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***DISQUIETING STATE OF DISORDER:
AN ASSESSMENT OF DEPARTMENT OF THE INTERIOR
LAW ENFORCEMENT***



United States Department of the Interior

Office of Inspector General
Washington, D.C. 20240

January 14, 2002

Memorandum

To: Secretary

From: Earl E. Devaney
Inspector General

Subject: Assessment of the Department of the Interior's Law Enforcement Activities
(No. 2002-I-0014)

This assessment, conducted at your request, describes the actions needed for effective law enforcement in the Department of the Interior.

We found that the Bureaus have operated their law enforcement programs with minimal Departmental oversight and direction. Most law enforcement offices are under the direction of managers who have limited or no law enforcement experience or training. This decentralized Bureau management has had near total autonomy, with the power to determine law enforcement priorities, funding and investigative direction. This management approach, combined with the Department's hands-off philosophy, has resulted in chronic frustration on the part of the Departmental law enforcement officers and a disquieting state of disorder in the structure and operations of law enforcement throughout the Department.

This report contains 25 recommendations to improve the leadership, organization, control, and accountability of Departmental law enforcement. We would appreciate being kept apprised of the actions the Department takes on our recommendations.

If you have any questions about this report, please do not hesitate to call me at (202) 208-5745.

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OVERVIEW

The Department of the Interior (DOI or Department) has nearly 4,400 law enforcement officers assigned to seven separate and distinct organizational units within five DOI bureaus (see table below for details). This makes DOI's law enforcement contingent the third-largest in the Federal government, after the Departments of Justice and Treasury. Until very recently, DOI law enforcement lacked a centralized organizational structure, rendering it incapable of providing a meaningful single point of contact for the Secretary and her senior managers, especially during a crisis or other major event.

	Uniformed	Agents	Seasonal	Collateral	Correctional	Inspectors	Totals
NPS	1,531	56	499	0	0	0	2,086
USPP	630	0	0	0	0	0	630
BIA	313	100	0	0	124	0	537
FWS-DLE	0	201	0	0	0	90	291
FWS-REF	76	0	0	522	0	0	598
BLM	155	42	0	0	0	0	197
BOR	13	0	0	0	0	0	13
TOTALS*	2,718	399	499	522	124	90	4,352

* All numbers were obtained directly from the Bureaus mid-year 2001.

The historic lack of a prominent DOI law enforcement office has resulted in a void in leadership, coordination and accountability for the law enforcement programs. DOI law enforcement has had no single advocate and no informed senior law enforcement official to offer advice and recommendations to upper management. Without a centralized facilitator, Departmental initiatives have floundered and coordinated law enforcement efforts have been a rarity.

The Bureaus have operated their law enforcement programs with minimal Departmental oversight and direction. Most law enforcement offices are under the direction of managers who have limited or no law enforcement experience or training. The decentralized Bureau management has had near total autonomy, with the power to determine law enforcement priorities, funding and investigative direction. This management approach, combined with the Department's "hands-off" philosophy, has resulted in chronic frustration on the part of DOI law enforcement officers and a disquieting state of disorder in the structure and operation of law enforcement throughout the Department.

Many of the issues uncovered in this assessment have been identified previously in past evaluations, reviews and assessments. In the last three years alone, the Department has spent in excess of \$1.5 million to have law enforcement programs assessed by consultants such as the National Academy of Public Administration (NAPA), International Association of Chiefs of Police (IACP) and Booz, Allen & Hamilton. The Department and Bureaus have demonstrated unwillingness, or inability, to recognize and address the thoughtful recommendations advanced by these professional law enforcement and management experts. The reports have been largely ignored and do little more than gather dust on a shelf.

This report advances many recommendations as well, the first of which have already been accepted and implemented by the Secretary. The report also recommends that each law enforcement program operate under line item budgets and produce accurate cost accounting for their respective programs. Additional Bureau-specific recommendations include increasing the prominence of the law enforcement programs and administrators, and centralizing law enforcement units.

Although this report may be critical of the current condition of DOI law enforcement management and structure, the report does **NOT** address the ability and efforts of the many dedicated and professional law enforcement officers within DOI. Their extraordinary efforts are documented in the daily Bureau law enforcement activity reports and local papers nationwide. The overwhelming majority of law enforcement professionals in DOI are capable and loyal officers who recognize that their programs are in need of considerable change. They are simply looking for leadership from the Department to assist them in their efforts to professionalize law enforcement within their Bureaus.

The Department will find that the recommended changes in the law enforcement programs will enhance, not adversely impact, the individual Bureau programs. Law enforcement officers recognize the need for improvement and some organizational change; however, they also recognize the need to remain an integral part of their respective Bureau programs and remain faithful to their Bureau's mission. The officers are aware that they must improve organizational communication and work closely and cooperatively with their non-law enforcement counterparts.

During the course of this assessment, law enforcement officers throughout the Department expressed a desire to improve their professionalism and reputation by establishing centralized oversight, consistent policy and accountability procedures. They view this report as a final opportunity to implement long-needed changes.

The Office of Inspector General (OIG) has endeavored to objectively report their concerns and recommend changes that will address these concerns and improve the management and operation of law enforcement throughout the Department.

At the request of the Secretary (see Appendix 4), this assessment was conducted over a ten-month period by a team (Assessment Team) of law enforcement professionals who have many years of both federal and local law enforcement experience, and experienced OIG auditors familiar with the DOI law enforcement programs. The Assessment Team conducted over 120 interviews at more than thirty-five field locations in order to gain as comprehensive a view as possible.

In conclusion, the OIG highlights one concern of DOI law enforcement officers -- that this report and its recommendations do not simply become one more for the shelf.

CHAPTER 1. OVERSIGHT AND COORDINATION

Until very recently, the Departmental law enforcement office was the Law Enforcement and Security Team (LEST), located in the Office of Managing Risk and Public Safety (MRPS) under the Assistant Secretary for Policy, Management and Budget (PMB), and staffed with six Full Time Equivalents (FTE). That office was responsible for providing the policy, procedures, standards and coordination to guide all Department law enforcement programs.¹ This responsibility included conducting program compliance inspections, assisting with inter-Bureau operations, investigations, security assessments and program resource support, and participating in criminal intelligence, domestic terrorism, drug program coordination or investigative liaison among the Bureaus and with other Federal law enforcement entities.

Despite heroic efforts, the law enforcement office could never successfully fulfill these myriad responsibilities in the absence of a prominently placed law enforcement official -- armed with adequate staff and support resources -- to oversee, lead, and coordinate the law enforcement program.

In times of crisis or emergency, the Department must have the capability to react swiftly with a synchronized plan of action. The independent nature of the DOI law enforcement units, together with their decentralized management systems, are not conducive to taking decisive action. Presently, the Department would be hard-pressed to execute a coordinated, effective response by its law enforcement personnel. Competing priorities, vague authorities, and muddled vision thwart the best of intentions by the Department and its law enforcement units to launch even the most basic of collaborative efforts.

In the wake of the terrorist attacks on September 11, 2001, the serious organizational and management problems in the law enforcement components of the Department were magnified. Of particular concern was the lack of coordination among the law enforcement components and the absence of a meaningful single point of contact that the Secretary and her senior managers could depend upon for reliable information and advice.

On October 26, 2001, the Secretary took several bold steps to address the organizational and management deficiencies in DOI law enforcement. Adopting preliminary recommendations made by the Office of Inspector General, the Secretary established a Deputy Assistant Secretary for Law Enforcement and Security (DAS-LES), under the Assistant Secretary – Policy, Management and Budget, and a new Office of Law Enforcement and Security (OLES) that reports directly to the DAS-LES. Recognizing that these organizational changes were hollow without attendant staff, support and authority, the Secretary also realigned personnel from the Office of

¹ See Part 446 – Department Manual.

Managing Risk and Public Safety to the new Office of Law Enforcement and Security. Furthermore, the Secretary established a Law Enforcement and Security Board of Advisors, and conveyed, generally, the authority to the Deputy Assistant Secretary for Law Enforcement and Security to serve as the central point of contact for DOI's law enforcement and security policy, programs, and coordination – both internally and externally.

While the Office of Inspector General fully endorses these critical organizational changes, it does so in a context far greater than emergency response, crisis management or homeland security. The OIG assessment targeted improvements in the operations and management of law enforcement throughout the Department, with a view toward economies and efficiencies that might be utilized across Bureau lines. Implementation of the recommendations contained in this report are directed primarily at achieving a highly professional, well-directed, efficient law enforcement operation for the Department of the Interior, which would, in turn put DOI law enforcement in a position to respond effectively to any emergency, crisis or request from the Office of Homeland Security.

Two things rest at the core of effective management: money and people. If these new positions, and the people who fill them, are to have any hope of effectively overseeing law enforcement in DOI, they must be able to influence the budget process and the allocation of employees. Without access to these levers, their power rests solely on the Secretary's willingness to intervene, which, in turn, rests on these officials' willingness to play such a trump card.

Clearly, the establishment of the DAS-LES and OLES give increased prominence to the law enforcement activities and responsibilities of DOI's law enforcement units. These are, however, but the first of many changes necessary to solve the chronic problems that have plagued DOI law enforcement for decades.

Recommendation 1

For the purposes of providing increased coordination and advocacy for law enforcement at the Departmental level, the Department should create a new career Deputy Assistant Secretary for Law Enforcement and Security (DAS-LES) position, reporting directly to the Assistant Secretary – Policy, Management and Budget. This position should be filled with an experienced law enforcement professional.

The need for a Deputy Assistant Secretary for Law Enforcement and Security emerged during the benchmarking-stage of the assessment. Interviews with several high-ranking law enforcement officials in other Federal agencies expressed surprise that the Department of the Interior did not have a high-ranking official heading a centralized law enforcement office. New and future requirements from the Office of Homeland Security will accentuate the value of and need for this position.

Several interviewees from outside DOI made strong suggestions that the Department establish such a position in a centralized office; another, from a Department

in which the law enforcement office had been changed from a decentralized to a centralized office, iterated the many benefits of a strong, centralized office of law enforcement, extending from advocacy to budget to consistency.

Internally, the majority of those law enforcement personnel that were interviewed acknowledged a need for an authority figure to advance increased advocacy, heightened status, and equal standing for law enforcement in the Department. Even those who expressed opposition, wanting to protect their operational independence, recognized the value of such a position to advance their standing within the Department, and in some cases, even within their Bureaus.

Some managers advanced the argument that the law enforcement programs are but one of many competing activities within their Bureaus and do not deserve or necessitate an increased priority or “special treatment.” Increased advocacy on the part of law enforcement begs the question: what about biology or maintenance? In short, field managers are not convinced that law enforcement deserves priority over other programs. They view law enforcement as an equal – or less than equal – program with the others. This view reveals the fact that many non-law enforcement managers do not recognize the complexities of law enforcement.

Particularly for those offices located in a Bureau where law enforcement is not a priority, and law enforcement-related concerns consistently failed to rise to the higher levels of management, the concept of a prominent, high-level champion was enthusiastically supported. The dismissive attitude of some Bureau Directors is further illustrated by a conversation between the Inspector General and a former Bureau Director, wherein the Bureau Director declined the Inspector General’s request to discuss law enforcement in the Bureau, retorting, “I leave law enforcement to the State Directors.”

Furthermore, the absence of a high-level law enforcement official has led to coordination problems with other law enforcement agencies. Often times, when it is necessary to coordinate a national response to an emergency or event, other Federal agencies are forced to deal with individual Bureau law enforcement programs separately for assistance. The planning for the upcoming Olympic games was made more difficult by the lack of an organized response to the Secret Service request for DOI law enforcement support. Bureaus volunteered personnel without funding approval from or coordination with the Office of the Secretary. The Department was also unprepared to provide accurate and timely information regarding the number and location of law enforcement personnel that could assist in the investigation and response to the terrorist attacks on September 11, 2001.

Finally, the head of a centralized law enforcement office cannot become mired in a long campaign against bureaucratic inertia, and must recognize, at the outset, that the law enforcement entities within DOI are short on incentives to work together and have long histories of working apart.

The creation of a centralized law enforcement position should not replace or minimize the individual Bureau's authority over the day-to-day operations of their own staff. Rather, this position should be the facilitator, advocate, champion, overseer and representative for the Department law enforcement program overall.

Recommendation 2

To ensure a coordinated response in times of emergency, the DAS-LES should have direct authority (when delegated by the Secretary) to oversee the operational deployment of all DOI law enforcement officers.

The Secretary must have a law enforcement office that is prepared to immediately put in place contingency plans and operational directives and coordinate actions with other Department offices and Federal agencies, including the Office of Homeland Security. To be effective, the DAS-LES must be placed in a prominent position within the Department and be provided direct access to the Secretary and her management team, particularly in emergencies.

At times of crisis or emergency, the Department must have the capability to react swiftly and decisively. DOI must be prepared to respond to all threats, foreign and domestic, with a synchronized plan of action. The independent nature of the law enforcement units of DOI, along with their decentralized management systems, are not conducive to the swift action necessary. The Department must have the necessary controls in place to manage the response of its law enforcement personnel. This will reduce the impediment of competing priorities between Bureaus, and produce a unified, unbiased Departmental response.

Recommendation 3

The Office of Law Enforcement and Security should be staffed with dedicated personnel experienced in law enforcement investigations, management, criminal intelligence, legal matters and budget.

The Department's law enforcement office has been woefully understaffed, primarily through benign neglect, and incapable of performing the myriad of duties and responsibilities assigned to it. For example, a critical oversight function is the monitoring of the Bureaus' law enforcement programs for compliance with policy and standards. Since the inception of the office, MRPS has not had the FTEs or funding to staff an inspections/compliance unit.

In the past, members of the Law Enforcement and Security Team conducted limited program compliance inspections in addition to their other assigned duties. Due to increased demands in other priority areas, however, there have been no policy or standards inspections conducted for the past two years.

Inadequate staffing has also affected their responsibilities to assist with inter-Bureau operations, investigations, security assessments and program resource support. In addition to a lack of authorized positions for inspections, there are no full time positions authorized for other necessary law enforcement responsibilities such as criminal intelligence, domestic terrorism, drug program coordination or investigative liaison. Currently each staff member is assigned multiple duties and responsibilities for a variety of programs. The multiple tasking of significant responsibilities has led to several responsibilities receiving minimal or no attention. The creation of an adequately staffed Office of Law Enforcement and Security is critical to the success of the DAS-LES.

The Assessment Team did find that the skeletal structure that existed in MRPS contained most of the critical functions and authorities necessary for OLES, but concluded that the existing staff from the Law Enforcement and Security Team should be strengthened with an additional 28 FTE. The core personnel assigned to OLES should be dedicated employees, while the remainder of the staffing positions should be filled with detailees from the Bureaus to ensure that each Bureau is adequately represented.

The Director of OLES needs a permanent staff that owes its loyalty to the Director, and the Director alone. To minimize the risk of divided loyalties and complicated reporting responsibilities, detailees should be assigned to OLES for no less than two years, and should report directly to the Director of OLES, not to the Bureau Director or the management of the law enforcement unit from which they are detailed. Detail assignments will also help ensure that each of the Bureaus become an active participant in the new OLES. Selection of detailees must be approved by the DAS-LES. A proposed budget and an optimal staffing proposal developed by the Assessment Team are detailed in Appendices 2 and 3, respectively.

The staffing of this office must be done thoughtfully and carefully to achieve the appropriate balance and blend of skills, experience and expertise. Given current budget constraints, this staffing effort would best be accomplished over a two-year period, to ensure adequate financing using a combination of incremental reprogramming and new funding.

Recommendation 4

The DAS-LES must establish a clearly defined and documented set of policies, procedures, techniques and mechanisms detailing the circumstances under which the Bureaus are required to interact with OLES and enforcement of those rules of engagement.

The Departmental Manual already outlines the responsibilities of the MRPS Law Enforcement and Security Team. One of the first tasks of the DAS-LES should be to review, revise and strengthen these responsibilities with policies, procedures, techniques and mechanisms to ensure the efficient and effective operation of the Office of Law Enforcement and Security. Working with the Bureaus and their law enforcement

directors, the DAS-LES should develop these as quickly as possible, have them ratified by the Secretary and re-incorporated into the Departmental Manual.

Recommendation 5

The DAS-LES should be granted oversight authority for all Departmental law enforcement units' budgets.

To ensure appropriate and efficient expenditures of dedicated law enforcement monies, the DAS-LES should, in concert with the DAS-Budget and Finance, review and ratify the budget requests and major expenditures of the DOI law enforcement units each year. While the DAS-LES will have oversight in this arena, the onus of thoughtful budget formulation and accurate cost accounting will remain with the Bureau.

CHAPTER 2. BUREAU OPERATIONS

Centralized coordination and leadership of DOI law enforcement will require a massive paradigm change in Bureau law enforcement units. The autonomous management and operation of the law enforcement units, typically by non-law enforcement managers, has resulted in profound inconsistencies extending from “law enforcement approaches, staffing configurations, management and supervisory styles, compliance requirements, equipment standards, and many other critical aspects of the protection function [that] defy cataloguing.”² In general, law enforcement at DOI is aptly described by the IACP’s conclusions about National Park Service (NPS) law enforcement: a “profusion of conditions and practices in search of a system.”³

Management of and approaches to law enforcement within the Department are as varied as the number of organizational units holding law enforcement authority. Policies are inconsistent, broad and often ambiguous, giving the field managers vast discretion in how they direct their law enforcement programs locally. In addition to operating inefficiently, the present organization and management of law enforcement in DOI causes confusion and frustration on the part of the law enforcement officers in the field. Some NPS Special Agents expressed frustration over the fact that NPS has no clear policy even as to the jurisdictional authority of the agents; therefore, the question of how – or even whether – to investigate is dictated entirely by their typically non-law enforcement supervisors. The NPS, in particular, suffers from such extreme organizational dysfunction that none of the NPS officials interviewed during the course of this assessment were able to explain just how NPS Special Agents were supervised and managed.

The level of discretion granted to local managers is so extreme that, in some instances, it utterly undermines the integrity of the program, and in others, it emasculates the law enforcement function entirely. Although it did not independently verify the allegations, the Assessment Team was troubled by the sheer number of allegations of interference by local managers.

The independence of the law enforcement programs, together with their decentralized management, challenges the Bureaus’ ability to coordinate law enforcement responses to critical incidents, emergencies and crimes.

Existing management structure often requires each State/Regional Director or Refuge/Park Administrator to independently approve of what should be collaborative deployment and operational plans. Local control over law enforcement officers has delayed or even prevented their deployment or reassignment. For example, during the standoff between local farmers and the government at the Klamath Falls headgate,

² International Association of Chiefs of Police, Policing the National Parks: 21st Century Requirements, 2000, Chapter V. The NPS Law Enforcement Culture – Prospect for Change.

³ Id.

deployment of DOI officers to guard the dam was unreasonably delayed while Bureau of Land Management (BLM) State Directors debated the directives issued by the BLM National Law Enforcement Office. One State Director flatly refused to allow any of her officers to be dispatched because the headgate was a Bureau of Reclamation (BOR) facility. More recently, when Federal law enforcement organizations nationwide were asked to supply Special Agents or officers for emergency training as Air Marshals, Bureau of Indian Affairs (BIA), BLM and Fish and Wildlife Service (FWS) promptly provided officers as requested. NPS reluctantly provided a small list of names, despite vocal opposition from the Regional Offices. As a result, NPS, the largest law enforcement entity in the Department with over 2,700 law enforcement officers, provided only three officers for this critical national effort.

The Assessment Team discovered a wide variety in the levels of effectiveness of the individual Bureau's national law enforcement offices. For instance, the BIA law enforcement program has a traditional, centralized Federal law enforcement structure with all the positive strengths that result from such a model, including an SES-level Director of Law Enforcement who reports directly to the BIA Deputy Commissioner.

The BLM, on the other hand, has a National Law Enforcement Office that is divided between Washington, D.C. and Boise, Idaho. The Chief of the National Office (GS-15) is located in Washington and has a limited staff. The largest staff and operation of the National Office are located in Boise. The Chief of the National Office reports to the Assistant Director of Minerals, Realty and Resource Protection. Numerous people questioned the effectiveness of the bifurcated National Office system during the assessment. Several State Directors were interviewed and stated that they did not have significant interaction with the National Office and that they did not use the National Office for guidance or input.

The FWS Division of Law Enforcement also has an adequately staffed National Office, the director of which reports directly to the FWS Director as the SES Assistant Director for Law Enforcement. The structure of the FWS National Office is similar to the BLM model in appearance, although its effectiveness and support was given better reviews by the field. The Assessment Team learned that the National Office provided sufficient support and was capable of achieving effective accountability and oversight of the law enforcement program.

The Assessment Team concluded that two specific characteristics set the FWS structure apart from that of BLM: 1) the prominence of the Director of the Law Enforcement Program within the organizational structure and, 2) the ability to interact with Regional Directors and Special Agents in Charge more effectively.

In 1993, under the guise of decentralization and downsizing of the headquarters offices, the NPS decimated the Washington-based Ranger Activities Division (RAD), leaving a crippled and ineffective national support mechanism. In 1998, an internal review team was formed to assess the effectiveness of the RAD office and made

numerous recommendations for improvement (to include centralizing critical management functions) many of which have gone unimplemented.

Thus, the effectiveness of the National Offices appears to be dependent upon the prominence given to the chief or director's position, their ability to work within the political and managerial structures and whether they are adequately staffed. Currently, salary grades for law enforcement managers range from GS-13 to the SES level, although the grade level of a given manager bears little correlation to the size and responsibilities of the program. The Assessment Team found that the programs managed by SES level supervisors having direct or expedient access to the Bureau Directors (FWS-DLE and BIA) were more effective.

Recommendation 6

For all Bureaus, establish a Senior Executive Service (SES) level Director of Law Enforcement and fill it with an experienced law enforcement professional. This position should report directly to the Bureau Director or Deputy Director. Bureau Directors of Law Enforcement, together with the Director for the Office of Law Enforcement and Security, should serve as the members of the Law Enforcement and Security Board of Advisors, created by the Secretary's Order of October 26, 2001.

On numerous occasions during the course of the assessment, law enforcement professionals, both inside and outside the Department, articulated their belief that DOI law enforcement programs need consistency in their leadership levels. Even the employee groups that represent law enforcement personnel -- the Fraternal Order of Police for both the U.S. Park Police (USPP) and the NPS Park Rangers, as well as the Federal Law Enforcement Officers Association -- have expressed their support of increased prominence and parity in the leadership within all DOI law enforcement programs. Elevating positions to consistent levels will, in some cases, increase the prominence of the Directors of Law Enforcement, and enhance the communication and coordination among the individual Bureau law enforcement programs by equalizing the reporting level and access to senior decision makers.

Subsequent to September 11, BOR sought and received statutory law enforcement authority to contract for infrastructure protection at the dams. Although the BOR law enforcement program will be small, by comparison, it should still have a Director of Law Enforcement to be consistent with the other law enforcement programs in DOI. The Director, however, should be someone who can work well with local law enforcement officials and address Homeland Security concerns.

The Assessment Team supports the IACP recommendation that the NPS Chief Law Enforcement Officer be an SES and serve at the Associate Director level. Currently, the Associate Director for Park Operations and Education oversees the Ranger Program. Because the Ranger Activities Division is but one small portion of the responsibilities of

the Associate Director, that position cannot provide the necessary leadership and advocacy the program requires.

Serious consideration should also be given to placing the Chief of the United States Park Police under the new Director of Law Enforcement. The selection of an experienced law enforcement executive would benefit both the Ranger and USPP programs and provide the necessary leadership and input that the NPS desperately needs.

A recent report issued by the National Academy of Public Administration raised several similar concerns of NPS and U.S. Park Police management. They called for a review of the USPP mission and its relationship with NPS. The reaction by some USPP officials to the NAPA report was somewhat telling of the existing relationship between the NPS management and the USPP. The report was characterized as being a “hatchet job” and masterminded by NPS management to discredit the Park Police and enhance the position of the Rangers. Both parties discussed the muddled roles and relationships between the Park Police and Rangers throughout our assessment. It was surprising to learn of the adversarial relationships and, at times, disrespect for each other. Given the unhealthy relationship between the two programs, the individual selected as the Director of Law Enforcement should be drawn from a national pool to avoid the appearance of preference in favor of either the Ranger or the Park Police programs. New leadership, willing to embrace change and confront organizational resistance, is imperative for both programs.

Identity issues and relationship problems between “sister programs” are not unique to the NPS. The Division of Law Enforcement (DLE) is viewed as the favored program and given far greater prominence in the FWS than the Refuge law enforcement program. Refuge managers and officers agreed that the National Wildlife Refuge System (NWRS) law enforcement program is a second-class citizen in the FWS law enforcement program.

The relationship between the Refuge Officers and the DLE appears to be one of “you do your thing, we will do ours” in most Regions. With very little exception, the only involvement between the two programs is the quasi-supervision of Refuge Officers by the Regional Special Agents in Charge (SAC). In most regions, the SAC is responsible for the oversight of enforcement actions by Refuge Officers. In one region, the SAC must approve all citations before they are formally submitted to the courts.

Recommendation 7

Immediately restructure the reporting system for Special Agents (1811 and 1812 series) to create line law enforcement authority. All Special Agents in the field should report to Special Agent managers (Special Agents in Charge) who, in turn, should report directly to the Bureau Directors of Law Enforcement. Non-law enforcement oversight of investigations must be discontinued.

The policies governing the law enforcement units in DOI give the managers unrestricted discretion in how, or whether, to pursue investigations into potential criminal violations. However, competing program interests often prevent these managers from exercising independent and objective judgment. Non-law enforcement managers with multiple program responsibilities should not be approving, supervising or managing criminal investigations.

In 1997, the Presidential Council established by Executive Order 12805 issued its Quality Standards for Investigations, which concluded:

In all matters relating to investigative work, the investigative organization must be free, in fact and appearance, from impairments to independence; must be organizationally independent; and must maintain an independent attitude.

This standard places upon agencies, investigative organizations, and investigators the responsibility for maintaining independence, so that judgments used in obtaining evidence, conducting interviews, and making recommendations will be impartial and will be viewed as impartial by knowledgeable third parties.

Special Agents told the Assessment Team of countless instances in which they were precluded, by their non-law enforcement managers, from pursuing potentially serious criminal violations -- in favor of civil enforcement, or even no enforcement action at all. At best, the Special Agents attribute such decisions to the managers' lack of familiarity with mainstream law enforcement administration; at worst, it is characterized as interference with or cover-up of potential criminal conduct.

This transition would formalize the process and remove the "personality" influence of such decisions. An official from FWS Division of Law Enforcement stated that they could make the transition with the ease of "flipping a switch" without any impairment to the FWS mission. For others, however, it may not be so easy.

Recommendation 8

For all remaining law enforcement officers and personnel, develop strategic plans for the transition to centralized management systems that report to the Bureau Directors of Law Enforcement. In the interim, ensure that any remaining non-law enforcement managers with line authority over law enforcement officers and personnel have and maintain Critical Sensitive Clearances, as recommended in current Departmental policy.⁴

Law enforcement, generally, is not a program conducive to decentralized management. The authorities and powers of arrest, search and seizure, and use of deadly force put law enforcement officers in a position unique from any other employees. With the authorities and powers attendant with law enforcement comes heightened

⁴ 446 Departmental Manual 2.3.

responsibility and accountability. These demand tight reign, close supervision, clear chain of command and rigorous oversight. A centralized organization is the only management structure that provides this kind of control and accountability.

Consistency in organizational structure for law enforcement Department-wide will only complement the consistency in leadership. Because centralization had been precluded by the previous FWS Director, the recent IACP study of FWS recommends that the NWRS law enforcement Program remain decentralized. The Assessment Team, however, concluded that the very same study suggests an equally profound need for centralization: “The law enforcement function is locally controlled and administered with marginal guidance from the national level. This results in fragmented and inconsistent approaches to law enforcement service delivery, with insufficient accountability for accomplishment or monitoring, of all levels.” Accordingly, the NWRS should also develop a strategic plan for the transition to a centralized management system that reports to the FWS Director of Law Enforcement.

While the Assessment Team considered the NWRS to be the least capable of centralizing its law enforcement program and officers, given its significant reliance on collateral duty officers, NWRS should, nonetheless work toward centralization. They should do so incrementally, however, to ensure that programs are not negatively impacted and that sufficient infrastructure is in place to accommodate and embrace the change.

Immediate implementation of centralized structures will present a challenge, primarily due to senior management resistance, current organizational structures and practices and the inability of some Bureaus to accommodate change. However, the recommendation should not be dismissed simply because “it has been recommended before and not accepted.” Instead, it should be viewed as a recurring theme from several different assessments and as a cure for some prominent weaknesses in the programs that deserves serious consideration.

In the meantime, all non-law enforcement managers should have Critical Sensitive Clearances, at a minimum, to ensure the integrity of the law enforcement programs and their overseers. The Assessment Team learned of more than one manager with responsibilities over law enforcement who had been the subject of serious integrity issues during their careers. DOI law enforcement programs should not be overseen by managers whose integrity has been compromised.

CHAPTER 3. LAW ENFORCEMENT FUNDING

Although estimates put the cost for operation of law enforcement Department-wide in excess of half a billion dollars, the Assessment Team found that Bureau law enforcement programs are wholly incapable of accurately accounting for the cost of their operations. They have not developed, maintained, monitored or analyzed their budgetary or accounting information in any consistent or systematic manner. Consequently, the Department cannot obtain for itself, nor can it provide to Congress, reliable information concerning the aggregate salary, equipment, administrative support, training or other costs incurred by the law enforcement programs. This information is critical for sound budget formulation, accurate cost accounting, and for strategic and performance planning.

The USPP, BIA, FWS-DLE and BOR law enforcement units operate under dedicated or “line item” budgets; the NPS Ranger and FWS Refuge Program budgets and approximately 50 percent of the budget for BLM’s law enforcement program are derived from or commingled with non-law enforcement budgets. With no coordinated DOI law enforcement influence, each Bureau independently determines law enforcement budget needs and spending priorities, and develops budget justifications. These individual efforts have proven largely ineffective for most organizations.

An example of this lack of budgetary identity can be found with the NPS Rangers. NPS Rangers are funded primarily through the “Operation of the National Park Service” appropriation. Within this appropriation, the budget sub-activities of “Visitor Services” and “Resource Stewardship” contain the bulk of funding for law enforcement Rangers. The total FY 2000 law enforcement funding for NPS Rangers, according to the NPS budget justification was about \$129.6 million from “Resource Stewardship” and “Visitor Services.” When asked, the Acting Chief of the NPS Ranger Activities Division could not provide a breakdown of FY 2000 funding totals by park. According to the report “NPS-Annual Law Enforcement Report” for fiscal year 2000, the amount of actual law enforcement expenditures reported by the Division in its fiscal year 2000 annual law enforcement report was only about \$101 million or \$28.6 million less than the reported funding level. NPS officials could not explain nor do they have the expenditure information available to identify the difference.

The NWRS law enforcement funding is derived from budgets allocated to and controlled by its Refuge Managers. In its report, Protecting the National Wildlife Refuge System: Law Enforcement Requirements for the 21st Century, the IACP stated:

“The NWRS does not segregate or earmark funding for law enforcement. Project leaders are empowered to allocate resources for law enforcement or not to do so. Regardless of initial programming for specific law enforcement expenditures, once funding is allocated, there are no controls to ensure that funds are actually spent for that law enforcement priority.”

Without controls over the use of budgetary resources, law enforcement inherently takes on a secondary status to other functions within the Refuges. (Budget, in turn, controls or affects all else.) Issues such as force deployment, equipment upgrade or replacement, and officer training cannot be planned or addressed on a system-wide basis under this current funding structure.

The Department's law enforcement entities also receive considerable funding -- some \$36 million in FY 2000 -- from the Office of National Drug Control Policy (ONDCP), but they have virtually no coordination of drug enforcement efforts among themselves or with other Federal, state or local agencies. Each Bureau determines its own priorities and operational plans to address drug enforcement within their respective jurisdictions, with no Departmental oversight. The Assessment Team received several complaints that the ONDCP funds were reprogrammed for non-drug enforcement, and even non-law enforcement purposes. Given the lack of accountability, the allegations of reprogramming of these monies can neither be confirmed nor dismissed.

In addition, the Department might reasonably anticipate additional appropriations dedicated for counterterrorism activities to supplement monies already appropriated, much of which is directed to efforts by the DOI law enforcement units. These monies and others targeting law enforcement activities Department-wide call for centralized control.

Many of the managers interviewed during the course of this assessment vehemently oppose line item budgets for law enforcement, expressing concern that line items budgets will restrict their ability to manage their areas of responsibility and limit their authority to determine their own priorities at the operational level. The Assessment Team was told by numerous managers, in essence, "Washington can not determine our priorities effectively." Proponents of line item budgets believe that earmarked funds will help them retain their law enforcement identity and protect them from reprogramming by managers who favor other programs.

While the results of this assessment favor line item budgets for law enforcement, a number of caveats attach to the recommendation. Several law enforcement personnel who support line item budgets predicted that such a recommendation would be strongly opposed by Refuge Managers, State and Regional Directors and Park Superintendents who jealously guard their budgetary control of law enforcement monies, and that any such mandate by the Department will be met with a concerted effort by these managers to secure the opposition of their Congressmen and Senators.

Transition to a centralized management structure and line item budget authority also risks an adverse reaction from the Bureau to which the law enforcement entity is attached. For instance, during the transition of BIA's law enforcement program, allegations that the Bureau under-reported law enforcement costs and withdrew administrative support threatened the BIA law enforcement program's move toward budgetary autonomy.

However, line item budget authority is not synonymous with wholesale programmatic independence. A shift to line item budgets for all DOI law enforcement entities must be viewed as a move toward fiscal responsibility for unique program operations with exceptional budgetary needs, such as purchase of firearms and protective gear, law enforcement availability pay and specialized communications equipment. Self-interested field managers who have become accustomed to unfettered control over spending must not be allowed to interfere – either directly or indirectly – with sound fiscal management.

Recommendation 9

Establish and implement single line item budgets and cost tracking systems for all DOI law enforcement units.

The Department does not have the accounting systems within its law enforcement programs to provide reliable information needed to analyze expenditures by type, location, mission element, and organizational entity. Accounting for law enforcement expenditures is critical for Bureau and Departmental management to monitor performance of the Department's law enforcement programs. Sound and accurate accounting allows management to plan its personnel deployment, equipment replacement and upgrade, administrative support, training, and numerous other critical program requirements. Accurate expense data is also essential for management's analyses of historical trends and for responding to programmatic inquiries by external parties such as the Congress and the Office of Management and Budget (OMB). Reliable financial information is crucial for making informed management decisions and evaluating the results of those decisions. Without good financial data, management is left to making decisions in the dark.

Line item budgets and cost accounting systems will help ensure that funding for law enforcement is used for law enforcement purposes, as well as advance the Administration's goal of tying budget to performance in this high-visibility arena. Bureau law enforcement units must identify not only how much money they need for their operations, but also the wisest ways to spend it.

The Bureau Directors of law enforcement should use the cost tracking information to monitor program performance, budgeted versus actual expenditures, and analyze the results of mission-specific goals and objectives. They should also utilize all of this derived information to enhance their budget formulation process and improve the accuracy of their cost accounting.

Recommendation 10

ONDCP and other special law enforcement monies should be controlled by the DAS-LES and assigned a separate fund code for spending and tracking.

Centralized control of non-appropriated monies and special appropriations will ensure accountability and help eliminate reprogramming concerns. While all special funding should have the same oversight and controls as those funds appropriated directly to the Department, the Department should pay careful attention to the funds associated with September 11 and antiterrorism efforts. Undoubtedly, Congress and OMB will, at some point, ask for an accounting of these funds. The DAS-LES is an ideal, central and single position to assume this responsibility.

CHAPTER 4. ALLOCATION OF LAW ENFORCEMENT PERSONNEL

Law enforcement organizations throughout the country -- local, state and Federal -- utilize standard methodologies for the staffing and deployment of officers. No accepted methodology is used by DOI law enforcement units. Staffing decisions are based upon historical staffing levels or personal decisions of local Bureau administrators. These decisions are often made with little or no consultation of law enforcement professionals. Past studies have been critical in this regard, one concluding that law enforcement staffing in the NPS is “patently illogical and erratic.”⁵

Without exception, Bureau law enforcement programs consider themselves understaffed, but absent an effective staffing model and accurate data for a needs-assessment, they are powerless to advance convincing arguments for additional staff. Nonetheless, even without good data or models, the need for additional staff emerges as real, profound, and endemic.

The IACP concluded, somewhat reluctantly, that the NWRS was in need of 200 officers and the NPS Rangers needed 615 additional Rangers.⁶ The USPP indicate a need for an additional 200 officers, while BLM argues for an increase of 58 positions to bring them back to their 1993 staffing level. In an internal report, the NPS concluded it was in need of 1,295 new positions. Law enforcement in Indian Country is also considered severely understaffed. A senior BIA law enforcement official reported that “[b]y all conventional staffing models, Indian Country law enforcement should be increased by over 2,000 officers.”⁷ An alarming shortage of BIA correctional officers translates into a potential liability for DOI and a high risk for BIA corrections and nearby communities. While the Department of Justice is funding the building of new jails to reduce overcrowding, the funding for correctional officer positions is not in the appropriation.

Each year, DOI law enforcement is also facing more traditional law enforcement issues. As urban sprawl invades the boundaries of public lands, and criminals continue to discover ways to produce drugs on Federal lands with minimal risk of arrests, enforcement issues will continue to rise. A recent Federal Times article (August 13, 2001) reported that there was a 39% increase of reported incidents from 1999 to 2000 for BLM, FWS, NPS and the National Forest Service (NFS). The article also reported an increase of assaults against Federal law enforcement officers to include DOI law enforcement. The article quoted the NPS Acting Chief Ranger as stating, “We (NPS) are the most assaulted law enforcement agency in the country.”

⁵ International Association of Chiefs of Police, Policing the National Parks: 21st Century Requirements, 2000.

⁶ Id. The recommended 615 Rangers was to replace “significantly” the 600 seasonal ranger positions included in their total numbers.

⁷ The total would double the current number of law enforcement officers in Indian Country; total includes Tribal Police.

Anti-government groups and domestic terrorists are increasing in numbers and activities. Resistance to governmental control of public lands and waterways is becoming more contentious.

Ironically, the success of drug enforcement efforts by both Federal and local law enforcement agencies has driven illegal drug activity away from urban areas and into the more remote public lands. FWS Refuge, BLM and NPS officers/rangers routinely discover sites of illegal drug production by happenstance. Often times the sites are abandoned or unoccupied upon discovery, although discovering an occupied illegal site is becoming more likely with the increase of activity. The danger of coming upon an illegal drug site is not just a safety concern for law enforcement officers, but also threatens the safety of thousands of DOI employees conducting experiments, research and maintenance on the public lands. Because uniforms and vehicles used by law enforcement and non-law enforcement employees are similar, if not the same, it is conceivable that a criminal suspect could misidentify a non-law enforcement officer and use deadly force against the employee believing that they were avoiding arrest.

In some areas, the staffing shortage is obvious. At Cabeza Prieta National Wildlife Refuge on the Southwest border, one full-time officer and one collateral-duty officer cover the entire 860,000-acre Refuge. Being without meaningful backup, the full-time officer predominately patrols the east side of the refuge, where he can call upon the NPS and National Forest Service Rangers in the area for support, and ignores the more desolate west side. The Assistant Refuge manager acknowledged the lack of necessary law enforcement presence but cited unavailable funding to hire additional officers. The manager, a biologist by profession, explained that he was going to attend the Federal Law Enforcement Training Center (FLETC) law enforcement training course himself so that he could provide law enforcement support as a collateral duty.

Some staffing and deployment decisions were completely arbitrary, based solely on the manager's personal prioritization. As an example, one Park Superintendent chose not to hire additional law enforcement Rangers, even when provided additional funding for the acknowledged need, because he felt the additional Rangers would "unbalance" his work force. A fellow Superintendent stated, "We must be careful not to show too much support for law enforcement over other programs."

Very few examples of the re-deployment of law enforcement officers were found in any Bureau. Decentralization of the programs prevents the law enforcement program chiefs from controlling the deployment of their officers. With the exceptions of BIA and USPP, the law enforcement programs do not operationally control their officers. Passive re-deployment of staff occurs with voluntary transfers or retirements in most cases, rather than assessing needs or utilizing any sort of workforce methodology.

The related issue of crime reporting systems, discussed in depth in Chapter 8, recommends coordinated, systematic collection of crime data, and ultimately putting law enforcement officers where the crime is.

Recommendation 11

Each law enforcement program should develop staffing models and methodologies. The Office of Law Enforcement and Security should oversee this development effort.

Each law enforcement program will have unique staffing issues that will dictate the development of the models and methodologies. Certain aspects of the development of staffing models and methodologies may extend across Bureau lines, however, and should be considered more broadly, if not Department-wide. Oversight by the Office of Law Enforcement Services is critical to ensure the efficient use of such broad applications.

Any methodology adopted by DOI from traditional police organizations for the staffing and deployment of police officers will need to be modified for land management law enforcement to encompass additional factors including: large areas of unpopulated lands, increased seasonal use, contracting with local law enforcement, limited personnel, resource use, and proximity to urban areas.

Serious consideration should be given to contracting with workload management experts familiar with law enforcement staffing issues to assist in the development and implementation of the staffing models.

Recommendation 12

Staffing shortages related to officer safety should be identified by the OLES and corrected immediately.

Some staffing shortages are unambiguous and pose a clear safety risk to law enforcement officers. In those instances in which the Board of Advisors can identify officer safety issues associated with staffing shortages, the DAS-LES, in consultation with the appropriate Bureau Director, should ensure that the staffing issue is addressed immediately.

Recommendation 13

Reduce dependence on part-time collateral duty and seasonal law enforcement officers.

The NPS-Ranger and FWS Refuge programs use seasonal or collateral duty employees to supplement the full-time law enforcement staffing levels. Seasonal employees are usually employed for less than six months while collateral-duty officers are full time employees who receive law enforcement training and spend less than 50% of their work hours performing law enforcement duties. The NWRS consists of 90% collateral-duty officers and 10% full-time officers.

Collateral-duty officers require the same degree of training, equipment and oversight as their full-time counterparts. Unfortunately, they tend to be viewed by other law enforcement officials as less qualified and less professional. Within the collateral-duty ranks there is an increased effort to change the image of collateral-duty officers. In the past, many collateral officers held low-grade positions and were not otherwise eligible to become full-time law enforcement officers. Others were non-law enforcement employees who were “forced” to take on law enforcement duties. Presently, the majority of collateral-duty officers are non-law enforcement professionals who have expressed an interest in becoming trained in law enforcement.

The use of collateral-duty officers is primarily due to cost savings benefits; however, some Refuge Managers believe that full-time officers would be more efficient and would provide more consistent services.

Seasonal law enforcement officers are utilized primarily to address the seasonal increases of visitors to DOI sites. The IACP characterized the use of seasonal and collateral employees as being economically beneficial, but having many other downsides from professional and corporate standpoints. The IACP also recommended increasing the staffing levels of the NPS Ranger Law Enforcement program by 615, roughly the equivalent of the seasonal staff. The new positions would significantly reduce the need for seasonal employees only if NPS deploys the new Rangers where workload demands indicate.

CHAPTER 5. SECURITY AND EMERGENCY PREPAREDNESS

Unfortunately, since September 11, 2001, the importance of security and emergency preparedness requires no introduction. Well before September 11, however, security risks at Department facilities had been identified, with little or no action taken to address the concerns. For example, in 1999, the NPS commissioned Booze, Allen & Hamilton to assess the security and vulnerability of the major monuments under the control of NPS in Washington, D.C. The resulting report recommended numerous security enhancements. In an independent interview, the USPP Acting Chief reported that few of these recommendations have been acted upon. Another, more immediate example, is the failure of the Department to install vehicle arrest systems at the garage entries for the Main Interior Building (MIB). This security measure had been recommended several years ago, and funds were appropriated. Those funds, however, were later redirected and the vehicle controls were never installed. As a result, since September 2001, government vehicles parked in the driveways and physically manned by personnel from the various DOI law enforcement units serve as vehicle control at MIB garage entrances.

However, these law enforcement officers are not serving in a security capacity as a result of their respective DOI law enforcement authority. Because MIB is a GSA-owned facility, DOI law enforcement officers must receive special deputization from the United States Marshal's Service in order to perform security functions at MIB. This process is not only time-consuming and burdensome to the Marshal's Service, it is a logistical nightmare for DOI to manage.

Like its law enforcement counterpart, the security program at DOI needs strengthening and increased coordination. For the most part, the same six-person Law Enforcement and Security Team has been responsible for providing the development, direction, coordination and implementation of the Department's security program. This includes establishing policy and guidelines for physical security (including domestic terrorism), critical infrastructure protection, personnel security, national industrial security, and classified national security information -- in addition to its responsibilities as the DOI Law Enforcement Office.

The existing security program has policy and guidelines in place to assist the DOI Bureaus and offices in establishing their own security offices, although given the staffing shortage in MRPS-LEST, no viable oversight has been exercised. Bureau security programs are patchy in their existence and inconsistent in their operations. MRPS reported that each Bureau has identified Bureau Security Officers, although in many cases, security responsibilities are collateral duties. Furthermore, the Department's security program must be coordinated with those of the Bureaus' and other related programs to ensure consistency and continuity of security related operations.

Recommendation 14

All DOI security policy oversight and compliance should be the responsibility of OLES.

As with law enforcement, security also needs centralized oversight. The OLES should assume all security oversight, policy and compliance responsibilities previously held by the Law Enforcement and Security Team. The OLES must establish and maintain close liaison with related Bureau programs to keep them informed, consult with them and include them in security related operations.

Recommendation 15

MIB security should remain the responsibility of the National Business Center (NBC), however, the NBC should appoint a dedicated Security Management professional with proper credentials to manage security at MIB.

The National Business Center has been responsible for security at MIB for several years, and has executed those responsibilities quite successfully. However, in a crisis or emergency, security has often been removed from NBC and placed under the control of the Law Enforcement and Security Team.

Dependence upon law enforcement officers to oversee and perform security operations fails to recognize the advancement of the security profession over the last decade. A Certified Protection Professional (CPP) has earned the appropriate security credentials from the American Society of Industrial Security (ASIS), the largest professional security association in the world. With a CPP in place, or a professional with equivalent experience or credentials, to oversee the facility and physical security of MIB, the need for law enforcement to assume responsibility for security in a crisis will be reduced significantly or eliminated altogether. The supplemental use of law enforcement officers to enhance security may be periodically necessary, but would be accomplished through coordination between the NBC Security Professional and OLES.

Recommendation 16

Each Bureau should appoint a senior-level (GS-14/15), full-time security manager to maintain the daily security operations of the Bureau.

Each Bureau should have a dedicated, full time, credentialed security manager to ensure the safety of Bureau personnel and visitors. These security managers must provide timely assessments, make recommendations and implement security measures while maintaining a positive work environment and ensuring that Bureau facilities remain accessible to the public.

Recommendation 17

Responsibility for Emergency Preparedness should remain in the Office of Managing Risk and Public Safety. MRPS should, however, appoint a GS-15 Emergency Preparedness Manager and provide that appointee with adequate staff to fulfill these responsibilities.

Like security, effective emergency preparedness requires specialized training and skills. MRPS has executed its emergency preparedness responsibilities admirably, but their efforts would be enhanced with the appointment of an emergency preparedness specialist at the GS-15 level to manage and coordinate the preparedness efforts Department-wide. The Emergency Preparedness Manager should ensure that the Department and Bureaus have up-to-date Continuity of Operation Plans, rosters of employees, notification systems and plans that are consistent and cohesive. This person should also serve as liaison to OLES for emergency preparedness matters.

Professionals, both inside and outside of DOI, gave high marks to the tiny emergency preparedness staff in MRPS during and after September 11. That such fine results were achieved with so few FTE is extraordinary. There were, of course, areas in which improvement could be made, which led the way to a “lessons-learned” exercise conducted Department-wide, in the wake of the attack. The Emergency Preparedness Manager could be responsible for following up on the “lessons learned” effort.

CHAPTER 6. INTERNAL AFFAIRS

By the nature of their duties, law enforcement personnel are and should be held accountable to a higher standard of professional conduct. The integrity of a law enforcement entity depends on the personal integrity and discipline of each employee. To a large degree, the public image of law enforcement is determined by the quality of the internal affairs function in responding to allegations of misconduct by the agency or officer.

The Assessment Team heard several reasons why a Department-based Internal Affairs Unit would be effective and efficient. With a centralized approach, this specialized Unit could be a resource for each Bureau to investigate the most serious allegations without the interference and obstructions alleged to be taking place in some Bureaus. The centralized Unit would also help shield investigators from retaliatory acts and reprisals from targeted officials.

Utilizing a mixture of full-time and detailed investigators, a centralized internal affairs component would reduce the cost of each Bureau implementing and maintaining their own Internal Affairs Unit. BOR, NPS Rangers and FWS-NWRS do not have Internal Affairs Units and would benefit from the centralization. BIA and USPP, both of which have functional internal affairs components, could remain in place and receive support from the centralized component.

The Assessment Team heard innumerable anecdotes about incidents involving law enforcement officers that would typically be subject to an internal affairs investigation. The anecdotes ranged from excessive shooting incidents to the chronic loss of law enforcement equipment. Unfortunately, when the Assessment Team attempted to review some of the most alarming incidents, they were unable to verify the accuracy of the anecdotal reports based on the files available. In fact, in some cases, the files concerning alleged incidents were actually empty. For the matters that had some investigative information available, it appeared that the only concern addressed was that of potential criminal liability on the part of the law enforcement professional involved, completely ignoring the applicability of civil or administrative action that might be taken. Whether or not the anecdotal reports have merit, competent internal affairs investigations would put the matters to rest, eliminating the potential embarrassment to the Department by these uncorroborated stories.

The ability to conduct comprehensive and impartial investigations into allegations of misconduct is essential to ensure the integrity of the Department's commissioned employees. In October 2000, each Bureau was directed by the Department to establish an internal affairs component for its law enforcement program. This has not been completed and several Bureaus have not even begun the process. A centralized Internal Affairs Unit, staffed with a combination of permanent FTEs and detailees from the Bureaus, is now the recommended approach.

Recommendation 18

A single, Departmental Internal Affairs Unit should be established in OLES, to provide independent, objective oversight over all Departmental law enforcement officers and managers.

The centralized Internal Affairs (IA) Unit would be used to conduct investigations concerning allegations of serious misconduct involving law enforcement officials. The investigations would be conducted with periodic oversight by the OIG. The centralized Unit would reduce the likelihood of retaliatory actions against Bureau assigned investigators, as is presently being alleged. The Unit would maintain and review records of misconduct and advise DOI management of any identified training, employment or discipline needs. The use of detailed investigators will provide the centralized Unit with expertise and knowledge of Bureaus, and the IA Unit will, in turn, train the detailed personnel in internal investigations.

Recommendation 19

OLES and the Law Enforcement and Security Board of Advisors should review, revise and strengthen the Departmental Manual provisions addressing internal law enforcement incident reporting and resulting investigations.

Recognized law enforcement standards for internal investigations should be used as a model for this revision effort. For example, the Standards for Law Enforcement Agencies⁸ set forth essential criteria for Administration and Operations of Internal Affairs Units.

⁸ The Standards for Law Enforcement Agencies (SLEA) are published by the Commission on Accreditation for Law Enforcement Agencies (CALEA).

CHAPTER 7. RECRUITING, DIVERSITY AND TRAINING

In 1999, the Commission on the Advancement of Federal Law Enforcement published their conclusions concerning the overall performance of the Federal law enforcement system, specifically including the need to increase standardization among policies, practices and procedures involving recruitment and training. According to the Commission, the lack of standardization in these activities compromises effective law enforcement.

As far back as 1970, the International Association of Chiefs of Police conducted its first evaluation of the law enforcement and public safety resources within the NPS⁹, at considerable expense, and concluded with numerous recommendations concerning training and recruitment. In 2000, the IACP conducted a second evaluation of the NPS Law Enforcement Rangers. Remarkably, all of the issues identified in the 1970 report were still some of the most significant issues facing the Rangers thirty years later, including the same familiar training, recruiting and diversity issues.

According to many of the law enforcement managers interviewed, the recruitment for law enforcement personnel lacks creativity, timeliness, consistency and standards. One BLM Field Manager defined the recruiting process, or lack thereof, as “pitiful.” NPS officials characterized their efforts as “unimaginative” and “inconsistent.” A former Superintendent described the hiring of Park Rangers for law enforcement as “hiring the best of the desperate” referring to the tradition of hiring seasonal Rangers full-time after they spent several years “waiting to get hired by someone.”

The Assessment Team found that Bureaus use a variety of methods to hire new employees. Most of the hiring is localized, using the local population to fill the vacancies. Others recruit nationally and assign locations upon completion of training. Most law enforcement managers were more concerned with the standards used for hiring new employees. They were less concerned about whether it was a local or national hiring process.

Local hiring, however, precludes the Department from correcting its serious diversity situation in law enforcement. Diversity in the Department is nominal. Diversity in DOI law enforcement is abysmal.

Leaving BIA aside, given the statutory employment preference imposed upon them,¹⁰ the diversity statistics for the Department and for DOI law enforcement speak for themselves:

⁹ International Association of Chiefs of Police, A Staff Study of the Law Enforcement and Public Safety Resources in the National Park Service, 1970.

¹⁰ 44 U.S.C. §44, et. seq.

Comparative Diversity Statistics of Department of the Interior

Group	White	Black	Hispanic	AA/PI	AI/AN
Total Population	71.8%	12.2%	11.4%	3.9%	0.7%
Federal Workforce *	70.5%	17.1%	6.4%	4.1%	1.9%
DOI Workforce **	82.7%	6.5%	5.3%	2.1%	3.4%
DOI Law Enforcement ***	87.3%	4.1%	4.2%	2.0%	2.4%

* Data from DOI Diversity Website, May 1999.

** Data extracted from U.S. Department of the Interior Report on Workforce Planning and Restructuring, Phase I: Workforce Analysis, June 2001. BIA statistics not included.

*** BIA statistics not included.

Gender Diversity Comparison

Group	Male	Female
Total Population	49.0%	51.0%
Federal Workforce	57.1%	42.9%
DOI Workforce	70.8%	29.2%
DOI Law Enforcement	87.0%	13.0%

There is a common belief among some that were interviewed that non-law enforcement managers have hired individuals for law enforcement positions that were not qualified. Allegations were made that a manager hired a “friend of a friend” or promoted a lower grade employee to a law enforcement position simply for the “raise in pay.”

Both BLM and NPS law enforcement officials stated that Regional or State Directors have often hired applicants without the input and review of their National Law Enforcement Office. In one situation, Departmental requirements for certification were not followed which led to the hiring of a Special Agent in Charge that did not have the law enforcement training required for Departmental certification.

In some cases, local offices have hiring authority. For example, a local BLM Chief Ranger is able to hire Rangers for his field office with final authorization from the State Director; however, there is no national control or oversight by the Chief of the BLM National Law Enforcement Office over new agent hires.

Law enforcement training also suffers from a fragmented and decentralized approach. For example, in days past, the majority of NPS superintendents were products of a career ladder that included some tenure as a commissioned law enforcement Ranger. Today, less than 50% of the superintendents have law enforcement experience. This number is continuing to decline as the selection of superintendents is made from the growing specialist fields in the NPS. Similar to other Bureaus, NPS is attempting to address the problem by mandating superintendents to attend the Law Enforcement for Managers class at the Federal Law Enforcement Training Center (FLETC). In this one-week class, managers are exposed to the complexities of the law enforcement roles and duties.

FLETC provides this course separately for each Bureau several times a year, however, the Assessment Team received complaints from all Bureaus that senior management was not committed to requiring their managers to attend and that there was no follow-up or repercussions for not attending. Others stated that the class was the only attempt by senior management to give managers exposure to law enforcement issues.

In FY 2000, the OIG conducted a study of the Firefighters and Law Enforcement Retirement Team (FLERT), the unit responsible for issuing entitlement determinations for DOI retirees who believe they are entitled to the enhanced benefits of law enforcement retirement. At the time the OIG issued the results of the study, it found that hundreds of employees had retired or were waiting to retire pending a determination on their law enforcement retirement entitlement. In real terms, this means that there may be a significant number of DOI retirees who are not receiving the benefits to which they are entitled under the law enforcement retirement provisions. Even worse is the fact that there are potential DOI retirees who must postpone their retirement until they receive a benefits determination from FLERT.

At the conclusion of our FY 2000 study, the OIG determined that FLERT had over 1,942 firefighter and law enforcement cases pending in backlog. The OIG made a number of recommendations to correct the problems that prevented FLERT from processing the retirement applications in a timely manner. Rather than accept and implement the OIG study recommendations, the Department's Office of Human Resources *commissioned a study of the OIG study*, at an additional cost of some \$54,000, to determine whether or not to implement those recommendations. In the interim, the case backlog declined less than nine percent and the number of claims processed in FY 2001 was actually less than the number processed in FY 2000. At the current pace of processing, the OIG estimates that it will take FLERT over nine years -- until 2012 -- to eliminate its backlog.

The practical effect of FLERT's inability to effectively process these retirement benefit cases is that DOI law enforcement programs have employees eligible to retire who are unwilling to retire until their cases are determined. This, in turn, precludes the law enforcement programs from hiring new recruits and improving diversity in the law enforcement ranks.

Recommendation 20

The OLES and Board of Advisors should develop recruiting standards and guidelines for recruiting new DOI agents and officers, with an emphasis on building upon existing strategies and developing new innovative strategies to improve DOI's diversity in law enforcement. The Director of Law Enforcement for each Bureau should have authority to review and approve all law enforcement applicants prior to hiring.

Centralized control over new-hires would improve hiring consistency and ensure that proper steps in officer selections are followed, including psychological screening as required by the Department Manual.¹¹ Centralized oversight also presents an opportunity for the Department to gradually improve the diversity in its law enforcement program and to better reflect the diversity of the communities that they serve. The OLES and Board of Advisors should identify methods to improve the recruitment of law enforcement personnel, including the use of mass media and intern programs.

Only one recruitment program in DOI, the BLM Student Career Experience Program (SCEP), was found to be innovative and worth duplication.

In 1997, BLM's law enforcement offices in Salem and Portland recognized a growing need to fill in behind retiring officers and those transferring to other jobs. As a result, a Law Enforcement Center of Excellence (COE) was established in the Salem District in 1998. The COE uses the hiring authority offered by the BLM Student Career Experience Program. The law enforcement SCEP is aimed at college students enrolled in an accredited 4-year degree course of study in law enforcement, natural resources, or a closely related field. The COE uses a wide variety of training techniques to develop the skills mix necessary for BLM law enforcement officers. Significant time is spent exploring the agency mission and values; the function of the BLM law enforcement program; and various administrative and natural/cultural resource management programs located in the district and throughout the region. Law enforcement SCEPs work full-time in the COE during the summer and may also work part-time during the academic year.

Law enforcement trainees are eligible to receive up to \$2500 in annual assistance for tuition, fees, and similar costs. A signed agreement is required. Upon successful completion of the program, trainees may be placed non-competitively in a permanent law enforcement position somewhere in the United States. The application process is well-defined and rigorous.

¹¹ 446 DM Personnel Qualifications and Standards, 22, Selection, (C,2).

To date, all Law Enforcement SCEP graduates have successfully completed their BLM training, as well as the course work required by the Federal Law Enforcement Training Center. All have been hired to fill permanent BLM law enforcement positions.

This BLM program was the only unique program brought to the attention of the Assessment Team. Other BLM sites and DOI Bureaus should be encouraged to duplicate the efforts of the Portland COE.

Recommendation 21

The OLES and Board of Advisors should research the background investigation process and determine what can be done to decrease the time it takes to hire applicants.

Researching and/or revising the hiring process, such as allowing conditional new hires, and eliminating the prolonged background investigation process, would alleviate losing many qualified new hires.

During field interviews, the Assessment Team found a common complaint from Bureau officials concerning the hiring process and the timeliness of the background investigations. Most Bureaus use the Office of Personnel Management (OPM) and their contractors for background investigations. All stated that they purchased OPM's premium service, which provides a preliminary determination within 35 days. The officials complained that the full background investigations are rarely completed within the specified timeframe and some have taken over 9 months.

The Chief of Police at BOR's Hoover Dam and a BLM Chief Ranger advised that they recently lost incoming officers to the National Forest Service while waiting for OPM to complete background checks. Other officials stated that they have lost prospective employees to state and local law enforcement and felt the length of time it took for them to hire was a factor in losing them.

The Assessment Team contacted OPM and requested information on the background process to see if they could determine where the problem(s) existed. OPM stated that DOI Bureaus often wait for the complete background investigation to be completed prior to "conditionally hiring" applicants (hiring, on the condition that the final background investigation is acceptable). OPM reported that they can provide advance information in the requested timeframe sufficient for adjudication and temporary clearance.

When personnel representatives from the Bureaus and USPP were contacted in regard to OPM's response, the Assessment Team learned that OPM does, in fact, provide advance information concerning the content of the background investigation. One Bureau stated, however, that they do not use conditional hiring because "they had problems in the past with it"; others did not know why they did not conditionally hire.

Recommendation 22

OLES should develop training standards and training modules for all DOI law enforcement -- 1811s, 1812s and uniformed officers.

Presently, law enforcement training is provided on a Bureau-by-Bureau basis, rather than collectively, Department-wide. This approach fails to advance the development of collaboration and teamwork among the Bureau law enforcement units. This is especially important if Recommendation 25, which encourages the Bureaus to cross delegate their authorities, is adopted.

Building on the existing training resources utilized by the Department through the Federal Law Enforcement Training Center (FLETC), OLES, in conjunction with the Law Enforcement and Security Board of Advisors, should establish new core inter-bureau in-service training to encourage the sharing of ideas, development of strategies and building of relationships. Bureau-specific training can be added at the end of the program. All managers should attend the existing FLETC Law Enforcement for Managers training program (or similar programs), regardless of plans for transition.

CHAPTER 8. CRIME STATISTICS

Law enforcement organizations throughout the country -- local, state and Federal -- utilize crime statistics for a myriad of purposes, from staffing and deployment to funding and performance. Modern police management has recognized that reliable and timely information is invaluable to decision making.¹² In fact, all Federal law enforcement agencies are required by statute¹³ to report their crime statistics to the FBI. In this regard, however, DOI law enforcement is not only out of step with mainstream law enforcement nationally, but also out of compliance with the reporting requirement to the FBI.

The Departmental Manual¹⁴ clearly states that each Bureau must have a reporting system:

Each Bureau/office that has a law enforcement program will:

- a. Implement a statistical management reporting system that is responsive to its needs, the Department's needs, Congressional mandates and other inquiries.*
- b. Ensure that their management reporting system responds to all the reporting elements of NIBRS (National Incident-Based Reporting System¹⁵) and other reporting elements as may be required by the Department.*
- c. Establish and implement procedures for reporting statistical data in a timely and efficient manner.*

Recent articles in newspapers across the country have addressed increased crime in National Parks and other federal lands. The Southwest border has been highlighted as having some of the most dangerous parks in the nation, and the California Desert Area has been described as being overrun with criminal violators. According to reports filed by the DOI Office of Managing Risk and Public Safety¹⁶, there has been a 700% increase in drug, alien and exotic species smuggling activities in the past year along the Southwestern border. They also noted sharp increases in methamphetamine and marijuana production in the western, southern and northwestern sections of the country.

The use of basic law enforcement data (crimes, calls for service, incident reports, response times) for decision-making, performance and deployment is a rarity in DOI.

¹²“Standards for Law Enforcement Agencies (SLEA): The Standards Manual of the Law Enforcement Agency Accreditation Program”, Commission on Accreditation for Law Enforcement Agencies, 1998.

¹³ 28 U.S.C. §543, incorporating provisions of the Uniform Federal Crime Reporting Act of 1988, Section 733 of Pub. L. 100-690.

¹⁴ DM 446-1, Chapter 13, Statistical Information Systems.

¹⁵ In 1988, Congress mandated, through Public Law 100-690, a standardized report of crime from all Federal agencies with law enforcement programs.

¹⁶ ONDCP Budget Submissions for FY 2003.

Individual Bureaus develop and manage their own records systems. Inconsistent and independent collection of data and reporting guidelines make any statistical analysis of DOI law enforcement programs extremely difficult in the best case, and impossible in the worst. The practice of determining where crime occurs and placing resources at that location is a foreign concept at DOI. Most senior managers were unaware of the crime rate at their respective field locations and did not find the use of crime statistics useful. The failure to collect and analyze crime information is a serious deficiency in DOI.

The lack of a centralized DOI law enforcement office, with the necessary support staff, has left individual Bureaus responsible to address this deficiency alone. Bureaus are pursuing the development of central records systems with no intent or thought of ensuring department level compatibility. Instead of funding a single development project to create a land management based reporting system, there are several different plans and projects in place.

Reports by the IACP and NAPA criticize the NPS for their inability to accurately report crime and track costs. Nevertheless, an NPS senior manager defended the NPS's ability to report crime and stated that the crime statistics were useful but not a true measure of risk assessment. He chose to use a previous "customer survey" to conclude that the Parks were safe and that there was no evidence to indicate otherwise.

DOI crime statistics are, according to a former MRPS official, "not worth the paper they were sent in on." Bureaus have been accused of under-reporting crime information to "protect their image" or because "it was not important to them." In one interview, a NPS Ranger disclosed that he did not prepare and submit reports on his enforcement activities because "nobody ever asked for them." The Ranger worked at a Park considered to be one of the most crime-ridden in the nation. Additionally, with local law enforcement patrolling portions of DOI lands, incidents may be captured and reported by both the Bureaus and local agencies or not at all. The NWRS uses contractual agreements with local law enforcement departments to enforce laws on some Refuges, although there are no methods in place to record what, if any, law enforcement actions have been taken.

The Assessment Team found no statistics or records that could verify the aforementioned reported increase of crime. Corroboration of the reported increase of crimes and assaults were provided anecdotally through interviews with law enforcement personnel. The statistics on crime and enforcement actions have proven to be unreliable due to inconsistent reporting requirements, lack of records systems and a failure to mandate collection of the statistics.

Recommendation 23

OLES should coordinate the development and implementation of a department-wide central records system. The OLES and the Law Enforcement and Security Board of Advisors should mandate what law enforcement information must be maintained and how it must be reported.

Since accurate crime statistics are unavailable, DOI managers overseeing law enforcement programs do not have timely and complete information with which to monitor and improve their performance. Therefore, they cannot be held accountable for the crime rate, investigative clearance, or response to calls for service. Performance measures are not tied into any law enforcement results. Without accurate collection of crime data, any attempt to have performance-based objectives for law enforcement will fail.

The information obtained by analyzing data relating to crime should be used to support management and operations. Information can be provided to line managers and law enforcement officers which can help them develop daily operational and tactical plans. Administrators can utilize data for strategic planning as it relates to such topics as crime trends, agency resource allocation, crime prevention and other associated areas.¹⁷ This information system should capture all law enforcement activity in DOI, including any functions that might be contracted out.

¹⁷ SLEA, Chapter 15.

CHAPTER 9. PERFORMANCE MEASURES

The Government Performance and Results Act (GPRA) was designed to encourage Federal agencies to strategically plan and execute their program activities with a focus on results. The Assessment Team reviewed the performance goals and measures for those law enforcement programs that had them – BIA, NPS and BLM. The measures were very statistically oriented (outputs), lacking any articulation of results (outcomes). FWS and BOR had no goals or measures for their law enforcement components whatsoever.

With the present Administration’s emphasis on tying budget to performance, DOI law enforcement programs must develop meaningful performance goals and measures if they are to achieve this goal. Failure to do so may be profound. In its recent critique of the BIA law enforcement performance report, the Office of Management and Budget noted that despite a substantial increase in BIA law enforcement funding, “[n]o data have been provided on the effect of the increased spending on crime rates.”

While goals and measures may need to be tailored to individual organizations’ jurisdiction and mission, common themes and trends might be shared among the organizations as they develop their performance goals and measures.

Recommendation 24

OLES should lead the development of performance goals and measures for DOI law enforcement programs, and should coordinate the reporting process for law enforcement programs Department-wide.

Together with a shift to line item budgets for all DOI law enforcement entities, meaningful performance measures must be viewed as a move toward operational responsibility for unique program functions. Sound and accurate accounting allows managers to identify effective areas of performance and areas that need improvement. It also allows management to plan its personnel deployment, equipment replacement and upgrade, administrative support, training, and numerous other critical program requirements. Effective collection, analysis and utilization of crime statistics will also provide law enforcement managers a valuable tool in the effort to measure performance.

CHAPTER 10. JURISDICTION

At the height of the Klamath Falls incident in September 2001, an alarming discovery was made: BOR did not have law enforcement authority, and therefore could not delegate authority to other law enforcement organizations, either inside or outside DOI. This extraordinary weakness in BOR's law enforcement program simply highlighted the utterly ineffective manner in which the various DOI law enforcement organizations coordinate their efforts and support one another's missions. This may be due, in part, to the eclectic and disparate laws that establish their respective jurisdiction and govern their respective authority. Some of DOI's law enforcement programs enjoy rather broad jurisdiction and authority, while others operate in a very limited arena.

In 1992, the Department developed an Interagency Agreement (IA or Agreement) that allowed DOI law enforcement programs to support one another and engage in coordinated efforts. However, the IA is very dated, and the procedures it contains for engaging in cooperative efforts are complicated and unwieldy. Furthermore, given the fact that the Agreement can only authorize the extension of existing authority and jurisdiction from one law enforcement entity to another, gaps remain in the authority for DOI law enforcement overall, such as the inability of DOI law enforcement officers to provide security at the Main Interior Building. Finally, although BOR was a signator to the IA, it had no authority at the time of the IA to extend to other DOI law enforcement programs. Subsequent to the Klamath Falls debacle, BOR sought and received law enforcement authority from Congress.

DOI has previously explored the possibility of "blanket" Federal law enforcement authority to no end, and clearly the climate does not exist in Congress to advance this proposal further. The recent efforts to address security concerns by obtaining special deputization for DOI law enforcement officers have unfairly burdened the Marshal's Service and proven ineffective as a long-term solution for DOI.

Recommendation 25

OLES should coordinate the revision and streamlining of an Interagency Agreement among all DOI law enforcement entities to ensure, at the very least, cross-designation among DOI law enforcement programs.

A revised Interagency Agreement should incorporate organizational changes in DOI law enforcement programs and simplify the processes necessary to effect cross-designation and achieve coordinated activities.

CONCLUSION

Remarkably, this assessment of DOI law enforcement programs has not identified any new issues. It has confirmed and validated the findings of all the reviews, evaluations and assessments that preceded it.

Anticipating concerns that some of the recommendations contained in this report may increase bureaucratic layers at a time when government is moving in the opposite direction, the Office of Inspector General has carefully assessed the benefits expected to be gained by these proposed changes. The organizational model proposed is modest in both staffing and funding, and provides sound, critical oversight of nearly 4,400 law enforcement personnel. Adding positions that equate to less than 1% of the overall law enforcement workforce and an increase in funding that is less than 1% of the annual (estimated) dollar amount appropriated for law enforcement programs in DOI is a prudent investment in light of the expected economies and efficiencies in workforce, financial and program management.

The 2000 IACP report concluded, “Hopefully, champions of change will emerge and employ the results and recommendations of this audit more constructively than has been the case with previous audits.” Sadly, the Assessment Team discovered that no “champions of change” were to be found.

The Office of Inspector General and the majority of DOI law enforcement personnel sincerely hope that this report has now found its way to the champions of change who will take bold and definitive action.

SUMMARY OF REPORT RECOMMENDATIONS

No.	Recommendation	Report Page
1	For the purposes of providing increased coordination and advocacy for law enforcement at the Departmental level, the Department should create a new career Deputy Assistant Secretary for Law Enforcement and Security (DAS-LES) position, reporting directly to the Assistant Secretary – Policy, Management and Budget. This position should be filled with an experienced law enforcement professional.	5
2	To ensure coordinated responses at times of emergencies, the DAS-LES should have direct authority (when delegated by the Secretary) to oversee the operational deployment of all DOI law enforcement officers.	7
3	The Office of Law Enforcement and Security (OLES) should be staffed with dedicated personnel experienced in law enforcement investigations, management, criminal intelligence, legal matters and budget.	7
4	The DAS-LES must establish a clearly defined and documented set of policies, procedures, techniques and mechanisms detailing the circumstances under which the Bureaus are required to interact with OLES and enforcement of those rules of engagement.	8
5	The DAS-LES should be granted oversight authority for all Departmental law enforcement units' budgets.	9
6	For all Bureaus, establish a Senior Executive Service (SES) level Director of Law Enforcement and fill it with an experienced law enforcement professional. This position should report directly to the Bureau Director or Deputy Director. Bureau Directors of Law Enforcement, together with the Director for the Office of Law Enforcement and Security, should serve as the members of the Law Enforcement and Security Board of Advisors, created by the Secretary's Order of October 26, 2001.	12
7	Immediately restructure the reporting system for Special Agents (1811 and 1812 series) to create line law enforcement authority. All Special Agents in the field should report to Special Agent managers (Special Agents in Charge) who, in turn, should report directly to the Bureau Directors of Law Enforcement. Non-law enforcement oversight of investigations must be discontinued.	13

No.	Recommendation	Report Page
8	For all remaining law enforcement officers and personnel, develop strategic plans for the transition to centralized management systems that report to the Bureau Directors of Law Enforcement. In the interim, ensure that any remaining non-law enforcement managers with line authority over law enforcement officers and personnel have and maintain Critical Sensitive Clearances, as recommended by Departmental policy	14
9	Establish and implement single line item budgets and cost tracking systems for all DOI law enforcement units.	18
10	ONDCP and other special law enforcement monies should be controlled by the DAS-LES and assigned a separate fund code for spending and tracking.	19
11	Each law enforcement program should develop staffing models and methodologies. The Office of Law Enforcement and Security should oversee this development effort.	22
12	Staffing shortages related to officer safety should be identified by the OLES and corrected immediately.	22
13	Reduce dependence on part-time collateral duty and seasonal law enforcement officers.	22
14	All DOI security policy oversight and compliance should be the responsibility of OLES.	25
15	MIB security should remain the responsibility of the National Business Center, however, the NBC should appoint a dedicated Security Management professional with proper credentials to manage security at MIB.	25
16	Each Bureau should appoint a senior-level (GS-14/15), full-time security manager to maintain the daily security operations of the Bureau.	25
17	Responsibility for Emergency Preparedness should remain in the Office of Managing Risk and Public Safety. MRPS should, however, appoint a GS-15 Emergency Preparedness Manager and provide that appointee with adequate staff to fulfill these responsibilities.	26
18	A single, Departmental Internal Affairs Unit should be established in OLES, to provide independent, objective oversight over all Departmental law enforcement officers and managers.	28

No.	Recommendation	Report Page
19	OLES should review, revise and strengthen the Departmental Manual provisions addressing internal law enforcement incident reporting and resulting investigations.	28
20	The Law Enforcement and Security Board of Advisors should develop recruiting standards and guidelines for recruiting new DOI agents and officers, with an emphasis on building on existing and developing new innovative strategies to improve DOI's diversity in law enforcement. The Director of Law Enforcement for each Bureau should have authority to review and approve all law enforcement applicants prior to hiring.	32
21	The Law Enforcement and Security Board of Advisors should research the background investigation process and determine what can be done to decrease the time it takes to hire applicants.	33
22	OLES should develop training standards and training modules for all DOI law enforcement – 1811s, 1812s and uniformed officers.	34
23	OLES should coordinate the development and implementation of a department-wide central records system. The OLES and the Law Enforcement and Security Board of Advisors should mandate what law enforcement information must be maintained and how it must be reported.	37
24	OLES should lead the development of performance goals and measures for DOI law enforcement programs, and should coordinate the reporting process for law enforcement programs Department-wide.	38
25	OLES should coordinate the revision and streamlining of an Interagency Agreement among all DOI law enforcement entities to ensure, at the very least, cross-designation among DOI law enforcement programs.	39

Department of the Interior Office of Law Enforcement and Security

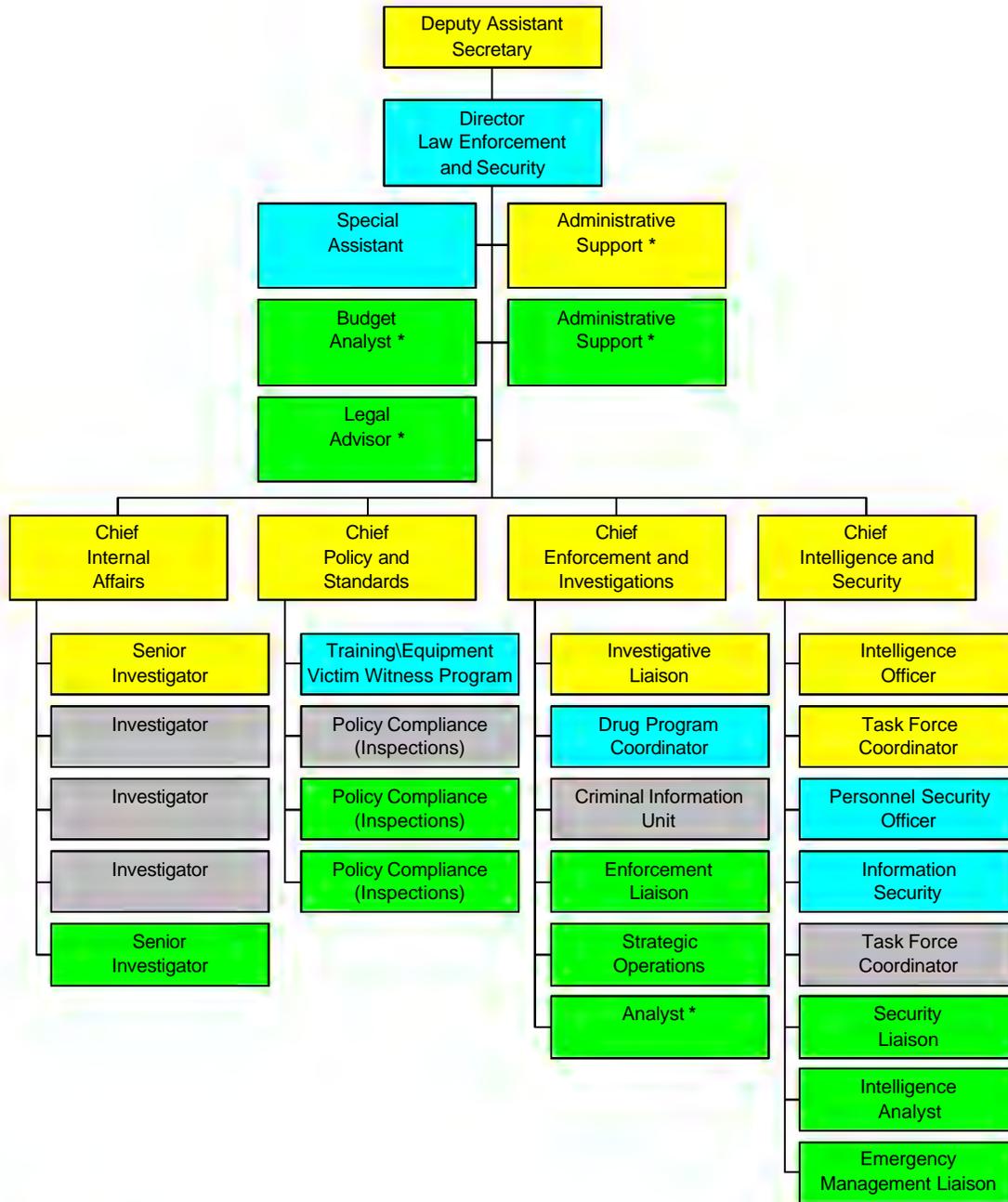
Total Costs of New Office with Existing Staff, New Staff, Start-Up and Operating Costs (Dollars in Thousands)

	FTE	FY2002 ¹	FTE	FY2003 ³	FTE	FY2004
Existing Staff (Permanent) ⁴	6	\$795	16	\$1,777	28	\$3,732
Detailed Positions ²	6	0	6	0	6	0
Start-Up Costs ⁵		1,531		708		230
Annual Operation Costs ⁶		721		1,127		1,127
New Positions	10	982	12	1,955		0
Total	22	\$4,029	34	\$5,567	34	\$5,089

Notes:

1. FY 2002 Costs are projected for an 8 month period.
2. Bureaus will provide salary and benefits for Detailees.
3. FY2003 Costs include 4 month adjustment from 2002.
4. Step 6 used for all GS level employees.
5. Start-Up Costs includes: weapons, computers, office furnishings, telephones, fax machines, etc.
6. Annual Operating Costs include: travel, vehicles, office space, supplies, criminal data base, etc.

Office of Law Enforcement and Security



	Existing Positions from MRPS-Law Enforcement and Security Team (6)
	New Positions requiring funding in FY 2002 (10)
	New Positions requiring funding in FY 2003 (12)
	Detailed Positions from Bureaus (6)
*	Non-Law Enforcement Series Position



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

MAR 29 2001

Memorandum

To: Acting Assistant Secretaries and Acting Bureau Directors

From: Secretary *[Signature]*

Subject: Assessment of Law Enforcement within the Department of the Interior

At my request, the Office of Inspector General will conduct a comprehensive assessment of law enforcement within the Department of the Interior. As a former Attorney General who headed my State's law enforcement training and certification program, I have a strong personal interest in high quality, accountable law enforcement.

The assessment will seek to identify organizational and management strategies that might be adopted to address issues that affect law enforcement Department-wide.

It will begin with a survey to obtain general information on each law enforcement organization. The assessment team will then analyze budget staffing data; review existing studies and reports conducted over the past 10 years, review organizational relationships (both internal and external to DOI), review supervision and management structure, conduct site visits, interview law enforcement chiefs and senior department officials, analyze the information assembled and prepare a report to me with the results of the assessment and options and/or recommendations as to the next steps.

I appreciate the OIG's willingness to undertake this important assessment, and fully support his efforts. I ask that you and your staff provide the OIG with absolute cooperation throughout the course of the assessment process.

Questions about this assessment should be directed to Doug Scott, Assistant Inspector General for Program Integrity, at (202) 219-0725.

cc: FWS/Chief, Division of Law Enforcement, National Refuge Law Enforcement Coordinator
NPS/National Capital Region, Chief, U.S. Park Police
BOR/Security Officer and Law Enforcement Coordinator
BIA/Acting Chief, Division of Law Enforcement



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