

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

6005.1: Waivers of Mandatory Training for Homeland Security Investigations Special Agents

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1. **Purpose/Background.** U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) is responsible for placing qualified and highly trained personnel in law enforcement positions necessary to meet its mission. Those holding positions as Special Agents in the GS-1811 series need legal and investigative training and must also be proficient in the use of firearms. At times, a newly-hired Special Agent comes to ICE with prior law enforcement training that is consistent with ICE's existing standards. This Directive establishes a means whereby an HSI Special Agent can receive a waiver from certain mandatory training.
2. **Policy.** The ICE Office of Training and Development (OTD) manages a review process for waivers of mandatory training for HSI Special Agents, as well as other ICE personnel required to carry a firearm. In compliance with ICE Directive 6002.1 (former number 8-2.0), "Training Review Board," dated September 7, 2007, or as updated, the Executive Associate Director (EAD) of HSI may request a waiver of basic training requirements for prospective HSI Special Agents when they have had previous training that meets federally mandated training requirements for HSI Special Agents or is substantively similar to the mandatory basic training programs ICE requires for entry into the Special Agent position. (Note: As stated in Section 8.1 of ICE Directive 6002.1, the EAD of HSI may also request waivers of advanced and specialized mandatory training.)

The EAD of HSI will submit training waiver requests to the Assistant Director (AD) of OTD for review and adjudication. (Note: Requests for waivers of firearms training are addressed in the Interim ICE Firearms Policy, dated July 7, 2004, or as updated.)

3. **Definitions.** The following definitions apply for the purposes of this Directive only.
 - 3.1. **Basic Training Program.** For HSI Special Agents, the basic training is composed of the Criminal Investigator Training Program (CITP) provided by the Federal Law Enforcement Training Center (FLETC) and the HSI Special Agent Training (HSISAT). (Note: CITP was a prerequisite for ICESAT until the latter was replaced by HSISAT in 2014.)

3.2. HSI Special Agents. Employees in the GS-1811 job series who are trained and responsible for the enforcement of federal laws. HSI Special Agents enforce U.S. immigration, customs, and other federal laws.

4. Responsibilities.

4.1. The **Assistant Director of Office of Training and Development**, as per ICE Directive 6002.1, is responsible for the review, referral, and final determination on waiver requests; assembly of the Training Review Board (TRB); and communication regarding the process and/or final outcome of waiver requests.

4.2. The **Executive Associate Director of HSI** is responsible for:

- 1) Ensuring compliance with the provisions of this Directive within HSI;
- 2) Determining, in coordination with OTD, mandatory training for HSI Special Agents; and
- 3) Coordinating with the AD of OTD on all training waiver requests originating from HSI.

5. Procedures/Requirements.

5.1. Waivers for previous completion of FLETC CITP. By following the procedures provided in ICE Directive 6002.1, the EAD of HSI can submit requests for waivers of the mandatory FLETC CITP for Special Agents who have graduated from the FLETC CITP while employed by another federal agency and have not had a break in service from the GS-1811 occupational series for a period in excess of 3 years.

5.2. Waivers for Completed FLETC CITP Equivalent Training. By following the procedures provided in ICE Directive 6002.1, the EAD of HSI can submit requests for waivers of the mandatory FLETC CITP for Special Agents who have not graduated from CITP while employed by another federal agency in the GS-1811 occupational series.

5.3. Waivers for Completed ICESAT or HSISAT Training. The EAD of HSI can submit requests for waivers of the mandatory HSISAT Training for Special Agents who have left an HSI GS-1811 position, having previously completed ICESAT or HSISAT, and maintained a GS-1811 position through another federal agency and who return within 3 years from their departure, by following the procedures provided in ICE Directive 6002.1. Requests of waivers of basic training completed while employed by the former U.S. Customs Service or the former U.S. Immigration and Naturalization Service will not be approved. (Note: HSISAT replaced ICESAT in 2014.)

6. Recordkeeping. All approved HSI Special Agent training waivers will be electronically stored within the ICE-owned and OTD-operated Training Management Support System.

7. Authorities/References.

- 7.1. Title 5, United States Code, Section 41, Training.
- 7.2. Title 5, Code of Federal Regulations (C.F.R.), Section 410.302, Responsibilities of the head of an agency.
- 7.3. 5 C.F.R. § 410.306, Selecting and assigning employees to training.
- 7.4. 5 C.F.R. § 410.601, Reporting.
- 7.5. ICE Directive 6002.1 (former number: 8.2.0), entitled, Training Review Board, dated September 10, 2007, or as updated.
- 7.6. Interim ICE Firearms Policy, dated July 7, 2004, or as updated.

8. Attachments. None.

- 9. No Private Right.** These guidelines and priorities are not intended to, do not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.



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