



U.S. Immigration and Customs Enforcement

Interim ICE Firearms Policy

July 7, 2004

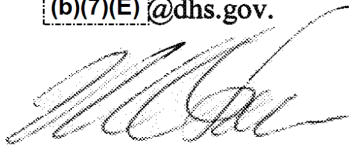
Foreword

I have signed and authorized the release of the interim U.S. Immigration and Customs Enforcement (ICE) Firearms Policy. This document shall serve an interim firearms policy for ICE and shall supersede all legacy agency firearms policies, becoming effective on July 7, 2004. This policy was the result of a great amount of dedication, effort and work by many representatives from each ICE operational component and the ICE National Firearms and Tactical Training Unit (NFTTU). The interim ICE Firearms Policy retains the best of each legacy agency's policy and national firearms program. It is intended to create a strong and comprehensive policy to unify our many operational elements in the critical area of firearms and the related disciplines.

The NFTTU shall electronically distribute this interim policy to all of the ICE Senior Firearms Instructors (SFIs) and post it on the NFTTU intranet website ((b)(7)(E)) for immediate access and distribution to all ICE armed officers. The NFTTU has provided interim policy training to over two hundred and fifty (250) ICE SFIs as of the release of this important interim policy. All ICE armed officers are required to fully read and understand the new policy prior to the July 7, 2004 implementation date.

Program offices should commence familiarization to the new course of fire beginning with the qualification period in July of 2004. ICE armed officers shall have two (2) quarters to transition to the new course of fire. Effective January 1, 2005, this new course of fire will become mandatory for all ICE armed officers. The new ICE QT targets may be ordered from Speedwell International (800-243-8274 or www.speedwelltargets.com) for practice and preparation for the transition. It is anticipated that in the future these targets will be available through (b)(7)(E) @dhs.gov. The NFTTU will provide additional guidance to the SFIs and field to assist in the implementation of this policy.

The implementation of this interim policy is a significant undertaking and is a milestone in the progress ICE is making in the establishment of our new agency. If you have any questions or require assistance in implementing this new policy in any way, please contact the NFTTU at (b)(7)(E) @dhs.gov.



Michael J. Garcia
Assistant Secretary

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Part 1 Authority to Carry Firearms

A. Statutory and Regulatory Authority

The statutory and regulatory authority to carry a U.S. Immigration and Customs Enforcement (ICE) issued firearm or approved personally owned handgun is provided by:

1. 6 U.S.C. § 101, et seq;
2. 8 U.S.C. § 1357, 8 C.F.R. Part 287;
3. 19 U.S.C. § 1589a;
4. 40 U.S.C. § 1315; and
5. 49 U.S.C. § 44903.

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- d. Ensure that all advanced firearms training exercises and use of force training are recorded in the ICE training recording system;
 - d. Maintain sufficient quantities of supplies to conduct the firearms program;
 - e. Coordinate the scheduling of officers to participate in the required firearms qualifications and all applicable training, including use of force, tactical exercises, and special response team training;
 - f. Make final determinations regarding proficiency; and
 - g. Manage the overall firearms and related use of force program within his or her area of responsibility.
2. Each Responsible Official shall designate officers to perform full-time or collateral duties as Firearms Instructors for a minimum of five (5) years in duration, if the officer remains assigned to that duty location.
3. The Director of the NFFTU shall establish the criteria for the selection and certification of Firearms Instructors. The Director of the NFFTU will maintain a record of all certified Firearms Instructors.
4. All Firearms Instructors must successfully complete the ICE firearms instructor training conducted by the NFFTU or the Firearms Instructor Training Program (FITP) conducted by the Federal Law Enforcement Training Center (FLETC). In addition, ICE officers who have successfully completed, and have retained certification, from the U.S. Customs Firearms Instructor Training Program, Immigration Officer Academy Firearms Instructor Training Program or other federal training program as approved by the Director of the NFFTU may be ICE Firearms Instructors.
5. Firearms Instructors are required to be recertified at least once every five (5) years through a recertification program approved by the Director of the NFFTU. The Director of the NFFTU may extend a Firearms Instructor's certification period due to training or resource limitations.
6. Only ICE Firearms Instructors, meeting the training and certification requirements outlined in Part 3.C., are authorized to perform Firearms Instructor duties.
7. During firearms training, practice or qualification sessions, Firearms Instructors are responsible for taking all reasonable steps to ensure the safety and security of all involved ICE personnel and property. They are also authorized to remove any person from the range who refuses to comply with safety instructions or otherwise poses a safety risk.

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B. Control of Ammunition

1. Only ICE supplied ammunition will be used in ICE approved firearms. This ammunition will be managed and maintained in the ICE automated firearms inventory system. Ammunition must be issued, received and accounted for on an ammunition inventory control sheet prescribed by the NFFTU, or an equivalent inventory form where local requirements mandate it. The Firearms Instructor responsible for the issue and receipt of ammunition will maintain the ammunition control sheet at the storage site. Ordering of ammunition will be based on ammunition usage and available inventory.
2. The SFI may issue each officer authorized to carry a handgun a minimum of fifty (50) rounds of approved ammunition for each issued or approved handgun. ICE officers shall rotate ammunition by expending, during quarterly qualifications, those rounds carried on duty. Following the successful completion of the quarterly qualification(s), up to one hundred and fifty (150) rounds of replacement ICE ammunition, for each quarter, may be issued to each officer for carry or practice, whether on or off-duty, depending on the office inventory level and the request of the armed officer.
3. Based on the Firearms Instructor's assessment and with the concurrence of the SFI, additional handgun ammunition may be issued for practice to ICE officers who fail to qualify or desire additional practice to maintain or improve their proficiency. This should be a reasonable amount, sufficient to qualify or improve proficiency.

C. Storage of Firearms and Ammunition

1. All unissued, unattended ICE firearms shall be stored separately from ammunition in locked firearms storage vaults or safes in an ICE secure area. Unissued ICE ammunition shall be kept in a cool, dry environment, and be rotated periodically. Unissued firearms shall be stored in a dry environment and shall not be stored in wall lockers, closets, or in other unsecured, unattended areas of ICE facilities.
2. Each ICE officer is personally responsible for all issued and approved personally owned firearm(s), weapon(s), and ammunition, and must ensure the safe storage, general care and maintenance of the firearm(s), weapon(s), and ammunition.
3. A safety-locking device (cable lock, trigger lock and/or lock box) will be issued for each ICE-issued firearm and personally owned firearm to be used when storing a firearm in a residence, temporary residence or lodging. All firearms, weapons and ammunition will be stored out of plain view and in a location that will afford protection against theft or unauthorized use and/or access by anyone, to include children.
4. ICE-issued firearms or approved personally owned handguns stored in a government office will be placed in a safe and secure location that can be locked

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