnance (ESO). (b)(7)(E)

(b)(7)(E)

4) Replacement Firearm

[4] Accidental discharges during training must still be reported.

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a) The Responsible Official must issue, or offer the issuance, as soon as practicable, a replacement firearm to an Authorized Officer who relinquished his or her ICE firearm but who nevertheless retains the authority to carry a firearm.

b) The Authorized Officer must demonstrate proficiency via the completion of core firearms training requirements, as outlined in Appendix IV, with the replacement firearm no later than 14 days following the issuance of the replacement firearm, even if the Authorized Officer has already qualified for that quarter.

(b)(6),(b)(7)(C),(b)(7)(F)

(b)(6),(b)(7)(C),(b)(7)(F)
Acting Assistant Director
Office of Firearms and Tactical Programs
U.S. Immigration and Customs Enforcement

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Chapter 5: Firearms and Intermediate Use of Force Proficiency and Training

A. General Guidelines and Responsibilities

1) Each fiscal year, Authorized Officers must complete training on use of force policies. Successful completion in one fiscal year covers the Authorized Officer through the end of the following fiscal year. This training shall include related legal updates, discretion in using deadly force and intermediate force, and de-escalation techniques. Training shall also [(b)(7)(E)] [(b)(7)(E)] [(b)(7)(E)]

2) Authorized Officers must demonstrate proficiency in firearms and intermediate force weapons as prescribed by OFTP. The specific requirements that Authorized Officers must meet to demonstrate firearms and intermediate force weapons proficiency are listed in Appendices IV, VI, and IX.

3) Authorized Officers must also complete annual training on:

   a) [(b)(7)(E)] r

   b) The affirmative duty to request and/or render medical aid following the use of force, when it is safe and reasonable to do so; and

   c) The affirmative duty to intervene if an Authorized Officer is misusing force or using excessive force.

4) Failure to comply with mandatory training and proficiency requirements will result in the suspension of an Authorized Officer's authorization to carry an ICE firearm and/or intermediate force weapon and may result in disciplinary actions.

5) The amount of time Authorized Officers will be given to accomplish required firearms proficiency each quarter is prescribed in Appendix VI.

6) Firearms Instructors and Defensive Tactics Instructors must record demonstration of firearms proficiency scores and all intermediate force weapons proficiency in [(b)(7)(E)] within five (5) business days from the date of the training.

7) The Assistant Director for OFTP will provide periodic reports to the Program Heads regarding the proficiency of their respective Authorized Officers in firearms and intermediate use of force.

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[1] See DHS Policy Statement 044-05 (Revision 01), Department Policy on the Use of Force (Feb. 6, 2023)

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B. Firearms Proficiency and Training Requirements

1) All Authorized Officers who carry an ICE firearm (on or off duty) must maintain and demonstrate the required level of proficiency in the use of each firearm they carry as prescribed in Appendices VI and IX.

   a) Authorized Officers must demonstrate firearms proficiency in each quarter of the fiscal year.[2] Successful demonstration of proficiency in one quarter authorizes the Authorized Officer to carry such firearms until the last day of the following quarter.

   b) In quarters one (1) and three (3) of each fiscal year, Authorized Officers must demonstrate firearms proficiency by completing training as described in Appendix VI of this handbook.

   c) In quarters two (2) and four (4) of each fiscal year, Authorized Officers must demonstrate firearms proficiency by successfully completing at least one of the Enhanced Requirements as described in Section C Appendix IX of this handbook. Each Enhanced Requirement must be completed within each fiscal year.

   d) Responsible Officials may require their Authorized Officers to carry and demonstrate firearms proficiency with additional firearms based on operational needs and requirements.

   e) When Authorized Officers are issued an ICE firearm that has significantly different operating characteristics from one previously issued (b)(7)(E) (b)(7)(E), the Authorized Officer must be certified as proficient with the firearm by a Firearms Instructor before the Authorized Officer may carry such a firearm either on or off duty.

   f) An Authorized Officer who is unavailable to participate in the required demonstration of firearms proficiency (Did Not Fire) is still qualified until the last day of that quarter. However, he or she is not qualified or permitted to carry any ICE firearm after the last day of that period until he or she successfully demonstrates firearms proficiency, or unless he or she receives an exemption as outlined in this chapter.

2) Failure to Qualify and Remedial Training

   a) Authorized Officers who are unable to demonstrate an acceptable level of proficiency with any ICE firearm and who do not receive an exemption as outlined in this chapter, must have their authority to carry that firearm suspended. The authority to carry will be reinstated when the Authorized Officer successfully demonstrates proficiency.

      i) The Authorized Officer must immediately relinquish the ICE-issued firearm.

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[2] See Appendix IV - ICE Courses on Demonstration of Firearms Proficiency for the relevant firearms qualification standards.

Additionally, the Authorized Officer must immediately notify his or her first-line supervisor of the failure to demonstrate proficiency, and that his or her firearm was relinquished to the Firearms Instructor; and

ii) The relinquishment of the ICE firearm and the suspension of the authorization to carry an ICE firearm must immediately be recorded in (b)(7)(E)

b) The Authorized Officer's authority to perform law enforcement duties must be suspended if the Authorized Officer fails to remain qualified on at least one ICE firearm[3] that he or she carries until the Authorized Officer demonstrates proficiency. This does not preclude the affected Officer from performing administrative duties at the discretion of the Responsible Official until proficiency is demonstrated.

c) Following a failure to demonstrate proficiency, the Authorized Officer must be promptly directed to attend remedial training in accordance with OFTP's Firearms Remedial Guidelines procedures. The Authorized Officer must remediate and demonstrate proficiency within 45 days.

i) Authorized Officers will be allotted twelve (12) hours for remedial training in accordance with OFTP's Firearms Remedial Guidelines procedures. Remedial training and procedures must be documented using the ICE Firearms Remedial Training Record.

ii) The Firearms Instructor must make a reasonable effort to assist the Authorized Officer during remedial training. The remedial training must focus on the Authorized Officer's deficiencies and may include a review of the fundamental skills.

d) A Firearms Instructor must conduct remedial firearms training and direct the demonstration of firearms proficiency.[4]

e) An Authorized Officer who, following remedial training, is unable to demonstrate proficiency with his or her ICE-approved firearm, will:

i) Be subject to removal from a position requiring the carriage of a firearm in accordance with applicable laws, regulations, and ICE policies; and

ii) Not be allowed to perform law enforcement duties that would require him or her to carry a firearm.

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[3] For this requirement, (b)(7)(E)

[4] Firearms Instructors should follow the procedures and instructions provided in the *ICE Firearms Remedial Training Guidelines* (Feb. 2013) or as updated.

3) Unable to Participate

a) Unless permitted by the exemption policy outlined in this chapter, an Authorized Officer must turn in all ICE-issued firearms to the Firearms Coordinator if he or she will be on authorized leave with or without pay status for an entire qualification period (*i.e.*, one quarter) and therefore be unable to meet the ICE requirements to demonstrate firearms proficiency.

i) The supervisor must suspend the Authorized Officer's authorization to carry an ICE firearm until the Authorized Officer has returned to duty and met the requirements of this Handbook.

ii) The Responsible Official shall ensure the Authorized Officer turns in all ICE issued firearms to the Firearms Coordinator. The Firearms Coordinator must immediately record the suspension of any authorization to carry an ICE firearm in (b)(7)(E) This entire action must occur before the commencement of the leave, where possible.

b) Authorized Officers who are unable to participate in the required firearms proficiency and/or intermediate force weapons proficiency due to exigent circumstances (*e.g.*, natural disasters or other significant incidents that are unforeseeable) may be granted an exemption based on the written recommendation of the Responsible Official with the approval of the Program Head and the concurrence of the Assistant Director for OFTP.

i) Case workload or routine work-related responsibilities are not a basis for an exemption.

ii) The Responsible Official may initially request the exemption for a period of up to 180 days. While the Responsible Official may request to extend the exemption period on a case-by-case basis, the total exemption period may not exceed 365 consecutive days.

iii) The Responsible Official must document the exemption in writing. The written exemption must state: (1) that the Authorized Officer is authorized to continue carrying any ICE firearm and/or intermediate force weapons; (2) the justification for the exemption; and (3) the date the exemption will expire.

iv) Authorized Officers must demonstrate proficiency with each ICE firearm he or she is authorized to carry within 30 days following the expiration of the approved exemption period.

c) An Authorized Officer who met the requirement for demonstration of firearms proficiency in the previous period but is unable to participate in the current demonstration of firearms proficiency period due to a temporary physical condition (e.g., injury, surgery, illness, or pregnancy) of the requesting employee

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may, by request, be exempted from demonstrating firearms and/or intermediate force weapon proficiency by the Responsible Official with the concurrence of the Assistant Director for OFTP.

i) The Authorized Officer requesting an exemption based on a temporary physical condition must provide the Responsible Official with a licensed physician's written recommendation. The exemption must be based on a temporary physical condition of the requesting employee, not another family member of the Authorized Officer. Employees on Paid Parental Leave as the non-birthing parent are not eligible for a medical exemption.

   a) The recommendation must describe the nature of the temporary physical condition and the anticipated duration of the condition.

   b) The Authorized Officer requesting this exemption must still be able to meet his or her specific operational and tactical requirements for personal safety and the safety of others as determined by the Responsible Official, based on the physician's written recommendation and any other relevant documentation that may be obtained. This includes actions such as intermediate force weapons, defensive tactics, and weapon retention.

ii) The Responsible Official may grant the initial exemption for a period of up to 180 days. While the Responsible Official may extend the exemption period on a case-by-case basis, the total exemption period may not exceed 365 consecutive days. Authorized Officers requesting an exemption based on pregnancy or pregnancy-related conditions, of the requesting employee, are eligible for an exemption period not to exceed 365 days.

iii) The Responsible Official must document the exemption in writing. The written exemption must state: (1) that the Authorized Officer is authorized to continue carrying ICE firearms and/or intermediate force weapons; and (2) the date the exemption will expire.

iv) Within 30 days after the expiration of his or her exemption, the Authorized Officer must demonstrate proficiency with each ICE firearm he or she is authorized to carry.

C. Intermediate Use of Force Proficiency and Training Requirements

1) Intermediate force weapons may be issued only to those Authorized Officers who have been trained, certified, and recertified[5] in accordance with the standards established by OFTP.

2) All Authorized Officers are required to demonstrate their proficiency and participate

[5] Excluding recent academy graduates.

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in required training and exercises. These requirements may be revised by OFTP in coordination with and approval by the Program Offices to meet operational needs or to update techniques, tactics, weapons, or knowledge.

3) Authorized Officers who are unable to demonstrate an acceptable level of proficiency with any intermediate force weapon must have their authority to carry that intermediate force weapon suspended. The authorization will be reinstated when the Authorized Officer successfully demonstrates proficiency.

   a) The Authorized Officer must immediately relinquish the intermediate force weapon. Additionally, the Authorized Officer must immediately notify his or her first-line supervisor of the failure to demonstrate proficiency, and that his or her intermediate force weapon was relinquished to the Defensive Tactics Instructor.

   b) The suspension of the intermediate force weapon must immediately be recorded in (b)(7)(E)

4) Following a failure to demonstrate proficiency, the Authorized Officer must remediate and demonstrate proficiency within 30 days.

   a) Authorized Officers will be allotted 12 hours of time for remedial training.

   b) Reasonable effort must be made by the appropriate ICE-certified instructor to assist the Authorized Officer during remedial training.

   c) The remedial training must focus on the Authorized Officer's deficiencies and may include a review of the fundamental skills.

5) An Authorized Officer who, following remedial training, is unable to demonstrate proficiency with any intermediate force weapon, may:

   a) Be subject to removal from a position requiring the carriage of a firearm or intermediate force weapon in accordance with applicable laws, regulations and ICE policies; and

   b) Not be allowed to perform law enforcement duties that would require him or her to carry a firearm and intermediate force weapon.

CALEB VITELLO (b)(6),(b)(7)(C)

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Chapter 6: Accountability of Firearms and Other Use of Force Equipment

A. General Guidelines and Responsibilities

1) (b)(7)(E) provides oversight and lifecycle accountability for specified law enforcement assets and equipment (b)(7)(E) (b)(7)(E)

2) All specified law enforcement assets must have accountability and lifecycle data recorded in (b)(7)(E) including acquisition, issuance, repair, transfer, loss, and destruction.

3) Authorized Officers must ensure their ICE-assigned law enforcement assets and equipment are recorded in (b)(7)(E)

4) Firearm Coordinators are responsible for assigning the firearms, ammunition, and (b)(7)(E) munitions to Authorized Officers in (b)(7)(E)

5) Defensive Tactics Coordinators are responsible for assigning (b)(7)(E) (b)(7)(E) to Authorized Officers in (b)(7)(E)

6) Responsible Officials must ensure that the data contained in (b)(7)(E) is accurate.

7) Responsible Officials must ensure proper safeguarding and storage of unissued firearms and intermediate force weapons.

8) Authorized Officers must relinquish and transfer all assets that have been assigned to them in (b)(7)(E) upon retiring, transferring to another agency, or reassignment to a non-armed position within ICE. Immediate supervisors are responsible for ensuring that the Authorized Officer returns all assigned assets to the Firearms Coordinator.

9) ICE-owned firearms, ammunition, and equipment that are issued to an Authorized Officer for purposes of competitive shooting events must immediately be assigned to the Authorized Officer in (b)(7)(E)

10) No ICE component or individual officer or employee is authorized to solicit, accept or otherwise acquire or dispose of ICE-issued firearms or other use of force equipment that is accountable in (b)(7)(E) without the written consent of the Assistant Director for OFTP and their respective Program Head.

B. Inventory of Accountable Assets in (b)(7)(E)

1) OFTP will maintain a complete inventory of all ICE-owned firearms and ammunition in (b)(7)(E) and it will manage inventory schedules.

2) The Responsible Official must conduct an annual inventory of all ICE law

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enforcement assets that are accountable in (b)(7)(E) as prescribed by OFTP, and in accordance with the current DHS personal property guidelines..[13]

C. Storage of Firearms

(b)(7)(E)

a) Responsible Officials must ensure that unissued firearms are stored as noted above. Furthermore, Responsible Officials must restrict access to unissued firearms in their area of responsibility to the Firearms Coordinator. However, the Responsible Official, or his or her designee(s), must also have access in case of an emergency.

2) Each Authorized Officer is responsible for the safe storage, general care, and maintenance of all firearms that he or she is authorized to carry for duty.

(b)(7)(E)

[13] *See* DHS Manual 119-03-001-01, *Personal Property Asset Management Program Manual* (Sept. 26, 2013) May 22, 2018)),) or as amended or superseded.

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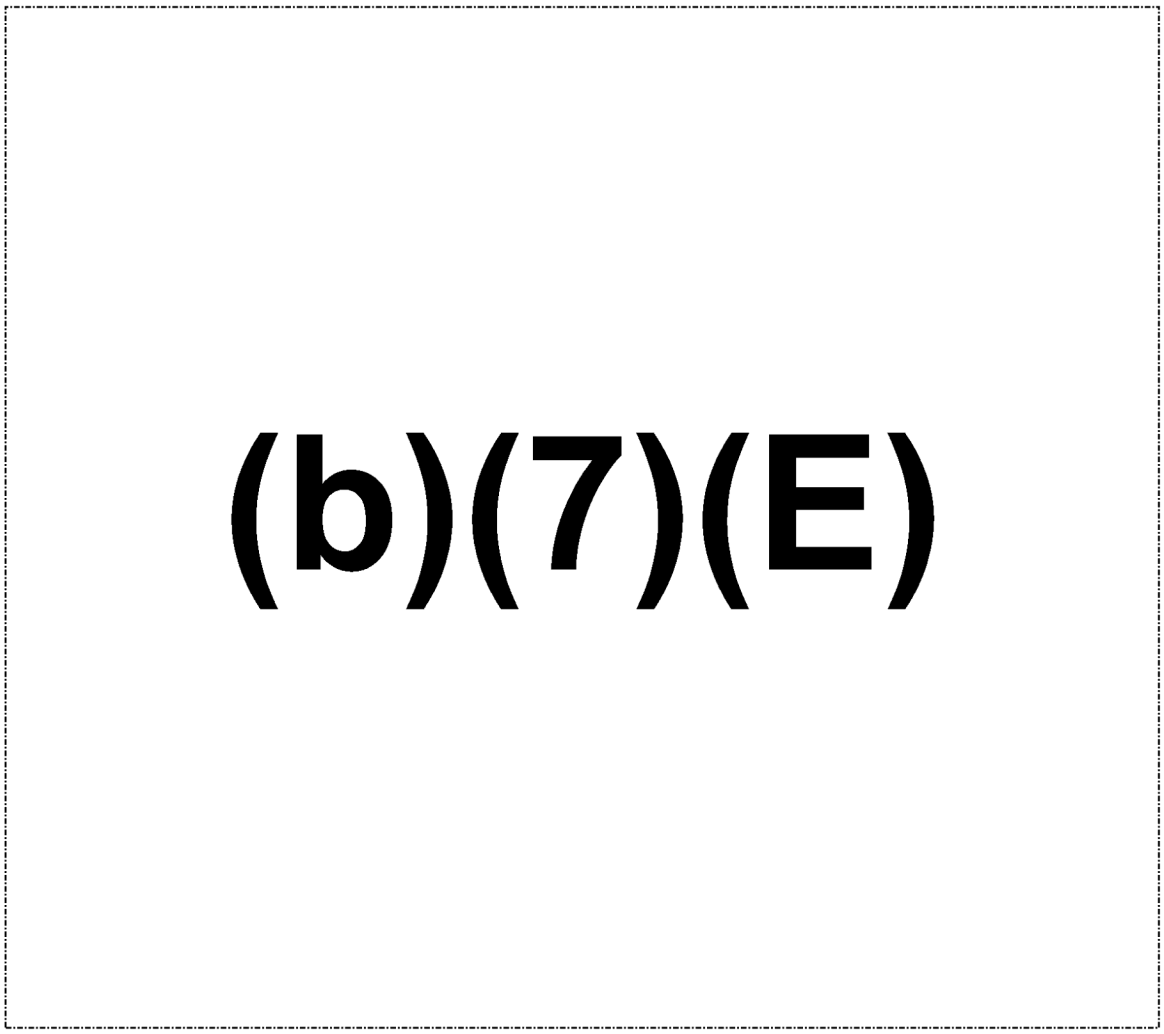

h) An Authorized Officer may be subject to disciplinary and/or adverse actions if their ICE firearm is stolen or lost and the AO was subsequently determined to have been negligent or used poor judgment in safeguarding the firearm.

D. Storage of Intermediate Force Weapons and Other Use of Force Equipment

1) General Guidelines: The following guidelines and responsibilities apply to all ICE-issued intermediate force weapons and other use of force equipment. Additional (b)(7)(E) specific guidelines are contained in the subsequent subsections.

a) Each Authorized Officer is responsible for the safe storage, general care, and maintenance of all ICE-issued intermediate force weapons and related equipment assigned to him or her.

b) Authorized Officers must store all ICE-issued intermediate force weapons and related equipment out of plain view and in a location that prevents theft and unauthorized access.

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(b)(7)(E)

3) (b)(7)(E)

(b)(7)(E)

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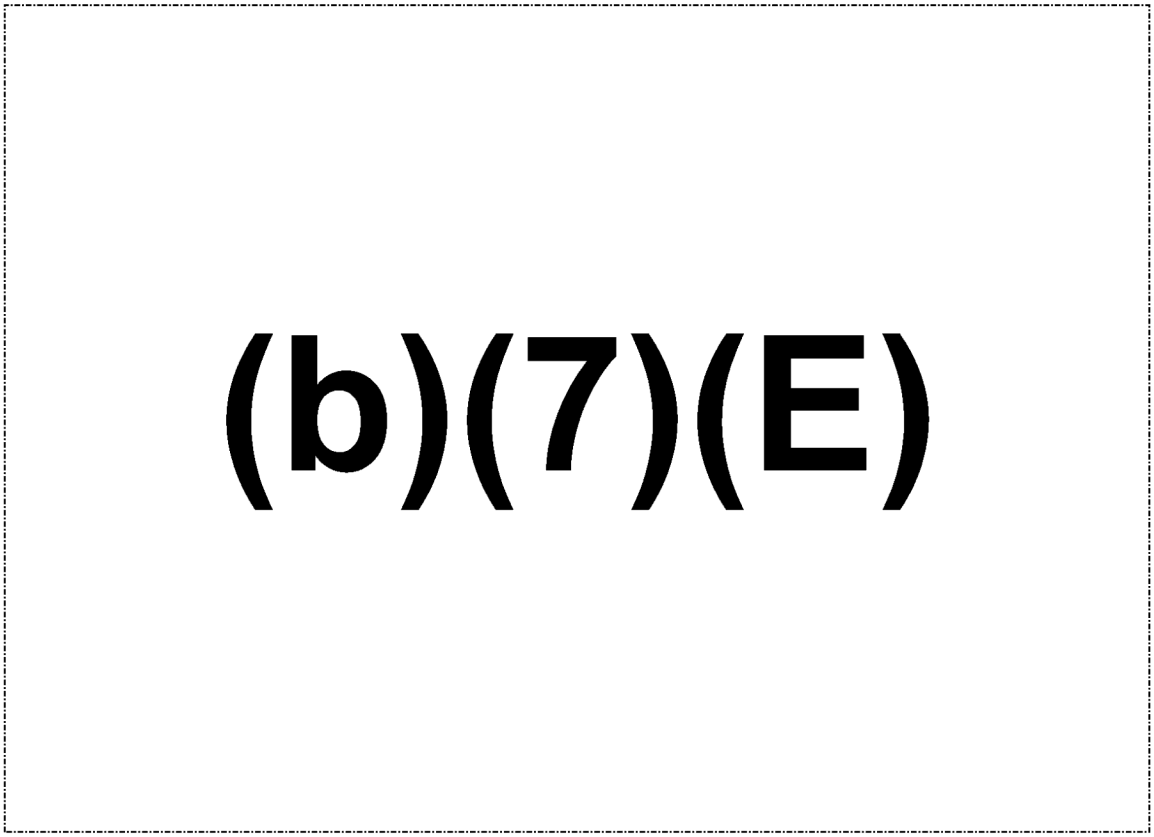

E. Lost or Stolen Firearms and Sensitive Assets

1) An Authorized Officer whose ICE firearm or sensitive asset is lost or stolen must:

   a) Report it to his or her supervisor within (b)(7)(E) of discovering the loss or theft;

   b) Notify the local law enforcement authorities within (b)(7)(E) of discovering the loss or theft; and

   c) Complete blocks 1-10 of DHS Form 200-2, Report of Survey, and submit the form and accompanying documents through official channels to the Responsible Official no later than (b)(7)(E) after the discovery. In block 8 of DHS Form 200-2, the Authorized Officer must include a detailed description of the circumstances surrounding the loss or theft of the firearm or sensitive asset. This information may also be included on an accompanying memorandum as an attachment.

2) The supervisor must:

   a) Report to the Responsible Official within (b)(7)(E) of receiving the Authorized Officer's report of a lost or stolen firearm or sensitive asset;

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b) Report the lost or stolen firearm or sensitive asset to the JIOC via the (b)(7)(E) within (b)(7)(E) of receiving the Authorized Officer's report of a lost or stolen firearm or sensitive asset. In addition to completing the required (b)(7)(E) report fields, the report to the JIOC must include the (b)(7)(E) (b)(7)(E) of the firearm or sensitive asset, and the name of the Authorized Officer to whom the firearm or sensitive asset is assigned;

c) Report the lost or stolen firearm or sensitive asset to OPR within (b)(7)(E) of receiving the Authorized Officer's report of lost or stolen firearm or sensitive asset; and

d) Ensure that the local law enforcement authorities have been notified and that the firearm or sensitive asset has been annotated in (b)(7)(E) and National Crime Information Center (NCIC) as lost or stolen.

3) The Responsible Official must:

a) Complete block 13 of DHS Form 200-2 and forward copies of all documentation, including a copy of the police report, to the appropriate Program Head and the Assistant Director for OFTP within 10 business days of the loss. If the Responsible Official is also the Program Head, a copy of the Authorized Officer's report of a lost or stolen firearm or sensitive asset will be sent directly to the Assistant Director for OFTP;

b) Ensure that a report of the loss or theft of a firearm or sensitive asset is forwarded to OPR; and

c) Ensure that the procedures for reporting a lost or stolen firearm or sensitive asset, as well as all relevant federal regulations, are adhered to by Authorized Officers within their area of responsibility.

4) The JIOC must immediately notify OPR, the appropriate Program Head, and the Assistant Director for OFTP. The JIOC's notifications to OFTP and OPR must include the make, model, and serial number of the firearm or sensitive asset, and the name of the Authorized Officer to whom the firearm or sensitive asset is assigned.

5) Lost or Stolen Firearms or (b)(7)(E) at the Airport

(b)(7)(E)

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(b)(7)(E)

F. Lost or Stolen Intermediate Force Weapons

1) When an Authorized Officer becomes aware that his or her ICE-issued intermediate force weapon is lost or stolen, the lost or stolen item(s) must be reported in accordance with DHS's reporting procedures and timelines, as follows:

   a) Report the loss to a supervisor within (b)(7)(E) of discovering the loss or theft;

   b) Annotate the item as lost or stolen in (b)(7)(E) of discovering the loss or theft; and

   c) Complete blocks 1-10 of DHS Form 200-2, Report of Survey, and submit the form and accompanying documents through official channels to the Responsible Official no later than (b)(7)(E) after the discovery. In block 8 of DHS Form 200-2, the Authorized Officer must include a detailed description of the circumstances surrounding the loss or theft of the item. This information may also be included on an accompanying memorandum as an attachment.

2) The supervisor must:

   a) Report to the Responsible Official within (b)(7)(E) of receiving the Authorized Officer's report of a lost or stolen item;

   b) Report the lost or stolen item to the JIOC via the (b)(7)(E) (b)(7)(E) of receiving the Authorized Officer's report of the lost or stolen item. In addition to completing the required (b)(7)(E) report fields, the report to the JIOC must include the (b)(7)(E) (if available) of the item, and the name of the Authorized Officer to whom the item was assigned;

   c) Report the lost or stolen item to OPR within (b)(7)(E) of receiving the Authorized Officer's report of the lost or stolen item; and

   d) Ensure that the item has been annotated lost or stolen in (b)(7)(E)

3) The Responsible Official must:

   a) Complete block 13 of DHS Form 200-2 and forward copies of all documentation to the appropriate Program Head and the Assistant Director for OFTP within 10 business days of the loss. When the Responsible Official is also the Program Head, a copy of the Authorized Officer's report of the lost or stolen item must be

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sent directly to the Assistant Director for OFTP;

b) Ensure that the report of the lost or stolen item is forwarded to the JIC for action by OPR; and

c) Ensure that the procedures for reporting a lost or stolen item, as well as all relevant federal regulations, are adhered to by Authorized Officers within their area of responsibility.

4) The JIOC must immediately notify OPR, OFTP, and the appropriate Program Head. The notification must include the (b)(7)(E) (if available) of the item, and the name of the Authorized Officer to whom the item was assigned.

G. Destroyed/Non-Repairable ICE-issued Firearms

1) An Authorized Officer who has a destroyed or non-repairable ICE-issued firearm must immediately report such a firearm to a supervisor and transfer the destroyed or non-repairable ICE-issued firearm to the Firearms Coordinator. *See* Chapter 7 for additional information on firearms repairs.

2) Upon notification of a destroyed or non-repairable ICE-issued firearm, the supervisor must ensure that the Responsible Official is notified through the appropriate chain of command.

3) Within 48 hours of the discovery, the Authorized Officer reporting the destroyed or non-repairable ICE-issued firearm must submit a written report, through official channels, to the Responsible Official describing the circumstances surrounding the damage.

4) The Responsible Official must submit a completed, signed Report of Survey, through official channels, to the Assistant Director for OFTP within 10 business days.

H. Board of Survey Action

1) The Board of Survey (BOS) must meet on a quarterly basis (or as necessary) to review the circumstances of every lost, stolen, or damaged, non-repairable firearm, intermediate force weapon, ammunition, (b)(7)(E) or other sensitive assets accounted for in (b)(7)(E) as stipulated by the Assistant Director for OFTP. As part of the review process, the BOS must ensure that all appropriate procedures regarding the firearm were completed and documented. Only the BOS may authorize relief of accountability for firearms.

2) After a thorough review of the circumstances, the BOS will report the following to the respective Responsible Official:

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a) Actions taken to find or repair the sensitive asset;

b) Deciding whether the sensitive asset should be retired from (b)(7)(E)

c) If the loss, theft, damage, or destruction of the sensitive asset was attributable to the failure by the Authorized Officer to exercise the degree of precaution, attention, and vigilance needed to protect the sensitive asset; and

d) Recommendations for preventing such incidents in the future.

3) OFTP will maintain a record of all BOS findings.

I. Seized and Abandoned Firearms

1) Authorized Officers frequently encounter firearms during operations. Authorized Officers must, at a minimum, follow these steps when handling firearms they encounter during their official duties.

(b)(7)(E)

(b)(7)(E)

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(b)(7)(E)

J. Sale or Transfer of Authorized Personally Owned Firearms

1) Before an Authorized Officer sells, trades, or otherwise discontinues the carrying of an ICE-approved, personally owned (b)(7)(E) the Authorized Officer must inform his or her Firearms Coordinator that the Authorized Officer no longer intends to carry the ICE-approved, personally owned (b)(7)(E) for duty purposes. The Firearms Coordinator must update (b)(7)(E) to reflect the change immediately upon notification.

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Chapter 7: ICE Firearms Maintenance, Inspection, and Repair

A. Armory Operations

1) OFTP will oversee all repairs or modifications specifically relating to the proper internal functioning, (b)(7)(E) of all ICE firearms.

2) At the ICE Academies, Equipment Specialists (Ordnance) (ESOs) and Field Maintenance Armorers (FMAs) assigned or detailed to the Academy are the only personnel who are permitted to conduct repairs and modifications to ICE firearms.

3) OFTP will oversee the FMAs and manage the FMA Training Program. This program will provide armorer training and certification of proficiency to Firearms Instructors to perform certain repairs on ICE firearms. The FMA training must identify repairs that FMAs are authorized to perform. Only Firearms Instructors (FI) with active FI certification may qualify for, and be trained as, FMAs.

B. Inspections of All ICE Firearms

1) OFTP is the only ICE Program Office that is authorized to procure and receive new, ICE-owned firearms from vendors.

2) ESOs or FMAs will inspect firearms in the following situations to ensure proper functioning and compliance with ICE specifications and standards:

   a) ICE has acquired a new firearm;

   b) An Authorized Officer has purchased with personal funds a firearm that the Authorized Officer plans to use for official duties;

   c) After a firearm has undergone an authorized repair or modification as detailed in Section D; and

   d) A firearm previously held in reserve is being reissued.

3) An FMA (if available), ESO, or Firearms Coordinator (FCO) must inspect each ICE firearm on an annual basis.

4) ESOs, FMAs, or FCO must document all annual inspections or inspections for cause as specified in this section in I (b)(7)(E)

5) OFTP may, as warranted, recall and/or inspect any ICE firearm.

C. Maintenance

1) All Authorized Officers are responsible for the normal cleaning and preventive maintenance of each ICE firearm they are authorized to carry. Maintenance must be

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done in accordance with the instructions provided by OFTP or as described in the user manual for that particular firearm. User manuals will be provided to all Authorized Officers for each ICE-issued firearm.

2) All firearms must be cleaned within 72 hours after being fired or exposed to a marine environment or other harsh or extreme conditions.

3) Authorized Officers must properly clean the firearm before submitting it to the FCO, FI, or FMA. FIs must ensure that all firearms used in training, practice, or qualification sessions are properly cleaned and have received appropriate preventive maintenance before returning the firearms to storage. These firearms may be refused by the FCO, FI, or FMA until the weapon has been properly cleaned.

4) In the case of a shooting incident or an unintentional discharge that requires the firearm to be used in an ongoing federal, state, local, or tribal law enforcement investigation or legal action, or subject to a litigation hold/preservation notice, or sent to the Assistant Director for OFTP under such circumstances, firearms must not be cleaned or altered from the condition they were at the time of the incident.

D. Repair of ICE Firearms

1) Unless permitted under subsection D.2 or expressly authorized by the Assistant Director for OFTP, Authorized Officers are prohibited from making or having any repairs or modifications to any ICE firearms. This restriction includes, but is not limited to, (b)(7)(E) (b)(7)(E)

2) FIs and Authorized Officers are permitted to adjust (b)(7)(E) (b)(7)(E) (b)(7)(E) Additionally, Authorized Officers may use (b)(7)(E) if installed and used in accordance with OFTP training.

3) ESOs and FMAs are authorized to repair ICE firearms that are authorized for duty carry.

   a) FMAs are authorized to make repairs and modifications as provided in the FMA training and subsequent OFTP-directed repairs and modifications guidance.

   b) ESOs are authorized to make all repairs and modifications.

4) ESOs are the only personnel authorized to determine if an ICE firearm is non-repairable and subject to disposal.

5) ESOs and FMAs must document all repairs and modifications made to any ICE firearm in (b)(7)(E)

6) Repairs to ICE firearms will be provided at no cost to the Authorized Officer. However, ICE will not replace a damaged, non-repairable ICE-approved, personally

owned weapon.

E. ICE Firearms Replacement

1) The FMA or the FCO must document any inoperable or unsafe ICE Firearm in (b)(7)(E) and retrieve any such ICE-issued firearm from the Authorized Officer.

2) The FCO must immediately issue an ICE firearm if an Authorized Officer requires a replacement firearm due to loss, damage, pending repairs, inspection, or similar circumstances. The replacement ICE firearm must be a firearm in the same (b)(7)(E) (b)(7)(E) as the firearm the Authorized Officer is currently authorized to carry. The Authorized Officer must demonstrate proficiency.[1] with the replacement firearm no later than 14 days following the issuance even if the Authorized Officer already demonstrated proficiency for that quarter.

F. ICE Firearm Shipping and Transfer

1) The FCO is responsible for the receipt and shipment of ICE firearms under the control of the Responsible Official.

2) The shipping, transfer, or receipt of any ICE firearms must be documented and controlled in (b)(7)(E) in accordance with the current DHS property guidelines and as follows:

   a) The transfer of a firearm must be acknowledged in (b)(7)(E) by the Authorized Officer who is initiating the transfer prior to physical delivery or shipment of the firearm, and in no case must the acknowledgement exceed 24 hours after the transfer.

   b) The receiving Authorized Officer must acknowledge the acceptance of a firearm in (b)(7)(E) immediately after taking physical custody of the firearm, and in no case must the acknowledgement exceed 24 hours after the acceptance.

   c) Any exceptions to these requirements must be approved by the Assistant Director for OFTP.

3) (b)(7)(E)

G. Destruction of ICE Firearms

1) OFTP is the only ICE Program Office that is authorized to perform the intentional destruction of ICE firearms.

[1] When an Authorized Officer receives a new firearm, they must demonstrate firearms proficiency by completing the core requirements as described in Appendix VI of this handbook, even if they receive the firearm during quarter two (2) or four (4).

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2) All ICE firearms destroyed must be documented in (b)(7)(E) and the record permanently maintained.

3) All destructions must conform to federal property regulations.

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Chapter 8: ICE-Issued/Approved Ammunition

A. Ammunition Issuance

1) The Assistant Director for OFTP will create, as necessary, specific procedures and guidelines regarding ammunition ordering, inventory, control, distribution, usage, and accountability.

2) Firearms Instructors will maintain accurate receipt, inventory, expenditure, and issuance records in (b)(7)(E) for all ICE ammunition within their area of responsibility.

B. Ammunition Use

1) Authorized Officers may only use ICE-issued ammunition for their ICE firearm, even when off duty. However, Authorized Officers are allowed to use ammunition not issued by ICE when using their ICE-approved POW for shooting sports, marksmanship practice, or other lawful recreational activities. In special situations where Authorized Officers are deployed and under the control of another department in a foreign country (*e.g.*, under the direction of the Department of Defense during wartime or armed conflicts), they may be relieved from the requirement to use only ICE-issued ammunition.

2) Authorized Officers must rotate ammunition by expending previously issued duty ammunition during demonstrations of firearms proficiency training in accordance with the procedures established by OFTP.

3) Based on the Firearms Instructor's assessment and with the concurrence of the Firearms Coordinator, additional ammunition may be issued for practice to Authorized Officers who fail to qualify or who desire additional practice to maintain or improve their proficiency. The amount of additional ammunition issued must be sufficient to qualify or improve proficiency.

C. Ammunition Storage

1) All unissued ammunition must be stored in a cool, dry environment, under separate locking controls from firearms and in a (b)(7)(E) (b)(7)(E)

2) Responsible Officials must ensure the storage of unissued ammunition in their area of responsibility as noted above in subsection C.1. Additionally, they must restrict access to unissued ammunition in their area of responsibility to the Firearms Coordinator and his or her designee, who must be a Firearms Instructor. (b)(7)(E) (b)(7)(E) (b)(7)(E)

3) Authorized Officers must store all ICE-issued ammunition (b)(7)(E) (b)(7)(E)

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D. Lost or Stolen Ammunition

Ammunition, as defined in the DHS Personal Property Manual, is expendable property. However, due to its level of sensitivity and dangerous nature, it requires special control (Equipment Control Class 1) and accounting throughout its lifecycle to ensure accountability and safeguarding (e.g., receiving, use, inventory, disposal).[1]

(b)(7)(E)

1) When an Authorized Officer becomes aware that his or her ICE-issued ammunition is lost or stolen, the lost or stolen ammunition must be reported in accordance with the reporting procedures and timelines, as follows:

   a) Report it to a supervisor within (b)(7)(E) of discovering the loss or theft; and

   b) Annotate the ammunition lost or stolen in (b)(7)(E) of discovering the loss or theft.

2) When a Firearms Coordinator becomes aware that ICE-acquired ammunition under their accountability and bearing an unissued disposition is lost or stolen, it shall be reported in accordance with the reporting procedures and timelines as follows:

   a) Report it to a supervisor within (b)(7)(E) of discovering the loss or theft;

   b) Annotate the ammunition as lost or stolen in (b)(7)(E) of discovering the loss or theft; and

   c) Complete blocks 1-10 of DHS Form 200-2, Report of Survey, and submit the form and accompanying documents through official channels to the Responsible Official no later than (b)(7)(E) after the discovery. In block 8 of DHS Form 200-2, the Authorized Officer must include a detailed description of the circumstances surrounding the loss or theft of the ammunition. This information may also be included on an accompanying memorandum as an attachment.

3) The supervisor must:

   a) Report the lost or stolen ammunition to the Responsible Official within (b)(7)(E) (b)(7)(E) of receiving the Firearms Coordinator's report of lost or stolen ammunition;

   b) Report the lost or stolen ammunition to the JIOC via the (b)(7)(E) (b)(7)(E) of receiving the Firearms Coordinator's report of the lost or stolen

[1] See DHS Manual 119-03-001-01, Personal Property Asset Management Manual Revision #01 (May 22, 2018).

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ammunition. In addition to completing the required SEN report fields, the report to the JIOC must include the (b)(7)(E) (b)(7)(E) (if available) of the ammunition, and the name of the Authorized Officer to whom the ammunition was assigned;

c) Report the lost or stolen ammunition to OPR within (b)(7)(E) of receiving the Firearms Coordinator's report of the lost or stolen ammunition; and

d) Ensure that the ammunition has been annotated as lost or stolen in (b)(7)(E)

4) The Responsible Official must:

a) Complete block 13 of DHS Form 200-2 and forward copies of all documentation to the appropriate Program Head and the Assistant Director for OFTP within 10 business days of the loss. When the Responsible Official is also the Program Head, a copy of the Authorized Officer's report of the lost or stolen ammunition must be sent directly to the Assistant Director for OFTP;

b) Ensure that a report of the loss or theft of ammunition is forwarded to OPR; and

c) Ensure that the procedures for reporting lost or stolen ammunition, as well as all relevant federal regulations, are adhered to by Firearms Coordinators within their area of responsibility.

4) The JIOC must immediately notify OPR, OFTP, and the appropriate Program Head of the lost or stolen ammunition. The notification must include the (b)(7)(E) (b)(7)(E) (if available) of the ammunition, and the name of the Firearms Coordinator to whom the ammunition was assigned.

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Chapter 9: Foreign Travel and Assignments

A. Foreign Travel

1) Authorized Officers who are required to carry firearms into a foreign country on ICE official business will notify and receive written approval from their respective program head, the U.S. Embassy, and any transit country or countries prior to their travel. Additionally, Authorized Officers assigned to OPR and ERO must notify the Assistant Director of HSI International Operations when requesting approval from their respective program head.

2) Authorized Officers on ICE official foreign travel or foreign assignments are authorized to carry only ICE-issued firearms. Authorized Officers are prohibited from carrying personally owned firearms in a foreign country on ICE official business.

3) HSI, ERO, or OPR is responsible for the retention of approval/concurrence documents for their respective Authorized Officers in accordance with appropriate retention schedules. It is recommended that the Authorized Officers retain proof of approval/concurrence as well.

B. Foreign Assignments

1) Any Authorized Officer who is going to a permanent assignment at a foreign post of duty will relinquish their domestic ICE-issued firearms to the appropriate Firearms Coordinator before departing to their foreign post of duty.

   a) These firearms will be received and retained in the inventory of the domestic office as reserve firearms or returned to the OFTP Armory, as appropriate. Any such transfers will be recorded in (b)(7)(E)

   b) All ICE-issued firearms shall be unassigned in (b)(7)(E) before the Authorized Officer's departure from their domestic duty station.

      1) Upon the conclusion and return from an assignment in a foreign location, the respective domestic field office or ICE HQ Directorate or Program Office will issue an ICE firearm to the Authorized Officer. The Authorized Officer must demonstrate proficiency with the firearm before carrying it.

      2) Authorized Officers returning to the United States temporarily during a foreign assignment may be reissued and/or reauthorized a firearm in (b)(7)(E) so long as the Authorized Officer has demonstrated proficiency within one year. The reissued firearm must be an ICE-issued weapon of the same make and model with which proficiency was most recently demonstrated or the same ICE-approved personally owned weapon (POW) with which proficiency

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was most recently demonstrated..[1]

2) The shipment of firearms into and out of a foreign country in support of ICE's law enforcement mission requires concurrence from the U.S. Embassy by the Regional Security Officer (RSO) and the Assistant Director of HSI International Operations.

   a) Each ICE Attaché office or post, where permitted, may (b)(7)(E) in accordance with ICE policy. All firearms must be accounted for in (b)(7)(E) under the ICE Attaché, or their designee, who will serve as the Responsible Official in (b)(7)(E) and who must ensure compliance with the laws and policies of the foreign country. Only with concurrence from the RSO and the Assistant Director of HSI or the Deputy Assistant Director of ERO International Operations, may the Responsible Official issue ICE firearms to a permanently assigned Authorized Officer.

   b) At the request of the respective program head, and following concurrence from the Assistant Director of HSI International Operations, the Assistant Director for OFTP may issue ICE firearms other than one listed in Appendix II of this Handbook to Authorized Officers in foreign countries.

   c) If and when any firearm(s) are removed by OFTP from the authorized list, OFTP shall make every effort to supply appropriate replacements before the Authorized Officer returns any ICE-issued firearm. This effort shall be coordinated with HSI International Operations to assess the current need and to affirm the appropriate type and number of firearms affected by the change.

3) Any Authorized Officer permanently assigned to a foreign office and authorized by the foreign office to carry a firearm must comply with the Department of State's firearms policy and any additional guidance specific to the foreign post, which may be more restrictive than ICE's policies on firearms.

4) Each Authorized Officer who is newly assigned to an ICE Attaché office and approved to carry a firearm in that country (b)(7)(E) (b)(7)(E)

   a) Upon completion of a foreign tour, the Authorized Officer (b)(7)(E) **(b)(7)(E)**

[1] The Authorized Officer shall requalify with the ICE-issued firearm assigned or ICE-approved personally owned weapon within 30 days of their return to CONUS and must demonstrate proficiency with the weapon by achieving a qualifying score per the ICE Firearms and Use of Force Handbook, Appendix IX, prior to engaging in a pre-planned enforcement action.

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5) An Authorized Officer permanently assigned to a foreign office is exempt from periodic demonstration of firearms and intermediate force device proficiency requirements. However, Authorized Officers permanently assigned to a foreign office are encouraged to maintain firearms proficiency with the same make and model firearm at least once a year during their return to the United States or any other location where a Firearms Instructor[2] can conduct proficiency training. This exemption will be documented in (b)(7)(E) for each Authorized Officer to whom the exemption applies.

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[2] Firearms instructor can include other federal law enforcement in country or the Marine Corps Embassy Security Group Detachment.

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(b)(7)(E)

B. ICE National Honor Guard

1) Authorized Officers assigned to the ICE Honor Guard may use firearms specifically approved by ICE Directive and Handbook No. 1049.1, *ICE National Honor Guard Program* (Jun. 15, 2016), or as updated. Designated honor guard firearms are ceremonial in nature and may not be used to discharge live ammunition.

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Chapter 11: Firearms, Defensive Tactics, and Tactics Instructors, and Range Operations

A. Firearms Instructors

1) Firearms Instructors must successfully complete all required training and certifications for use of basic and specialized firearms.

2) Firearms Instructors must attend and successfully complete a firearms recertification course at least once every 5 years toto maintain their certification. Firearms Instructors must attend a basic certification course if they exceed this limit by more than 12 months. The Assistant Director for OFTP may extend a Firearms Instructor's certification period for another 12 months on a case-by-case basis, if necessary, because of training or resource limitations.

3) During firearms training, practice, and demonstration of proficiency sessions, Firearms Instructors must take all reasonable steps to ensure the safety and security of all personnel and property involved.

B. Defensive Tactics Instructors

1) Defensive Tactics Instructors must successfully complete all required training and certifications required by OFTP.

2) Defensive Tactics Instructors must attend and successfully complete a Defensive Tactics RecertificationDefensive Tactics Recertification course at least once every 5 years to maintain their certification. Defensive Tactics instructors must attend a basic certification course if they exceed this limit by more than 12 months. The Assistant Director for OFTP may extend an instructor's certification period for another 12 months on a case-by-case basis, if necessary, because of training or resource limitations.

3) During defensive tactics training, practice, and demonstration of proficiency sessions, Defensive Tactics Instructors must take all reasonable steps to ensure the safety and security of all personnel and property involved.

C. Tactics Instructors

1) Tactics Instructors must successfully complete all required training and certifications required by OFTP.

2) Tactics Instructors must attend and successfully complete a tactics instructor recertification course at least once every 5 years to maintain their certification. Tactics Instructors must attend a basic certification course if they exceed this limit by more than 12 months. The Assistant Director for OFTP may extend an instructor's certification period for another 12 months on a case-by-case basis, if necessary, because of training or resource limitations.

3) In addition to tactics instructor certification, Tactics Instructors must maintain an active Firearms Instructor Certification or Defensive Tactics Instructor Certification, or be an (b)(7)(E) with a current or past Firearms Instructor Certification or Defensive Tactics Instructor Certification.

4) During tactics training, practice, and demonstration of proficiency sessions, Tactics Instructors must take all reasonable steps to ensure the safety and security of all personnel and property involved.

D. Range Operation and Safety

1) All personnel participating in firearms qualifications or training must conduct themselves in a safe and professional manner at all times.

2) Firearms Instructors must perform a safety briefing, as well as Lautenberg Amendment and off-duty contact reporting advisements, prior to any firearms qualification or training.

3) Failure of any Authorized Officer to comply with safety practices, procedures, or instructions may result in the removal of the Authorized Officer from the range by a Firearms Instructor.

4) Firearms Instructors must ensure compliance with safety precautions, including ensuring that all personnel on or near the firing line use appropriate eye and hearing protection.

5) Firearms Instructors must ensure that participants do not score their own targets for official record purposes. A Firearms Instructor may score his/her own target(s) for official record purposes if no other Firearms Instructor is available to do so. This self-scoring must be witnessed by another Authorized Officer and recorded as such in (b)(7)(E) or successor system of record.

6) The minimum ratios of Firearms Instructors to Authorized Officers on the firing line are:

(b)(7)(E)

(b)(7)(E)

E. Occupational Safety and Health Administration (OSHA) Requirements

1) Responsible Officials must ensure that all personnel engaging in firearms training adhere to all applicable occupational health and safety program requirements. The requirements include providing audiograms for all Authorized Officers and conducting blood lead level testing for all Firearms Instructors and other personnel, as applicable.

2) Firearms Instructors must ensure that the OSHA Lead standards contained in 29 C.F.R. § 1910.1025 and a Material Safety Data Sheet for the following materials are available for review by personnel at the training areas as appropriate:

   a) Lead;

   b) Cleaning solvents;

   c) (b)(7)(E)

   d) (b)(7)(E)

   e) (b)(7)(E)

   The manufacturer or distributor of the hazardous material provides Material Safety Data Sheets.

3) For further assistance involving occupational health and safety program requirements or Material Safety Data Sheets, contact the M&A Health and Safety Branch within the Office of the Chief Financial Officer, Office of Asset and Facilities Management.

F. (b)(7)(E)

1) (b)(7)(E)

2) The minimum safe distances authorized for use of (b)(7)(E) by ICE are as follows:

(b)(7)(E)

G. Force-On-Force Training

1) Safety

a) (b)(7)(E)

b) No skin shall be exposed.

c) Adequate personnel must be used to clearly delineate the safe, semi-safe, and unsafe zones within the training area.

(b)(7)(E)

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