

Law Enforcement

Law Enforcement		2003 Actual	2004 Enacted	Uncontrollable & Related Changes (+/-)	Program Changes (+/-)	2005 Budget Request	Change from 2004(+/-)
Operations	\$(000)	49,455	51,598	+290	-1,678	50,210	-1,388
	FTE	445	450	-	-	450	-
Maintenance	\$(000)	2,136	2,098	-	-963	1,135	-963
	FTE	-	-	-	-	-	-
Cost Allocation Methodology *	\$(000)	[2,054]	[TBD]	-	-	[TBD]	-
Total, Law Enforcement	\$(000)	51,591	53,696	+290	-2,641	51,345	-2,351
	FTE	445	450	-	-	450	-

* The Service is reviewing the Cost Allocation Methodology and will provide an FY 2005 budget proposal by April 15, 2004.

Program Overview

The work of the Service's special agents, wildlife inspectors, and forensic scientists supports the achievement of the DOI Resource Protection Mission Goal and is essential to virtually every aspect of the agency's conservation mission. The enforcement of wildlife protection laws contributes significantly to Service efforts to manage ecosystems, save endangered species, conserve migratory birds, preserve wildlife habitat, restore fisheries, combat the introduction of invasive species, and promote international wildlife conservation (End Outcome Goal PEO.2: Sustain biological communities on DOI managed or influenced lands and waters).

Through the Law Enforcement program, the Service enforces laws and treaties that protect thousands of animal and plant species in the United States and around the world. In FY 2005, the Service will continue its core investigative and inspection activities, with evidence analysis and species identification support from the National Fish and Wildlife Forensics Laboratory.

Service Law Enforcement focuses on potentially devastating threats to wildlife resources – illegal trade, unlawful commercial exploitation, habitat destruction, and environmental contaminants. The program investigates wildlife crimes, regulates wildlife trade, helps Americans understand and obey wildlife protection laws, and works in partnership with international, state, and tribal counterparts to conserve wildlife resources. This work includes:

- Breaking up international and domestic smuggling rings that target imperiled animals
- Preventing the unlawful commercial exploitation of U.S. species
- Protecting wildlife from environmental hazards and safeguarding habitat for endangered species
- Enforcing federal migratory game bird hunting regulations and working with states to protect other game species and preserve legitimate hunting opportunities
- Inspecting wildlife shipments to ensure compliance with laws and treaties and detect illegal trade (including invasive species)
- Training other federal, state, tribal, and foreign law enforcement officers
- Using forensic science to analyze evidence and solve wildlife crimes

- Distributing information and outreach materials to increase public understanding of wildlife conservation and promote compliance with wildlife protection laws.

The Law Enforcement program supports the DOI Mission Goal: Resource Protection by contributing to the end outcome goal of sustaining biological communities on DOI managed and influenced lands and waters. The program also supports Intermediate Strategy 2: manage populations to self-sustaining levels for specific species.

The program plays a key role in providing critical support functions to the Service programs that contribute directly to Resource Protection. For example, Law Enforcement brings critical expertise in protecting regional migratory bird populations through the efforts of special agents and their work with state and local agencies and private groups to reduce human impacts on the breeding activities of rare ground-nesting shore birds, such as piping plovers and least turns. In the area of imperiled species, the program provides input in the development of habitat conservation plans and plays an important role in reviewing, evaluating, and monitoring incidental take permits to ensure compatibility with current laws and permittee compliance.

This involvement demonstrates the effective use of enforcement as a conservation tool and lays the groundwork to minimize the adverse impacts associated with land development activities on imperiled species. The program supports efforts to protect native wildlife including the Nation's fisheries resources by targeting illegal take and commercialization of native fish stocks. In the international area, LE agents and wildlife inspectors monitor legal international wildlife trade, and interdict illegal importations of federally protected fish, wildlife, and plants. In addition, core investigative

Use of Cost and Performance Information

The Office of Law Enforcement has traditionally played a support role in assisting other Service programs, including International Affairs and Endangered Species, in achieving their performance measures. In 2004, Law Enforcement set the stage for developing independent goals and measures with the following activities.

- Develop long-term goals and performance measures specific to the Law Enforcement program.
- Engage in a strategic planning process to identify outcome goals and specific program performance measures to link to the DOI Strategic Plan and Service's Operational Plan.
- Complete the development and implementation of a field activity report tracking system. This effort will improve the program's ability to capture and retrieve data needed to identify baselines and develop performance measures; transition to activity-based costing and management; and implement the President's Management Agenda. This system will also provide management with the capability to identify ongoing work and redirect efforts in response to changing priorities.

Other examples of the Office of Law Enforcement's efforts to use cost and performance information in management decisions include:

- Develop a range of comprehensive solutions, including the use of staffing and deployment models, to improve the strategic management of the workforce by establishing a human capital management infrastructure that aligns work and resources with performance goals and outcomes.
- Outsource data entry component of wildlife import/export shipment database to an off-site facility. On-site contract was terminated after a review revealed better services at a competitive rate could be obtained in different geographic locale.
- Add on-line credit card payment capability to Law Enforcement program's Internet-based import/export shipping system. This feature will save the Service time and money as well as eliminate risks associated with handling large sums of money.

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Investigations

Service special agents today increasingly work on cases involving multiple suspects in multiple locations committing multiple felonies. Bringing these cases to fruition can require months or years of investigative effort, dedicated forensic support, and extensive coordination with federal prosecutors and with other Service, state, federal, and international enforcement officers. The resulting indictments may well include counts for conspiracy, smuggling, money laundering, wire fraud, and false statements in addition to wildlife violations. Those convicted face multi-year prison sentences and fines, forfeitures, and restitution payments that can sometimes reach into the millions of dollars.

Wildlife criminals have access to ample financing, the latest computer and communications technology, and overnight air cargo shipping services to virtually anyplace in the world. As recent investigations show, the defendants in Service cases include: an organized criminal network of caviar dealers trafficking in illegal sturgeon and paddlefish eggs from coast to coast and overseas; land development companies that cut down eagle nesting trees and bulldozed endangered species habitat; one of the world’s largest wildlife dealers and his U.S. business contacts and couriers; the corporate officers of a primate research facility importing protected wild-caught monkeys; a multi-state ring of animal dealers and taxidermists killing caged tigers and leopards for instant trophies and salable parts; a chemical company that exposed endangered wood storks and its own employees to mercury poisoning; and the owners of a tanker that spilled crude oil off the U.S. coast.

While investigations require considerable time and resources, Service Law Enforcement also realizes the benefits of using a different, but equally labor and time-intensive approach. As the Service’s continued efforts to remove oil pit hazards to wildlife and reduce power line electrocutions of birds of prey show, communication and consultation with companies produce long-term conservation solutions without ever going to court. Counting cases cannot capture the value of time spent negotiating a bird protection plan with a utility or explaining oil pit netting procedures to an oil field operator. Such efforts prevent violations and protect countless species.

Inspections

The wildlife inspection program provides the nation’s first line of defense against illegal international wildlife trade, making a key contribution in safeguarding dwindling wildlife resources in the United States, North America, and around the world. The Service’s uniformed wildlife inspectors monitor U.S. wildlife trade to facilitate legitimate commerce, ensure compliance with wildlife laws and treaties, and intercept illegal trafficking. Wildlife trafficking threatens species that range from wild birds and exotic reptiles to insects, plants, and coral; much of this contraband is destined for the United States, which remains one of the world’s largest markets for illegal wildlife.

Inspectors examine commercial wildlife shipments, looking for contraband and violations of humane transport regulations. They also intercept smuggling by airline passengers and by people and vehicles crossing the borders and conduct proactive enforcement task forces that target specific trade problems, such as the smuggling of sea turtle products and the importation of mitten crabs – an

invasive species.

Wildlife inspectors face new challenges as the demand for wildlife products has escalated; profits have skyrocketed; and the ease of travel, transport, and transaction (including e-commerce) has removed barriers that once helped to keep illegal trade in check. From 1992 to 2002, listings under the Convention on International Trade in Endangered Species (CITES) – listings that often cover entire biological families consisting of tens or even hundreds of different species – increased from 723 to

1,264 (up by 75 percent) and the number of CITES member nations rose from 115 to 161. During the same period, documented U.S. wildlife trade increased 62 percent, with declared shipments jumping from about 75,000 to nearly 121,000. The number of different species in trade grew by 75 percent, increasing from 200,000 in 1992 to more than 352,000 a decade later.

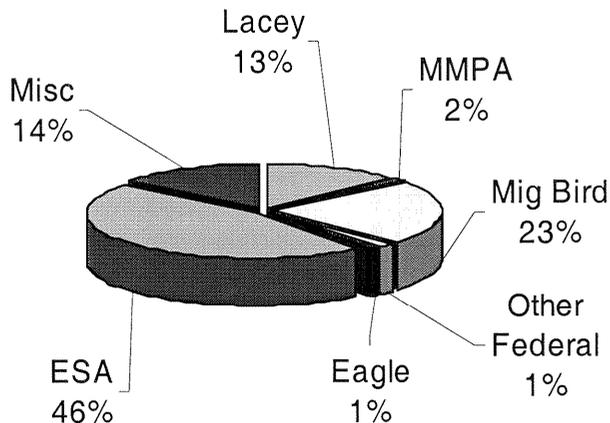
2003 Program Performance Accomplishments

In 2003, the Law Enforcement program investigated wildlife crimes, monitored wildlife trade, and conducted forensic analyses in support of the achievement of the DOI Resource Protection Mission Goal. The enforcement of laws that provide the foundation for conserving wildlife and wildlife habitat in this country contributed to Service efforts to sustain biological resources on DOI managed or influenced lands and waters. Significant program accomplishments include:

- Continued rebuilding core enforcement capability by completing the training of 25 agents hired in 2002 to fill long-standing vacancies.
- Conducted a revitalized investigations program with agents and inspectors pursuing more than 9,900 cases (including nearly 4,600 involving violations of the Endangered Species Act and more than 2,200 involving violations of the Migratory Bird Treaty Act).
- Expanded manatee protection efforts by conducting more than 50 task force operations designed to improve boater compliance with speed limits, reduce the take of manatees by boat strikes, and promote the recovery of this endangered species.

FY 2003 Investigative Caseload	
African Elephant Conservation	62
Airborne Hunting	9
Archeological Resources	7
Eagle Protection	145
Endangered Species Act	4,557
Lacey Act	1,263
Marine Mammal Protection Act	174
Migratory Bird Stamp	322
Migratory Bird Treaty Act	1,925
National Wildlife Refuge	1,009
Other Federal Laws	147
Permit/License Investigations	13
Rhino/Tiger	20
State Laws	204
Wild Bird Conservation Act	84
Total	9,941
Data compiled 11/19/03	

FY 2003 Investigative Focus
(By Law or Category)



- Processed nearly 119,000 wildlife shipments, intercepting such unlawfully imported wildlife commodities as caviar, sea turtle eggs, bushmeat, bear bile, ivory, and rare reptiles. Inspectors also prevented the smuggling of injurious mitten crabs and enforced bans on the importation of other invasive species (i.e., brushtail possums and snakehead fish).
- Teamed with federal and state authorities to respond to the first ever outbreak of monkeypox in the United States, implementing an embargo on importation and interstate transport of African rodent species and analyzing trade records to isolate the source of the disease.
- Worked towards the President's goal of expanding e-Government by launching a new Internet-based system for declaring wildlife imports and exports nationwide that speeds shipment clearances and facilitates legitimate wildlife trade. The Service worked with the Department of Treasury to add on-line credit card payment capability.
- Began the development and implementation of a field activity report tracking system.

FY 2003 Violation Statistics	
# Violations	7,766
Jail (Years)	36
Probation (Years)	463
Net Fines	\$7,964,601
Civil Penalties	\$5,121,420
Data compiled 11/19/03	

FY 2003 Total Wildlife Inspection Activity	
Total Designated Ports	96,055
Total Non-Designated Ports	17,254
Non-Staffed Ports	5,323
Total Shipments	118,632
Total Value	\$1.352 billion
Data compiled 1/14/04	

Wildlife Inspection Activity – Details			
Number of Shipments			
Designated Ports	FY 2003	Non-Designated Ports	FY 2003
Anchorage, AK	11,652	Agana, GU	506
Atlanta, GA	1,959	Blaine, WA	1,870
Baltimore, MD	2,934	Brownsville, TX	149
Boston, MA	1,216	Buffalo, NY	1,869
Chicago, IL	5,193	Champlain, NY	4,453
Dallas/Fort Worth, TX	4,359	Denver, CO	356
Honolulu, HI	3,236	Detroit, MI	1,009
Los Angeles, CA	19,805	El Paso, TX	533
Miami, FL	5,913	Great Falls, MT	889
New Orleans, LA	594	Houston, TX	757
New York/Newark, NJ	31,583	Laredo, TX	269
Portland, OR	922	Nogales, AZ	359
San Francisco, CA	3,518	Pembina, ND	1,872
Seattle, WA	3,171	San Diego, CA	597
		St. Paul, MN	973
		Tampa, FL	793
Totals	96,055	Totals	17,254

2004 Planned Program Performance

In 2004, the Law Enforcement program will continue to support DOI's Resource Protection Mission Goal of ensuring the sustainability of fish and wildlife populations. Significant accomplishments of the Law Enforcement program with the \$53.7 million in the enacted budget will include:

- Bolster inspection capabilities at three border ports currently staffed by a single inspector and place wildlife inspectors at six new border locations, where wildlife inspection expertise is not currently available.
- Begin the regulatory process of designating the ports of Memphis and Louisville, in accordance with recent Congressional mandates. These designations will help the Service address new trade monitoring needs associated with the phenomenal increase in cargo and undeclared wildlife moving via international express mail companies.
- Improve protections for endangered manatees with the continuation of speed zone enforcement task forces and securing dedicated equipment needed to support this high-priority resource protection need.
- Complete the development and implementation of a field activity report tracking system. This effort will improve the program's ability to capture and retrieve data needed to identify baselines and develop performance measures; transition to activity-based costing and management; and implement the President's Management Agenda. This system will provide management with the capability to identify ongoing work and redirect efforts in response to changing priorities.
- Develop a range of comprehensive solutions to improve the strategic management of the workforce by establishing a human capital management infrastructure that aligns work and resources with performance goals and outcomes. Implementing these solutions supports the Secretary's law enforcement reforms, addresses action items outlined in the Department's Strategic Human Capital Management Plan, and moves the Service's Law Enforcement program closer to achieving the strategic management of human capital called for in the President's Management Agenda. Specific deliverables from this effort will include the development of an array of standard position descriptions that will form a position management template to be applied across the entire Office of Law Enforcement, competencies related to these positions, career ladders with dual career tracks as appropriate, unit and organizational structure templates, and staffing and deployment models.

- Engage in a strategic planning process to identify outcome goals and specific program performance measures to link to the DOI Strategic Plan and Service's Operational Plan. This process will be a parallel effort to the workforce planning initiative to ensure that solutions enable the Office of Law Enforcement and the Service to allocate and deploy its workforce in a more effective manner and to link its work activities more closely to the Department's strategic plan and the Service's operational plan.
- Outsource the data entry of import/export shipment information to an off-site minority-owned firm.

Justification of 2005 Program Changes

Law Enforcement		2005 Budget Request	Program Changes (+/-)
Operations	\$(000)	50,210	-1,678
	FTE	450	
Maintenance	\$(000)	1,135	-963
	FTE	-	-
Total, Law Enforcement	\$(000)	51,345	-2,641
	FTE	450	-

The FY 2005 request for the Law Enforcement Operations component is \$50,210,000 and 450 FTE, a net decrease of \$1,388,000, a \$1,678,000 programmatic decrease from the 2004 enacted level. Funding received as Congressional increases for the ports of entry for Atlanta, GA, Louisville, KY, and Memphis, TN, was eliminated. Maintenance funding for Law Enforcement is \$1,135,000 - a net decrease of \$963,000 associated with vehicle replacement.

Law Enforcement Operations – Port of Entry Atlanta, GA (-\$296,000)

Atlanta is the Service's only designated port created with a dependence on outside funding. In 2001, the City of Atlanta determined that it had met its obligation with the Service to establish the designated wildlife port and ceased making annual payments. Despite this setback, the Service, believing the volume of international flights and cargo entering the United States at this location warranted an active enforcement presence, has continued to maintain a staff of two wildlife inspectors in Atlanta by reducing inspection services at other ports. Specific funding mandated by Congress in FY 2004 will be used to enhance operations at the port and to relocate the office to an area more accessible to brokers and the import/export community.

The Service will carefully evaluate the results of the Law Enforcement workforce planning study being conducted in FY 2004 and, if necessary, will adjust resources among the port locations to achieve greater efficiencies.

Law Enforcement Operations – Port of Entry, Louisville, KY (-\$691,000)

As mandated by Congress in FY 2004, the Service will develop the framework necessary to establish Louisville as the 15th designated wildlife port of entry. This designation will help the Service address new trade monitoring needs associated with the phenomenal increase in cargo and undeclared wildlife moving via international express mail companies.

The Service will carefully evaluate the results of the Law Enforcement workforce planning study being conducted in FY 2004 before staffing this new port. In the interim, shipments received at the UPS facility in Louisville will continue to be rerouted to one of the Service's other designated ports.

Law Enforcement Operations – Port of Entry Memphis, TN (-\$691,000)

As mandated by Congress in FY 2004, the Service will develop the framework necessary to establish Memphis as the 16th designated wildlife port of entry. This designation will help the Service address new trade monitoring needs associated with the phenomenal increase in cargo and undeclared wildlife moving via international express mail companies.

The Service will carefully evaluate the results of the Law Enforcement workforce planning study being conducted in FY 2004 before staffing this new port. In the interim, shipments received at the Federal Express facility in Memphis will continue to be rerouted to one of the Service's other designated ports.

Law Enforcement Maintenance – Vehicle Replacement (-\$963,000)

According to recent Office of Management and Budget statistics, among civilian agencies Interior has the third largest motor vehicle fleet. Vehicles are used by Interior employees and authorized volunteers to support multiple mission activities, many in remote areas. In some locations, government vehicles are provided to support service contractors. Over 4,000 vehicles are used seasonally (i.e., only in winter or summer), or for special purposes, such as law enforcement or fire fighting. Nearly 90 percent of the fleet vehicles are trucks, vans, buses and ambulances, and 10 percent are sedans and station wagons.

In 2004, the Department and the bureaus began a collaborative effort to improve the management of vehicle fleets including examination of the infrastructure for fleet management within each bureau, the identification of best practices that could be used Department-wide, and the development of action plans to improve fleet management and realize cost savings.

In anticipation of improved fleet management and the resultant savings, the 2005 budget proposes a reduction in funding. To achieve these savings, the bureau will undertake fleet reductions and cost-savings by: (1) reducing the size of the fleet; (2) employing energy saving practices by fleet operators; (3) acquiring more efficient vehicles; (4) acquiring the minimum sized vehicle to accomplish the mission; (5) disposing of underutilized vehicles; (6) freezing the acquisition of vehicles from the General Services Administration (GSA) Excess Vehicle program; and (7) exploring and developing the use of inter-bureau motor pools.

Incident Management, Analysis, and Reporting System (IMARS)

The Law Enforcement Program, along with the Refuge Law Enforcement Program, will work to implement IMARS, a department-wide law enforcement database. This activity will be funded out of the base program.

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