

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
ICE Policy System

DISTRIBUTION:
DIRECTIVE NO.:
ISSUE DATE:
EFFECTIVE DATE:
REVIEW DATE:
SUPERSEDES:

ICE
7-8.0
April 10, 2009
TBD
TBD
See Section 3 Below.

COPY FOR UNION NEGOTIATIONS

DIRECTIVE TITLE: ICE TACTICAL TEAMS

1. **PURPOSE and SCOPE.** To establish the U.S. Immigration and Customs Enforcement (ICE) policy for the use of Tactical Teams by ICE programs offices and identify related management and employee responsibilities. This Directive applies to all ICE Program Offices.
2. **AUTHORITIES/REFERENCES.**
 - 2.1. 8 United States Code (U.S.C.) § 1357, Powers of immigration officers and employees.
 - 2.2. 19 U.S.C. § 1589a, Enforcement authority of customs officers.
 - 2.3. 40 U.S.C. § 1315, Law enforcement authority of Secretary of Homeland Security for protection of public property.
 - 2.4. 8 Code of Federal Regulations Part 287, Field Officers; Powers and Duties.
 - 2.5. Department of Homeland Security (DHS) Use of Deadly Force Policy, (July 1, 2004) as amended or updated.
 - 2.6. Interim ICE Use of Force Policy (July 7, 2004) as amended, updated, or superseded.
 - 2.7. Interim ICE Firearms Policy (July 7, 2004) as amended, updated, or superseded.
 - 2.8. ICE Body Armor Policy Directive, No. 5-1.0 (February 2, 2005), as amended, updated or superseded.
3. **SUPERSEDED/CANCELLED POLICY/SUMMARY OF CHANGES.** This Directive supersedes previous legacy policies, issuances and previously recognized processes or procedures for all ICE Tactical Teams.
4. **BACKGROUND.** When an ICE enforcement activity is determined to be of high risk or sensitive in nature, it may require the use of tactical capabilities beyond those of the typical ICE enforcement officer in order to ensure the safe and successful resolution of the action. Under these circumstances, Tactical Teams possessing specialized skills, specialized

equipment and specialized training to meet these particular challenges may be required. The deployment of these teams can be viewed as the use of an elevated level of force. For these reasons, it is important for ICE to have processes and procedures for the establishment and operation of these teams, appropriate training and qualification standards for team members, and very specific reporting requirements through defined reporting channels, for team activities.

5. **DEFINITIONS.** The following definitions are provided for the purposes of only this Directive.
- 5.1. **Exigent Deployment** is the immediate activation and deployment of a Tactical Team when deemed necessary in the opinion of the Tactical Supervisor or the Field Responsible Official to ensure officer safety.
- 5.2. **Field Responsible Officials.** All Special Agents in Charge (OI and OPR), Regional Directors (FPS), Field Office Directors (DRO), Field Intelligence Group Directors (INTEL), International Affairs Attachés (where applicable); and other officials designated, in writing, by the ICE Assistant Secretary.
- 5.3. **High-Risk Activity** refers to any activity which holds a greater than normal probability of danger. Examples of high-risk activities are listed in Section 8.12 (1)(a)(vi) of this Directive.
- 5.4. **ICE Firearms Policy.** Refers to the Interim ICE Firearms Policy signed on July 7, 2004 and any subsequent firearms policy issued and approved after that date.
- 5.5. **ICE Use of Force Policy.** Refers to the Interim ICE Use of Force Policy signed on July 7, 2004 and any subsequent use of force policy issued and approved after that date.
- 5.6. **National Firearms and Tactical Training Unit (NFTTU).** The office of primary responsibility and oversight for ICE firearms and use of force policy and administrative issues; the ICE body armor program; tactical operations and use of force training.
- 5.7. **National Tactical Coordinator (NTC).** The primary agency-wide Headquarters point of contact for all ICE Tactical Program Managers. This is a law enforcement officer with tactical experience who reports, through the chain of command in the NFTTU, to the ICE Deputy Assistant Secretary for Operations.
- 5.8. **Sensitive Circumstances.** For the purposes of this Directive, an operation that involves the deployment of multiple ICE Tactical Teams from different program offices, is uniquely hazardous, or an operation that may be politically controversial, involve high profile organizations or individuals, or other government entities. Examples of sensitive circumstances are listed in Section 8.12 (2)(a)(iii) of this Directive.

- 5.9. **Tactical Program Manager (TPM).** The primary Headquarters point of contact for the respective operational program's Tactical Team operations. This individual is designated in writing by the Program Office Director.
- 5.10. **Tactical Supervisor.** The supervisory law enforcement officer with tactical experience who exercises command and control at all times, through the team leaders, during the deployment phase of an operation.
- 5.11. **Tactical Team.** A specially authorized and equipped team of law enforcement officers, team leaders, and tactical supervisors who have been trained to conduct and/or manage high-risk enforcement operations through the use of specialized weapons, tactics and equipment. Examples of these teams include Special Response Teams and other teams that have members who have been selected, trained, and certified based on specific criteria. It does not include teams that are created for specific operational needs from the workforce based on core occupational skills, such as fugitive operations teams, disturbance control teams or similar activities.
- 5.12. **Team Leader.** The fully qualified Tactical Team member who is responsible for the leadership of personnel during the execution of tactical operations, in accordance with the direction provided by the tactical supervisor.
- 5.13. **Team Member.** An armed ICE law enforcement officer selected and approved for service in a Tactical Team by their Field Responsible Official who has met all the physical skills, firearms, basic training, and recurring in-service training requirements established by the NFTTU.
- 5.14. **Team Training Coordinator.** A qualified team member who is currently a certified ICE firearms or defensive tactics instructor and who is designated by their Field Responsible Official to oversee, coordinate and monitor training activities for the Tactical Team.

6. **POLICY.**

- 6.1. When an ICE enforcement activity is determined to involve high risk or to be sensitive in nature requiring tactical capabilities beyond those of the typical ICE enforcement officer, Program Office Directors may authorize the use of specialized Tactical Teams in order to ensure the safe and successful resolution of the action. It is the policy of ICE to conduct enforcement operations requiring the use of Tactical Teams as safely and professionally as possible.
- 6.2. Since the deployment of Tactical Teams to perform enforcement actions is considered to be the use of an elevated level of force, the use of Tactical Teams shall be limited to those circumstances where an elevated level of force and visible presence is deemed necessary to safely and effectively complete an enforcement action. The deployment of Tactical Teams shall be made in accordance with the provisions of this Directive and their use in a particular circumstance shall be justified by articulable facts.

6.3. Program Office Directors or designee shall authorize the use of Tactical Teams within their particular program office. Tactical Teams may be activated and used only for high-risk activities and sensitive circumstances as described in this Directive.

- 1) Tactical Teams will only be used when the use of force can be justified by articulable facts and circumstances and in accordance with this directive.
- 2) The decision to deploy a Tactical Team rests with the Field Responsible Official except in tactical operations involving sensitive circumstances when approval must come from the respective Program Office Director (see Section 8.12 (2)(a)(i)).
- 3) Except during an exigent deployment, the TPM must receive a copy of all operational plans for information purposes at least 24 hours prior to Tactical Team deployments.
- 4) The TPM will notify the NTC as soon as possible prior to the deployment of the Tactical Team.
- 5) If intelligence gathered during the preparation phase indicates that safety may be compromised, the team will not attempt to execute the tactical activity and the Tactical Supervisor will consult with the Field Responsible Official regarding the proper course of action.

6.4. The use of tactical teams are prohibited for the following uses:

- 1) Tactical Teams are prohibited from responding to any type of incident that is not within the scope of ICE law enforcement authority unless directed and approved by the respective Program Office Director.
- 2) Tactical Teams shall not be used for routine enforcement actions or other enforcement activities that do not meet the criteria described in this Directive.
- 3) Tactical Teams shall not be deployed in support of state or local cases outside the jurisdiction or official interest of ICE unless otherwise directed and approved by the respective Program Office Director.
- 4) Tactical Team members shall not conduct other enforcement actions while wearing their ICE Tactical Team uniform unless they are acting in support of an official ICE Tactical Team deployment.

6.5. Field Responsible Officials shall be familiar with the basic concepts of crisis management and tactical operations within the scope of the capabilities for teams under their operational control.

6.6. Tactical Team operations shall only be conducted using properly trained and equipped ICE law enforcement officers. Each Tactical Team shall:

- 1) Consist of at least 12 trained, certified and active Team Members in order to be established and remain active;
 - 2) Have at least one ICE certified Tactical Medic available to support team activities; and
 - 3) Have at least one designated team member who has been specifically trained in the proper use, care, and handling of the chemical agents and specialized munitions as well as in the treatment of affected persons following the use of these munitions.
- 6.7. With the exception of Tactical Supervisors (see Section 6.8), all positions on a Tactical Team are required to meet all the physical skills, firearms, basic training, and recurring in-service training requirements established by the NFFTU. If at any time a Team Member fails to meet any of these standards and becomes non-deployable, he or she will be reassigned from Tactical Team deployment responsibilities until the disqualifying deficiency is corrected.
- 6.8. Tactical Supervisors do not have to meet all physical and firearms skills requirements to carry out the oversight responsibilities of their position; however, they shall be required to attend tactical training provided by the NFFTU. Tactical Supervisors who choose to be deployed as a Team Member shall be fully certified in accordance with all established Tactical Team standards in order to perform Team Member duties in a Tactical Team operation.
- 6.9. As a certified Team Member, the Team Training Coordinator must meet all the basic Tactical Team firearms and physical skills requirements and maintain a current NFFTU firearms instructor or defensive tactics instructor certification.
- 6.10. An ICE certified Tactical Medic shall be onsite during all high-risk Tactical Team deployments and training. Teams that do not have a current ICE Tactical Medic shall coordinate with the ICE Tactical Medical Program Manager within the NFFTU for tactical medic coverage.
- 6.11. Tactical Team operations will be governed by Use of Force guidelines established by DHS and ICE.
- 6.12. High-risk activities shall only be conducted in accordance with the policies and procedures established in this Directive.
- 6.13. A life cycle review of the ICE Tactical Teams Directive and each program's individual Tactical Team Handbook shall be conducted by the NTC every three years to ensure they are consistent with current legal decisions, technological advances and innovations in high-risk law enforcement and special tactical operations. Suggestions for updating this Directive during the life cycle review should be sent to the Program Office's TPM and then on to the NTC.

- 6.14. All ICE enforcement components utilizing Tactical Teams are required to adhere to this Directive. Failure to comply with the provisions of this Directive may result in disciplinary action.

7. RESPONSIBILITIES.

7.1. The Director, NFFTU is responsible for:

- 1) Overseeing the development of guidance and procedures for the ICE Tactical Team Program;
- 2) Serving as the NTC (at his or her discretion the Director may delegate the responsibilities of the NTC to another member of the NFFTU staff);
- 3) Ensuring that the NFFTU provides guidance and support for the national ICE Tactical Team program including the review of field Tactical Team programs, post-deployment reports, training, and the delivery of basic and other specialized tactical certifications as required;
- 4) Ensuring that the acquisition, testing, and evaluation of specialized weapons, ordnance, and equipment for Tactical Team operations is conducted by the NFFTU as required, or at the specific request of the Program Office Director; and
- 5) Briefing the Deputy Assistant Secretary (DAS) Operations on all facets of the Tactical Team program.

7.2. National Tactical Coordinator is responsible for:

- 1) Conducting a life cycle review of the ICE Tactical Teams Directive and assisting each Program Office with the review and update of their respective Tactical Team handbook or supplemental guidelines every three years;
- 2) Briefing the Director, NFFTU, if necessary, on all facets of the Tactical Team program;
- 3) Consulting on tactical operations when requested;
- 4) Serving as the liaison with each Program Office's TPM and other law enforcement agencies with Tactical Teams outside ICE;
- 5) Reviewing and preparing reports concerning all Tactical Team deployments, training sessions, and other significant activities agency-wide at the direction of the Director, NFFTU;
- 6) Determining the level and status of team accreditations;

- 7) Establishing and maintaining a national training curriculum for basic, advanced, and in-service Tactical Team training programs;
- 8) Validating team skills; and
- 9) Managing national training exercises and Tactical Team capability evaluations.

7.3. Program Office Directors, or their designees, are responsible for:

- 1) Authorizing and establishing Tactical Team capability within their program office based on a determination of need and approving the deployment of Tactical Teams under sensitive circumstances;
- 2) Developing written procedures and guidelines for establishing, equipping and operating Tactical Teams within their program, consistent with the standards established by this Directive (these program specific guidelines and procedures must be approved by the Director, NFTTU before they are utilized to establish or operate any Tactical Team);
- 3) Designating in writing a TPM for their program office; and
- 4) Ensuring adequate resources are available to equip, train and maintain all approved Tactical Teams.

7.4. Program Office TPMs are responsible for:

- 1) Working in coordination with the NTC to conduct the life cycle review of their respective program's Tactical Team handbook every three years;
- 2) Briefing their respective Program Office Directors on all facets of their respective Tactical Team program and ongoing Tactical Team operations;
- 3) Reviewing sensitive circumstance operational plans prior to deployment and notifying the NTC;
- 4) Consulting on tactical operations when requested;
- 5) Notifying the NTC as soon as possible prior to deployment, and forwarding reports concerning all Tactical Team post deployment reports, programs, training sessions, and other significant activities within five business days;
- 6) Maintaining a list of all approved teams and team members, their readiness, and their deployment status for his or her program area; and
- 7) Coordinating with the NTC regarding the evaluation of team skills.

7.5. Field Responsible Officials are responsible for:

- 1) Forming Tactical Teams in their area of responsibility when authorized by their Program Office Director;
- 2) Maintaining control over the operational and administrative functions for all Tactical Teams under their authority;
- 3) Approving team member selection;
- 4) Authorizing the deployment of Tactical Team for appropriate enforcement activities except when sensitive circumstances exist when approval must come from the Program Office Director;
- 5) Reviewing and approving all operational plans prior to execution;
- 6) Delegating tactical responsibility to Tactical Supervisors with tactical expertise;
- 7) Ensuring that Tactical Teams meet all requirements contained in this Directive, as well as requirements established by the program office;
- 8) Ensuring that Tactical Teams have the equipment and personnel needed to function;
- 9) Ensuring that their program's TPM is provided with after action reports within 48 hours after the termination of operations;
- 10) Providing data on all Tactical Team operations, programs, training sessions, and other significant activities to the program's TPM; and
- 11) Conducting annual management reviews of Tactical Teams jointly with the program's TPM.

7.6. Tactical Supervisors are responsible for:

- 1) Exercising command and control over the Tactical Team at all times, through their Team Leaders, during the deployment phase of an operation;
- 2) Briefing Field Responsible Officials regarding the status and readiness of the team to perform high-risk or sensitive operations;
- 3) Preparing quarterly reports for submission to the TPM describing team readiness and individual member deployment status in a format prescribed by the Director, NFFTU;
- 4) Coordinating response objectives with the requesting officer or official where applicable;

- 5) Reviewing and discussing with the Field Responsible Official all operational plans prior to execution to ensure that actions are consistent with ICE policies;
- 6) Attending the pre-operation briefing and the post-operation debriefing;
- 7) Ensuring that all actions taken by the team (including individual team members) are in accordance with all applicable laws, rules, regulations, directives, procedures and standards of conduct;
- 8) Maintaining an on-site presence during Tactical Team deployments;
- 9) Maintaining a file containing the reports of each team deployment, to include the relevant operational documents such as the Risk Analysis for Tactical Operations (see Attachment 2) and Pre-Entry Planning Worksheet (see Attachment 3) (other forms such as the Team Leader's report and individual team member reports will also be included when applicable);
- 10) Reviewing and approving all local Tactical Team training; and
- 11) Maintaining and issuing team equipment, ensuring that there is sufficient equipment to support mobilization efforts, and notifying the local field authority of equipment needs.

7.7. Team Training Coordinator is responsible for:

- 1) Submitting all training proposals to the Tactical Supervisor for review and approval, and scheduling and conducting all Tactical Team training; and
- 2) Maintaining records to ensure that the members meet minimum monthly training requirements, annual physical skills tests, and reviewing firearms qualification scores.

7.8. Team Leaders are responsible for:

- 1) Preparing and submitting to the Field Responsible Official for approval prior to the commencement of tactical enforcement operations, a written, detailed operational plan (requesting officers or officials will assist Team Leaders by providing all information in the Risk Analysis for Tactical Operations (see Attachment 2));
- 2) Directing team member actions and assigning tasks during planning and deployment;
- 3) Accounting for the status of team members, violators, subjects (as applicable), and weapons at the conclusion of all operations and ensuring that all areas and persons are cleared, controlled, and secured;
- 4) Preparing an after-action report containing a synopsis of the overall operation following each tactical enforcement action for distribution to their Field Responsible Official through the Tactical Supervisor within 24 hours after the completion of the

enforcement action and to the TPM through their designated chain of command within 48 hours; and

- 5) Retrieving and securing spent diversionary devices, less-lethal devices or other munitions after deployments for storage and evidentiary purposes as applicable.

7.9. Team Members are responsible for:

- 1) Maintaining firearms proficiency scores of at least 90 percent with all of their ICE authorized handguns, Tactical Team shotguns, rifles, or submachine guns, as applicable;
- 2) Passing the annual Tactical Team physical skills test;
- 3) Ensuring that their equipment is properly maintained and available for operational use at all times;
- 4) Attending Tactical Team training sessions (minimum of eight hours a month);
- 5) Providing feedback to the Tactical Supervisor and Team Leader on training and operations;
- 6) Assisting in the planning and coordination of deployments, training, and other team activities;
- 7) Ensuring that proper safety and tactical considerations are adhered to at all times and notifying the Tactical Supervisor if deficiencies are discovered;
- 8) Attending both a pre-operation briefing and a post-operation debriefing session when scheduled to participate in a specific tactical enforcement operation;
- 9) Contributing to after-action reports as requested by the Team Leader; and
- 10) Being available for extended deployments.

8. PROCEDURES.

8.1. Establishing Tactical Teams. The request for the establishment of a Tactical Team shall be approved or denied by the Program Office Director, based on the following procedure:

- 1) The field office requesting (or renewing) a Tactical Team shall complete a local risk assessment of their Field Responsible Official's area of responsibility utilizing the criteria and format established in the Risk Assessment Memorandum for Establishing and Maintaining Tactical Teams (see Attachment 1). This memorandum shall be completed with guidance from the Program Office's TPM and shall contain information pertaining to the nature of the office's enforcement activities, staffing

levels of the office, adherence to the Program Office's specific guidelines and procedures for Tactical Teams.

- 2) The completed risk assessment shall then be sent to the respective Program Office Director through the Director, NFFTU. The Director, NFFTU shall review the assessment and shall make a recommendation in regard to the establishment of the Tactical Team.
- 3) The Director, NFFTU, will forward the risk assessment along with his/her personal recommendation to the respective Program Office Director who shall grant the final approval or denial of the request.
- 4) Once a Tactical Team is established and activated, subsequent risk assessments shall be completed every three years and reviewed by the TPM and the respective Field Responsible Official to determine whether the need for the team still exists. If it is determined that the need for the team still exists the assessment will be forwarded to the Program Office Director to approve the continuing activation of team.

8.2. Selection of Team Members. Prospective Tactical Team members will be selected from volunteers by the Tactical Supervisor and approved by the Field Responsible Official. If there are not enough volunteers, a Tactical Team will not be established by the office. Primary criteria for selection will be enforcement experience, sound judgment, professionalism, discipline, compatibility, physical skills, and firearms proficiency. The selection process shall be as follows:

- 1) The prospective Tactical Team member submits a written request through his or her supervisor to the Tactical Supervisor;
- 2) The Tactical Supervisor interviews the prospective Tactical Team member;
- 3) The Tactical Supervisor interviews the Team Leader and current Tactical Team members regarding the applicant's potential as a Tactical Team member;
- 4) The Tactical Supervisor shall also interview other ICE employees who may be able to provide information about the candidate's aptitude for Tactical Team participation (this may include the Tactical Team candidate's supervisor, co-workers, former supervisors, and former co-workers);
- 5) The Tactical Supervisor ensures that candidates receive medical screenings by an ICE-approved physician to ensure that they can safely undergo the Tactical Team physical skills test;
- 6) The candidate must demonstrate the capability to successfully complete all requirements of the basic NFFTU Tactical Team Training Program, including the physical skills and firearms tests;

- 7) Upon completion of these steps, the Tactical Supervisor will make a recommendation to their Field Responsible Official regarding consideration of the candidate for team membership;
- 8) Tactical supervisors shall not recommend the selection of probationary employees and shall carefully consider the recommendation of any prospective Tactical Team member who has been subject to disciplinary action within the previous two years, based on the nature and circumstances of the action; and
- 9) Candidates approved by the Field Responsible Official and recommended by the Team Leader as capable of meeting all the basic training requirements will be scheduled to attend the basic NFTTU Tactical Team Training Course.

- 8.3. **Deactivation of Team Members.** Team members may be temporarily or permanently placed in inactive status by the Tactical Team Supervisor for failure to demonstrate sound judgment, proper conduct, and the necessary tactical skills. This also includes failure to successfully complete the physical skills test and firearms skills test and any other team member responsibility as prescribed by this directive.
- 8.4. **Basic Tactical Team Training.** Eligibility for membership in a Tactical Team is contingent upon certification of training, which will be granted only after prospective members successfully complete the basic course as prescribed by the Director, NFTTU. This training will be on a pass/fail basis. Training from other law enforcement, military, or private sources is not sufficient to certify team members. In addition, all prospective team members must meet the minimum standards set forth in this Directive.
- 8.5. **In-Service Training.** Tactical Team members will be required to complete a minimum of eight hours of field delivered in-service training per month. This training will be designed and conducted by Team Training Coordinators or other designated instructors approved by the Tactical Supervisor. All in-service tactical training instruction will be conducted on a scheduled non-operational basis and supported by NFTTU-approved lesson plans.
 - 1) Each training session will be documented by a memorandum. Lesson plans and memoranda will be maintained by the team's Training Coordinator.
 - 2) Team members will be allowed at least eight hours of official time each month to attend all required Tactical Team training sessions.
 - 3) Field training conducted after the NFTTU Basic Tactical Team Training Course must be in compliance with all applicable national policies. Any other tactical team training must be approved by the Director, NFTTU.
 - 4) Tactical emergency medical training shall be addressed in a separate directive.
- 8.6. **Tactical Team Physical Skills Test.**

- 1) The Tactical Team Physical Skills Test shall be administered to team members annually by the local physical fitness coordinator or other NFIU designee.
- 2) Physical skills test scores shall be reviewed annually to ensure that team members meet the minimum standards. The minimum standards are as follows:
- a) Push Ups: Must complete 20 push-ups in one minute with full range of motion in tactical gear. For the purposes of this test, tactical gear includes issued NIJ Level IIIA body armor, Tactical Team uniform, helmet, boots, and web gear with handgun.
 - b) Vault: Must climb and clear a 6-foot wall in tactical gear.
 - c) 1.5 Mile Run: Must complete a mile and one-half run within 12 minutes without tactical gear.
 - d) 150 Pound Carry/Drag: Must carry/drag an object of at least 150 pounds a distance of 25 yards in 25 seconds in tactical gear.

8.7. Firearms Skills Test. Prospective members must achieve a firearms qualification score of at least 90 percent with all of their ICE-authorized handgun(s). In addition, Team Members must also achieve a score of at least 90 percent with all shotguns, rifles, or submachine guns utilized by the team, as applicable. This requirement does not include specialized firearms issued to designated officers, such as the M4E or breaching shotguns. The course of fire will be the ICE qualification course for each firearm as established in the ICE Firearms Policy. This requirement excludes firearms used for the deployment of specialized munitions.

- 1) Team members must meet the firearms qualification standards in quarterly tests administered by the local Senior Firearms Instructor.
- 2) Each team member's firearms proficiency scores will be reviewed by the Team Training Coordinator on a quarterly basis to ensure that they meet minimum team standards. Any deficiencies will be reported to the Tactical Supervisor.
- 3) Team members who fail to achieve a qualifying score of 90 percent will be required to undergo remediation. The team member may remain on the team while remediation is conducted but will be excluded from operations until the qualifying standard is met.

8.8. Failure and Remedial Training.

- 1) Failure to meet the skills and firearms standards prescribed in this directive or failure to complete the minimum eight hours per month training sessions for two consecutive months will be reported by the Team Training Coordinator, through the Tactical Supervisor, to the Field Responsible Official. The Tactical Supervisor will provide this

information to the TPM in quarterly readiness reports. The affected team member(s) will be placed on inactive status.

- 2) Members who fail to meet minimum standards may be placed on inactive status pending remediation or removed from the team as determined by the Tactical Supervisor.
- 3) Team members who have not demonstrated proficiency with any issued or authorized firearm pursuant to the standards set forth in the ICE Firearms Policy or those failing to achieve the qualifying standard of 90 percent after remediation will be removed from the team.
- 4) Members who are placed on inactive status will not be allowed to participate in operations until the disqualifying deficiency is corrected. However, they will be allowed to train with the team upon approval by the Tactical Supervisor.
- 5) Members who are on inactive status due to failure to meet physical skill and firearms proficiency standards may be placed on active status immediately after successfully meeting those standards.
- 6) Members placed on inactive status due to failure to attend in service training may be reactivated after attending organized training sessions and after the Tactical Supervisor has determined that their skill levels are adequate.
- 7) Members who have been inactive for a period of five years or more will be required to re-attend the NFFTU Basic Tactical Team Training Course.

8.9. Authorized Attire and Equipment. Tactical Team members within a program office should be attired and equipped similarly and be clearly identifiable as law enforcement personnel. Therefore, only ICE-authorized uniforms and equipment shall be used by Tactical Team personnel.

1) Attire

- a) Tactical Team members will only wear appropriate tactical clothing that is authorized by their respective Program Office Director and clearly displays the word 'POLICE' in white on the front and back of the outermost garment (e.g., raid shirt, Tactical Team uniform, raid jacket, body armor, and load bearing vest). Exceptions to this rule may be made during covert operations as operationally necessary. This requirement is in addition to the use of appropriate body armor.
- b) If, during the course of a covert surveillance, an arrest or other enforcement action is to be made, officers will immediately affix identifying insignia to their uniforms in a conspicuous location.

- c) The approved Program Office Tactical Team patch shall be displayed on the left arm.
- d) Local Tactical Team patches (if worn and approved by the respective Program Office Director) should be on the upper right arm just below the shoulder.
- e) Program Office Directors will publish specific guidelines regarding attire to be used by Tactical Teams within their program office.

2) Equipment

- a) **Individual Equipment.** Team members will be issued equipment that is appropriate for the specific operational mission in accordance with the guidelines set forth by the respective Program Office Director for the Tactical Team and in compliance with applicable ICE standards set forth by the Director, NFFTU.
- b) **Team Equipment.** Tactical Teams will be issued equipment that is appropriate for the specific operational mission in accordance with the guidelines set forth by the respective Program Office Director for the Tactical Team and in compliance with applicable ICE standards set forth by the Director, NFFTU. Issuance of equipment to Tactical Teams must also comply with any other ICE Directives relating to the issuance of equipment such as those covering health and safety, acquisition management, uniforms or other subjects not managed by the Director, NFFTU.

8.10. Use of Chemical Agents, Specialized Munitions and Intermediate Force Devices.

- 1) The use of chemical agents and specialized munitions must conform to the guidelines established in the ICE Use of Force Policy.
- 2) Authorized types of chemical agents and specialized munitions may be used only in accordance with the ICE Use of Force Policy and approved in writing by the Program Office Director.
- 3) Each team must have at least one designated team member who has been specifically trained in accordance with procedures established by the Director, NFFTU, in the proper use, care, and handling of the chemical agents and specialized munitions authorized by the ICE Use of Force Policy as well as in the treatment of affected persons following the use of these munitions.
- 4) The use of intermediate use of force devices must be in compliance with the ICE Use of Force Policy and the device must be approved in writing by the Program Office Director.

- 8.11. **Planning.** All team operations will be properly planned in accordance with procedures established by the NFFTU. Program specific planning templates, forms or memoranda may be created, but they must contain the minimum elements for these actions as listed in

the Attachments to this directive and shall require approval from the respective Program Office Director and the NTC before they can be used. Operational plans must include a Risk Analysis for Tactical Operations (see Attachment 2) and Pre-Entry Planning Worksheet for Tactical Operations (see Attachment 3). All operations should be conducted with a concern for public safety.

8.12. Deployment of Tactical Teams.

1) Enforcement Actions Involving High Risk Activities.

- a) High Risk Activities under Normal Conditions. When requesting the deployment of Tactical Teams during enforcement actions that include high-risk activities, the following procedures shall be followed:
 - i) ICE agents and officers shall submit a request for the deployment of Tactical Teams through their supervisor to the Tactical Supervisor. This request will include a completed Risk Analysis for Tactical Operations which shall be submitted at least 48 hours prior to any ICE enforcement operation.
 - ii) The Tactical Supervisor will ensure the accuracy and completeness of the Risk Analysis for Tactical Operations that will be used as a guide in determining the need to use Tactical Team resources.
 - iii) The requesting officer may be assisted by the Tactical Supervisor or Team Leader in preparing the Risk Analysis for Tactical Operations. The requesting officer or agent most knowledgeable of the situation will be readily accessible to provide the Tactical Supervisor with all relevant information.
 - iv) In circumstances where a search or arrest warrant will be executed, the requesting officer or agent will ensure the warrant's validity and provide copies to the Tactical Supervisor, who will verify the warrant.
 - v) The Risk Analysis for Tactical Operations will be discussed with the requesting officer's immediate supervisor and the supervisor of the appropriate Tactical Team. If Tactical Supervisors feel that the request justifies the deployment of the Tactical Team they will forward the request to the Field Responsible Official for their approval and authorization to activate the team.
 - vi) For the purposes of this Directive, examples of high-risk activities include but are not limited to, the following situations:
 - A) A suspect with a history of violence or resisting arrest;
 - B) Fortified buildings, property, vessels, or other structures or conveyances that require the use of specialized equipment to gain access;

- C) Suspects who are members of organizations that advocate violence;
 - D) Situations that would overwhelm the resources and capabilities of an officer or office with standard equipment and training;
 - E) A disturbance at an ICE detention facility that poses a risk of physical injury; and
 - F) Other situations where the totality of circumstances presents an above average risk of danger.
- b) High Risk Activities requiring Exigent Deployment. When circumstances exist in a high risk activity that dictate the immediate deployment of a Tactical Team the procedures outlined in section 8.12(1)(a) will be followed, with the exception that:
- i) The 48-hour requirement for submission of Risk Analysis for Tactical Operations may be waived at the discretion of the Tactical Supervisors; and
 - ii) Copies of all operational plans will be forwarded to the TPM for informational purposes as soon as practicable.

2) Enforcement Action involving Sensitive Circumstances.

- a) Sensitive Circumstances under Normal Conditions. When an enforcement action involves sensitive circumstances the following procedures shall be followed:
- i) Field Responsible Officials shall request approval, through their TPM, from their respective Program Office Director for all Tactical Team operations involving sensitive circumstances. The Field Responsible Official will forward the request to the respective Program Office Director at least 24 hours prior to the time of the anticipated operation except during an exigent deployment. The request package will consist of:
 - A) A cover memorandum;
 - B) A completed Pre-Entry Planning Worksheet for Tactical Operations;
 - C) A completed Risk Analysis for Tactical Operations; and
 - D) A completed Request for the Use of a Tactical Team Under Sensitive Circumstances.
 - ii) The Program Office Director shall respond in writing within 12 hours of receipt of the written request. Approval or disapproval will be indicated on the Request for Use of a Tactical Team Under Sensitive Circumstances document

(Attachment 4) which will be returned to the Field Responsible Official and followed up by a telephone call from the TPM.

iii) For the purposes of this Directive, examples of sensitive circumstances include but are not limited to, the following situations:

- A) Any operation requiring the combined use of Tactical Teams from different ICE program offices or deployments that may be uniquely hazardous due to geographical, environmental, or other factors requiring a larger tactical presence or unique skills possessed by other teams;
 - B) A tactical deployment in support of an enforcement action that involves possible corruption or other criminal conduct by any elected or appointed official, or political candidate for a judicial, legislative, management, or executive level position of trust in a Federal, state, or local government entity or political subdivision thereof;
 - C) A tactical deployment in support of an enforcement action that involves possible corruption or other criminal conduct by any foreign official or government, religious organization, political organization, celebrities, or the news media;
 - D) A tactical deployment in support of an enforcement action that involves any activity having a significant effect on or constituting a significant intrusion into the legitimate operation of a Federal, state, or local government entity; and
 - E) The deployment of a Tactical Team for an enforcement action that is not within the scope of ICE enforcement authority or in support of state or local cases outside the jurisdiction or official interest of ICE.
- b) Exigent Deployment under Sensitive Circumstances. When there is an operational necessity for the exigent deployment of a Tactical Team under sensitive circumstances the following procedures shall be followed:
- i) Under these circumstances the Field Responsible Official must submit a Request for the Use of a Tactical Team Under Sensitive Circumstances through the TPM to the Program Office Director for approval prior to deployment. The Program Office Director may establish procedures to delegate the approval responsibility for the exigent deployment of Tactical Teams under sensitive circumstances in certain conditions. Absent any program specific delegation procedures, Program Office Directors remain the approving authority and shall respond within four hours.
 - ii) If the Pre-Entry Planning Worksheet for Tactical Operations and Risk Analysis for Tactical Operations were not submitted at the time of the original request,

both documents should be submitted to Program Office Director through the TPM, prior to the time of the operation. At that time approval may be rescinded due to safety concerns.

- iii) The TPM will notify the NTC as soon as possible prior to the deployment of the Tactical Team.

3) Request for Tactical Team Deployment by Another ICE Office.

- a) Requests for tactical support from field offices without approved Tactical Teams must be made by the Field Responsible Official of the requesting office directly to the Field Responsible Official of a corresponding office with an approved team.
- b) Funding for support of the tactical operation will come from the local field office requesting the use of the Tactical Team.
- c) Coordination for support of Tactical Team operations outside any particular ICE operational component will be accomplished by the NFTTU.

8.13. Tactical Medic Requirements.

- 1) An ICE certified Tactical Medic shall be onsite during all high-risk Tactical Team deployments and training.
- 2) Active Tactical Teams that lose their Tactical Medic may remain active while obtaining a replacement. However, until the replacement is obtained, Tactical Teams shall coordinate tactical medical coverage with the ICE National Tactical Medical Program Manager for support during high-risk deployments or other high risk Tactical Team activities.
- 3) Tactical medical operations shall be conducted in accordance with any separate, relevant ICE policies.
- 4) A tactical medical threat assessment shall be completed prior to all operational deployments as part of the operational plan.

8.14. After-Action Procedures.

- 1) At the conclusion of the operation, all team members will meet at a location selected by the Team Leader or Tactical Supervisor for a mandatory debriefing session.
- 2) Team members should not discuss the details of the operation with anyone outside the team unless required by policy or instructed to do so by the Field Responsible Official or their designee.

- 3) The Tactical Supervisor and Team Leader will critique the overall operation with team members. The purpose of this debriefing is to improve team performance. The Team Leader will ensure that all necessary information is provided to follow-up investigators and supervisors.
- 4) Team Leaders or their designees will ensure that all team equipment is retrieved from the scene after the operation.

8.15. Reporting Requirements.

- 1) The Tactical Supervisors or their designees will maintain all reports.
- 2) Copies of after action reports and cancellation notices will be submitted through their designated chain of command to the TPM within 48-hours.
- 3) The TPM shall forward the information to the NTC.

8.16. After-Action Reports.

- 1) Within 24 hours after the end of the operation, the Team Leader will prepare an after-action report.
- 2) The report will include the names of the participating team members and the name of the requesting case agent.
- 3) The report will detail why the team was requested, other options that were considered, how the operation was planned, and a summary of events.
- 4) Copies of relevant documents will also be provided, including the Risk Analysis for Tactical Operations document, Pre-Entry Planning Worksheet for Tactical Operations document, and a Use of Force Incident Report (if applicable).
- 5) The team leader will include in the after-action report information regarding any extraordinary property damage. Property damage is considered extraordinary when it exceeds that damage which is required to accomplish the objective of the operation. This report will be approved by the Tactical Supervisor and submitted to the Field Responsible Official for review.
- 6) Team members will submit copies of reports for the use of chemical agents or any force above soft techniques in accordance with the provisions of the ICE Use of Force Policy to the Team Leader for inclusion in the after action report.
- 7) In the case of distraction devices, Team Members will include in the after action report the circumstances that necessitated the use of the device, the make, model and serial number and results in accordance with procedures prescribed by the Director, NFTTU.

8.17. Cancellation of an Operation.

- 1) In the event of a cancellation of a scheduled operation, the Team Leader will make a notation on the tactical operation plan explaining why the operation was canceled.
- 2) The Tactical Supervisor shall notify the Field Responsible Official of all cancellations.
- 3) The Tactical Supervisor will keep all cancelled operation plans on file.

8.18. Team Readiness Reports.

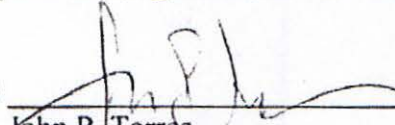
- 1) Tactical Supervisors will forward quarterly team readiness reports to the TPM, through the Field Responsible Official, no later than five days following the end of each quarter using the Tactical Team Status Report prescribed by the Director, NFFTU. These reports will include the number of organized official Tactical Teams training sessions and date of last team deployment.
- 2) This report will include a roster of current and prospective team members and will also include the following information for each Team Member:
 - a) Date of initial Tactical Team training;
 - b) Date of last successful Tactical Team firearms and physical skills tests;
 - c) Date last attended organized official Tactical Team training;
 - d) Number of organized Tactical Team training sessions attended; and
 - e) Date of last Tactical Team deployment and deployment status.
- 3) The TPM will forward the quarterly team readiness reports to the Program Office Director, with a copy to the Director, NFFTU.

9. ATTACHMENTS.

- 9.1. **Attachment 1.** Risk Assessment Memorandum for Establishing and Maintaining Tactical Teams.
- 9.2. **Attachment 2.** Risk Analysis for Tactical Operations.
- 9.3. **Attachment 3.** Pre-entry Planning Worksheet for Tactical Operations.
- 9.4. **Attachment 4.** Request for the Use of a Tactical Team Under Sensitive Circumstances.
- 9.5. **Attachment 5.** Quarterly Team Status Report.

10. **NO PRIVATE RIGHT STATEMENT.** This Directive is an internal policy statement of ICE. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; or any other person.

Approved


John P. Torres
Acting Assistant Secretary
U.S. Immigration and Customs Enforcement

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ATTACHMENT 1

**Risk Assessment Memorandum for Establishing
and Maintaining Tactical Teams**

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The determination of whether or not to have a Tactical Team is based on a local risk assessment of the Responsible Official's area of operation using the criteria listed below. The risk assessment memorandum shall, as a minimum, include the following information:

1. Location of Requesting Office
2. Request Date
3. Does the office currently have a Tactical Team?
 - a. If yes, how many deployments in the past three years; and
 - b. If yes, please include a breakdown of the nature of deployments.
4. Operational Component Background Information:

Within the past three years, how many enforcement actions involved the following:

- a. Arrests of suspects with a history of violence or resisting arrest;
- b. Arrests of armed suspects;
- c. Forcible entry into fortified buildings;
- d. Arrests of suspects who were members of organizations that advocate violence;
- e. Seizures or arrests involving large amounts of narcotics or currency;
- f. Escort and protection of evidence destruction;
- g. Response to disturbances in an ICE detention facility requiring the use of organized crowd control tactics or specialized munitions; and
- h. Other enforcement activities whose totality of circumstances presented a greater than normal risk.

ATTACHMENT 2

Risk Analysis for Tactical Operations

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The following information, as a minimum, must be addressed in the risk analysis for tactical operations document:

1. Case Number
2. Date
3. Type of Operation:
 - a. Search warrant;
 - b. Arrest warrant; or
 - c. Other operation.
4. Subject Assessment:
 - a. Name (to include alias names);
 - b. Address;
 - c. Date of birth;
 - d. Physical identification information and description;
 1. Sex;
 2. Race;
 3. Age;
 4. Hair;
 5. Weight;
 6. Height;
 7. Build;
 8. Scars; marks, and/or tattoos; and
 9. Other relevant information.
 - e. Business name and address;
 - f. Criminal history and numbers;
 - g. Other relevant personal history;

- h. Vehicle description, to include make, model, color, and license number(s); and
- i. Other relevant information for risk assessment.

5. Information Sources Checklist with Dates Checked:

- a. Utilities;
- b. Driver's license;
- c. ICE Information Systems (TECSII, NAILS, etc.);
- d. National law enforcement database systems (NCIC, NLETS, etc.);
- e. Other Federal law enforcement database systems (NADDIS, FBI, etc.);
- f. Other DHS database systems;
- g. Property records;
- h. State and local law enforcement sources and database systems;
- i. Coordination with any local de-confliction process; and
- j. Other relevant information for risk assessment.

6. Critical Information with Reference:

- a. Record of Violence:
 - 1. Homicide;
 - 2. Assault;
 - 3. Robbery;
 - 4. Rape;
 - 5. Major narcotic violator;
 - 6. History of resisting arrest; and/or
 - 7. Other relevant violent behavior.
- b. Parole History:
 - 1. On parole;
 - 2. On probation; and/or
 - 3. Other form of supervised release.

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- c. Substance Abuse:
 - 1. Drugs;
 - 2. Alcohol; and/or
 - 3. Other.
- d. Mentally Unstable:
 - 1. Legally;
 - 2. Apparent; and/or
 - 3. Other.
- e. Military, Police, or Tactical Training
- f. Associations:
 - 1. Known criminals;
 - 2. Criminal organizations;
 - 3. Para-military;
 - 4. Terrorist;
 - 5. Religious extremist;
 - 6. Separatist; and/or
 - 7. Other.
- g. Weapons:
 - 1. Rifles;
 - 2. Shotguns;
 - 3. Handguns;
 - 4. Explosives;
 - 5. Automatic firearms;
 - 6. Edged Weapons;
 - 7. Animals; and/or
 - 8. Other relevant weapons.

7. Site Assessment:

- a. Urban;
- b. Rural;
- c. Geographical barriers;
- d. Fortifications;
- e. Booby traps
- f. Electronic counter-surveillance;

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- g. Hazardous materials;
 - h. Possible armed counter-surveillance;
 - i. Others subjects at location, to include children; and/or
 - j. Other relevant information.
8. Diagram drawing(s) to scale of the location(s) must be attached to this document, to include photographs, if possible, for review and assessment. A narrative description must be included with the diagram.
9. Certification:
- 1. Tactical Team required;
 - 2. Tactical Team not required; or
 - 3. Other courses of action recommend.
10. Signature block for approval by:
- 1. Tactical Supervisor
 - 2. Responsible Official

ATTACHMENT 3

**Pre-Entry Planning Worksheet
for Tactical Operations**

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The following information as a minimum must be addressed in the pre-entry planning worksheet for tactical operations document:

1. Date
2. Case Number
3. Case Title
4. Case Agent
5. Description of situation requiring law enforcement action
6. Type of Operation:
 - a. Search Warrant:
 1. Warrant number;
 2. Court and judge;
 3. Date signed;
 4. Special provisions; and/or
 5. Other relevant information.
 - b. Cover / Protection / Undercover Operation
 - c. Other
7. Anticipated Date and Time of Operation:
 - a. Briefing date, time, and location;
 - b. Assembly date, time, and location; and
 - c. Deployment date, time, and location.
8. Address and Full Description of Location(s):
 - a. Address(es)
 - b. Description(s);
 - c. Diagrams;

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- d. Drawings;
 - e. Photographs; and/or
 - f. Other relevant descriptive information.
9. Weapons Possessed or Available to Occupants
10. Counter-surveillance:
- a. Human;
 - b. Electronic;
 - c. Animal; and/or
 - d. Other devices.
11. Subject Assessment(s)
- a. Name (to include alias names);
 - b. Address;
 - c. Date of birth;
 - d. Physical identification information and description;
 - 1. Sex;
 - 2. Race;
 - 3. Age;
 - 4. Hair;
 - 5. Weight;
 - 6. Height;
 - 7. Build;
 - 8. Scars, marks, and/or tattoos; and
 - 9. Other relevant information.
 - e. Business name and address;
 - f. Criminal history and numbers;
 - g. Other relevant personal history;
 - h. Vehicle description, to include make, model, color, and license number(s); and

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- i. Other relevant information for risk assessment.

12. Personnel Involved:

a. Undercover Law Enforcement Personnel:

- 1. Name(s);
- 2. Call sign;
- 3. Description(s);
- 4. Vehicle(s); and/or
- 5. Other information.

b. Assisting Law Enforcement Personnel:

- 1. Name(s);
- 2. Call sign;
- 3. Description(s);
- 4. Vehicle(s); and/or
- 5. Other information.

c. Support Personnel

1. Crisis response/hostage negotiators

- a. Name(s)
- b. Contact information
- c. Other information

2. Interpreters

- a. Name(s)
- b. Contact information
- c. Other information

13. Tactical Team Personnel Assignments:

- a. On-scene Commander;
- b. Tactical Supervisor;
- c. Team Leader;
- d. Perimeter Control Team Member;
- e. Entry Team Members;

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- f. Tactical Observer;
 - g. Other assignments.
- 14. General Instructions
- 15. Specific Instructions
- 16. Diagram drawing(s) to scale of the location(s) must be attached to this document, to include photographs, if possible, for review and assessment. A narrative description must be included with the diagram.
- 17. Alternative Plan of Action
- 18. Communications
 - a. Primary radio channel;
 - b. Secondary radio channel;
 - c. Go signal;
 - d. Abort signal;
 - e. Command post location; and/or
 - f. Other relevant information.
- 19. Logistics
 - a. Equipment required; and
 - b. Equipment issued to each team member.
- 20. Medical Emergencies
 - a. Ambulance on-scene;
 - b. Tactical Emergency Medical Technician;
 - c. Name and location of nearest appropriate hospital as determined by the Medical Threat Assessment;
 - d. Route to hospital; and
 - e. Other relevant information.

21. Contingencies

Any incident or situation listed below that is encountered during the operation must be addressed in the narrative portion of this document:

- a. Shots Fired by Suspect(s):
 - 1. Shots fired on approach;
 - 2. Shots fired as entry is made; and/or
 - 3. Shots fired after entry is made.
- b. Officer Down
 - 1. Officer down on approach;
 - 2. Officer down as entry is made; and/or
 - 3. Officer down after entry.
- c. Deploy Diversionary Devices / Chemical Agents
 - 1. Children present;
 - 2. Elderly present;
 - 3. Flammable materials present; and/or
 - 4. Other relevant information.
- d. Hostage(s) Taken
 - 1. Law enforcement officer(s);
 - 2. Civilian(s);
 - 3. Suspect(s); and/or
 - 4. Other subject(s).
- e. Forfeited site
- f. Booby traps
- g. Hazardous materials
- h. Counter-surveillance
- i. Armed suspect(s)
- j. Animals
- k. Other law enforcement agencies present
- l. Other relevant information

22. Post-Arrest/Operation Procedures

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- a. Prisoner transport;
- b. Prisoner processing;
- c. Prisoner interviewing; and/or
- d. Other relevant information and assignment locations.

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ATTACHMENT 4

Request for the Use of a Tactical Team Under Sensitive Circumstances (Specify if Exigent Deployment Required)

The following information must be addressed as a minimum in the request for the use of a Tactical Team under sensitive circumstances:

1. Case Number
2. Date and Time of Request
3. Field Office
4. Date and Time of Anticipated Tactical Team Operation
5. Description of situation requiring law enforcement action
6. Type of Operation:
 - a. Search Warrant;
 - b. Arrest Warrant; and/or
 - c. Other Operation.
7. Names of Subject(s)
8. Location(s) of Tactical Team Operation
9. Full Tactical Team Operation Narrative
10. Requesting Official
 - a. Name;
 - b. Title;
 - c. Signature block;
 - d. Address; and
 - e. Contact telephone numbers.
11. Approving Official

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- a. Name;
- b. Title;
- c. Approval / disapproval blocks; and
- d. Signature block.

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Attachment 5 Quarterly Team Readiness Report

Team Quarterly Reporting			[Insert Program Office]						
Date:			Report for the	(mm/dd/yy)					
Location:			Quarter Ending						
Tac Sup:			Date of Initial	Date of Last	Date of Last	Date Last Attended	No. of Team Deployments	Team Deployable	
	ICE Certified Members - L,F,MI:	Position	Team Cert	Successful F.S.T.	Successful P.S.T.	Team Monthly Trn.	(Non-training) In Period	Yes	No
1		TL							
2		ATL							
3		Trng Co							
4		Tac Medic							
5		Team Mem							
6		Chem Ins							
7									
8									
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24									
25									

Status Totals 0 0

F.S.T. - Firearms Skills Test

P.S.T. Physical Skills Test

Team Deployable agents are only those agents who have met the initial, monthly, and quarterly Tactical Team training requirements.