

**Appendix for Memorandum of Agreement (MOA) between the
US Department of Homeland Security (DHS) and the
US Department of Agriculture (USDA)
Article 4, Training**

I. Purpose

- A. This Appendix details the responsibilities of the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS), and, Department of Homeland Security (DHS) United States Customs and Border Protection (CBP), (hereinafter "the Parties") with regard to training CBP employees to carry out the functions transferred pursuant to the Homeland Security Act of 2002 (the Act), consistent with the Memorandum of Agreement (MOA) between the Parties, Article 4. The training will focus on the specific agricultural import and entry inspection functions transferred to CBP.
- B. This Appendix includes the details of responsibilities, operating procedures, working relationships, communication, and a framework necessary for the Parties to successfully maintain a constructive and relevant training program supporting the agricultural inspection mission.

II. Background

- A. The Homeland Security Act of 2002. Section 421 of the Act transferred to DHS certain functions of APHIS relating to agricultural import and entry inspection.
- B. Memorandum of Agreement. The Secretary of USDA and Secretary of DHS signed the MOA required under section 421(e) of the Act, on February 28, 2003. Article 4 of the MOA pertains to training DHS on functions transferred from USDA.

III. Responsibilities

- A. General.
 - 1. The Parties agree to:
 - a. Provide access to their respective training facilities to each other, subject to relevant security provisions;
 - b. Provide relevant information regarding training initiatives for the CBP Agriculture Specialist and agriculture-related training for the CBP Officer;
 - c. Coordinate and communicate changes in training operations specific to the agricultural inspection mission; and
 - d. Establish points of contact as necessary for expedient processing of information.

2. The Parties will, subject to any necessary OMB approval, jointly develop an annual work plan and budget for agricultural training provided by USDA for DHS.
 3. USDA APHIS shall have the responsibility to supervise the training of DHS CBP employees to carry out the functions transferred under the Act. CBP retains the responsibility to supervise the CBP employees.
 4. USDA APHIS will supervise and provide educational support and systems to ensure that DHS CBP employees receive the training necessary to carry out those functions transferred to DHS CBP. The training includes but is not limited to the following:
 - a. CBP Agriculture Specialist Basic Training;
 - b. CBP Agriculture Specialist Basic Canine Officer Training;
 - c. Agricultural Inspection Mission-related Training for the CBP Agriculture Specialist;
 - d. Agricultural Inspection Mission-related Training for the CBP Officer and other CBP Job Series; and
 - e. Regulatory Pesticide Applicator Recertification for the CBP Agriculture Specialist.
- B. CBP Agriculture Specialist Basic Training. This training serves as the basic academy for new hire CBP Agriculture Specialists. The training is mandatory for all new hires into this series and includes a curriculum of CBP courses on topics such as Professionalism, Integrity, Risk Targeting, Anti-Terrorism; and APHIS courses on topics such as Agricultural Regulatory Decision Making, Pest Identification, Pesticide Certification and Fumigation Training.
1. DHS CBP Agrees to:
 - a. Provide USDA APHIS with projections on numbers of anticipated trainees for Basic Training on a fiscal year basis;
 - b. Collaborate with USDA APHIS on annual class dates;
 - c. Provide USDA APHIS a point of contact in CBP's Office of Human Resources (OHR) responsible for confirming class lists and forwarding accurate lists to USDA APHIS in a timely manner;
 - d. Provide all required administrative support (e.g., trainee travel, uniforms, conduct issues, attendance) for each class;
 - e. Collaborate with USDA APHIS on the administrative guidelines for testing policies and procedures and standards for successful completion (condition of employment);
 - f. Provide summaries of class evaluation data to USDA's Office of Training and Development for future training enhancement;
 - g. Provide subject matter experts for input on design or redesign of agricultural training;
 - h. Collaborate with USDA APHIS on potential course content;

- i. Provide USDA APHIS points of contact for training analysis, design, development and evaluation;
- j. Provide a Class Coordinator and Training Technician, as appropriate, on site for training at the Professional Development Center (PDC) at Frederick, Maryland;
- k. Collaborate with USDA APHIS on minimum notification times for class scheduling and cancellations, as well as minimum and maximum class size;
- L. Provide USDA APHIS a method for the distribution of Agricultural Inspection (AI) mission-related training materials and associated documents, and a mechanism to ensure proper accountability for distribution of same materials and documents (e.g., CD-ROMs, job aids, manuals).

2. USDA APHIS Agrees to:

- a. Collaborate with DHS CBP on annual class dates;
- b. Provide DHS CBP a point of contact for logistical support needed for conducting Basic Training;
- c. Establish and maintain administrative guidelines for testing policies and procedures and standards for successful completion;
- d. Define and validate the content of the core curriculum;
- e. Provide a Project Manager to collaborate with DHS CBP Class Coordinator and Training Technician;
- f. Provide office space and basic operating services for CBP Class Coordinator and Training Technician at the PDC;
- g. Provide all agricultural training materials and associated references;
- h. Provide results of all testing of PPQ-instructed curricula to the DHS CBP point of contact.

C. CBP Agriculture Specialist Basic Canine Officer Training (BCOT). This training serves as the basic academy training for CBP Agriculture Specialists selected into the Canine Program.

1. DHS CBP Agrees to:

- a. Provide USDA APHIS with projections on numbers of anticipated trainees for BCOT on a fiscal year basis;
- b. Collaborate with USDA APHIS on annual class dates;
- c. Provide USDA APHIS a point of contact in CBP's OHR responsible for confirming class lists and forwarding accurate lists in a timely manner;
- d. Provide all required administrative support (e.g., trainee travel, uniforms, conduct issues, attendance) for each class;
- e. Collaborate with USDA APHIS on the administrative guidelines for testing policies and procedures and standards for successful completion (condition of employment);
- f. Provide summaries of post-class evaluation data to USDA's Office of Training and Development for future training enhancement;

- g. Provide subject matter experts for input on design or redesign of agricultural training;
- h. Collaborate with USDA APHIS on potential course content;
- i. Collaborate with USDA APHIS on minimum notification times for class scheduling and cancellations, as well as minimum and maximum class size;
- j. Ensure that in the development of all post-BCOT requirements, USDA is consulted;
- k. Provide USDA APHIS a method for the distribution of AI mission-related training materials and associated documents, and a mechanism to ensure proper accountability for distribution of same materials and documents (e.g., CD-ROMs, job aids, manuals).

2. USDA APHIS Agrees to:

- a. Collaborate with DHS CBP on annual class dates;
- b. Provide DHS CBP a point of contact for logistical support needed for conducting BCOT;
- c. Establish and maintain administrative guidelines for testing policies and procedures and standards for successful completion;
- d. Define and validate the content of the core curriculum;
- e. Provide a Project Manager to collaborate with DHS CBP;
- f. Provide office space and basic operating services for DHS CBP, as appropriate;
- g. Provide all agricultural training materials and associated references;
- h. Provide all required post-BCOT training support;
- i. Provide results of all testing of PPQ-instructed curricula to the DHS CBP point of contact;
- j. Provide summaries of post-class evaluation data to CBP for future training enhancement;
- k. Establish administrative guidelines, define standards and deliver training to CBP canine trainers to enable them to monitor, maintain and improve the proficiency of detector dog teams.

D. Agricultural Inspection (AI) Mission-related Training for the CBP Agriculture Specialist. This training serves as the advanced, new-initiative, or major change in agriculture policy training and includes modules on topics such as Military Cooperator Training.

1. DHS CBP Agrees to:

- a. Provide subject matter experts for input, design or redesign of agricultural training;
- b. Provide qualified CBP Agriculture Specialists for delivery of AI mission-related training;
- c. Provide USDA APHIS follow-up reports on status of completion of required AI mission-related training;

- d. Provide USDA APHIS summaries of class evaluation data to USDA's Office of Training and Development for future training enhancement;
- e. Collaborate with USDA APHIS on administrative guidelines and standards for certifying CBP field trainers;
- f. Allow USDA APHIS access to AI mission-related training sessions to monitor course delivery and training effectiveness;
- g. Ensure that AI mission-related training is completed within established timeframes;
- h. Provide USDA APHIS a method for the distribution of AI mission-related training materials and associated documents, and a mechanism to ensure proper accountability for distribution of same materials and documents (e.g., CD-ROMs, job aids, manuals);
- i. Collaborate with USDA APHIS on potential course content.

2. USDA APHIS Agrees to:

- a. Establish administrative guidelines and standards for certifying CBP field trainers to deliver training;
- b. Provide all agricultural training materials and associated references;
- c. Provide train-the-trainer workshops for CBP field trainers designated to deliver training;
- d. Monitor delivery of training;
- e. Establish protocols and timeframes for delivery of training;
- f. Provide results of all testing of PPQ-instructed curricula to the DHS CBP point of contact.

E. Agricultural Inspection Mission-related Training for the CBP Officer and other CBP Job Series. This training may serve as the basic or advanced training for the CBP Officer, or other job series or titles within CBP, for agriculture inspection and includes courses such as the Threats to Agriculture series offered as part of the CBP Officer Integrated Training, and Agriculture Procedures for Passenger and Cargo Inspection.

1. DHS CBP Agrees to:

- a. Provide USDA APHIS with projections on numbers of anticipated trainees on a fiscal year basis;
- b. Collaborate with USDA APHIS on annual class dates;
- c. Provide USDA APHIS a process that allows for the redesign or modification of requisite AI mission-related training conducted by USDA APHIS at the Federal Law Enforcement Training Center (FLETC);
- d. Provide office space and basic operating services for USDA APHIS Training Specialists and Training Technicians at FLETC;
- e. Provide USDA APHIS a method for the distribution of AI mission-related training materials and associated documents, and a mechanism to ensure proper accountability for distribution of same materials and documents (e.g., CD-ROMs, job aids, manuals);
- f. Provide summaries of class evaluation data to USDA's Office of Training

and Development for future training enhancement;
e. Collaborate with USDA APHIS on potential course content.

2. USDA APHIS Agrees to:

- a. Provide Training Specialists and Training Technicians on-site at FLETC to deliver AI mission-related training;
- b. Provide all AI mission-related training materials, manuals, and associated references;
- c. Collaborate with DHS CBP on annual class dates and training schedule;
- d. Deliver and validate content for the agriculture curriculum;
- e. Provide a Project Manager to collaborate with DHS CBP Basic Academy on all matters relating to AI mission-related training.

F. Regulatory Pesticide Applicator Recertification for the CBP Agriculture Specialist.

This training and recertification is a condition of continued employment for the CBP Agriculture Specialist and is based on Environmental Protection Agency (EPA) requirements.

1. DHS CBP Agrees to:

- a. Provide a point of contact and a process to ensure that the distribution of training materials and related examinations is handled in an efficient and timely manner;
- b. Collaborate with USDA APHIS on administrative guidelines and policies for pesticide recertification training and test administration;
- c. Hold CBP Agriculture Specialists accountable for meeting all stipulated pesticide recertification requirements;
- d. Provide USDA APHIS a method for the distribution of AI mission-related training materials and associated documents, and a mechanism to ensure proper accountability for distribution of same materials and documents (e.g., CD-ROMs, job aids, manuals).

2. USDA APHIS Agrees to:

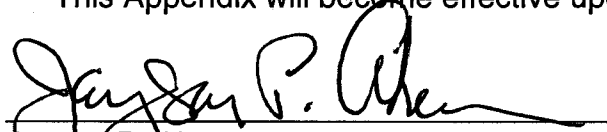
- a. Establish, maintain and communicate pesticide recertification requirements to DHS CBP;
- b. Collaborate with DHS CBP in establishing and maintaining effective communication mechanisms regarding pesticide recertification issues;
- c. Distribute training and testing materials according to the established DHS CBP distribution protocols;
- d. Monitor and track status of pesticide recertification of CBP Agriculture Specialists;
- e. Grade recertification tests, communicate results, and issue certificates according to established DHS CBP distribution protocols;
- f. Establish and maintain administrative guidelines for testing policies and procedures and standards for successful completion.

IV. Revisions and Amendments

- A. This document will serve as an Appendix to Article 4 of the MOA. This Appendix may be reviewed periodically by the Parties when jointly deemed appropriate to determine if any amendments are necessary.
- B. This Appendix may be amended or supplemented at any time by agreement of the Parties in writing.


V. Effective Date

This Appendix will become effective upon date of final signature.



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