

Homeland Security Investigations

Basic Training Handbook

HSI HB 20-02 / April 20, 2020



U.S. Immigration and Customs Enforcement

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Foreword

The Basic Training Handbook provides instructions and guidance to be followed by U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) Special Agent trainees during basic training at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA. Oversight over the Basic Training Handbook resides with the HSI Academy.

This Handbook supersedes the HSI Special Agent Training Student Handbook, issued by the ICE Academy in Glynco, GA, dated October 2017; Office of Investigations (OI) memorandum titled, "Special Agent Basic Training," dated November 3, 2003; and OI memorandum titled, "Special Agent Cross Training," dated January 7, 2004.

The Basic Training Handbook is an internal policy of HSI. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable by law by any party in any administrative, civil, or criminal matter, nor are any limitations hereby placed on otherwise lawful enforcement prerogatives of ICE. This Handbook designation is For Official Use Only (FOUO) - Law Enforcement Sensitive. It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with Department of Homeland Security policy relating to FOUO information and the ICE Directive on Safeguarding Law Enforcement Sensitive Information. This information shall not be distributed beyond the original addressees without prior authorization of the originator. If disclosure of this Handbook or any portion of it is demanded in any judicial or administrative proceeding, the HSI Information Disclosure Unit, as well as the appropriate ICE Counsel and/or U.S. Attorney, are to be consulted so that appropriate measures can be taken to invoke privileges against disclosure. This Handbook contains information which may be exempt from disclosure to the public under the Freedom of Information Act, Title 5, United States Code, Section 552(b), and protected from disclosure pursuant to the law enforcement privilege. Any further request for disclosure of this Handbook or information contained herein should be referred to the HSI Information Disclosure Unit.

The HSI Policy Unit is responsible for coordinating the development and issuance of HSI policy. All suggested changes or updates to this Handbook should be submitted to the HSI Policy Unit which will coordinate all needed revisions with the HSI Academy.

ALYSA D ERICHS Digitally signed by ALYSA D ERICHS Date: 2020.04.20 15:09:05 -04'00'

Alysa D. Erichs Acting Executive Associate Director Homeland Security Investigations Date

BASIC TRAINING HANDBOOK

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BASIC TRAINING HANDBOOK

Chapter 1. PURPOSE AND SCOPE

The Basic Training Handbook provides guidance to U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Special Agent (SA) trainees and to the HSI Academy staff governing SA trainees' basic training. This Handbook accompanies the Federal Law Enforcement Training Centers (FLETC) Glynco Facility Student Handbook

b) (7)(E) SA trainees need to use both this Handbook and the FLETC Glynco Facility Student Handbook to ensure their success at the HSI Academy. Because the HSI Academy resides on the campus of FLETC in Glynco, GA (the "Training Center"), SA trainees must also familiarize themselves with, and follow, all FLETC policies, procedures, rules, and regulations provided in the FLETC Glynco Facility Student Handbook. Additionally, the HSI Basic Training Handbook provides guidance on different topics, including SA trainee discipline and removals from training.

Chapter 2. INTRODUCTION

SA trainees attending FLETC's Criminal Investigator Training Program (CITP) and the HSI Special Agent Training (HSISAT) are provided an opportunity to learn and build the knowledge and skills that will make them safe, effective, and successful HSI SAs. However, it is SA trainees' responsibility to make every effort to learn and grow, both personally and professionally, while attending both basic training programs. The information in this Handbook will provide SA trainees with an understanding of the policies, procedures, requirements, and expectations of both FLETC and the HSI Academy.

Chapter 3. DEFINITIONS

The following definitions are provided for the purposes of this Handbook:

3.1 Basic Training Program

The Basic Training Program for HSI SA trainees is composed of CITP and HSISAT. Completion of both CITP and HSISAT, unless granted a training waiver, is a condition of employment for HSI SAs in the General Schedule (GS)-1811 occupational series.

3.2 Criminal Investigator Training Program

CITP is a 56-day basic law enforcement course for GS-1811 criminal investigators that is conducted by FLETC. All HSI GS-1811 SAs must pass CITP unless granted a training waiver. (Note: The duration of CITP may change over time.)

3.3 HSI Academy

The HSI Academy, located on the grounds of the FLETC Glynco Facility, provides basic training, such as HSISAT, as well as advanced training programs to HSI employees. The HSI Academy is a Division in the Investigative Service Division (ISD) under HSI's Investigative Programs.

3.4. HSI Special Agent Training Program

HSISAT is a 72-day add-on law enforcement course designed for GS-1811 HSI SA trainees who have either passed CITP or been granted a CITP training waiver. (<u>Note:</u> Training waivers for HSISAT may also be granted under certain circumstances.) Typically, HSISAT is started immediately after an SA trainee completes CITP. (<u>Note:</u> The duration of HSISAT may change over time.)

3.5 Special Agent Trainee

An HSI employee in the GS-1811 occupational series who has not yet completed the Basic Training Program.

3.6 Use of Force Incident Review Board

The Use of Force Incident Review Board (UOFIRB), comprised of certified firearms, tactics personnel, and HSI Academy managers, reviews questionable or egregious use of force incidents, as well as other student conduct and/or performance issues in firearms and tactical areas.

Chapter 4. AUTHORITIES/REFERENCES

- A. Executive Order 12674, Principles of Ethical Conduct for Government Officers and Employees, dated April 12, 1989.
- B. Title 5, Code of Federal Regulations (C.F.R.) Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch.
- C. 5 C.F.R. Part 339 § 203, Physical Requirements.
- D. 5 C.F.R. Part 339 § 204, Waiver of Standards and Requirements and Medical Review Boards.
- E. 41 C.F.R. Part 300, Federal Travel Regulation (FTR).
- F. DHS Policy Statement 044-05, Department Policy on the Use of Force, dated September 7, 2018, as updated.

- G. DHS Handbook 4300A, Sensitive Systems Handbook, Version 12.0, dated November 15, 2015, or as updated.
- H. ICE Directive 19009.1, Firearms and Use of Force, and accompanying Firearms and Use of Force Handbook, both dated November 8, 2019, or as updated.
- I. ICE Directive 1022.1 (former number: 1-15.0), Table of Offenses and Penalties, and accompanying Guidelines and Instructions on Use of the Table of Offenses and Penalties, dated December 8, 2006, or as updated.
- J. ICE Policy No.: 1033.1, Employee Code of Conduct, dated August 7, 2012, or as updated.
- K. ICE Policy No.: 4005.1, Guidance on the Use of Personal Identity Verification Cards to Access Department of Homeland Security and U.S. Immigration and Customs Enforcement Networks and Information Systems from Desktops and Laptops, dated July 3, 2014, or as updated.
- L. ICE Policy No.: 8011.1, Procedures to Facilitate the Provision of Reasonable Accommodation, dated January 13, 2015, or as updated.
- M. ICE Policy No.: 6006.1, Physical Fitness Testing for Law Enforcement Applicants and Trainees, dated June 19, 2017, or as updated.
- N. HSI Directive 20-01, Physical Fitness Testing, dated April 8, 2020, or as updated.
- O. HSI Memorandum, Physical Fitness Testing Waiver Submissions, dated March 29, 2018, or as updated.
- P. HSI Physical Fitness Testing Policy for HSI Special Agent Applicants and Trainees, dated May 12, 2017, or as updated. (<u>Note:</u> Sections 4.3B(1), 5.3A(2), 5.3B, and 5.3(c)2 were superseded by HSI Directive 20-01, Physical Fitness Testing, dated April 8, 2020.)
- Q. FLETC Directive 10-09.A, Student Evaluation Procedures and Graduation Requirements, dated October 31, 2016, or as updated.
- R. FLETC Manual 10-09.A, Student Evaluation Procedures and Graduation Requirements, date October 31, 2016, or as updated.
- S. FLETC Directive 67-32.B, Student Absences and Leave, dated December 28, 2012, or as updated.
- T. FLETC Manual 67-32.B, Student Absences and Leave, dated December 28, 2012, or as updated.

U. FLETC Glynco Facility Student Handbook, 2015-GG-0008.

Chapter 5. RESPONSIBILITIES

5.1 Executive Associate Director, Homeland Security Investigations

The Executive Associate Director (EAD) of HSI is responsible for the oversight of the policy and procedures in this Handbook.

5.2 Assistant Director, Investigative Programs

The Assistant Director, Investigative Programs, is responsible for ensuring the implementation of the provisions of this Handbook within HSI.

5.3 Deputy Assistant Director, Investigative Services Division

The DAD, ISD, has the authority to remove SA trainees from the Basic Training Program based on the defined removal categories.

5.4 Division Chief, HSI Academy

The Division Chief, HSI Academy, is responsible for monitoring compliance with the provisions of this Handbook throughout the HSI Academy.

5.5 Unit Chief, Basic Training Operations

The Unit Chief, Basic Training Operations, is responsible for the direction of all HSI Academy basic training in compliance with the Handbook.

5.6 Section Chiefs, Basic Training

The Section Chiefs, Basic Training, are responsible for overseeing HSI Academy Class Coordinators and coordinating any trainee removals with the Unit Chief, Basic Training Operations.

5.7 HSI Academy Class Coordinators

HSI Academy Class Coordinators are SAs who are Instructors or Program Managers responsible for ensuring that SA trainees report all medical restrictions and for notifying HSI Academy management if a trainee may need to be removed from the HSI Academy.

5.8 Special Agents in Charge

Special Agents in Charge (SACs) are responsible for implementing the provisions of this Handbook as they pertain to SA trainees assigned to their areas of responsibility.

5.9 Special Agent Trainees

SA trainees are responsible for complying with the provisions of this Handbook.

Chapter 6. REPORTING FOR TRAINING

6.1 Reporting Date and Time

The reporting date for training is the day prior to the first day of training. If SA trainees are traveling from a foreign location and will arrive earlier than their FLETC-scheduled arrival date, they must coordinate their arrival with their Class Coordinator. A request can be submitted to FLETC to ensure that lodging is available to support a trainee's early arrival.

6.2 Transportation to the HSI Academy

The two most common methods of traveling to FLETC are by vehicle or by flying into Brunswick Golden Isles Airport (BQK), Jacksonville International Airport (JAX), or Savannah/ Hilton Head International Airport (SAV).

A. SA trainees traveling by air must contact FLETC transportation at (b)(7)(E) as soon as possible to arrange ground transportation from the applicable airport.

If SA trainees made the necessary arrangements with FLETC transportation and, through no fault of their own, arrive at the airport after the departure of the FLETC bus, they will be responsible for obtaining transportation from the airport to the Training Center. Taxicabs, shuttle services, or other courtesy transportation services are available at the airport. Trainees will be reimbursed for these expenses when they file their travel voucher, as long as a receipt is obtained for the transportation services documenting the expense.

B. SA trainees traveling by vehicle must bring with them a valid driver's license, vehicle registration, and proof of insurance. Upon arrival at FLETC, SA trainees must present themselves at the FLETC Visitor Center (b) (7)(E) to register their motor vehicle with Security Personnel. They must present their driver's license, proof of insurance, and vehicle registration before a FLETC parking permit will be issued. This parking permit must be prominently displayed at all times upon entering the training facility and while parked on FLETC property. All parking areas are specifically marked and trainees must not park in areas designated as staff parking. If trainees park a personal vehicle in other-than-designated parking areas, they will be cited and assessed traffic violation points. In accordance with the FLETC traffic regulations, accumulation of sufficient points will result in revocation of driving privileges on the campus of the Training Center.

If trainees operate a motor vehicle within the confines of FLETC property, they are subject to FLETC traffic regulations. FLETC does not permit basic trainees who reside on the FLETC campus to operate personal vehicles on the Center between 0730 hours and 1630 hours, Monday through Friday. HSI SA trainees are expected to abide by this regulation. (Note: For additional information regarding vehicular operation at FLETC, see the FLETC Glynco Facility Student Handbook (henceforth referred to as the FLETC Student Handbook) 2017-GG-0008, or as updated.)

6.3 Registration

All arriving SA trainees must register at the Visitor Center(b) (7)(E)

. Registration is open 24 hours a day, 7 days a week. Trainees must schedule their arrival at the Training Center no later than midnight the day prior to the beginning of their training. Trainees must also ensure that they are traveling on their officially designated travel day.

To expedite registration at FLETC in Glynco, Georgia, trainees are requested to adhere to the following basic trainee registration procedures:

- A. Prior to arriving at FLETC Glynco, trainees will receive an email notification from FLETC TRAINING containing a registration code and a link to the FLETC Student Administration and Support System (SASS) that will allow trainees to complete their registration online. Trainees must complete the online registration or they may not be allowed to enter FLETC. If trainees do not receive the email notifications, they should contact the HSI Academy registrar
- B. Upon arriving at FLETC, trainees need to check in at FLETC (b) (7)(E) Trainees must present a form of personal identification with a photograph (e.g., driver's license), and, if registering a vehicle, proof of registration, vehicle insurance, and license plate number.

For SA trainees who register late, it is recommended that they have a copy of a letter from their agency showing their enrollment in the specific class. This will expedite the registration process if a trainee's name is not listed on the class roster.

SA trainees are requested to report any registration problems to their Class Coordinator on the first day of training. The Class Coordinator will address the problem with the appropriate FLETC officials.

6.4 Travel and Visits

All weekend and holiday travel, including overnight or day trips outside of the area identified as the Glynco Post of Duty, must be reported to the Class Coordinator. Geographically, the Glynco Post of Duty is defined as the area that encompasses the Glynn and McIntosh Counties of Georgia, including Brunswick, St. Simon's Island, Jekyll Island, and Darien. SA trainees are required to provide the Class Coordinator with a telephone number for emergency contact purposes on the "weekend roster" prior to departing the Glynco Post of Duty area. Trainees bear the expense for all travel not deemed to be official business.

6.5 Travel Vouchers and Payment

According to FTR § 301-52.7, travelers must submit their travel vouchers within 5 working days after returning from a temporary duty (TDY) assignment. Unless HSI Academy management requires trainees to submit their travel claim within a shorter timeframe, trainees must submit their travel claim as follows:

- A. Within 5 working days after they complete their trip or period of travel; or
- B. Every 30 days if trainees are on continuous travel status.

SA trainees in need of travel assistance should contact their local office or the HSI Academy Travel Desk at (b)(7)(E)

Chapter 7. TRAINING CENTER INFORMATION

7.1 Housing

SA trainees will abide by FLETC housing policy stating that trainees attending basic training programs at FLETC reside in the accommodations provided and assigned by FLETC. Trainees may not obtain separate housing from the rest of their classmates. FLETC uses both on-center dormitories and off-center contract lodging facilities in the Brunswick, Georgia, area to meet its trainee housing needs. Scheduling constraints prevent FLETC from considering special housing requests made by the HSI Academy or any other partner organization. It has been held that the requirement to reside in FLETC-provided housing promotes a substantial government interest, is not arbitrary or capricious, and does not infringe on a trainee's constitutional rights.

Family, guests, and pets are not authorized in any FLETC-provided housing (whether on-center or off-center). Additionally, the practice of having family or guests stay temporarily in the Glynco, Georgia, area for the duration of any FLETC or HSI Academy basic training program is a distraction to the trainee and is discouraged by the HSI Academy.

FLETC housing facilities provide free laundry facilities and limited recreation.

Violations of FLETC housing policy and regulations may result in removal from training, as well as appropriate disciplinary action. (<u>Note:</u> For additional information regarding FLETC trainee housing, see the FLETC Student Handbook.)

Items strictly prohibited in any FLETC dormitory room and any FLETC-contracted trainee housing located on OR off-center include, but are not limited to, the following:

- A. Firearms, weapons, explosives, or flammable materials;
- B. Pets;
- C. Hot plates, grills, or ovens, unless FLETC has equipped the room with a microwave oven;
- D. Bicycles;
- E. Open flames, such as candles; and
- F. Beer kegs.

Additionally, the use of tobacco products is prohibited in all FLETC-owned, managed, or contracted facilities.

7.2 (b) (7)(E)

(b) (7)(E)

(b) (7)(E)

SA trainees are not considered permanent residents of the State of Georgia while attending training and will be in violation of state law if they obtain a Georgia Driver's License for the purpose of purchasing a weapon in the state.

7.3 Training Weapons

(b) (7)(E)

(b) (7)(E)

7.4 FLETC Guest Wireless Internet Services

FLETC has two wireless internet networks which can be accessed by HSI SA trainees. One of the networks requires the user to pay a fee for the service and can be accessed with personally owned (non-government) devices, as it is an independent network which is not connected to a government information system. The other network is free but is for **authorized government devices only**, as it is connected to a government information system and is continuously monitored. SA trainees must ensure that they are using the proper network at all times when accessing the internet with their personal devices, as improper use may result in disciplinary action as well as civil and criminal penalties. All misuse will also be reported to the trainee's agency leadership and FLETC's Office of Security and Professional Responsibility.

When accessing the free FLETC Guest Wireless internet service, which is offered to support training for FLETC and Partner Organization trainees, staff, and TDY personnel, SA trainees must remember the following:

- A. Trainees are NOT authorized to connect personally owned devices to this network.
- B. Trainees will be accessing a U.S. Government information system, which includes (1) the trainee's government-approved computer, (2) the FLETC Guest Wireless network, (3) all computers connected to the FLETC Guest Wireless network, and (4) all devices and storage media attached to the FLETC Guest Wireless network or to a computer on this network. This information system is provided for U.S. Government-authorized use only.
- C. All information on the FLETC information technology (IT) systems or resources is subject to monitoring and may be intercepted, recorded, read, copied, and disclosed by and to authorized personnel for official purposes. Trainees' use of the FLETC IT systems and resources constitutes consent to such monitoring, recording, and auditing.

- D. Trainees must adhere to standards of behavior that are expected of any government employee while using these IT systems or resources. Use of the FLETC IT systems to generate, access, transmit, or store information of a criminal, offensive, or sexually explicit nature is prohibited, unless officially directed and monitored as part of a FLETC training curriculum.
- E. Unauthorized or improper use or access of this system may result in disciplinary action, as well as civil and criminal penalties.
- F. Trainees are not authorized to process classified information on this information system.

By using this information system, SA trainees understand and consent to the following:

- A. There is no reasonable expectation of privacy when using this information system; this includes any communications or data transiting, stored on, originated from, or directed to this information system. At any time, and for any lawful government purpose, the government may monitor, intercept, search, and seize any communication or data transiting, stored on, originated from, or directed to or from this information system.
- B. The government may disclose or use any communications or data transiting, stored on, originated from, or directed to or from this information system for any lawful government purpose.

Personal mobile devices may be used to connect to other authorized wireless services at the Training Center where and when appropriate.

7.5 Computer Access

There is a Trainee Center located on the first floor of (b) (7)(E) which has computers for official use, a fax machine, and a printer for SA trainees' use. Trainee Center computers are on the ICE intranet allowing access to ICE email accounts. There is also a copy machine in (b) (7)(E) which can be used to scan documents directly to an email address. Information regarding the use of this equipment is posted in the Trainee Center.

As a reminder, the use of government equipment for personal use is limited. Trainees are not permitted to send training materials, information, etc. to or from personal email accounts using government equipment.

7.6 On-Center Dining

The dining hall is located in (b) (7)(E) and is open for three meals per day, 7 days per week. Alcoholic beverages are not permitted in the dining hall. SA trainees' ID badges must be visible and prominently displayed while in the dining hall. (Note: For additional information, see the FLETC Student Handbook.)

7.7 Financial Services

The Glynn County Federal Employees Credit Union offers a variety of services for a nominal fee. Trainees may cash government checks, money orders, traveler's checks, and personal checks (limit \$100). The Credit Union also offers credit card advance programs for both Visa and MasterCard, accepts incoming/outgoing wire transfers, sells money orders and traveler's checks, sends and receives faxes, and offers notary services. Two-party checks are not accepted by the Credit Union.

7.8 Glynco Area Climate

The climate in Glynco, Georgia, is relatively mild year-round with a mean temperature of 68 degrees. Temperatures normally reach the mid-90s during the summer months and the 30s in the winter months. Leisure and off-duty clothing should be commensurate with the time of year a trainee is scheduled to attend training at the HSI Academy. SA trainees may obtain additional information on the climate and local area by visiting the following internet sites: www.goldenisles.com or www.bgicoc.com.

7.9 HSI Academy Evacuation Procedures

The DAD, ISD, has established the following procedures for HSISAT trainees in the event that FLETC is evacuated and/or training is suspended and all trainees must depart.

- A. Prior to arriving at FLETC, all HSISAT trainees must determine their evacuation mode of transportation, ascertain a point of contact and phone number at their assigned duty station, and list either the address of their residence in the duty station area of responsibility (AOR) or an emergency address and phone number out of the duty station AOR where the trainee will report in an emergency (if the trainee has yet to relocate to the duty station AOR). This information will be compiled on the FLETC/HSI information sheet and returned to the assigned Class Coordinator prior to the pre-basic orientation day.
- B. Depending on the immediacy of the evacuation order, as well as available transportation out of the area, HSI ISD senior management, in consultation with the HSI Academy, will decide whether trainees will be directed to the FLETC evacuation site. If departing to the evacuation site is not warranted, trainees will return to the residence listed on their FLETC/HSI information sheet (either their residence in the duty station AOR or their emergency address).
- C. Trainees will contact their duty station supervisor to obtain instructions on their travel itinerary to return to their assigned HSI office or their emergency residence (not nested travel) and close out their existing travel authorization. The duty station supervisor also provides instructions on how to proceed if the duty station is within the evacuation zone.

- D. Trainees will contact their duty station travel POC to request a potential increase in their travel card credit limit, provide notification of travel, receive instructions on supporting documentation needed, and receive instructions regarding emergency ticketing, if applicable. Travel document processing is completed by the permanent duty station.
- E. Each HSI class representative will be accountable for his or her classmates while the evacuation is ongoing. Trainees must report their travel status, current location, and contact information to the class representative, as requested. The class representative will remain in regular contact with the Class Coordinator and report the status of all classmates until training resumes.
- F. If practicable, upon evacuating, trainees will remove all personal belongings from their FLETC lodging (on or off center).
- G. Before returning to FLETC, a new travel authorization is created with an explanation in the comments section clearly stating that the student is returning to FLETC to complete the training which was suspended due to a FLETC shut down.
- H. During the evacuation, trainees are to follow first the guidance of the HSI Academy and ISD, and then confer with their respective field offices' chain of command.

7.10 Bicycles

The use of bicycles, scooters, skateboards, hover boards, and roller skates by trainees at FLETC is prohibited at all times per a September 17, 2018, email from FLETC Director Thomas J. Walters, with subject line "FLETC Director's Message on Bike Safety (305-109-004a)."

Chapter 8. CONDUCT AND DISCIPLINE

8.1 Professional and Personal Conduct

While training at the HSI Academy, SA trainees are considered federal employees of ICE HSI and the Department of Homeland Security (DHS). Therefore, SA trainees must act in accordance with all federal legal authorities pertaining to the standards of ethical conduct for federal employees.

Trainees will receive instruction on the Standards of Ethical Conduct for Employees of the Executive Branch (5 C.F.R. § 2635 located at <u>https://www.oge.gov/Web/oge.nsf/Resources/Standards+of+Ethical+Conduct+for+Employees+o</u> <u>f+the+Executive+Branch</u>) and the Supplemental Standards of Ethical Conduct for Employees of DHS (5 C.F.R. § 4601 located at <u>https://www.ecfr.gov/cgi-bin/text-idx?SID=3ef8a26a72d0e8f0d0760908f76e989a&mc=true&node=pt5.3.4601&rgn=div5</u>). These legal authorities form the foundation of the conduct that is expected of all federal employees of

ICE HSI. Detailed guidance on these legal authorities can be sought from the ICE Ethics Office at(b) (7)(E) <u>@ice.dhs.gov</u>.

Participants are also subject to the Hatch Act, which places limitations on participating in partisan political activities. For further information on what activities are and are not permissible under the Hatch Act, please visit the U.S. Office of Special Counsel web site at https://osc.gov/Pages/HatchAct.aspx) or contact the ICE Ethics Office at (b) (7)(E) @ice.dhs.gov for guidance.

Additionally, trainees are expected to comply with all HSI Academy and FLETC directives regarding trainee behavior.

HSI employees are expected and required to conduct themselves in accordance with all Federal policies and regulations outlined in the Principles of Ethical Conduct for Government Officers and Employees, Executive Order 12674, dated April 12, 1989; the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. § 2635; and the Supplemental Standards of Ethical Conduct for Employees of DHS, 5 C.F.R. § 4601. SA trainees also are expected to conduct themselves in accordance with all ICE policies and procedures that govern the on-duty and off-duty conduct of ICE law enforcement personnel. Violations of any of these legal authorities can result in disciplinary action, up to and including termination of employment.

SA trainees represent DHS, ICE, and HSI 24 hours a day. Every act in which trainees are involved and every statement they make, both on-duty and off-duty, will be potentially scrutinized by their friends, colleagues, and the public. Local residents pay close attention to the personal conduct of individuals they believe to be associated with Federal law enforcement and FLETC. SA trainees must present themselves as mature, professional adults at all times, both on-duty and off-duty.

Additionally,

- A. Trainees will be courteous and respectful to their classmates, colleagues, and all Instructors, both HSI Instructors and those from other agencies.
- B. Trainees will treat all FLETC and HSI Academy Management, Instructors, and Staff with courtesy and respect.
- C. Trainees are expected to support their fellow trainees at the Academy and be good citizens while residing in the area.
- D. All staff, trainees, and visitors to the FLETC facility are subject to video and audio surveillance. Misconduct on or off FLETC facilities at any time is grounds for dismissal from training by either FLETC or the HSI Academy.
- E. Foul language, the use or display of racially or sexually derogatory slang and gestures, inappropriate remarks, ethnic slurs, discriminatory comments, or rude

behavior will not be tolerated and can result in disciplinary action, up to and including removal from training and federal service.

- F. FLETC and all HSI Academy buildings are smoke-free workplaces. Smoking and the use of any tobacco products are absolutely prohibited in the classroom and any building on the FLETC campus. The use of lighted tobacco products or e-cigarettes (vaping) is limited to the areas designated for that purpose.
- G. Food is not permitted in the classroom. Eating and gum chewing also are prohibited. Beverages are allowed with Instructor permission, provided that they have lids and are disposed of properly.
- H. No food or beverages are allowed inside computer laboratories.
- I. Sitting on desktops and propping feet on desks and chairs in the classrooms is not permitted.
- J. During off-duty hours, trainees will conduct themselves in a manner commensurate with their position as Federal law enforcement officers. Off-duty misconduct may result in their removal from training at the HSI Academy and disciplinary action, up to and including removal from employment.
- K. All Instructors need to be addressed as either Mr., Ms., or Mrs., followed by their last name, or as "Sir" or "Ma'am." Trainees may not address Instructors by their first name.
- L. Suggestions or comments regarding training materials must be submitted through the trainees' chain of command and/or by using the monthly or end-of-course survey forms.
- M. Unexcused tardiness or absence from class is not tolerated and will result in disciplinary action. Unexcused absence from any graded activity will result in a zero or failed score.
- N. Trainees may not utilize cell phones, personal laptop computers, or personal recording devices during class.

Throughout the course of training, SA trainees' performance and attitude will be evaluated and documented by their Instructors. SA trainees may be removed from training at any time due to inadequate performance, lack of effort, failure to remain engaged in the training program, misconduct, violations of FLETC directives, negative contact with FLETC Security or law enforcement, or other disciplinary, performance, or conduct-related issues. Dismissal from training may result in termination of trainees' employment with HSI and ICE.

8.2 Trainee Honor Code

The HSI Academy abides by the same trainee honor code as FLETC. The FLETC Trainee Honor Code applies to all work performed at the HSI Academy. Each trainee is required to acknowledge receipt of the FLETC Trainee Honor Code and willingness to abide by it. Both the HSI Academy and FLETC require a signed document attesting to this. (<u>Note:</u> For additional information, see the FLETC Glynco Facility Student Handbook.)

Chapter 9. DISCIPLINE AT THE HSI ACADEMY

9.1 Misconduct

ICE policy requires that all incidents of misconduct by ICE employees be reported to the Joint Intake Center (JIC) at 1-877-2-INTAKE, the Office of Professional Responsibility (OPR), or the DHS Office of the Inspector General (OIG). Examples of conduct that require reporting include, but are not limited to, the following:

- A. Bribery,
- B. False statements,
- C. Workplace and domestic violence,
- D. Inappropriate associations,
- E. Disclosure/computer data system misuse,
- F. Misuse of government credit card,
- G. Misuse of badge/credentials,
- H. Misuse of weapon,
- I. Civil rights violations,
- J. Retaliation,
- K. Harassment,
- L. Theft,
- M. Misuse of property,
- N. Embezzlement,

- O. Narcotics offenses,
- P. ANY arrest on or off the FLETC campus, and
- Q. ANY criminal misconduct.

If SA trainees are unsure whether an incident they observed rises to the level of reportable misconduct, they should consult their Class Coordinator immediately for guidance. Any incidents of trainee or employee misconduct are to be routed immediately through the appropriate chain of command in accordance with ICE policy. (<u>Note:</u> For additional information on reporting obligations, see the Memorandum for ICE Employees, Employee Obligation to Report Corruption and Misconduct to the ICE Office of Professional Responsibility, Joint Intake Center, U.S. Department of Homeland Security Office of the Inspector General, ICE Management, or the Office of the Special Counsel, dated May 7, 2018, or as updated or superseded.)

In addition to the previously-discussed legal authorities dealing with the standards of conduct required of all ICE employees, SA trainees are also responsible for adhering to this Handbook, as well as to the FLETC rules and regulations specified in the FLETC Student Handbook. Violations of HSI Academy and FLETC requirements can result in termination from a training program or removal from FLETC.

9.2 Infractions

It is important that SA trainees understand the nature of misconduct in the Academy setting. The following are a few examples of the most common trainee infractions:

- A. <u>Fraternization</u>—Personal, one-on-one relationships between trainees and Instructors could result in allegations of favoritism, bias, or sexual misconduct. Social events with an entire class are permissible. Gambling, private business dealings, excessive alcohol consumption, and flirtatious behavior are prohibited.
- B. <u>Honor Code</u>—Violations of the honor code include, but are not limited to, cheating, plagiarism, copying work, falsifying practical exams, and exam back-briefing (i.e., getting information from previous trainees who have already taken the same exam).
- C. <u>Training Weapon Misuse</u>—Training weapons must be treated as if they were real. This builds safe habits that will last throughout trainees' law enforcement careers.
- D. <u>Intoxicants</u>—Illicit narcotics are not tolerated. Use or possession will result in immediate removal from training. Alcohol must be used responsibly. Any arrest related to alcohol (or any other arrest) must be reported to the JIC, OPR, or DHS OIG.

- E. <u>Fighting</u>—Trainees are expected to handle conflict in a mature and responsible manner. Any assaultive behavior can result in removal from training and referral to a trainee's program office for disciplinary action.
- F. <u>Disrespect</u>—All staff, trainees, and other employees are expected to treat one another with dignity and respect at all times. Disrespect to an Instructor will not be tolerated.
- G. <u>Failure to Train</u>—The trainee's job is to train. Trainees are expected to give their full effort every day. Trainees are required to complete assignments, arrive to class prepared to learn, and exhibit a positive attitude. Trainees must be well-rested and alert. Sleeping in class is not permitted.
- H. <u>Remediation</u>—HSI Academy and FLETC training programs are designed to help trainees succeed. Remedial training opportunities and additional work can be required to assist trainees struggling with skills or materials. Remediation protocols will be strictly followed to ensure fairness and objectivity. Remediation is recorded as part of the trainee's record.
- I. <u>Attendance</u>—Generally, a trainee is permitted 24 hours of absence over the course of a training program. No unexcused absences are permitted. Excessive tardiness may result in dismissal from training. On a case-by-case basis, when a family emergency, illness, or injury results in extended absences, trainees may be granted permission to recycle (i.e., interrupt training to attend class at a later date).
- J. <u>Dress/Appearance</u>—Trainees are expected to adhere to HSI Academy standards outlined in this Handbook and in the FLETC Glynco Facility Student Handbook. Only prescribed uniforms are to be worn as directed without modification, including the exterior layer of clothing, which must be clearly marked with HSI (absent the exceptions below). Clothes should be kept clean and tidy. Physical Techniques uniforms should be refreshed as required. Hair, beards, mustaches, and sideburns must conform to the following standards: Beards and mustaches are to be no more than one inch in length and well maintained, and hair and sideburns must be worn in a manner allowing for a professional appearance and must not touch the collar. Instructors will address any personal appearance issues that cause safety concerns or distract from training.
- K. <u>Social Networking Sites</u>—If trainees contribute materials to social networking sites (e.g., Facebook, Twitter, Instagram, etc.), they are to do so with caution. Trainees will be held responsible for any content added to social networking sites or personal "blogs." Photos of staff or other trainees, as well as FLETC training sites, must not be posted without written permission and agreement from an HSI Section Chief. Descriptions of training content, methods, or other law enforcement sensitive information must never be posted.

L. <u>Dangerous Dietary Supplements</u>—Do not use dietary supplements designed to add muscular bulk or reduce weight while at the HSI Academy unless directed by a medical professional. These supplements can pose unknown health risks during rigorous physical activity (e.g., creatine, which can rapidly lead to heat stress and Rhabdomyolysis – see Appendix A). Trainees must seek advice from the FLETC Health Unit if they have any questions about dietary supplements.

Misconduct, including but not limited to the above-noted infractions, may result in removal from training and disciplinary action, up to and including termination of employment.

9.3 Corrective Actions

Corrective actions are administrative measures, not disciplinary or adverse actions. Corrective actions will be formally documented in the SA trainee's training record. For violations of HSI Academy or FLETC rules and regulations, the options range from verbal counseling up to and including removal from training. SA trainees who are removed from the Basic Training Program are subject to disciplinary action, up to and including removal from federal service.

If an official investigation, administrative inquiry, or referral for management action substantiates a finding that trainees have violated personal conduct requirements, the Trainee Honor Code, or any other law, rule, or regulation, they may be removed from training and subject to disciplinary or adverse action. This process will be governed by the ICE Table of Offenses and Penalties (ICE Directive 1022.1), dated December 8, 2006, or as updated, and its accompanying Guidelines and Instructions on Use of the Table of Offenses and Penalties.

Chapter 10. ADMINISTRATIVE INFORMATION

10.1 Chain of Command

All HSI Academy staff members and Instructors are to be considered supervisors by trainees enrolled in HSI Academy training programs; trainees will show respect to the HSI Academy staff at all times. Insubordination on the part of a trainee or failure to follow a supervisory order may result in disciplinary action up to and including removal from employment with the agency.

The chain of command of the HSI Academy is as follows:

- A. Division Chief, HSI Academy,
- B. Unit Chief, Basic Training Operations,
- C. Section Chief(s),
- D. Class Coordinators, and
- E. Instructors.

10.2 Class Coordinator and Counseling

All SA trainees will be assigned to an Instructor acting as a Class Coordinator. The Class Coordinator will serve as a trainee's first-line supervisor. If, at any time, SA trainees are not progressing at a satisfactory level in a FLETC or HSI training program, the Class Coordinator will counsel them regarding their performance or conduct deficiency. The Class Coordinator may suggest methods of improvement and will offer reasonable assistance when appropriate. This does not relieve the SA trainees of the responsibility of performing at their best at all times while participating in the assigned training program. Counseling provided to SA trainees by the Class Coordinator or another Instructor must be recorded on the HSISAT Trainee Conduct Report or in a memorandum. (Note: For additional information, see Appendix B for a copy of the HSISAT Trainee Conduct Report.)

10.3 Leave

Trainee attendance in all classes is mandatory. The only authorized exceptions to mandatory class attendance are:

- A. Medical issues (requires certification by the FLETC Health Unit);
- B. Authorized Emergency Leave (must be authorized by the Division Chief, HSI Academy (or his or her designee), in advance of the absence); and
- C. Reporting to another location upon direction by an HSI Academy staff member.

SA trainees must fully participate in and attend all classes and other scheduled events and activities during training. Unauthorized absences are not permitted and will result in the trainee being marked absent without leave. A trainee's unauthorized absence from the classroom may result in removal from training and/or disciplinary action, up to and including removal from federal service.

<u>Absences during CITP.</u> Absences during CITP are governed by FLETC Directive 67-32.B, Student Absences and Leave, dated December 28, 2012, or as updated. FLETC Directive 67-32.B allows SA trainees to miss no more than 24 hours of training for emergency situations. Additionally, if a trainee misses a substantial amount of training in one topical area, the trainee may be dismissed from training by FLETC. Specifically, FLETC defines a substantial amount to be three consecutive sessions of a topic area. SA trainees who are removed from CITP for absences under FLETC Directive 67-32.B will be removed from the HSI Academy.

<u>Absences during HSISAT</u>. The HSI Academy permits up to 24 hours of absences over the course of HSISAT for emergency situations. Any absence of more than 24 hours of training (cumulative) during HSISAT, regardless of the reason for the absence(s), will result in removal from training.

Because any absence of more than 24 hours of training will result in removal from training, trainees are generally not allowed to use annual leave and sick leave during the HSI Basic Training Program. However, the HSI Academy recognizes that unforeseen emergencies may arise during training. In the event of an unforeseen emergency, SA trainees may request leave of up to 24 hours during training. However, approval of a request for leave during training is at the discretion of the Division Chief, HSI Academy, or his or her designee, and can only be made with proper documentation. Should leave be granted, trainees will be responsible for all instruction and materials presented in class during their absence. No makeup classes will be held.

Generally, SA trainees who are removed from the Basic Training Program because of absences are not allowed to recycle back to the HSI Academy to attend CITP and/or HSISAT. On a caseby-case basis, when a family emergency, illness, or injury results in extended absences, trainees may be granted permission to recycle (i.e., interrupt training to attend class at a later date).

10.4 Non-Training Days

FLETC management decides on a yearly basis whether there will be any "non-training days" during the holiday season. Typically, the day after Thanksgiving and the day before and/or the day after Christmas are considered non-training days. Class Coordinators will advise SA trainees of these holidays at the start of training. SA trainees who leave the greater Brunswick, Georgia, area will have to submit an annual leave request via webTA, as well as advise their Class Coordinator of their departure. Trainees who remain in the greater Brunswick area will not have to submit an annual leave request. (Note: The greater Brunswick area consists of the Glynn and McIntosh Counties.)

10.5 Communicating with and Reporting to Trainees' Duty Station

Trainees are encouraged to call their duty station and check in with their supervisor on a regular basis to report their progress. Calls should be made during the lunch break or after hours, as this is not an acceptable excuse for being late for class.

Prior to graduating from HSISAT, trainees should arrange a reporting date to their assigned duty station with their immediate supervisor.

10.6 Trainee Dress Code

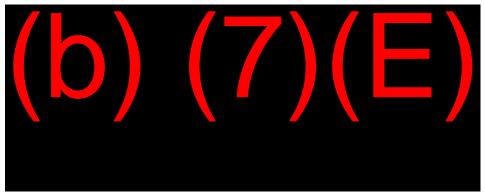
All HSI Academy trainees must comply with HSI Academy and FLETC dress codes, without deviation or modification. HSI Academy trainees will be issued a utility uniform that includes the following:

- A. Five (5) blue short-sleeved collared shirts;
- B. Three (3) lightweight, cargo-style, tan trousers;
- C. One (1) web belt with buckle;

D. One (1) ball cap; and

E. One (1) windbreaker raid jacket.

Additionally, SA trainees will be issued the following gear to be worn on the issued duty belt:



SA trainees must wear their utility uniform and complete duty belt during all training sessions, unless otherwise prescribed by their Instructor/Class Coordinator.

Trainees in CITP and HSISAT must bring a pair of dark or neutral-colored running shoes to be worn during tactics and firearms-related training or as prescribed by their Instructor or Class Coordinator.

Trainees in CITP and HSISAT must also bring a pair of dark brown or black quarter-style (4-inch or 6-inch) hiking boots, similar to the Merrell, Hi-Tec, or Salomon brand of hiking boot, to be worn with the utility uniform as prescribed by their Instructor or Class Coordinator. Alternatively, trainees may wear dark or neutral-colored tennis shoes with the utility uniform.

Trainees in CITP and HSISAT will wear business attire for graduation exercises: men will wear a dress shirt, a tie, slacks, and a coat, or a suit; female trainees will dress in the same degree of formality, i.e., a skirt or dress slacks and blouse, pantsuit, or dress. Shirttails will be neatly tucked in at all times.

Trainees in CITP and HSISAT may be required to wear business attire at other times during training as directed by their CITP Program Specialist, the HSI Academy Class Coordinator, or other HSI Academy managers.

10.7 Trainee Appearance Guidelines

Below are guidelines for SA trainees' appearance:

A. Issued uniforms will be kept neat and clean at all times. Shirts and pants will be pressed. Laundry facilities and irons are available to trainees at FLETC free of charge.

- B. Shirts will be worn tucked in and all but the top collar area button will be buttoned. No other apparel, decorative or otherwise, is to be worn with or in lieu of the HSI Academy-issued trainee uniform.
- C. The issued HSI lapel pin will be worn on the left collar of the polo shirt or the left lapel of the suit during graduation.
- D. Boots and/or black shoes will be polished; tennis shoes will be clean.
- E. Hair will be maintained in commonly accepted styles that do not detract from or interfere with a trainee's ability to perform his or her assigned tasks and the successful completion of the agency mission. Hair must not touch the collar of the shirt and cannot cover any portion of the eyebrows or the ears (for males). Facial hair, such as beards and mustaches, shall be neatly trimmed, no more than one inch in length, and neatly groomed at all times.
- F. The HSI Academy-issued ball cap may be worn outside or during tactics or firearms-related training. No hat of any kind is to be worn inside any FLETC buildings.
- G. During cold weather (under 50 degrees Fahrenheit), trainees may wear a personally-owned stocking cap that is dark blue or black in color and free of logos or insignia. Stocking caps may not be worn inside FLETC buildings.
- H. During heavy rain or cold weather (under 50 degrees Fahrenheit), trainees may wear personally-owned jackets that are dark blue or black in color and free of logos or insignia while outside on the FLETC grounds or, with the Instructor's permission, during tactics or firearms-related training. Personally-owned jackets may not be worn in the classroom.
- I. Trainees who are cold are permitted to wear the blue FLETC-issued Physical Training sweatshirt and/or HSI Academy-issued raid jacket in FLETC buildings.
- J. Male trainees may not wear earrings. Female trainees may wear one pair (one earring in each ear) of small, post or button type, conservative earrings. Visible body piercings, other than as described above, are not authorized.
- K. Trainees are authorized to wear one bracelet on either wrist. The bracelet must neither detract from the uniform appearance nor be of size or style to interfere with training.
- L. If trainees wear necklaces, they must wear them concealed beneath the uniform shirt.
- M. For safety and security reasons, the wearing of earrings, necklaces, and other jewelry by trainees is not permitted during physical training activities.

- N. Good personal hygiene will be maintained at all times.
- O. Socks will be worn with shoes at all times during training sessions.
- P. The FLETC ID badge will be worn clipped on the left shirt pocket or optionally attached to a lanyard worn around the neck. The ID badge must be visible at all times.
- Q. Trainees may not wear headphones, earphones, ear buds, etc. at any time during the training day. This includes in the classroom, other FLETC buildings, during physical training, during lunch, or while engaged in training off-center. This does not apply to the use of government-owned equipment during a lesson, in a laboratory, or during a practical exercise, e.g., electronic surveillance.

SA trainees will not wear their HSI Academy uniforms or any issued equipment:

- A. When off FLETC grounds, unless participating in an HSI Academy or FLETCsanctioned training activity that requires wearing of the trainee uniform; or
- B. In the FLETC Student Center.

SA trainees will be exempt from wearing their HSI Academy uniforms and/or issued equipment during certain practical exercises (PEs) as directed by the Class Coordinator. While wearing civilian clothes during PEs, SA trainees will abide by the following guidelines:

- A. Trainees must wear pants and hard-soled shoes. Shorts and/or sandals are not authorized.
- B. Trainees may wear ball caps or stocking caps outside; however, caps will be removed inside FLETC classrooms.
- C. Trainee clothing must be void of any logos or language that may be deemed inappropriate, obscene, vulgar, offensive, or inflammatory, or that promote political, religious, personal, or other such opinions.
- D. Inappropriate clothing during PEs includes, but is not limited to, sweatpants, exercise pants, leggings, mini-skirts, dresses, tank tops, halter tops, spaghetti-strap tops, tops with bare shoulders, see-through tops or sheer clothing, midriff tops, any visible body piercings (males), or visible piercings besides earrings (females).
- E. For each practical exercise where trainees wear plain clothes, trainees will be informed by their Class Coordinator whether they should wear their red gun in an off-duty holster and wear handcuffs in an off-duty case.

Trainees will wear business attire on the day prior to the start of CITP, the first day of CITP, the first day of HSISAT, and for CITP and HSISAT graduation ceremonies, as well as on other training days as directed by the FLETC CITP Program Specialist or the HSISAT Class Coordinator. Business attire is defined as:

- A. Men: Conservative suit or blazer and dress pants with a long sleeve dress shirt and tie.
- B. Women: Conservative pant or skirt suit; dress and blazer; or skirt or slacks with blouse and blazer.
- C. Shoes: Shoes should be clean and polished and of a conservative color.

10.8 Physical Training Uniform

FLETC-issued Physical Training Uniforms must be worn in their entirety by all trainees engaged in ANY physical training activity within the Physical Techniques Complex or while using the running track adjacent to the complex. The uniforms are provided by FLETC at no cost to trainees, except for replacement of lost or mutilated items. No modification of this uniform is allowed. Trainees must provide their own athletic footwear.

FLETC provides trainees with the following:

- A. T-shirts,
- B. Gym shorts,
- C. Sweat suits,
- D. Supporters,
- E. Athletic bras,
- F. Socks,
- G. Shower shoes, and
- H. Towels.

In the winter months (Oct 31–Mar 1), trainees may wear the blue FLETC sweat suit issued with their physical techniques clothing. If the sweat suit is worn indoors, it must be worn over the entire physical techniques uniform.

10.9 Training Weapons Inventory

Training weapons are serialized items which are to be treated the same way as weapons issued for duty use. HSI uses the (b)(7)(E) to manage its firearms inventory.

Authorized officers must ensure that their ICE-assigned law enforcement assets and equipment are recorded in ^(b) (⁷)(E) Upon receipt, training weapons will be transferred to HSI Academy trainees and the TDY Instructors and staff in ^(b) (⁷)(E) for the purpose of satisfying this policy requirement. HSI Academy trainees and the TDY Instructors and staff must accept the transfer of the firearm in^(b) (⁷)(E) immediately upon physical receipt of the weapon.

In instances when the recipient of the firearm does not have immediate access to $^{(b)}(^{7})(^{E)}$ the HSI Academy will track the firearm using $(b)(^{7})(^{E})$ Report of Property Shipped-Received, and assign the weapon to the Class Coordinator or Firearms Instructor until the recipient has access to $^{(b)}(^{7})(^{E})$

Upon departure from the HSI Academy, trainees and the TDY Instructors and staff will transfer training firearms back to the Class Coordinator or the HSI Firearms Instructor $in^{(b)}(7)(E)$. Only when the training firearm is physically in the possession of the receiving individual will the automated transfer be accepted.

10.10 Personal Identity Verification Card

Trainees who have not been issued a Personal Identity Verification (PIV) Card prior to arriving at the HSI Academy will be directed by their Class Coordinator to obtain a card through the trainees' home office and the FLETC PIV office.

Trainees are required to protect their PIV cards from theft and unauthorized use and treat PIV cards with the same care afforded to other identity credentials such as driver's licenses and Social Security Cards. When not in use, the PIV card should be kept on the trainees' person or stored in a secure place after training hours.

Trainees must report lost or stolen PIV cards to their Class Coordinator, as well as to OPR's Homeland Security Presidential Directive (HSPD)-12 Program via email at (b) (7)(E) <u>@ice.dhs.gov</u>.

10.11 Laptops

HSISAT trainees are issued laptops on the first day of HSISAT. These laptops are intended to be used by trainees during HSISAT and will be transported by the trainees back to their home office after graduation. Trainees are required to secure their laptops in classrooms, laboratories, and their FLETC lodging in accordance with the DHS 4300A, Sensitive Systems Handbook, Version 12.0, dated November 15, 2015, or as updated. Trainees will be issued cable locks to secure their laptops.

Laptops that are lost or stolen will be immediately reported to the Class Coordinator, as well as to the ICE Service Desk.

10.12 Reporting Injuries Sustained in Training

If a trainee sustains an injury while at the HSI Academy, he or she should do the following:

- A. Immediately report the injury to the FLETC Health Unit and the trainee's Class Coordinator.
- B. Complete Department of Labor (DOL), Office of Workers' Compensation Programs (OWCP) Form CA-1 (Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay) using the Employees' Compensation Operations and Management Portal (ECOMP) to file claims for benefits under the Federal Employees' Compensation Act (FECA) online. Begin by registering with the ECOMP web site at: <u>https://www.ecomp.dol.gov</u>.
- C. Obtain a short witness statement in the appropriate block on Form CA-1, if possible.
- D. Submit Form CA-1 to the Class Coordinator as soon as possible to document the injury. (Note: There are time constraints on the submission of Form CA-1 that must be met; Forms CA-1 must be filed within 30 days of injury for an injured employee to be entitled to Continuation of Pay (COP). For additional information regarding the submission of Form CA-1, SA trainees should speak to their Class Coordinator.)

After Form CA-1 has been approved by the SA trainee's Class Coordinator, the information will be forwarded to the HSI Academy OWCP Coordinator for further processing. The Class Coordinator, acting as the trainee's supervisor, is also required to call the Injury Reporting Hotline when an employee sustains a work-related injury or illness.

If Form CA-1 is not properly completed and submitted in a timely manner and/or the claim is not accepted by DOL OWCP as a work-related injury, trainees may be held responsible for all medical bills incurred. Questions regarding OWCP can be directed to the on-site OWCP Coordinator at the HSI Academy.

Failing to report, delaying, or refusing medical care for any injury can lead to more serious or permanent injuries and may result in forfeiture of time-sensitive COP benefits. Depending on the injury, the FLETC Health Unit may schedule trainees to see a doctor in the local area. While appointments sometimes need to be rescheduled due to examinations or PEs, trainees are expected to attend those appointments as scheduled. *Trainees who conceal or fail to report an injury, intentionally delay medical care, or repeatedly cancel/fail to appear for medical appointments that are scheduled by the FLETC Health Unit may be removed from the Basic Training Program and subject to disciplinary action, up to and including termination of employment.*

All visits to the FLETC Health Unit or any medical facility must be reported to the trainee's Class Coordinator in a timely manner. Injuries resulting in a loss of training time should be reported to the trainee's Class Coordinator immediately.

If trainees are injured after hours, they should report the injury to FLETC Security and seek treatment at the **(b)** (7)(E) **(b)** (7)(E). FLETC Security will provide transportation or directions to the hospital if necessary. The Class Coordinator must be notified immediately.

10.13 Personal Mail

Personal mail should be addressed as follows:

Name Class Number FLETC (b) (7)(E)

10.14 Overtime

Occasionally, trainees are required to train outside of the typical training hours, such as nights or weekends. Class Coordinators will inform trainees if they are eligible for overtime or premium pay as dictated in agency policy and standards.

10.15 Gifts

Gift giving and receiving among federal employees is governed by 5 C.F.R. § 2635, Standards of Ethical Conduct for Employees of the Executive Branch. 5 C.F.R. § 2635 contains a very broad definition of gift. It includes any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value.

Generally speaking, subordinates may not give gifts to their supervisors. Federal employees in a Class Coordinator/Instructor-student/trainee relationship are considered to be in a supervisor/subordinate relationship. There are some limited exceptions when a subordinate can give a gift to a supervisor per 5 C.F.R. § 2635.304, including occasions which terminate the supervisor/subordinate relationship.

During the HSI Academy basic training program, gifts may not be given to Class Coordinators/ Instructors, and Class Coordinators/Instructors may not accept gifts, as it would constitute a violation of 5 C.F.R. § 2635.302.

Upon graduation from the HSI Academy and in accordance with the limited exceptions found at 5 C.F.R. § 2635.304, graduates may engage in voluntary gift-giving (individual or as part of a group) with Instructors and/or Class Coordinators. Graduation is an occasion that terminates the

supervisor/subordinate relationship. If an individual gift is given, it must be appropriate to the occasion. For example, if a Class Coordinator likes a particular author, a book by that author can be gifted. If a group gift is given, only contributions of a nominal amount are permitted, and the gift must be appropriate to the occasion. For example, a gift certificate to a local restaurant that the Instructor likes is an appropriate group gift. Gifts of cash or cash equivalent, such as a Visa gift card, are never allowed.

HSI neither encourages nor discourages the giving of gifts by HSI Academy trainees to HSI Academy Instructors or Class Coordinators at the time of graduation. But if a gift is given, it must be absolutely voluntary for all participating in the act and must comply with applicable federal gift regulations.

Further guidance on this topic can be sought from the ICE Ethics Office at **(b)** (7)(E) <u>@ice.dhs.gov</u>.

10.16 Equal Employment Opportunity

In accordance with public laws, regulations, and Executive Orders, the HSI Academy actively participates in and is committed to equal employment opportunity (EEO). If trainees believe that they have been discriminated against on any of the protected bases (race, color, national origin, religion, sex (includes pregnancy and gender identity), age (40 and above), disability (physical or mental), protected genetic information, sexual orientation, parental status, and/or reprisal for participation in protected EEO activities), they have the right to initiate the EEO complaint process.

The EEO complaint process starts by contacting the ICE Office of Diversity and Civil Rights (ODCR). Trainees must contact ODCR within 45 calendar days of the alleged discriminatory action or event. For additional information or to initiate the EEO complaint process, SA trainees should contact the ICE ODCR (Complaints and Resolutions Division) at (b) (7)(E) or through e-mail at (b) (7)(E) @ice.dhs.gov. (Note: For additional information on the EEO complaint process, see the ICE ODCR website at https://insight.ice.dhs.gov/director/dcr, and ICE Policy No. 8012.2, Equal Employment Opportunity Policy Statement, dated July 15, 2019, or as updated or superseded.)

10.17 Reasonable Accommodation

It is the policy of ICE to provide reasonable accommodations for known physical or mental disabilities of qualified employees, unless to do so would impose an undue hardship on ICE. For more information on the reasonable accommodation process, see ICE Policy No. 8011.1, Procedures to Facilitate the Provision of Reasonable Accommodation, dated January 13, 2015, or as updated.

Chapter 11. HSISAT PROGRAM

11.1 HSISAT Course Goals and Objectives

HSISAT was developed in 2012 and began with a Job Task Analysis (JTA) that identified 342 discreet job tasks, including 161 general tasks. Due to the high number of discreet job tasks spread across the vast portfolio of investigative disciplines, HSISAT is focused on the general and discreet tasks required for newly-minted SAs to be successful in their first 12-18 months post-Academy. HSISAT equips new SAs with the knowledge and skills to conduct investigations in the following areas among others:

- A. Immigration crimes;
- B. Human rights violations;
- C. Human smuggling;
- D. Smuggling of narcotics, weapons, and other contraband;
- E. Financial crimes;
- F. Cybercrimes; and
- G. Export enforcement violations.

HSISAT trainees will complete the course objectives, also known as terminal objectives, as outlined by instructional materials provided to trainees (course schedule and trainee materials). A sample of the course content includes such topics as legal authorities, courtroom preparation, conducting investigations, firearms training, subject control, and physical conditioning.

11.2 Training Schedule

Trainees will receive an electronic copy of the HSISAT schedule as part of the trainee in-brief no later than the first training day. A copy of the schedule will also be posted outside the main classroom. The schedule is subject to change based on the needs of HSI and any changes will be relayed to the trainees by their Class Coordinator.

11.3 Training Requirements

The intensity of the training provided by the HSI Academy requires a high level of commitment, focus, concentration, and active participation on the part of all trainees. HSI Academy trainees are required to do the following:

A. Actively participate in all scheduled activities, including classroom discussion, classroom demonstrations and practices, integrated practices, PEs, written

examinations, firearms and subject control instructional blocks and assessments, and physical fitness conditioning and assessments.

- B. Ask clarifying questions, take notes, and complete practical and other in-class exercises, as needed, to prepare and review prior to graded assessments.
- C. As needed, spend after-hours time in a productive manner by studying alone or with others to ensure an understanding of the materials presented during the training program and to complete assignments required for certain PEs.
- D. Pass all graded PEs and exams.

11.4 Attendance

SA trainees are required to attend all classes, arrive in the assigned classroom on time, and remain in the classroom until dismissed by an Instructor. Unauthorized absence(s) from training may result in disciplinary action and/or removal. (Note: For additional information, see Section 10.3, Leave.)

11.5 Training Hours

For various reasons, it may be necessary to conduct all or part of certain courses or PEs outside the typical class day. This may include extended training days, as well as training during evening hours and on weekends. Trainees will not be allowed to miss assigned training to attend personal activities.

Normal training hours are 0730–1630 hours, with lunch normally scheduled between 1130–1230 hours, Monday through Friday. Firearms and tactical classes may require trainees to arrive prior to 0730 hours. Physical conditioning classes may be held before or after normal training hours. Some HSI Academy training programs may be conducted on a 6-day schedule, Monday through Saturday, 0730–1630 hours. Additionally, some topics of instruction or exercises may require nighttime and/or outdoor participation.

After hours make-up instruction, remediation, or retesting is compensated with Law Enforcement Availability Pay; trainees are not eligible for overtime in these cases.

11.6 Assessments

To assess the practical application of the skills learned during the scheduled blocks of instruction, SA trainees will be evaluated using a combination of observed PEs and written examinations (paper-based or computer-based). The course objectives that are tested are provided to trainees prior to being assessed, and the test dates and times are clearly noted on the training schedule. SA trainees are provided with the required passing score and the tested criteria prior to the assessment.

SA trainees must achieve the minimum passing score on each graded examination to complete HSISAT. Graded examinations include written examinations, PEs, firearms qualifications, and physical fitness tests. HSI policies for each graded examination are described further in this Chapter.

<u>Academic Probation</u>. The first time that SA trainees fail to achieve the minimum passing score on a graded examination, they will be placed on academic probation and will receive a Probation Notification letter. The letter will cite applicable policy, provide training requirement information, and serve as notification of remedial examination scheduling, if applicable. SA trainees must sign the Probation Notification letter acknowledging receipt.

SA trainees who do not achieve a passing score on a graded examination must be retested. SA trainees who do not achieve a passing score on the retest will be removed from HSISAT. SA trainees can only remediate one graded examination. SA trainees who successfully pass the retest remain on academic probation and will not be given an opportunity to retake any other graded examination that is administered during HSISAT. SA trainees who do not achieve a passing score on two graded examinations will be removed from HSISAT. SA trainees who are removed from HSISAT for failing graded examinations will not be allowed to recycle or return to the HSI Academy to attend the Basic Training Program.

(<u>Note:</u> FLETC CITP and HSISAT remedial training and testing policies and processes are different. All FLETC CITP written examinations and PEs are administered under the provisions of FLETC Directive 10-09.A and FLETC Manual 10-09.A, both titled "Student Evaluation Procedures and Graduation Requirements," both dated October 31, 2016, or as updated. SA trainees are subject to these two documents during CITP. For testing purposes, the minimum passing scores for FLETC basic written examinations and PEs are detailed in FLETC Directive 10-09.A and FLETC Manual 10-09.A. HSI trainees who fail to meet the academic standards outlined in FLETC Directive 10-09.A and FLETC Manual 10-09.A will be removed from the FLETC program and subsequently removed from the Basic Training Program by HSI Academy management and returned to their duty station. Once SA trainees begin HSISAT, they are subject to the policies provided in this Handbook.)

11.7 Written Examinations

Written examinations can be administered either online or in hard copy. These exams and exam times will be denoted on the HSISAT schedule provided to each trainee. SA trainees must achieve a minimum passing score of 75% on each written examination to meet the graduation requirements for HSISAT.

SA trainees who do not achieve a passing score on a written examination must be retested within 3 business days after the failed written examination. SA trainees will be provided an opportunity to remediate before being scheduled for a retest. SA trainees will be provided up to 4 hours of remedial training upon request (unless a shorter time frame is requested in writing or remedial training is waived). SA trainees may submit a written request to be retested earlier than 3 business days to their Class Coordinator. SA trainees may also be retested earlier than 3 business days through operational necessity.

Remedial written exams will generally consist of a different examination that will cover all the original performance objectives. For the purpose of calculating academic standing, the maximum passing score that may be recorded on a remedial written examination is 75%.

SA trainees on academic probation will not be provided an opportunity to retake a failed written examination (see Section 11.6, Assessments). SA trainees who do not achieve a passing score on the written examination retest will be removed from HSISAT.

11.8 Written Examination Integrity

The creation of each HSISAT exam is a lengthy process that involves considerable expense and time on behalf of both the HSI Academy and Headquarters (HQ) staff who create and maintain the exams. Maintaining the integrity of these exams is critical to fulfilling HSI's responsibility to its field offices. When exam questions or other content are compromised, they are removed from the pool of questions and new questions and content must be created in their place. Therefore, the HSI Academy takes cheating or unethical behavior regarding exams very seriously.

While they may seem onerous, strict exam security measures are in place at the HSI Academy to ensure the integrity and fairness of the testing process. Failure to adhere to these measures or comply with test administrator instructions can result in the following:

- A. Invalidation of an exam (in which case the exam would be re-administered),
- B. Disciplinary sanctions,
- C. Immediate removal from training, and/or
- D. Disciplinary action up to and including removal from federal service.

Obtaining, reviewing, copying, sharing, discussing, reproducing, adapting, disclosing, or transmitting HSISAT exam content—before or after an exam—constitutes professional misconduct, undermines the integrity of the testing process, and are violations of HSI Academy policy. This does not apply to PFT information or pre-assessment PE material provided by instructors during the course of instruction.

The following are examples of unacceptable behavior regarding exam content:

- A. Sharing exam questions or memorable features or cues of exam questions.
- B. Posting online or discussing specific topics to review in preparation for specific exam questions.
- C. Giving details on specific exam items, question scenarios, or correct answers.

D. Requesting or obtaining from anyone—or studying from—materials that include exam content, such as exam questions, scenarios from exam questions, or other features of exam questions.

After administration and grading of exams, Instructors remediate individual SA trainees to ensure that they learn what they missed. Instructors review concepts individually with trainees so that they will remember the concepts and understand why they missed what they missed. However, Instructors cannot review actual exams or exam items with trainees as part of instruction or remediation. (Note: For more information, see Section 9.1 on Misconduct, and Section 9.2 on Infractions.)

11.9 Practical Exercises

In addition to written examinations, PEs are another graded examination included in the HSISAT curriculum. To graduate, SA trainees must successfully complete all PE requirements. Tactical practical exams in HSISAT are considered PEs.¹ PEs are scored either numerically or as pass/fail.

SA trainees who do not achieve a passing score on a PE must be retested within 3 business days after the failed PE. SA trainees will be provided an opportunity to remediate before being scheduled for a retest. SA trainees will be provided up to 4 hours of remedial training upon request (unless a shorter time frame is requested in writing or remedial training is waived). SA trainees may submit a written request to their Class Coordinator to be retested earlier than 3 business days. SA trainees may also be retested earlier than 3 business days through operational necessity.

Trainees who fail a PE will be remediated and retested using the same or a different PE scenario. For the purpose of calculating academic standing, the maximum passing score that may be recorded on a remedial PE is 75%.

SA trainees on academic probation will not be provided an opportunity to retake a failed PE (see Section 11.6, Assessments). SA trainees who do not achieve a passing score on the PE retest will be removed from HSISAT.

11.10 Firearms Training

All HSI Academy SA trainees who are required to carry a firearm as a condition of employment must demonstrate proficiency in the safe and proper use of firearms. While training at FLETC in both CITP and HSISAT, SA trainees will use only the government-issued weapon provided. No alterations can be made to the weapon other than changing authorized grips. The weapon issued to SA trainees has authorized Sig Sauer grips; however, different grips may be available to trainees at no charge. SA trainees may also purchase after-market grips authorized by ICE. These grips can only be installed by a certified ICE Armorer or Field Armorer. SA trainees

¹ Firearms qualifications are also considered PEs, but are subject to the standards set forth in Section 11.10, Firearms Training, and Section 11.11, Firearms Qualifications During HSISAT.

interested in having the grips on their weapon changed must contact their Class Coordinator to ensure that grips are available and to make the installation arrangements with the Armorer. The Class Coordinator will need the class number (e.g., CITP 212, side A) and the peg number of the weapon before requesting the grips.

HSI SA trainees will receive training on ICE-issued firearms and familiarization in the use of other firearms in both CITP and HSISAT. <u>During CITP, HSI SA trainees are required to achieve a minimum score of 80% (240 out of 300 possible points) on the FLETC Semi-Automatic Pistol Course, which is higher than the FLETC standard of 70% (210 out of 300 possible points). If SA trainees do not achieve the minimum passing score during CITP, they will be subject to the FLETC remediation policy, not the HSI Academy remediation policy (see FLETC Manual 10-09.A, Student Evaluation Procedures and Graduation Requirements, dated October 31, 2016, or as updated).</u>

11.11 Firearms Qualifications During HSISAT

During HSISAT, SA trainees must achieve a minimum score of 80% (200 out of 250 possible points) on the ICE qualification course of fire PE to demonstrate firearms proficiency. During the PE, SA trainees must successfully complete one qualification course of fire with a passing score, in no more than two consecutive attempts, as well as satisfactorily demonstrate all other requirements.

SA trainees will be provided two consecutive qualification attempts to successfully complete one qualification course of fire with a passing score. SA trainees who do not achieve a passing score on the first qualification attempt must successfully complete the second qualification attempt. SA trainees who do not achieve a passing score on the second qualification attempt fail the firearms qualification course of fire. SA trainees on academic probation (i.e., trainees who failed to obtain a passing score on a previous HSISAT graded examination) who fail the firearms qualification PE will be removed from HSISAT for failing two graded examinations (see Section 11.6, Assessments).

If an SA trainee's first graded examination failure in HSISAT occurs during the firearms qualification, the trainee will be provided one additional opportunity to successfully complete a qualification course of fire (the Remedial Firearms Requalification Attempt). The SA trainee is entitled to receive up to six hours of remedial firearms training, which must be administered within three business days of the failed firearms qualification course of fire, to prepare for the Remedial Firearms Requalification Attempt. The SA trainee will also be served with a Probation Notification and Remediation memorandum, which places the trainee on academic probation for failing to achieve a qualifying score during firearms qualification. The Remedial Firearms Requalification Attempt will be administered on the fourth business day. The SA trainee must obtain the minimum passing score of 80% or higher on the Remedial Firearms Requalification Attempt to remain in HSISAT. A score of 80% will be recorded for the purpose of calculating academic standing, regardless of the actual qualifying score on the Remedial Firearms Requalification Attempt. SA trainees who do not obtain a passing score on the Remedial Firearms Requalification Attempt have failed the remedial firearms qualification and will be removed from HSISAT.

11.12 Use of Force and Tactical Training

As a component of HSISAT, trainees must fully participate in and pass all Use of Force Training and Tactical Training PEs. Use of Force Training consists of instructional blocks related to Defensive Tactics, Control Tactics, Entry Tactics, OC Spray, Baton, and Use of Force Scenarios/Decision-Making programs. Tactical Training consists of instructional blocks related to Search Warrant Tactics, Undercover Rescue, Active Shooter, Tactical Medical, and Vehicle Tactics.

(b) (7)(E)

Trainees may not bring any other weapons, including knives, or any batons or handcuffs not issued by the HSI Academy.

During any Use of Force Training or Tactical Training conducted in FLETC mat rooms, trainees must:

- A. Wear duty belts and uniforms properly at all times;
- B. Refrain from sitting or lying on the floors;
- C. Treat all weapons as if they were loaded—no frivolous behavior will be tolerated; and
- D. Remain in the designated training area until granted permission to leave by an Instructor.

Use of Force Training and Tactical Training PEs are subject to the provisions set forth in Section 11.6, Assessments, and Section 11.9, Practical Exercises.

11.13 Egregious or Questionable Use of Force Incidents

Instructors assigned to firearms and tactics are required to document and address questionable or egregious use of force incidents and other SA trainee conduct and/or performance issues in firearms and tactical areas. For egregious or questionable use of force incidents, Firearms and Tactics Instructors will address the specific action (or lack thereof) with the SA trainee immediately following the incident. Once notified, the SA trainee will be required to write a Use of Force Incident Report (UOFIR), including a detailed explanation of why he or she acted in the egregious or questionable manner. SA trainees will have 3 business days from the date of the incident to complete and submit the report to the Instructor and their Class Coordinator. Additionally, the Instructor must complete a Trainee Conduct Report, and additional instructors who observed or were involved in the incident are encouraged to complete memos detailing their observations.

As soon as possible after the SA trainee submits the UOFIR, the SA trainee will meet with the UOFIRB. Unless not operationally possible, this meeting should occur within three business days. The SA trainee will have the opportunity to articulate his or her actions in front of the UOFIRB. The UOFIRB will review the trainee's report and provide feedback to the trainee.

Within one business day of the meeting, the UOFIRB will provide a report to the Division Chief, HSI Academy, that will include one of the following recommendations:

| Action | Recommendation |
|--|---|
| Trainee was able to articulate necessary and reasonable use of force during the scenario. | No further action required. |
| Trainee was not able to articulate necessary and reasonable use of force during the scenario but successfully articulates an understanding of failure to adhere to the policy, case law, or performance criteria in such a manner that demonstrates he or she can effectively apply necessary and reasonable force in future scenarios. | No further action required. |
| Trainee was neither able to articulate necessary and reasonable use of force during the scenario nor successfully articulate an understanding of failure to adhere to the policy, case law, or performance criteria in such a manner that demonstrates that he or she can effectively apply them in future scenarios. | Additional training/remediation required. |
| Trainee was neither able to articulate necessary and reasonable use of force during the scenario nor successfully articulate an understanding of failure to adhere to the policy, case law, or performance criteria in such a manner that demonstrates that he or she can | Recommended for dismissal from training. |

| Action | Recommendation |
|--|----------------|
| effectively apply them in future scenarios. At this point in training, remediation would not be sufficient to address the current performance level. | |

If the UOFIRB determines that the trainee was neither able to articulate necessary and reasonable use of force nor successfully articulate an understanding of failure to adhere to law, policy, or performance criteria and that re-training and remediation would not be sufficient to address the trainee's performance, the UOFIRB will recommend removal from HSISAT. Based on the UOFIRB's recommendation, the DAD, ISD, in further consultation with the Division Chief, HSI Academy, may remove the trainee from HSISAT. The trainee will then return to his or her duty station. No trainee removed based on the recommendations of the UOFIRB will be allowed to recycle or return to the HSI Academy to attend HSISAT. This process will be coordinated by the DAD, ISD, and Employee and Labor Relations (E&LR).

11.14 Physical Fitness Training and Testing

As a component of both CITP and HSISAT, SA trainees must fully participate in all aspects of physical training, including FLETC's Physical Efficiency Battery, as well as any physical conditioning sessions. During orientation, SA trainees will be provided with written heat stress and physical conditioning warnings. This information will also be reviewed prior to the first physical conditioning session and before physical activities. Prior to all physical activities, SA trainees need to adequately prepare themselves by stretching, hydrating, and adopting, as needed, other medical or fitness expert best practices regarding preparatory activities for physical conditioning.

Prior to reporting to FLETC for training, all SA trainees are required to complete the Practical Exercise Performance Requirements (PEPR) questionnaire. SA trainees' responses will demonstrate whether they are physically capable of participating fully in all aspects of training. Any knowingly false statements or responses on the PEPR may result in disciplinary action, up to and including termination from employment with HSI.

In HSISAT, physical conditioning is normally conducted from 0500–0630 hours or 1630–1830 hours (depending on the time of year) on alternating days. SA trainees are required to fully participate in all scheduled physical conditioning classes. If SA trainees are medically restricted by a doctor or FLETC medical staff from being able to fully participate in three consecutive physical conditioning classes, they will be removed from HSISAT and returned to their duty station until they are medically cleared and physically capable to resume training. (Note: Any make-up sessions do not negate the fact that the session(s) was missed.)

During physical fitness conditioning sessions and assessments, the following items may not be worn or used: jewelry (including, but not limited to, earrings, body piercings, watches, rings, and necklaces), nonprescription glasses, or earphones/earbuds. Also, gum chewing and cell phones are not allowed.

<u>Physical Fitness Test (PFT)</u>: SA trainees are required to pass two PFTs at FLETC to graduate from the Basic Training Program (this does not include a pre-employment PFT completed prior to the trainee's entrance on duty date). Specifically, SA trainees must pass the Initial PFT and Final PFT to graduate from the Basic Training Program. The Initial PFT and Final PFT consist of the same four events with no more than a 5-minute rest between events:

- A. 32 sit-ups in one minute or less,
- B. 220-yard sprint in 47.73 seconds or less,
- C. 22 push-ups in one minute or less, and
- D. 1.5-mile run in 14 minutes 25 seconds or less.

Failure of any single event of the PFT will result in failure of the entire PFT. (<u>Note:</u> For additional information regarding the PFT, see the Physical Fitness Testing Policy for HSI Special Agent Applicants and Trainees, dated May 12, 2017, or as updated.)

<u>Initial PFT</u>: The Initial PFT is generally administered at the beginning of CITP or HSISAT. SA trainees who fail the Initial PFT will be placed into remedial physical training and provided one additional opportunity to successfully complete the Initial PFT (the Remedial Initial PFT). SA trainees must successfully complete the Remedial Initial PFT within 45 training days of the failed Initial PFT. SA trainees who fail the Remedial Initial PFT have failed two graded examinations and will be removed from the Basic Training Program.

SA trainees who fail the Initial PFT on the first attempt will also be placed on academic probation in HSISAT (regardless of whether the Initial PFT took place during CITP or HSISAT). As such, SA trainees who fail the Initial PFT will not be allowed to retake any other graded examination administered during HSISAT. SA trainees who fail a second graded examination administered during HSISAT will be removed from the Basic Training Program.

<u>Final PFT</u>: The Final PFT is administered near the end of the Basic Training Program. The Final PFT consists of the same events administered during the Initial PFT; trainees must pass each event to pass the entire PFT. Trainees who fail the Final PFT must retake the Final PFT within five training days (the Remedial Final PFT). Failure to pass the Remedial Final PFT will result in a trainee being removed from training.

SA trainees on academic probation must pass the Final PFT on the first attempt. SA trainees on academic probation will not be provided an opportunity to take the Remedial Final PFT.

(<u>Note:</u> SA trainees who are removed from the Basic Training Program for failing the PFT may request a waiver under 5 C.F.R. § 339.204. For additional information, see Section 12.5, Removal Process, and the HSI memorandum, Physical Fitness Testing Waiver Submissions, dated March 29, 2018, or as updated.)

Chapter 12. REMOVALS FROM HSISAT

12.1 Generally

Completion of both CITP and HSISAT is a condition of employment for HSI SAs. SA trainees who are removed from CITP and/or HSISAT may be subject to disciplinary action, up to and including removal from federal service. This process will be coordinated by the DAD, ISD, and E&LR.

12.2 Medical Removals

SA trainees may be removed from the Basic Training Program due to injuries sustained during training or due to illnesses that result in short-term medical restrictions and which prevent them from meeting the training requirements of CITP and/or HSISAT. Trainees are required to report to their Class Coordinators all visits to either the FLETC Medical Clinic or an off-Center medical facility. Furthermore, trainees must immediately disclose to their Class Coordinator any medical restrictions placed on them by a medical professional either at the FLETC Medical Clinic or at an off-Center medical facility; the Class Coordinator must inform HSI Academy management. If a trainee is placed on a medical restriction by a medical professional that limits or interferes with his or her ability to complete training as required, he or she will be removed from training.

An SA trainee removed from training due to a medical restriction will return to his or her duty station where the responsible SAC, or his or her designee, will ensure that the trainee seeks follow-up care from a medical professional in order to receive medical clearance to return to training in a timely manner. Upon medical clearance, the SA trainee will be required to pass a field delivered PFT prior to requesting reinstatement to the Academy. After the SA trainee successfully passes the PFT, the SAC must submit a request to the DAD, ISD, to return the SA trainee to the HSI Academy. The DAD, ISD, will coordinate with the Workforce Management Division at HSI HQ to identify a date for the trainee to return to training. An SA trainee removed for a medical reason who returns to the HSI Academy after receiving medical clearance will start at day one of HSISAT. If the SA trainee is removed for a medical reason while attending CITP, he or she will start at day one of CITP.

The SAC, or his or her designee, will work closely with E&LR to ensure that SA trainees who are removed for a medical reason and who are partially recovered from a compensable work-related injury or illness are returned to work in accordance with applicable laws and regulations.

12.3 Security Removals

At times, HSI employees are hired and commence basic training at the HSI Academy with a favorable preliminary suitability determination. While in training, the ICE OPR Personnel Security Unit (PSU) may continue to complete the employee's full background investigation. While the investigation is ongoing, derogatory information may be discovered that leads PSU to issue a Notice of Proposed Action (NOPA) to find a trainee unsuitable for employment or a

Letter of Intent to determine if the employee is ineligible to occupy a national security position. Trainees will be allowed to remain in training until a final adjudication is issued by PSU.

If PSU determines that an SA trainee is not suitable for employment or eligible to occupy a national security position, PSU will notify the SAC. The SAC will report the finding to the DAD, ISD, who will direct that the trainee be removed from the HSI Academy and returned to his or her office.

12.4 Resignation Removals

SA trainees who resign from an HSI law enforcement position will be removed from training. Trainees must first forward a resignation memorandum, through the Division Chief, HSI Academy, and their chain of command, to their SAC. The Division Chief, HSI Academy, or his or her designee, will provide the memorandum to the DAD, ISD, who will forward it to the respective SAC. The DAD, ISD will then issue the removal memorandum described in Chapter 12.5 below. Trainees who resign will be required to return to their duty station for outprocessing.

12.5 Removal Process

SA trainees who are removed from training will be served with a memorandum from the DAD, ISD, advising the trainee of his or her removal from training, as well as the reason for the removal. The DAD, ISD, and the trainee must both sign this memorandum prior to the trainee physically departing FLETC. A copy of this memorandum will be placed in the trainee's training folder and provided to the Workforce Management Division at HSI HQ, the trainee's SAC Office, E&LR, and the HSI Academy Registrar.

SA trainees who are removed from training must return all HSI Academy-issued equipment to their Class Coordinator prior to departing. Additionally, all FLETC-issued uniform items and CITP credentials and material must be returned to the designated FLETC Program Specialist.

<u>PFT Removals.</u> As noted above in Section 11.14, Physical Fitness Training and Testing, SA trainees who are removed from the Basic Training Program for failing the PFT may request a waiver under 5 C.F.R. § 339.204. SA trainees who fail the PFT are not qualified for the position unless a waiver is granted under 5 C.F.R. § 339.204. SA trainees may request to waive all or any portion of the established PFT standards/requirements. Waiver requests submitted under 5 C.F.R. § 339.204 will be evaluated on a case-by-case basis. SA trainees who receive a waiver will be scheduled to re-attend CITP and/or HSISAT as soon as possible.

SA trainees who are removed for failing an HSI PFT will be served with a removal memorandum as noted above. In addition to the removal memorandum, these SA trainees will be served with the following:

A. A copy of the HSI memorandum, "Physical Fitness Testing Waiver Submissions," dated March 29, 2018, or as updated.

- B. Attachment B to the "Physical Fitness Testing Waiver Submissions" memorandum, Failure of Remediation and Right to Apply for a Waiver memorandum. The SA trainee will execute the Acknowledgment of Receipt (page 2) which will be maintained in the trainee's training folder.
- C. A copy of 5 C.F.R. §§ 339.203 and 339.204.

(Note: For additional information about HSI PFTs, see Section 11.14.)

12.6 Trainee Conduct Report

For SA trainee conduct issues, Instructors will address the specific issue/incident immediately with the trainee(s). Upon completion of the class and at the earliest opportunity, the Instructor will serve the trainee(s) with a copy of the HSISAT Trainee Conduct Report documenting the issue/incident.

The HSISAT Trainee Conduct Report will also be used to document any SA trainee failure in HSISAT, including the failure of the PFT, written examinations, or PEs. This does not replace the academic probation memorandum served on the trainee by the Class Coordinator.

The HSISAT Trainee Conduct Report is not limited to documenting deficiencies in trainee work. Positive reinforcement can also be provided to trainees through this Report. (<u>Note:</u> See Appendix B for a copy of the HSISAT Trainee Conduct Report.)

Chapter 13. COMPLETING THE HSISAT PROGRAM

13.1 Graduation

Successful completion of the HSISAT training program is an important achievement that demonstrates one's dedication and commitment to the high standards expected of all HSI employees. It is important for SA trainees to share this achievement with others. Accordingly, the HSI Academy encourages all SA trainees to invite family and friends to attend HSISAT graduation ceremonies and to participate in the recognition of this important step in the career of all Federal law enforcement officers.

During graduation ceremonies, SA trainees will receive their Certificate of Graduation, any award they have earned, and badges and credentials, where appropriate. SA trainees will wear business attire for the graduation ceremony.

Friends and family who attend graduation must be vetted via a background check, in advance, by FLETC's Office of Security and Professional Responsibility. It is the responsibility of SA trainees to provide their Class Coordinator with family's and friends' background forms prior to graduation and within the timeframe communicated by the Class Coordinator.

13.2 Achievement Awards

While attending the HSI Academy, SA trainees are encouraged to attain the highest possible academic standing. The obvious benefit is beginning a career with an excellent overall knowledge of their job duties and responsibilities, which, in turn, enhances their performance of assigned tasks when SA trainees reach their field offices. While enrolled in HSISAT at the HSI Academy, SA trainees are eligible to receive awards that recognize outstanding achievement in the following training areas:

A. Academic Achievement Award

The Academic Achievement Award is presented to the trainee who obtains the highest overall average of all graded exams, written exams, and PEs that are administered during HSISAT. SA trainees will not be eligible for this award if they have remediated any area of training.

B. Firearms Achievement Award

The Firearms Achievement Award is presented to the SA trainee who demonstrates the highest degree of proficiency in the HSISAT Practical Pistol Course (PPC). Additionally, all SA trainees who, by scoring 241 or above, qualified as Expert, are also recognized with a certificate to be provided by the Class Coordinator prior to graduation. During graduation, each Expert marksman will stand when his or her name is called.

C. The Top Shooter Award

This award is presented to the SA trainee who has demonstrated excellence in the three weapons platforms utilized by HSI (b)(7)(E) SA trainees perform drills with each weapon system, with an emphasis on speed and accuracy.

D. Physical Fitness Award

The Physical Fitness Award is presented to the SA trainee who achieves the highest combined score on the physical fitness test.

E. HSI Executive Associate Director's Award

The HSI Executive Associate Director's Award is presented to the SA trainee who has the highest combined academic, firearms, physical fitness, and subject control scores in the class. The scores are weighted with emphasis on academic achievement and in the following manner: written exams 30%, PEs 30%, firearms 15%, physical fitness 15%, and subject control 10%. SA trainees will not be eligible for this award if they have remediated any area of training or are involved in any misconduct, including, but not limited to, what is listed in this Handbook.

13.3 Badges and Credentials

After successful completion of Basic Training, SA trainees will be issued a badge and agency credentials during graduation.

Badges and credentials are presented at graduation by the graduation speaker, usually a SAC and the Division Chief, HSI Academy. However, SA trainees are welcome to invite friends and family who meet the below guidelines to be "guest presenters."

- A. Family: Current or retired sworn law enforcement officers or sitting or retired federal judges.
- B. Friends: Current or retired sworn federal law enforcement officers within DHS or legacy agencies such as the U.S. Customs Service or the U.S. Immigration and Naturalization Service.

Guest presenters should be dressed appropriately (suit, coat, and tie for males OR appropriate business attire for females OR in an agency uniform).

13.4 Departure from the Academy

Following graduation from HSISAT, SA trainees will be released to depart to their assigned duty stations as newly badged and credentialed HSI SAs. Upon departing FLETC, new SAs must retrieve their assigned weapons from the FLETC Visitor Center to take with them to their duty station. (Note: For additional information regarding weapon retrieval, new SAs should consult the FLETC Glynco Facility Student Handbook or speak with their Class Coordinator.)

SA trainees requiring transportation to the airport from FLETC transportation will need to make arrangements, via their Class Coordinator, no less than 5 working days prior to the scheduled departure date.

(<u>Note:</u> New SAs requiring FLETC transportation to Jacksonville International Airport (JAX) or Savannah/Hilton Head International Airport (SAV) on the morning after graduation must not schedule departing flights prior to 0900 hours.)

13.5 Investiture Program

Both during and after the HSI Academy, trainees will be part of the HSI Investiture Program, which addresses HSI's commitment to our personnel to provide superior training, robust employee development, and meaningful employee support.

The five lines of investiture effort include:

A. <u>New Agent Orientation (includes HSI Academy Mentor Program)</u>: This includes a SAC sponsor and Group Supervisors who act as mentors for each HSISAT class.

- B. <u>Professional Development and Leadership Training</u>: Inspires and empowers HSI trainees by exposing them to compelling case studies and shared lessons learned by accomplished case agents, innovators, and front-line leaders.
- C. <u>HSI Headquarters Orientation</u>: A scheduled, week-long visit to the National Capital Region six to nine months post-Academy that provides each new SA the opportunity to develop a working understanding of the full breadth of HSI's mandate through interactions with the various programmatic units at HQ.
- D. <u>Special Agent in Charge Family Orientation</u>: Post-graduation, at HSI field offices, new SAs and their families are introduced to the healthy balance between career and family to ensure more productive employees who will continue to assume greater responsibilities, learn new skills, and pass those skills and positive experiences to future employees.
- E. <u>National Citizens Academy:</u> The Citizen's Academy will provide influential members of the community with the ability to interact directly with HSI SAs and managers through participation in various hands-on field and classroom activities.

Appendix A

Heat Stress and Rhabdomyolysis

HEAT STRESS AND RHABDOMYOLYSIS

Acute Exertional Rhabdomyolysis

Acute exertional rhabdomyolysis (AER or "rhabdo") is a potentially serious, exerciseinduced condition characterized by extreme pain and swelling in the muscles and dark colored urine. AER occurs when muscle tissues are damaged, resulting in the release of high amounts of myoglobin, creatine kinase (CK) and other intracellular contents into the bloodstream (Walsworth, 2001; Hagerman, 2005). Kidneys, especially when coupled with dehydration, are unable to filter these substances from the blood, which can result in muscle cell death and acute renal failure.

Who gets AER?

"Untrained individuals who exercise vigorously in hot, humid conditions are at significant risk for developing rhabdo" (Brudvig & Fitzgerald, 2007, p. 10). However, it also has been well documented in well-trained athletes, long-distance runners, football players, military trainees, and police and fire department recruits (Walsworth, 2001; Brudvig & Fitzgerald, 2007). It should be noted that some medical conditions such as sickle-cell anemia, hypothyroidism, and uncontrolled, high blood pressure do contribute to a higher incidence of AER.

Risk factors for AER include high heat and humidity, inadequate hydration, rapid increase in physically demanding activity, a history of heat injury such as heat stroke, recent bacterial or viral illnesses, recent medication or drug use – particularly blood pressure medications, cold medication, or aspirin, and creatine and other dietary supplements.

What are the symptoms of AER?

Any of the following signs and symptoms may indicate AER, the hallmark symptom being tea-colored urine (Childs, 2005; Walsworth, 2001; Claps, Moekal-Cole and Clarkson):

- Extreme muscle pain
- Inability to fully flex extremities due to muscle weakness and swelling
- Muscle bruising
- Fever and nausea
- Tea-colored urine

How is AER treated?

Because of the potential complications of rhabdomyolysis – including cardiac arrest, compartment syndrome, acute renal failure, and death – students exhibiting any symptoms should immediately report to the Health Unit. During the weekend or after hours, students should report to the local hospital emergency room for prompt medical attention. Early diagnosis and treatment are critical to preventing long-term damage.

"A diagnosis of rhabdomyolysis is based on history, physical examination, and lab findings" (Walsworth, 2001). Initially, the most common way to diagnose AER is to test Creatine Phosphinase CPK levels in the blood, which rise 2–12 hours after the injury and peak in 1–3 days (Harriston, 2004). "CPK levels that increase to five times greater than the normal value are usually an indicator of rhabdomyolysis" (Harriston, 2004, p. 156).

AER is initially treated with high-volume intravenous (IV) fluid replacement and hospitalization until CPK levels are normalized. Long-term treatment includes reconditioning exercises that slowly progress. During the rehabilitation period, individuals should be monitored closely for any abnormal muscle soreness or fatigue (Brudvig & Fitzgerald, 2007). Students may be returned to their duty station during the rehabilitation period. Full clearance from a medical professional will be required before any student will be returned to training.

Guidelines for Preventing AER

Students are to:

- Be careful in extremely hot weather. Not everyone has the same tolerance for high temperatures humidity (Hagerman, 2005).
- Hydrate, hydrate! Students must never turn down water during training. Dehydration is a leading risk factor for Rhabdo (Walsworth, 2001).
- Avoid alcohol prior to scheduled physical training sessions. Dehydration is a common "side effect" of drinking alcohol.
- Report to the Health Unit if feeling unwell. Students are to be especially careful if they have a cold or flu-like symptoms or are running a fever.
- Report any medications they are taking to the Health Unit. Some medications can make students more likely to get Rhabdo (Brudvig & Fitzgerald 2007).
- Do not use creatine or other "muscle enhancing" dietary substances, which can contribute to dehydration (Hagerman, 2005).
- Progress slowly in their personal workout activities. If students are returning to exercise after an absence, they should increase weight and repetitions incrementally to avoid muscle injury (Hagerman, 2005).
- Report any of the symptoms associated with Rhabdomyolysis to the Health Unit or Physical Techniques (PT) Instructor IMMEDIATELY! The sooner treatment is initiated; the less likely students are to have permanent injuries.

Heat Stress and Rhabdomyolysis References

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Appendix B

HSI Special Agent Training Trainee Conduct Report





TRAINEE CONDUCT REPORT

| Student's Name: | Date of Occurrence: | |
|--------------------|---------------------|--|
| Class Number: | Course Title: | |
| Instructor's Name: | Instructor's Phone: | |

Overview of Conduct:

| | | | Unacceptable |
|-----------------------------------|-----------------------------|--|--------------|
| I | Performance Needs Attention | | |
| | Noteworthy | | |
| | | | |
| Timeliness | | | |
| Preparation | | | |
| Appearance | | | |
| Attitude | | | |
| Attentiveness | | | |
| Participation | | | |
| Complies With Instructions | | | |
| Maturity | | | |
| Teamwork | | | |
| Appearance of Intoxicants | | | |
| Policies/Procedures | | | |
| Maintains Self Control | | | |
| On/Off Duty Incident | | | |

Narrative:

Actions/Resolutions:

Instructor's Signature:

Date:

Date:

ACRONYMS

| AERAcute Exertional RhabdomyolysisAORArea of ResponsibilityBQKBrunswick Golden Isles AirportC.F.R.Code of Federal RegulationsCITTPCriminal Investigator Training ProgramCKCreatine KinaseCOPContinuation of PayCPKCreatine PhosphokinaseDADDeputy Assistant DirectorDHSDepartment of Homeland SecurityDOLDepartment of LaborEADExecutive Associate DirectorECOMPEmployees' Compensation Operations and Management PortalEEOEqual Employment OpportunityE&LREmployees' Compensation ActFECAFederal Employees' Compensation ActFLETCFederal Travel RegulationGSGeneral ScheduleHQHeadquartersHSIHomeland Security InvestigationsHSIATHSI Special Agent TrainingHSPDHomeland Security Presidential DirectiveICEU.S. Immigration and Customs EnforcementIDIdentificationISDInvestigative Services DivisionITInformation TechnologyIVIntravenousJAXJacksonville International AirportJICJoint Intake CenterJTAJob Task AnalysisNOPANotice of Proposed ActionOCOleoresin CapsicumODCROffice of Diversity and Civil RightsOIGOffice of Diversity and Civil RightsOIGOffice of Professional ResponsibilityOWCPOffice of Prof | ADR | Alternative Dispute Resolution |
|--|--------|--|
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| JAXJacksonville International AirportJICJoint Intake CenterJTAJob Task AnalysisNOPANotice of Proposed ActionOCOleoresin CapsicumODCROffice of Diversity and Civil RightsOIGOffice of the Inspector GeneralOPROffice of Professional ResponsibilityOWCPOffice of Workers' Compensation ProgramsPEPractical Exercise | IT | Information Technology |
| JICJoint Intake CenterJTAJob Task AnalysisNOPANotice of Proposed ActionOCOleoresin CapsicumODCROffice of Diversity and Civil RightsOIGOffice of the Inspector GeneralOPROffice of Professional ResponsibilityOWCPOffice of Workers' Compensation ProgramsPEPractical Exercise | IV | Intravenous |
| JTAJob Task AnalysisNOPANotice of Proposed ActionOCOleoresin CapsicumODCROffice of Diversity and Civil RightsOIGOffice of the Inspector GeneralOPROffice of Professional ResponsibilityOWCPOffice of Workers' Compensation ProgramsPEPractical Exercise | JAX | Jacksonville International Airport |
| NOPANotice of Proposed ActionOCOleoresin CapsicumODCROffice of Diversity and Civil RightsOIGOffice of the Inspector GeneralOPROffice of Professional ResponsibilityOWCPOffice of Workers' Compensation ProgramsPEPractical Exercise | JIC | Joint Intake Center |
| OCOleoresin CapsicumODCROffice of Diversity and Civil RightsOIGOffice of the Inspector GeneralOPROffice of Professional ResponsibilityOWCPOffice of Workers' Compensation ProgramsPEPractical Exercise | JTA | Job Task Analysis |
| ODCROffice of Diversity and Civil RightsOIGOffice of the Inspector GeneralOPROffice of Professional ResponsibilityOWCPOffice of Workers' Compensation ProgramsPEPractical Exercise | NOPA | Notice of Proposed Action |
| OIGOffice of the Inspector GeneralOPROffice of Professional ResponsibilityOWCPOffice of Workers' Compensation ProgramsPEPractical Exercise | OC | Oleoresin Capsicum |
| OPROffice of Professional ResponsibilityOWCPOffice of Workers' Compensation ProgramsPEPractical Exercise | ODCR | Office of Diversity and Civil Rights |
| OWCPOffice of Workers' Compensation ProgramsPEPractical Exercise | OIG | Office of the Inspector General |
| PE Practical Exercise | OPR | Office of Professional Responsibility |
| | OWCP | · · |
| | PE | Practical Exercise |
| PEPK Practical Exercise Performance Requirement | PEPR | Practical Exercise Performance Requirement |

| PIV | Personal Identity Verification |
|--------|--|
| POC | Point of Contact |
| PSU | Personnel Security Unit |
| PT | Physical Techniques |
| SA | Special Agent |
| SAC | Special Agent in Charge |
| SASS | Student Administration and Support System |
| SAV | Savannah / Hilton Head International Airport |
| TDY | Temporary Duty |
| UOFIR | Use of Force Incident Report |
| UOFIRB | Use of Force Incident Review Board |