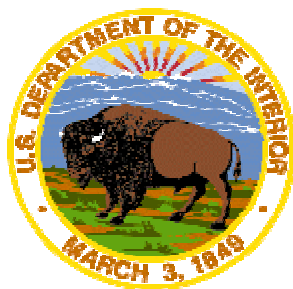

**LAW ENFORCEMENT AT
THE DEPARTMENT OF THE INTERIOR**

***RECOMMENDATIONS TO THE SECRETARY
FOR IMPLEMENTING
LAW ENFORCEMENT REFORMS***



July 2002

**A REPORT PREPARED BY
THE SECRETARY'S LAW ENFORCEMENT REVIEW PANEL**



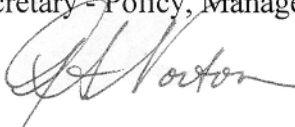
THE SECRETARY OF THE INTERIOR

WASHINGTON

JUL 19 2002

Memorandum

To: **P. Lynn Scarlett**
Assistant Secretary - Policy, Management and Budget

From: Secretary 

Subject: Law Enforcement at the Department of the Interior
Approval of Law Enforcement Reform Measures

I have reviewed the recommendations of the Law Enforcement Review Panel contained in its July 2002 report, *Law Enforcement at the Department of the Interior, Recommendations to the Secretary for Implementing Law Enforcement Reforms*. I commend the professionalism and dedication of all those who participated in the work of the Review Panel. It is very important work and it will leave its mark on the Department for years to follow.

I approve the recommendations of the Law Enforcement Review Panel and ask you and the Deputy Assistant Secretary - Law Enforcement and Security to work with the bureaus to implement the Review Panel's recommendations.

I look forward to reviewing the status of implementation with you on a periodic basis.

cc: Inspector General
Assistant Secretaries
Bureau Directors
Law Enforcement Chiefs

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Table 1. Review Panel Grouping of the Inspector General Recommendations into Major Categories

Category	Inspector General Recommendations Included in Category
Creating a New Deputy Assistant Secretary for Law Enforcement and Security	<ol style="list-style-type: none"> <li data-bbox="370 310 1398 464">1. For the purposes of providing increased coordination and advocacy for law enforcement at the Departmental level, the Department should create a new career level Deputy Assistant Secretary for Law Enforcement and Security position, reporting directly to the Assistant Secretary for Policy, Management and Budget. This position should be filled with an experienced law enforcement professional. <li data-bbox="370 491 1373 579">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. <li data-bbox="370 606 1398 730">4. The Deputy Assistant Secretary for Law Enforcement and Security 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 the Office of Law Enforcement and Security and enforcement of those rules of engagement.
Emergency Deployment	<ol style="list-style-type: none"> <li data-bbox="370 751 1409 875">2. To ensure coordinated responses at times of emergencies, the Deputy Assistant Secretary for Law Enforcement and Security should have direct authority (when delegated by the Secretary) to oversee the operational deployment of all Department of the Interior law enforcement officers. <li data-bbox="370 903 1398 1024">25. Office of Law Enforcement and Security should coordinate the revision and streamlining of an Interagency Agreement among all Department of the Interior law enforcement entities to ensure, at the very least, cross-designation among Department of the Interior law enforcement programs.
Bureau Operations and Line Authority	<ol style="list-style-type: none"> <li data-bbox="370 1039 1414 1220">6. For all Bureaus, establish a Senior Executive Service 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. <li data-bbox="370 1247 1414 1400">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. <li data-bbox="370 1428 1414 1566">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.

Table 1. Review Panel Grouping of the Inspector General Recommendations into Major Categories	
Category	Inspector General Recommendations Included in Category
Law Enforcement Funding and Budgetary Oversight	<p>5. The Deputy Assistant Secretary for Law Enforcement and Security should be granted oversight authority for all Departmental law enforcement units' budgets.</p> <p>9. Establish and implement single item budgets and cost tracking systems for all Department of the Interior law enforcement units.</p> <p>10. The Office of National Drug Control Policy and other special law enforcement monies should be controlled by the Deputy Assistant Secretary for Law Enforcement and Security and assigned a separate fund code for spending and tracking.</p> <p>24. Office of Law Enforcement and Security should lead the development of performance goals and measures for Department of the Interior law enforcement programs, and should coordinate the reporting process for law enforcement programs Department-wide.</p>
Allocation of Law Enforcement Personnel	<p>11. Each law enforcement program should develop staffing models and methodologies. The Office of Law Enforcement and Security should oversee this development effort.</p> <p>12. Staffing shortages related to officer safety should be identified by the Office of Law Enforcement and Security and corrected immediately.</p> <p>13. Reduce dependence on part-time collateral duty and seasonal law enforcement officers.</p>
Security and Emergency Preparedness	<p>14. All Department of the Interior security policy oversight and compliance should be the responsibility of the Office of Law Enforcement and Security.</p> <p>15. Main Interior Building security should remain the responsibility of the National Business Center, however, the National Business Center should appoint a dedicated Security Management professional with proper credentials to manage security at Main Interior Building.</p> <p>16. Each Bureau should appoint a senior-level (GS 14/15), full-time security manager to maintain the daily security operations of the Bureau.</p> <p>17. Responsibility for Emergency Preparedness should remain in the Office of Managing Risk and Public Safety. The Office of Managing Risk and Public Safety should, however, appoint a GS 15 Emergency Preparedness Manager and provide that appointee with adequate staff to fulfill these responsibilities.</p>
Internal Affairs	<p>18. A single, Departmental Internal Affairs Unit should be established in the Office of Law Enforcement and Security, to provide independent, objective oversight over all Departmental law enforcement officers and managers.</p> <p>19. Office of Law Enforcement and Security should review, revise and strengthen the Departmental Manual provisions addressing internal law enforcement incident reporting and resulting investigations.</p>

Table 1. Review Panel Grouping of the Inspector General Recommendations into Major Categories

Category	Inspector General Recommendations Included in Category
Recruitment and Training Standards	<p>20. The Law Enforcement and Security Board of Advisors should develop recruiting standards and guidelines for recruiting new Department of the Interior agents and officers, with an emphasis on building on existing and developing new innovative strategies to improve Department of the Interior’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.</p> <p>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.</p> <p>22. Office of Law Enforcement and Security should develop training standards and training modules for all Department of the Interior law enforcement -1811s, 1812s and uniformed officers.</p>
Crime Statistics	<p>23. Office of Law Enforcement and Security should coordinate the development and implementation of a department-wide central records system. The Office of Law Enforcement and Security and the Law Enforcement and Security Board of Advisors should mandate what law enforcement information must be maintained and how it must be reported.</p>

I. INTRODUCTION

The Secretary of the Interior has made clear that one of her principal objectives is to “develop and maintain the most professional, modern, and effective law enforcement capability in a civilian government agency.”¹ In order to achieve this objective, in March of 2001 the Secretary requested that the Inspector General of the Department of the Interior to conduct a comprehensive assessment of law enforcement within the Department. The Secretary requested the Inspector General to identify organizational and management strategies that would enhance law enforcement performance and professionalism across the Department, including supervision and management structures.

The Inspector General’s assessment resulted in a report that identified a number of material weaknesses in Interior’s law enforcement programs and outlined twenty-five recommendations for consideration by the Secretary.² As the Inspector General points out, his was not the first assessment to identify shortcomings of the Department’s law enforcement programs.³ Nor is the Inspector General the only voice that should be given consideration regarding these serious matters. Other observers of Federal law enforcement have also weighed in.⁴ For instance, United States Senator Charles E. Grassley has made clear his view that the Inspector General’s report “is one of the most damning indictments of a Federal law enforcement agency that...[he has] ever read” and views it as “a wake-up call for reform.”⁵ Likewise, Congressman Mark E. Souder is concerned over “the effectiveness and accountability of the Department’s vital law enforcement operations” because of the “lack of oversight, coordination, staffing, training and proper management.”⁶ Finally, fifteen United States Attorneys who met with the Inspector General on May 22, 2002 endorsed the findings of his report and raised specific concerns regarding the absence of direct line authority of Special Agents who present cases for Federal prosecution. Their concerns should not be treated lightly as they reflect the impact of Departmental decisions outside the halls of Interior where law enforcement professionalism may be undermined by anemic action.

¹See Secretary’s letter to the Inspector General (March 29, 2002).

²A copy of the Inspector General’s Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) is available at the Inspector General’s website, <http://www.oig.doi.gov/latest-reports.html>.

³See Inspector General’s Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) at page 2.

⁴It is also important to note that the Executive Board of the Federal Law Enforcement Officers Association “fully support[s] the recommendations and encourage[s] the Secretary to implement them at the earliest feasible time.” See *The Eighteen Eleven-Professional Journal of the Federal Law Enforcement Officers Association*, (Volume 124, Number 3) at page 18.

⁵See Senator Grassley’s letter to the Secretary (May 7, 2002).

⁶See Congressman Souder’s letter to the Secretary (May 22, 2002).

In order to systematically address the recommendations in the Inspector General's report, the Secretary convened the Secretary's Law Enforcement Review Panel. The Review Panel was composed of the senior leadership of Interior's Bureaus and its charge was to evaluate the Inspector General's report and make recommendations to the Secretary regarding implementation.⁷ In carrying out the Secretary's directive, the Review Panel also accepted the spirit of the Secretary's desire to acknowledge the unique nature of each Bureau's law enforcement and security mission while recognizing the overarching need for one Departmental approach to this vitally important work.

The Review Panel met on May 21-22 2002 and considered each of the Inspector General's recommendations as they applied to the Department and to the Bureaus. During the second day of the two-day session, the Inspector General addressed the Review Panel to reinforce the importance of reforming the Department's law enforcement programs. Following his remarks, the Review Panel was afforded a full opportunity to ask the Inspector General questions that were raised by his remarks and his assessment.

The Bureaus, through their representatives on the Review Panel, welcome continued scrutiny as they implement the Secretary's reform measures. Such review may involve internal review, Inspector General re-assessment, third-party review, or some combination. Whatever the form of the review, the Review Panel agrees with the recommendation made at the conclusion of the session by the Assistant Director of the Federal Bureau of Investigation that the internal review initially contain a combination of quarterly written status reports by the Bureaus along with two meetings with Bureau leadership at six month intervals. This review will afford the Department the opportunity to adjust and improve its law enforcement programs during the transitional year in a fully transparent manner. After year one, annual reviews will occur. Where restructuring is considered within the Office of the Secretary and within the Bureaus, the Department will remain open to further discussions with other entities with respect to refinement of the restructuring.

This report is organized as follows: section II discusses reform measures that the Department has implemented to date; section III addresses the Review Panel's conclusions on implementation of the Inspector General's recommendations, grouped into related categories; and section IV provides a conclusion. Appendix 1 summarizes the Review Panel's assessment and implementation recommendation for each Inspector General recommendation. Appendix 2 lists the attendees at the Review Panel's May 21-22, 2002 meeting. Appendix 3 outlines the organizational structure proposed by the Bureaus to address Recommendation 7 of the Inspector General's report.

⁷Appendix 2 contains a list of persons who attended the meetings of the Review Panel.

II. INDEPENDENT DEPARTMENTAL REFORM MEASURES IMPLEMENTED TO DATE

Following the attacks against our nation on September 11, 2001, the Secretary directed the Department to implement certain law enforcement and security reforms that address some of the recommendations in the Inspector General's report. These include the following:

- The Secretary created a new Deputy Assistant Secretary position for Law Enforcement and Security.⁸ The Deputy Assistant Secretary will have broad responsibilities including: developing law enforcement staffing models; establishing consistent Departmental training requirements and monitoring their implementation; overseeing the hiring of key law enforcement and security personnel; establishing emergency procedures; and oversight and review of Bureau law enforcement and security budgets.
- At times of emergency, the Deputy Assistant Secretary has been given direct authority (when delegated by the Secretary) to oversee operational deployment of all Department law enforcement officers. The policies and procedures for this type of situation still need to be clarified and codified in the Departmental Manual.
- Improvements to the physical security of the Main Interior Building have been implemented. The Office of Managing Risk and Public Safety has retained the responsibility for emergency preparedness and has appointed a GS 15 Emergency Coordinator. Each Bureau has also designated an emergency coordinator.
- The Fish and Wildlife Service, the National Park Service, and the Bureau of Indian Affairs have established a senior-level Director of Law Enforcement (and Security). The Bureau of Land Management and Bureau of Reclamation are currently formulating a plan to follow suit. The Department actively supported the Bureau of Reclamation's proposal to receive full law enforcement authority from Congress following the September 2001 attacks upon our nation.
- The Department is improving its ability to account for and track law enforcement costs. Beginning in fiscal year 2004 the Department will require each Bureau to identify and track all law enforcement costs as part of its new Activity Based Costing system. This new system will result in more efficient operations and enhance accountability to the Congress and the public, by tying costs to performance measures and function.
- The Bureau of Indian Affairs and the United States Park Police have established Internal Affairs Units. The Bureau of Land Management is in the process of establishing its own Internal Affairs Unit. The Bureau of Reclamation is planning to contract with the Office of Law Enforcement and Security or one of the other Bureaus' units to handle internal affairs matters. The Office of Law Enforcement and Security should also create a

⁸All references to the Deputy Assistant Secretary are to the Deputy Assistant Secretary for Law Enforcement and Security.

separate Internal Affairs Unit for policy oversight and select investigations. Ultimately, all Bureaus with a law enforcement program as well as the Department will have Internal Affairs coverage.

III. DISCUSSION OF INSPECTOR GENERAL RECOMMENDATIONS

A. Creating a New Deputy Assistant Secretary for Law Enforcement and Security

This section addresses recommendations 1, 3, and 4 of the Inspector General's report. These include the creation of a new position to oversee the Department's law enforcement activities, staffing the Office of Law Enforcement and Security, and updating the Departmental Manual to clarify the role of the Office. The Inspector General also recommends an additional 28 new full-time equivalents and 6 new detailees for the Office of Law Enforcement and Security. The Inspector General estimates staff and start-up costs would total \$5.1 million in fiscal year 2004.

Secretarial Order No. 3234 (October 26, 2001) created a new Deputy Assistant Secretary for Law Enforcement and Security. The role of this new position is to enhance the overall performance of the Department's law enforcement programs by increasing cooperation and planning among the Bureaus. This position is especially important given the Administration's focus on homeland security. The Deputy Assistant Secretary will report for duty on July 22, 2002.

The Review Panel agrees with the recommendation that the Office of Law Enforcement and Security be adequately staffed with dedicated and experienced law enforcement personnel. However, the specific skills the Inspector General recommends the staff possess depend on the organization structure selected for the Office of Law Enforcement and Security. Also, given the events of recent months, added security expertise will be needed.

Ultimately, the Review Panel decided not to endorse a particular organizational structure except to recommend that it should include detailees from the Bureaus for a period of not less than two years. The Deputy Assistant Secretary will develop a staffing model that meets the needs of the Office of Law Enforcement and Security. The Review Panel recommends that this task be completed as soon as possible, but no later than 45 days following the Deputy Assistant Secretary's entry on duty.⁹ The Deputy Assistant Secretary will work with the Office of Budget to ensure that appropriate funding is requested in fiscal year 2004.¹⁰

As the Office of Law Enforcement and Security develops its organizational structure, it is essential that policies and procedures which guide the Bureaus' interaction with the Office be

⁹The Review Panel recognizes that some of the recommended actions may not require the full amount of time allocated. Others may require an extension. Such extensions may be approved by the Assistant Secretary for Policy, Management and Budget if the Deputy Assistant Secretary and the Board of Advisors are able to illustrate significant progress is being made and more time is necessary. The Review Panel recommends the Deputy Assistant Secretary take every step possible to ensure that all of the reforms required by this report are addressed in a timely manner, especially actions that require immediate budget formulation.

¹⁰The Review Panel recommends that the Office of the Solicitor review its current resources to address the increased need for legal advice for the Office of Law Enforcement and Security and other Bureaus that are engaged in law enforcement and security.

codified in the Departmental Manual. Reviewing, revising, and strengthening the Departmental Manual should be done in cooperation with the Board of Advisors.¹¹ The Review Panel recommends that this task be completed no later than 90 days following the Deputy Assistant Secretary's entry on duty. Once implemented, and appropriate feedback mechanisms are put in place, these recommendations should significantly improve the efficiency and effectiveness of the Office of Law Enforcement and Security.

**CREATING A NEW DEPUTY ASSISTANT SECRETARY
FOR LAW ENFORCEMENT AND SECURITY**

Inspector General Recommendations:

1. For the purposes of providing increased coordination and advocacy for law enforcement at the Departmental level, the Department should create a new career level Deputy Assistant Secretary for Law Enforcement and Security position, reporting directly to the Assistant Secretary for Policy, Management and Budget. This position should be filled with an experienced law enforcement professional.
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.
4. The Deputy Assistant Secretary for Law Enforcement and Security 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 the Office of Law Enforcement and Security and enforcement of those rules of engagement.

Review Panel Findings and Recommendations:

- Secretarial Order No. 3234 created a new Deputy Assistant Secretary for Law Enforcement and Security. The Deputy Assistant Secretary is scheduled to report for duty on July 22, 2002.
 - The Review Panel agrees with the Inspector General that the Office of Law Enforcement and Security should be staffed with dedicated and experienced law enforcement personnel. The Review Panel recommends the Deputy Assistant Secretary develop a staffing model that meets the needs of the Office. Detailees from the Bureaus should be an integral element of the Office's staffing model.
 - The Review Panel recommends that the Deputy Assistant Secretary review and revise the policies and procedures which guide the Bureaus' interaction with the Office Law of Enforcement and Security. This should be done in consultation with the Board of Advisors.
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¹¹The Board of Advisors was created by Secretarial Order No. 3234 and consists of the Bureau law enforcement chiefs, who have been designated to address law enforcement and security issues.

B. Emergency Deployment

This section addresses recommendations 2 and 25 of the Inspector General's report. These recommendations include the deployment of law enforcement personnel during emergency situations and the interagency agreement that allows this to occur.

During a prototypical emergency response (such as September 11th), there is little question that the Deputy Assistant Secretary should have direct line authority to oversee operational deployment. But because not all scenarios are clear cut, the Review Panel recommends that, within 60 days of the entry on duty, the Deputy Assistant Secretary, in consultation with the Board of Advisors, recommend a set of protocols and procedures for emergency deployment efforts.

In 1992, the law enforcement units from Departments of the Interior and Agriculture signed an Interagency Agreement of cross-designation. Without this agreement, law enforcement personnel would lack the basic authority to operate outside of their Bureaus during emergency or other extraordinary deployment situations. Organizational changes over the last decade have dated this agreement. The Review Panel recommends the Deputy Assistant Secretary work with the Office of the Solicitor to coordinate the revision of the Interagency cross-designation agreements no later than 60 days following the Deputy Assistant Secretary's entry on duty.

EMERGENCY DEPLOYMENT

Inspector General Recommendations:

2. To ensure coordinated responses at times of emergencies, the Deputy Assistant Secretary for Law Enforcement and Security should have direct authority (when delegated by the Secretary) to oversee the operational deployment of all Department of the Interior law enforcement officers.
25. Office of Law Enforcement and Security should coordinate the revision and streamlining of an Interagency Agreement among all Department of the Interior law enforcement entities to ensure, at the very least, cross-designation among Department of the Interior law enforcement programs.

Review Panel Findings and Recommendations:

- The Deputy Assistant Secretary, in consultation with the Board of Advisors, should draft and codify the protocols and procedures for emergency deployment efforts. This task should be completed no later than 60 days following the Deputy Assistant Secretary's entry on duty.
 - The Deputy Assistant Secretary should work with the Office of the Solicitor to coordinate the revision of the Interagency cross-designation agreements no later than 60 days following the Deputy Assistant Secretary's entry on duty.
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C. Bureau Operations and Line Authority

This section addresses recommendations 6, 7, and 8 of the Inspector General's report. These recommendations include the creation of a senior-level Director of Law Enforcement in each Bureau; law enforcement line authority for all Special Agents; and a transition to a centralized management system for all remaining law enforcement officers and personnel.

The Review Panel recommends that each Bureau establish a senior-level Director of Law Enforcement (and Security). As noted above, the Review Panel recommends that, when appropriate, the word "security" be added to the title of this position to reflect the importance of security to certain Bureaus. In other cases, it may be appropriate to have a separate position to handle these important issues. The Bureau of Reclamation, for example, will have a law enforcement division dedicated principally to the implementation of the new law enforcement authority (Public Law 107-69). This new division needs to be integrated with Reclamation's existing security organization, which has principal responsibility for security of dams and other water control structures. While the Inspector General recommends the Law Enforcement and Security Director position be of the Senior Executive Service level, the Review Panel recommends that each Bureau assess their own needs and select the appropriate GS level for the position. The Review Panel views this approach as consistent with the spirit of the Inspector General's recommendation. Thus, guided by the spirit of the Inspector General's recommendation, the Review Panel recommends that each Bureau's justification for its selection of an appropriate GS level for this position be presented to the Deputy Assistant Secretary for his concurrence.

The Review Panel had extensive discussions about the proposal to create line authority for Special Agents. Within the Federal law enforcement system, Special Agents are responsible for "planning and conducting investigations relating to alleged or suspected violations of criminal laws. These positions require...knowledge of investigative techniques and...knowledge of the laws of evidence, the rules of criminal procedure..., constitutional rights, search and seizure...issues; the ability to recognize, develop and present evidence that reconstructs events, sequences, and time elements, and establishes relationships, responsibilities, legal liabilities, conflicts of interest, in a manner that meets requirements for presentation in various legal hearings and court proceedings; and skill in applying the techniques required in performing such duties as maintaining surveillance, performing undercover work, and advising and assisting the United States Attorney in and out of court."¹² As is the case across the government Special Agents within the Department present cases for felony prosecution to United States Attorneys.

In the Inspector General's report, line authority for Special Agents is identified as a fundamental reform requiring immediate corrective action. According to the report, "the policies governing the law enforcement units of the Department of the Interior give managers unrestricted discretion in how, or whether, to pursue investigations into potential criminal violations. However,

¹²Office of Personnel Management, Workforce Compensation and Performance Service, General Schedule Position Classification Standards , TS-8, February 1972.

competing program interests have prevented these managers from exercising independent objective judgment. Non-law enforcement managers with multiple program responsibilities should not be approving, supervising or managing criminal investigations.”¹³ Line authority for Special Agents aims to ensure that “judgments used in obtaining evidence, conducting interviews, and making recommendations will be impartial and will be viewed as impartial by knowledgeable third parties.”¹⁴

As part of the two-day session, the Inspector General addressed the Review Panel to discuss Special Agent line authority. According to the Inspector General, full direct line authority for Special Agents is the only reform that would ensure that Special Agents within the Department are fully accountable and free from inappropriate influence. In his remarks to the Review Panel, the Inspector General rejected the notion that with line authority, Special Agents would divorce themselves from the core mission of the Department and the specialized mission of their Bureaus. He views such speculation as contrary to the common experience of the other Departments that have made similar transitions. When the Environmental Protection Agency made the transition to line authority, many skeptics questioned whether direct line authority would compromise the unique mission of the agency’s law enforcement personnel. According to the Inspector General, the transition was a success and did not compromise the mission of the agency or their law enforcement personnel. Within the Department, the Bureau of Indian Affairs also successfully implemented line authority. More than a dozen United States Attorneys have also urged the Department to follow the example of every other Federal agency and transition Special Agents to line authority.

At the conclusion of the Review Panel’s meeting, the Bureaus agreed to continue working to address recommendation 7. The Review Panel agrees with the Inspector General and the United States Attorneys and endorses line authority for Special Agents as the appropriate model for the Department.¹⁵

Line authority for all remaining law enforcement officers and personnel, beyond Special Agents, is another core recommendation of the Inspector General’s report. In recommendation 8, the Inspector General suggests each Bureau “develop strategic plans for the transition to centralized management systems that report to the Bureau Directors of Law Enforcement.”¹⁶ The Review Panel agrees that the overall concerns raised by the Inspector General must be addressed but

¹³See Inspector General’s Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) at page 14.

¹⁴Ibid.

¹⁵Draft organizational charts showing the new lines of authorities for the National Park Service, the Fish and Wildlife Service, the Bureau of Land Management, and the Bureau of Reclamation are shown in Appendix 3. There is no chart for the Bureau of Indian Affairs because it operates under line authority.

¹⁶See Inspector General’s Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) at page 14.

disagrees with the remedy that the Inspector General prescribes. The Bureaus have reiterated that they are committed to enhancing the accountability and professionalism of field law enforcement operations and have posited that they will achieve discernable results through the implementation of the Review Panel's recommendations in combination with other Bureau measures. The Review Panel recommends that these measures be implemented by the Bureaus and reviewed quarterly during the first year (and annually thereafter) by the Bureaus and the Deputy Assistant Secretary to ensure implementation remains on schedule.¹⁷ The following describes some of the measures proposed by each Bureau.¹⁸

The National Park Service: Prior to the issuance of the Inspector General's report on law enforcement in the Department of the Interior, the National Park Service Director appointed a task force to respond to several reports on the condition of law enforcement in the National Park Service. The task force was chaired by the National Park Service's Deputy Director.

The task force has recommended the creation of the position of National Park Service Chief Ranger and that the protection (or law enforcement) program be centralized under that Chief Ranger. All commissioned law enforcement personnel (i.e. protection rangers, Special Agents and investigators) would report directly to a supervisor who is a commissioned law enforcement officer. The only exception to this is that the Park Chief Ranger would report to the Park Superintendent. Special Agents (and investigators) would report to a Special Agent in Charge, headquartered at the regional office, who would report to the Division Chief Ranger (commissioned) in the Washington Office who reports to the National Park Service Chief Ranger.

Protection rangers would report to the Park Chief Ranger (commissioned) who reports to the Park Superintendent (commissioned or non-commissioned), who in turn reports to the Regional Director. The Regional Director reports to the Operations Deputy Director in the Washington Office. In addition to law enforcement duties, Protection Rangers perform search and rescue, provide fire protection, conduct interpretive programs, lead nature walks, and provide resource management and protection. Therefore, the authority of the Superintendent must be maintained in this chain of command. However, all non-commissioned supervisors and managers within the law enforcement chain of command are currently required to attend training courses in law enforcement supervision and management. Training sessions are being scheduled.

The United States Fish and Wildlife Service: The Director of the Fish and Wildlife

¹⁷The Bureaus and the Review Panel are aware that the United States Congress may be inclined to act if sufficient progress is not achieved during the implementation of the Department's reform.

¹⁸The measures are intended to be illustrative only and are not intended to exclude other measures that are being considered by the Bureaus.

Service administers the National Wildlife Refuge System with the support of a Refuge System Headquarters staff, led by the Chief of the National Wildlife Refuge System. The Chief is supported by the Branch of Refuge Law Enforcement (staffed by law enforcement professionals), which develops policy, budgets, training programs, and other directives for the refuge law enforcement program. The Chief strives to work closely with the seven Regional Refuge Chiefs as a leadership team for the Refuge System. The Regional Chiefs are the direct line supervisors of all Refuge System field operations. Six of the seven Chiefs are experienced as Refuge Officers. The Regional Chiefs are supported by Regional Refuge Law Enforcement Coordinators, who are all experienced Refuge Officers. This structure assures that all Fish and Wildlife Service officials with authority over refuge law enforcement programs have senior, experienced law enforcement professionals on their staff. Additionally, most Refuge Managers are experienced Refuge Officers.

The Fish and Wildlife Service has also restructured its Refuge Law Enforcement Program by creating a Branch of Refuge Law Enforcement to be headed by a Branch Chief. The Service is currently recruiting to fill this position. The Fish and Wildlife Service has also added two full-time law enforcement professionals to its Federal Law Enforcement Training Center staff, and is recruiting for another law enforcement professional for its Washington staff. This has doubled the Refuge System Headquarters Law Enforcement Staff (to eight). Finally, the Fish and Wildlife Service has full-time Refuge Law Enforcement Coordinators in each Regional Office.

The Fish and Wildlife Service will develop additional refuge specific policy to identify the types of law enforcement investigations and operations that would require review by the Branch of Refuge Law Enforcement and approval by the Chief of the National Wildlife Refuge System. As recommended by this report, the Fish and Wildlife Service is also: establishing an Internal Affairs Unit; developing a centralized recruitment system; reducing dependence on collateral duty officers including piloting a zone system deployment model; and reviewing, revising, and strengthening the Service Manual's law enforcement chapters.

The Bureau of Land Management: The Bureau of Land Management will be assigning the Chief of Law Enforcement and Security to the immediate staff of the Director / Deputy Director where issues related to Bureau law enforcement operations will receive direct attention. The Chief of Law Enforcement and Security manages Chief Rangers through the Bureau's National Law Enforcement Office. State Staff Rangers will continue to provide strong technical guidance and oversight of ranger activities in the field. Further, the National Law Enforcement Office, directed by the Chief of Law Enforcement and Security, has responsibility for oversight of all law enforcement activities of the Bureau. This includes, but is not limited to, management of the Bureau's automated law enforcement reporting system, which collects pertinent program data and conducts policy compliance inspections of Bureau field activities.

The Bureau of Land Management is also in the process of reinvigorating its state law enforcement planning process. This process outlines the methods, techniques, and strategies that are utilized to provide law enforcement services to the public lands. The plans will be submitted to the Bureau's National Law Enforcement Office. The Bureau is also: formally establishing its Internal Affairs Unit; securing Critical Sensitive Clearances for all supervisors of law enforcement officers; and requiring completion of the Bureau's Law Enforcement for Managers course for all supervisors of law enforcement officers.

The Bureau of Reclamation: Prior to September 11, 2001, the security of Reclamation dams, reservoirs, and powerplants was maintained primarily by guards. On occasion, law enforcement officers from other Interior bureaus or local law enforcement officers secured the facilities. Reclamation did not have specific law enforcement authority in its first 99 years of operation except at Hoover Dam.

In October 2001, Reclamation received law enforcement authority when Public Law 107-69 was signed by the President. The Act gave the Secretary of the Interior authority to enforce Federal laws on Reclamation lands by using law enforcement officers from other Interior Bureaus, or by contracting with other Federal, state, local or tribal law enforcement organizations. The Secretary delegated that authority to the Commissioner of Reclamation. As required by Public Law 107-69, Reclamation published regulations to implement its new law enforcement authority, after consultation with the United States Attorney General.

Law enforcement officers from other Interior Bureaus have been on detail assignments to Reclamation to help the Bureau begin to implement its law enforcement program. Standard contracts or memorandum of agreement are being developed for use in procuring law enforcement services from other law enforcement agencies and organizations. A training program will also be developed with input from the Department of Justice.

Reclamation has responsibility to: operate and maintain its projects effectively; to provide for the security of those projects so that water and power delivery and services can continue to be provided; and at the same time protect the visiting public and employees. The law enforcement function needs to be integrated into Reclamation's organizational structure in such a way that it supports existing security program needs. Law enforcement and security should be complementary. Law enforcement and security should also be designed so as to achieve the program responsibilities and needs of the Bureau.

The regulations on Law Enforcement Authority stipulate that the Commissioner of Reclamation is responsible for designating a Law Enforcement Administrator with authority to discharge all the responsibilities of the law enforcement program. In approving Reclamation's Law Enforcement Authority regulations, the Department of

Justice stipulated the need for establishing a line of accountability for law enforcement.

Reclamation believes that the key to implementing an effective law enforcement program is to have a Regional Law Enforcement Officer assigned to each of its five regions. To ensure that the Regional Law Enforcement Officers provide Reclamation with the professional law enforcement support needed, Reclamation intends to recruit Special Agents as Regional Law Enforcement officers under the 1811 - Criminal Investigating Series, through detail assignments or contractual arrangements, since Public law 107-69 did not provide authority for Reclamation to have its own law enforcement officers.

The Review Panel recommends all non-law enforcement managers successfully complete a background investigation (as required for all Critical Sensitive positions) to ensure no manager's integrity has been compromised. The Review Panel further recommends all non-law enforcement managers of law enforcement personnel be required to complete "law enforcement training for supervisors." Each Bureau should perform necessary background checks within 120 days of approval of this recommendation by the Secretary. Further, each Bureau should develop a training plan for non-law enforcement managers within 60 days of approval of this recommendation by the Secretary. All training should be completed by the end of fiscal year 2003.

Creation of a United States Attorney Panel: In addition to the recommendations contained within this Report and in keeping with the overall goal of enhancing law enforcement professionalism within the Department, the Review Panel recommends that the Department convene a separate panel of United States Attorneys who prosecute cases brought by the Department to review the quality of cases presented for Federal prosecution or declination. Several United States Attorney have informally agreed to participate in this process. The Deputy Assistant Secretary should be charged with this task as soon as is practicable.

BUREAU OPERATIONS AND LINE AUTHORITY

Inspector General Recommendations:

6. For all Bureaus, establish a Senior Executive Service 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.
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.
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.

Review Panel Findings and Recommendations:

- The Review Panel recommends that each Bureau establish a senior-level Director of Law Enforcement (and Security). As noted above, the word "security" should be added to the title of this position to reflect the importance of security to some of the Department of the Interior Bureaus.
 - The Review Panel recommends that the Department adopt line authority for Special Agents.
 - Each Bureau has prepared a plan to enhance the accountability and professionalism of field law enforcement operations. These reform plans should be approved and implemented and progress should be reviewed periodically.
 - All non-law enforcement managers of law enforcement personnel should complete a background investigation (as required for all Critical Sensitive positions) to ensure no manager's integrity has been compromised.
 - All non-law enforcement managers of law enforcement personnel should also be required to complete "law enforcement training for supervisors."
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D. Law Enforcement Funding and Budgetary Oversight

This section discusses recommendations 5, 9, 10, and 24 from the Inspector General's report. Recommendation 5 relates to oversight of Departmental law enforcement budgets. Recommendations 9 and 10 address budgeting and tracking of law enforcement funding, including funds "received" from the Office of National Drug Control Policy. In particular, the Inspector General recommends the Deputy Assistant Secretary "control" funding provided by the Office of National Drug Control Policy and other special law enforcement funds. Recommendation 24 addresses the development of performance goals and measures.

The Inspector General's report identifies the Department's inability to accurately review, oversee, track or report on resources being devoted to law enforcement activities.¹⁹ The Inspector General concludes that line-item budgets would result in more effective and accountable law enforcement programs by improving goal setting, better goal and cost tracking, and increased fiscal responsibility. Line-item budgets in this report have less to do with the annual budgeting exercise than the capacity to clearly separate law enforcement operating expenses from general operating expenses of the Bureau during execution of the budget.

In its discussions, the Review Panel acknowledged that for the Bureau of Reclamation, a different set of Congressional appropriation subcommittees are involved in the budget process and that repayment issues – should they arise– need to be addressed in the context of Reclamation law. However, within the Department the Review Panel concluded that oversight, review, and tracking processes would be similar for all Bureaus.

The Review Panel agrees that critical components of an effective law enforcement program are establishing performance goals and measures, and tracking and accounting for the funds Congress has provided for law enforcement activities. New procedures and processes (described below) have been put in place to strengthen the Department's ability to manage in these critical areas.

The Assistant Secretary for Policy, Management and Budget currently has the responsibility to coordinate and review the Bureaus' and Department's budget submissions. The Deputy Assistant Secretary for Law Enforcement and Security and the Deputy Assistant Secretary for Budget and Finance will coordinate their reviews of the Bureaus' law enforcement and security budget requests. In the immediate term, the Deputy Assistant Secretary for Budget and Finance is preparing fiscal year 2004 budget guidance for the Bureaus' law enforcement and security activities. This guidance is expected to request that each Bureau include in its fiscal year 2004 budget sufficient resources to implement the recommendations of the Review Panel.

The Review Panel concluded that line-item budgeting for law enforcement activities is appropriate. The Review Panel's discussion revolved around ensuring that the steps necessary to

¹⁹See Inspector General's Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) at page 16.

implement line-item budgeting were taken. These steps include establishing appropriate cost tracking and performance measurement systems. The Department is currently in the process of implementing a much more detailed cost tracking system, called Activity Based Costing. Activity Based Costing is an accounting method that measures the cost of work efforts leading to specific results. Activity Based Costing will be implemented throughout the Department over the next two years. The successful transition to Activity Based Costing will provide the linkage of strategic planning, budgeting, costing and performance reporting. Activity Based Costing will result in more efficient operations and enhance accountability to the Congress and the public, by tying costs to performance measures. Within the Department, the Bureau of Land Management and the Office of Surface Mining are currently using Activity Based Costing or similar accounting systems. The Review Panel recommends that line-item budgets for law enforcement and security activities be implemented in accordance with the Department's schedule. The remaining Interior Bureaus will be required to implement Activity Based Costing by October 1, 2003.

The Review Panel recommends that the development of performance measures and goals be led by the Deputy Assistant Secretary for Performance and Management. The Deputy Assistant Secretary for Law Enforcement and Security and the Board of Advisors will work with the Deputy Assistant Secretary for Performance and Management to develop performance goals and outcome measures by September 30, 2002 for inclusion in the fiscal year 2004 budget process.

The Review Panel recommends that the Deputy Assistant Secretary should "control" designated Office of National Drug Control Policy and other special law enforcement funds if any such funds are received by the Department through the authority to exercise formal review and clear oversight for the expenditure of those funds.²⁰ However, the Deputy Assistant Secretary must be vested with sufficient authority (and accountability) to ensure the proper expenditure of this type of dedicated funding.

²⁰The Department does not receive funding directly from the Office of National Drug Control Policy. Through fiscal year 2003 the Office reviewed and certified that Interior's drug control budgets were consistent with the Administration's goals and objectives. Beginning with the fiscal year 2004 budget, the Office of National Drug Control Policy terminated its review and certification process for all agencies, including Interior, where drug control is not the primary mission. In fiscal year 2000, a total of \$35.9 million was appropriated by Congress to the National Park Service, the Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Affairs for drug control efforts.

LAW ENFORCEMENT FUNDING AND BUDGETARY OVERSIGHT

Inspector General Recommendations:

5. The Deputy Assistant Secretary for Law Enforcement and Security should be granted oversight authority for all Departmental law enforcement units' budgets.
9. Establish and implement single item budgets and cost tracking systems for all Department of the Interior law enforcement units.
10. The Office of National Drug Control Policy and other special law enforcement monies should be controlled by the Deputy Assistant Secretary for Law Enforcement and Security and assigned a separate fund code for spending and tracking.
24. Office of Law Enforcement and Security should lead the development of performance goals and measures for Department of the Interior law enforcement programs, and should coordinate the reporting process for law enforcement programs Department-wide.

Review Panel Findings and Recommendations:

- The Review Panel recommends that the coordination and review responsibility for law enforcement and security budgets be formalized as a shared function between the Deputy Assistant Secretary for Law Enforcement and Security and the Deputy Assistant Secretary for Budget and Finance.
 - The Review Panel recommends that the Department establish line-item budgets for law enforcement and security activities by October 1, 2003.
 - The Review Panel recommends that the Deputy Assistant Secretary and the Board of Advisors work with the Deputy Assistant Secretary for Performance and Management to develop performance goals and outcome measures.
 - The Review Panel recommends that the Deputy Assistant Secretary should "control" designated Office of National Drug Control Policy and other special law enforcement funds if any such funds are received by the Department through the authority to exercise formal review and strong oversight over the expenditure of those funds.
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E. Allocation of Law Enforcement Personnel

This section discusses recommendations 11, 12, and 13 from the Inspector General's report. These recommendations address staffing models; staffing shortages; and the Department's reliance on seasonal and collateral duty officers.

The Inspector General recommends that the Department establish standard staffing methodologies and that the Department address pervasive staff shortages. The Inspector General notes that the need for additional staff is "real, profound, and endemic."²¹

The Inspector General also addresses the use of seasonal and collateral duty law enforcement officers.²² The Inspector General recognizes that using collateral duty and seasonal officers can result in cost savings, but concludes that the drawbacks from a professional standpoint outweigh any cost savings.

The Review Panel received information from the National Park Service, Bureau of Land Management, Fish and Wildlife Service, and Bureau of Indian Affairs indicating that much of the work to develop staffing models and methodologies is in progress in the Bureaus. Staffing models detail the appropriate staffing and deployment patterns (numbers, seniority, geographic location, etc.) to be used in general or in specific situations. As this work is concluded it should be reviewed by the Deputy Assistant Secretary. The Review Panel also concluded that the Deputy Assistant Secretary and the Board of Advisors should create an agency-wide staffing model. Bureau and Departmental staffing models should consider the potential for standard cooperative agreements to allow for the permanent assignment of state and local law enforcement personnel to Federal posts on a reimbursable basis.

The Review Panel discussed staffing shortages and concluded that each Bureau must assess immediately the extent to which staffing shortages that impact public safety as well as officer safety are present. Immediately following that assessment, the Bureaus and the Deputy Assistant Secretary should coordinate efforts to secure the resources needed to address the identified shortages. Efforts to secure resources should include a review of available resources within the Bureaus and the Department. Remedial plans should be crafted by the Bureaus immediately and forwarded to the Deputy Assistant Secretary for his concurrence.

The Review Panel agrees with the Inspector General that it is necessary to reduce dependence on

²¹See Inspector General's Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) at page 20.

²²Seasonal 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. As of mid-2001, the National Park Service had 499 seasonal law enforcement officers and the Fish and Wildlife Service had 522 collateral duty law enforcement officers. See Inspector General's Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) at pages 1 and 22.

collateral duty and seasonal officers.²³ The Review Panel recommends that, as part of the development of staffing models referred to above, the Deputy Assistant Secretary and the Board of Advisors take steps to reduce the Department's reliance on collateral duty and seasonal law enforcement officers. In the view of the Review Panel, the Bureaus that seek to maintain collateral duty and seasonal law enforcement officers should be able to make a compelling case within the context of their force planning.

The Bureau that currently relies on collateral duty officers to the greatest extent is the Fish and Wildlife Service. However, the Fish and Wildlife Service acknowledges its need to shift to a heavier reliance on full-time law enforcement and fewer dual function officers. Through the development of a new system, full-time zone officers would cover multiple refuges, thus reducing the Refuge System's dependence on collateral duty and seasonal law enforcement officers. Zone law enforcement officers would also assist refuge field officers with cases, coordinate and assist refuges with special events, and assist with station law enforcement plans and inspections within a specified geographic area. Zone law enforcement officers would provide weekly reviews of the new officer trainee in the Field Training and Evaluation Program. The Review Panel recommends the Fish and Wildlife Service implement this program in fiscal year 2003. Once the Fish and Wildlife Service zone system is implemented, the Review Panel recommends that the Deputy Assistant Secretary and the Board of Advisors review the system for the potential for wider application to reduce the Department's use of collateral duty and seasonal law enforcement officers.

It is also important that, beginning in fiscal year 2003, the Bureaus ensure and certify annually that all law enforcement collateral duty and seasonal law enforcement officers and managers have completed appropriate training. This includes appropriate retraining for all seasonal officers returning to duty. In addition, the Bureaus should also develop procedures to demonstrate that enforcement officers are knowledgeable of and acting within their authority on a day-to-day basis. This is as important for collateral duty and seasonal law enforcement officers as it is for full-time officers.

²³Some Bureaus have already initiated efforts to recruit additional law enforcement officers. For example, the Fish and Wildlife Service has prioritized the addition of full-time commissioned Refuge Officer. The Fish and Wildlife Service has increased the number of full-time officers from 62 in 2000 to 87 officers in 2002 and plans to recruit for an additional 25 new full-time officers within the next 4 months. The Service has also added two full-time law enforcement professionals to its Federal Law Enforcement Training Center staff, and is recruiting for another law enforcement professional for its Washington staff. This has doubled the Refuge System Headquarters Law Enforcement staff (to eight). In addition, the Service also has full-time Refuge Law Enforcement Coordinators in each Regional Office.

ALLOCATION OF LAW ENFORCEMENT PERSONNEL

Inspector General Recommendations:

11. Each law enforcement program should develop staffing models and methodologies. The Office of Law Enforcement and Security should oversee this development effort.
12. Staffing shortages related to officer safety should be identified by the Office of Law Enforcement and Security and corrected immediately.
13. Reduce dependence on part-time collateral duty and seasonal law enforcement officers.

Review Panel Findings and Recommendations:

- Bureaus should complete their ongoing analysis of staffing models. This analysis should be reviewed for sufficiency by the Deputy Assistant Secretary.
 - The Deputy Assistant Secretary and the Board of Advisors should create an agency-wide staffing model.
 - Each Bureau should assess the extent to which staffing shortages that impact public safety as well as officer safety are present. The Bureaus and the Deputy Assistant Secretary should coordinate efforts to address the identified shortages immediately. Efforts to secure additional resources should include a review of available resources within the Bureaus and the Department.
 - The Review Panel agrees that it is necessary to reduce the dependence on collateral duty and seasonal officers.
 - Beginning in fiscal year 2003, Bureaus should ensure and certify annually that all law enforcement collateral duty and seasonal law enforcement officers and managers have completed appropriate training, and develop procedures to demonstrate that enforcement officers are knowledgeable of, and acting within, their authority on a day-to-day basis.
 - The Fish and Wildlife Service should implement the zone system in fiscal year 2003. The Deputy Assistant Secretary and the Board of Advisors should review the zone system for broader application.
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F. Security and Emergency Preparedness

This section discusses recommendations 14, 15, 16, and 17 from the Inspector General's report. These recommendations include responsibility for security policy oversight and compliance, security at the Main Interior Building in Washington, DC, the creation of senior-level security operations managers in each Bureau, and responsibility for Emergency Preparedness.

Since the events of September 11th, no single issue has dominated the American landscape more than security and emergency preparedness. Similar to many other Federal institutions, the Department of the Interior has taken steps to ensure that security is incorporated into its mission. In order to ensure the Department's facilities, personnel, and visitors are adequately protected, the Review Panel recommends each Bureau appoint a senior-level Security Manager to oversee Bureau security operations. The Inspector General plans to continue monitoring the Department's activities in this area.

As part of the Department's security initiative, the Secretary has placed responsibility for (physical) security policy oversight and compliance with the Office of Law Enforcement and Security. This centralized oversight authority will help ensure adequate security standards are met throughout the Department's diverse collection of Bureaus. As part of this responsibility, the Review Panel recommends that the Office of Law Enforcement and Security, in coordination with the Board of Advisors, review, revise, and strengthen the Department's security policies as well as the oversight rules necessary to ensure compliance. The Review Panel recommends that the Deputy Assistant Secretary maintain open communications with the Department's Chief Information Officer regarding the Department's information technology security.

The Review Panel recommends each Bureau develop a senior-level, full-time security manager position. While the Inspector General recommends this position be a GS 14/15, the Review Panel recommends each Bureau assess their own needs and select the appropriate GS level. Bureau justification for selecting an appropriate GS level must satisfy the spirit of the Inspector General's recommendation and be reviewed by the Deputy Assistant Secretary. The Review Panel recommends that Bureau plans be approved no later than 45 days following the Deputy Assistant Secretary's entry on duty and included in the fiscal year 2004 budget.

The Inspector General recommends that responsibility for emergency preparedness should remain with the Office of Managing Risk and Public Safety and that a GS 15 Emergency Preparedness Manager be appointed and provided adequate staff.

In early 2002, the Assistant Secretary for Policy, Management and Budget commissioned a comprehensive analysis of emergency management program needs in the Department, including scope and purpose of the program, organizational and management issues, and resource requirements. That study has been provided to the Assistant Secretary and is under consideration. The study outlines an emergency management program and structure, along with specific recommendations, that address the Inspector General's recommendation that emergency management in the Department be provided with adequate staff. The study recommends that, as

an interim measure, emergency management remain in the Office of Managing Risk and Public Safety for administrative purposes, but that it be responsible to the Assistant Secretary for Policy, Management and Budget. The Panel recommends that decisions on the emergency management recommendations be made promptly in order to provide the Department with adequate emergency management program resources and capabilities.

The Review Panel recommends that the National Business Center -- the entity responsible for overseeing security in the Main Interior Building -- augment its security staff with the appointment of a professional Security Manager to oversee this effort. The Security Manager and the security staff for the Main Interior Building will work to prevent emergency situations and assist the Department's Emergency Coordinator to ensure that the Department is fully prepared for emergency situations that may arise.

SECURITY AND EMERGENCY PREPAREDNESS

Inspector General Recommendations:

14. All Department of the Interior security policy oversight and compliance should be the responsibility of the Office of Law Enforcement and Security.
15. Main Interior Building security should remain the responsibility of the National Business Center, however, the National Business Center should appoint a dedicated Security Management professional with proper credentials to manage security at Main Interior Building.
16. Each Bureau should appoint a senior-level (GS 14/15), full-time security manager to maintain the daily security operations of the Bureau.
17. Responsibility for Emergency Preparedness should remain in the Office of Managing Risk and Public Safety. The Office of Managing Risk and Public Safety should, however, appoint a GS 15 Emergency Preparedness Manager and provide that appointee with adequate staff to fulfill these responsibilities.

Review Panel Findings and Recommendations:

- The Secretary has placed responsibility for (physical) security policy oversight and compliance with the Office of Law Enforcement and Security.
 - The Review Panel recommends each Bureau develop a senior-level, full-time security manager position. Bureau justification for selecting an appropriate grade-scale for this position must be reviewed by the Deputy Assistant Secretary.
 - The Review Panel concurs with the Inspector General that responsibility for emergency management should, for the interim, remain with the Office of Managing Risk and Public Safety.
 - The Assistant Secretary for Policy, Management and Budget has pending before her a report with recommendations for an emergency management program including resource needs. The Review Panel recommends that decisions on the report's recommendations be made promptly in order to provide the Department with adequate emergency management program resources and capabilities.
 - The Review Panel recommends that the National Business Center -- the entity responsible for overseeing security in the Main Interior Building -- augment its security staff including the appointment of a professional Security Manager to oversee this effort.
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G. Internal Affairs

This section discusses recommendations 18 and 19 from the Inspector General's report. These recommendations include the creation of a Departmental Internal Affairs Unit and updating the Departmental Manual to reflect the change in oversight authority.

The Review Panel agrees with the principle that all law enforcement units must have a strong and effective Internal Affairs coverage. The Panel disagrees with the Inspector General's recommendation that a single unit be created to the exclusion of Bureau units. In October of 2000, each Bureau was directed by the Department to establish an internal affairs component for its law enforcement program.²⁴ Currently, the Bureau of Indian Affairs and the United States Park Police have fully staffed units. The Bureau of Land Management is in the process of establishing a discrete unit. The Bureau of Reclamation is planning to contract with the Office of Law Enforcement and Security or one of the other Bureau units to handle all internal affairs matters. The Review Panel recommends that the remaining Bureaus act to satisfy the requirements of the 2000 directive as soon as possible.

Additionally, the Review Panel recommends the Office of Law Enforcement and Security establish an Internal Affairs Unit. Once fully staffed this Unit will provide policy and quality control oversight as well as investigate Bureau cases if the capacity of a Bureau's Unit is inadequate. Bureaus will also remain free to refer sensitive investigations to the Unit. The Deputy Assistant Secretary should consult with the Inspector General, the Solicitor, and the Board of Advisors to identify and codify in the Departmental Manual the situations or special types of cases where the Office would have jurisdiction.

The Review Panel also recommends that the Deputy Assistant Secretary and the Board of Advisors review, revise, and strengthen the Departmental Manual provisions addressing internal law enforcement incident reporting and the resulting investigations. This process should be completed no later than 120 days after entry by the Deputy Assistant Secretary.

Finally, the Review Panel recommends the Deputy Assistant Secretary and the Board of Advisors identify the best approach for evaluating professional standards and review.

²⁴Memo from the Assistant Secretary for Policy, Management and Budget to Assistant Secretaries and Bureau Heads, October 30, 2000.

INTERNAL AFFAIRS

Inspector General Recommendations:

18. A single, Departmental Internal Affairs Unit should be established in Office of Law Enforcement and Security, to provide independent, objective oversight over all Departmental law enforcement officers and managers.
19. Office of Law Enforcement and Security should review, revise and strengthen the Departmental Manual provisions addressing internal law enforcement incident reporting and resulting investigations.

Review Panel Findings and Recommendations:

- The Bureaus without existing Internal Affairs Units should act promptly to ensure adequate Internal Affairs coverage.
 - The Office of Law Enforcement and Security should establish an Internal Affairs Unit to perform an oversight role and to investigate Bureau cases if the capacity of a Bureau's unit is inadequate.
 - The Office of Law Enforcement and Security and the Board of Advisors should review, revise, and strengthen the Departmental Manual provisions addressing internal law enforcement incident reporting and the resulting investigations.
 - The Deputy Assistant Secretary and the Board of Advisors should identify the best approach for evaluating professional standards and review.
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H. Recruitment and Training Standards

This section discusses recommendations 20, 21, and 22 from the Inspector General's report. These recommendations address recruiting standards and guidelines; the background and investigation process; and training standards.

The Inspector General concludes that the Department lacks standard recruiting guidelines. This lack of standardization "compromises effective law enforcement."²⁵ Related issues identified by the Inspector General include the relative lack of diversity in the law enforcement workforce (and, more broadly, the Department) and the need to provide Bureau Directors of Law Enforcement with the ability to review and approve all law enforcement applicants prior to hiring.

The Inspector General notes that the "fragmented and decentralized approach" to training impaired "the development of collaboration and teamwork among the Bureau law enforcement units."²⁶ The Inspector General also identifies the Firefighters and Law Enforcement Retirement Team's inability to process retirement eligibility determinations in a timely manner as being a factor preventing law enforcement programs from hiring new recruits and improving diversity.

The Review Panel supports the workforce diversity goals established in the Department's 2000-2005 Strategic Plan. The Strategic Plan calls for increasing the diversity of Interior's workforce by at least 7.1% from the fiscal year 1997 base.²⁷ To reach its workforce diversity goal, Interior will focus on increasing diversity in the pool of job applicants through targeted recruitment and improving the quality of work life for under-represented groups. The Review Panel recommends that the Deputy Assistant Secretary for Law Enforcement and Security and the Deputy Assistant Secretary for Human Resources and Workforce Diversity work cooperatively to identify a process specifically for increasing the diversity of the law enforcement workforce. The recruitment standards and guidelines including a special process for increasing diversity should be completed no later than 120 days following the Deputy Assistant Secretary's entry on duty.

²⁵See Inspector General's Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) at page 29.

²⁶See Inspector General's Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) at page 34.

²⁷Department of the Interior FY 2000 - 2005 Strategic Plan. The Department is also in the process of finalizing its fiscal year 2002-2006 Strategic Human Capital Management Plan. This plan will put forth the strategies the Department intends to undertake to ensure: human capital is aligned so as to best fulfill the Department's strategic plan; workforce issues (such as projected retirements, turnover, and diversity) are adequately addressed; organizational structures are citizen-centered, and optimal for effectively and efficiently accomplishing the strategic plan; line managers are able to attract, retain, and develop the people they need; programs, initiatives, and structures are evaluated on a regular and timely basis to ensure the proper alignment with each other and the Department's strategic plan; and full and successful implementation of the President's Management Agenda and the Secretary's 4 Cs vision.

The Review Panel recognizes that greater consistency in recruiting standards, greater diversity among law enforcement personnel, greater efforts to establish core inter-Bureau training, and consistent training standards would improve Interior's law enforcement activities. One of the first tasks that should be undertaken by the Deputy Assistant Secretary and the Board of Advisors is the development of recruiting and training standards that will be used by all Bureaus. The Deputy Assistant Secretary for Law Enforcement and Security should play a lead role in developing these standards. The Review Panel also emphasized the need to create a training tracking system to ensure that necessary training requirements have been met. This tracking system should include regular reporting to the Deputy Assistant Secretary.

The Review Panel recommends that Bureau Directors of Law Enforcement be given the ability to review and approve the credentials of all law enforcement applicants prior to hiring. This authority should be granted as soon as possible.

The Review Panel also recommends that the Office of Law Enforcement and Security work with the Office of Human Resources on developing recruiting standards and guidelines. The Panel further recommends that the Deputy Assistant Secretary develop specific recommendations, including reporting and evaluation mechanisms, that focus on consistent training across Bureaus for both full-time and seasonal and collateral duty law enforcement personnel.

The Review Panel understands that the Office of Law Enforcement and Security has initiated research into the background investigation process.²⁸ The Office of Law Enforcement and Security should prepare to report on this issue no later than 60 days after entry on duty by the Deputy Assistant Secretary. The Office of Law Enforcement and Security should determine where delays occur in the process and what steps can be taken to decrease the length of time required to complete background security checks. The appropriate reforms should then be undertaken no later than 120 days after entry on duty by the Deputy Assistant Secretary.

The Review Panel further notes that the Departmental Manual's section 446 DM 2.3E, Waiver of Pre-appointment Investigative Requirements, provides an existing process for the appointment or assignment of an individual to a Critical-Sensitive position, pending completion of the required background investigation. A "Request for Waiver of Pre-appointment Investigative Requirement for a Critical-Sensitive Position," Form DI 1912, can be completed and approved allowing for the appointment or assignment, but does not provide authorization for access to classified

²⁸The Office of Law Enforcement and Security is in the process of collecting information from each Bureau Security Officer on the background investigation process. The information being collected includes: identifying when forms were provided to the applicant; when the forms were received from the subject; when the background investigation forms were sent to the Office of Personnel Management requesting the appropriate type of investigation; when the investigation was scheduled by the Office of Personnel Management; the completion date of the background investigation; the date the investigation was received by the Bureau Security Officer; the date the investigation was adjudicated; and the date the Bureau Security Officer notified the originating/gaining office of final action. The review being conducted by the Office of Law Enforcement and Security should include a review of the psychological programs used by the Bureaus during the recruitment and hiring process. The Deputy Assistant Secretary should recommend reform measures if deficiencies are found in the Bureau programs.

national security information or delegation of law enforcement authority.

The interest of Federal service dictates that individuals should not be appointed or assigned to sensitive positions until the appropriate investigation has been completed. Waiving a pre-appointment investigation carries the risk of an unsuitable person being placed in a sensitive position, exposing the Federal service to damage and embarrassment. Executive Order Number 10450 provides that waiver of the pre-appointment investigative requirement for employment in a “sensitive” position may only be made “in case of emergency” provided that such action is in the national interest.

RECRUITMENT AND TRAINING STANDARDS

Inspector General Recommendations:

20. The Law Enforcement and Security Board of Advisors should develop recruiting standards and guidelines for recruiting new Department of the Interior agents and officers, with an emphasis on building on existing and developing new innovative strategies to improve Department of the Interior’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.
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.
22. Office of Law Enforcement and Security should develop training standards and training modules for all Department of the Interior law enforcement - 1811s, 1812s and uniformed officers.

Review Panel Findings and Recommendations:

- The Deputy Assistant Secretary and the Board of Advisors should work with the Office of Human Resources on the development of recruitment strategies to increase the diversity of the law enforcement workforce.
 - Bureau Directors of Law Enforcement should be given the ability to review and approve the credentials of all law enforcement applicants prior to hiring.
 - The Office of Law Enforcement and Security should provide recommendations to the Deputy Assistant Secretary and the Board of Advisors on reducing the length of time required to complete background investigations. The Office should do this within 60 days of the Deputy Assistant Secretary’s entry on duty. The Deputy Assistant Secretary should implement required changes within 120 days of his entry on duty.
 - The Deputy Assistant Secretary and the Board of Advisors should develop specific recommendations with reporting and evaluation mechanisms that focus on consistent training across Bureaus for both full-time and seasonal and collateral duty law enforcement personnel.
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I. Crime Statistics

This section discusses recommendation 23 of the Inspector General's report. This includes the need for the Department to develop a central records system.

As noted in the Inspector General's report, modern law enforcement organizations across the country – local, state and Federal – have all come to rely on timely, accurate crime statistics to assist in a myriad of managerial decisions. According to the Inspector General's findings, "the use of basic law enforcement data for decision-making, performance and deployment is a rarity in Department of the Interior."²⁹

The Review Panel agreed that a uniform Departmental reporting system is essential. A uniform reporting system would be useful for developing staffing and deployment models, supporting funding requests, and in performance reviews. The Review Panel recommends the Office of Law Enforcement and Security, in coordination with Board of Advisors, develop a centralized departmental records system.

The system should be designed to meet Bureau as well as Departmental managerial needs. It should also be designed to satisfy the reporting requirements of Federal entities such as the Federal Bureau of Investigation. This uniform system should be designed to integrate Bureau crime statistics systems and thus account for unique Bureau differences, if appropriate. The reporting system should be created in a collaborative manner with Bureau involvement. In the end, a law enforcement officer in the field should only have to fill out one report that satisfies the requirements of the Bureau, the Department and other requesting bodies. The Deputy Assistant Secretary should lead this effort. The Deputy Assistant Secretary and the Board of Advisors should work cooperatively with the Bureaus to identify the necessary information requirements to develop a consistent reporting system no later than 120 days after entry on duty by the Deputy Assistant Secretary.

The Office of Law Enforcement and Security should work with the Office of Budget to address funding requirements for this system. Updates to the Departmental Manual should be proposed as necessary.

²⁹See Inspector General's Report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, (Report No. 2002-I-0014, January 2002) at page 35.

CRIME STATISTICS

Inspector General Recommendations:

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

Review Panel Findings and Recommendations:

- The Office of Law Enforcement and Security, in coordination with Board of Advisors, should develop a consistent Department-wide centralized records system.
 - The Deputy Assistant Secretary and the Board of Advisors should work with the Bureaus to identify the necessary information requirements to develop a consistent reporting system no later than 120 days after entry on duty by the Deputy Assistant Secretary.
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IV. CONCLUSION

The Review Panel has concluded that almost all of the Inspector General's recommendations will be instrumental in achieving the Secretary's objective of developing and maintaining the most professional, modern, and effective law enforcement capability in a civilian government agency. Those recommendations that can be implemented quickly will be implemented quickly. Where recommendations must be implemented over time, the Review Panel emphasizes the need to continually monitor implementation to ensure that the desired performance and results are being achieved.

The Review Panel views this report as part of a process that the Secretary began in order to make significant improvements in the Department's law enforcement programs. That process should be ongoing and requires the continued commitment of resources, monitoring, and systematic evaluation.

APPENDIX 1. SUMMARY OF REVIEW PANEL’S RECOMMENDATIONS

Table A1. Inspector General Recommendations and Departmental Review and Implementation Action		
Inspector General’s Recommendation	The Secretary of the Interior’s Law Enforcement Review Panel	
	Evaluation of Inspector General Recommendation	Implementation 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 level Deputy Assistant Secretary for Law Enforcement and Security position, reporting directly to the Assistant Secretary for Policy, Management and Budget. This position should be filled with an experienced law enforcement professional.	Secretarial Order No. 3234 created a new Deputy Assistant Secretary for Law Enforcement and Security.	The Deputy Assistant Secretary is scheduled to report for duty on July 22, 2002.
2. To ensure coordinated responses at times of emergencies, the Deputy Assistant Secretary for Law Enforcement and Security should have direct authority (when delegated by the Secretary) to oversee the operational deployment of all Department of the Interior law enforcement officers.	The Review Panel agrees with this recommendation. The Review Panel recommends that the Deputy Assistant Secretary, in consultation with the Board of Advisors, draft and codify the protocols and procedures for emergency deployment efforts.	The Review Panel recommends that this task be completed as soon as possible, but no later than 60 days following the Deputy Assistant Secretary’s entry on duty.
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 Review Panel agrees with the Inspector General that the Office of Law Enforcement and Security be staffed with dedicated and experienced law enforcement personnel. The Review Panel recommends the Deputy Assistant Secretary develop a staffing model that meets the needs of the Office. Detailees from the Bureaus should play an integral element of the Office's staffing model.	The Deputy Assistant Secretary should coordinate the development of staffing plans and should budget appropriately for staff and personnel assigned from Bureaus as part of the fiscal year 2004 budget.

Table A1. Inspector General Recommendations and Departmental Review and Implementation Action		
Inspector General's Recommendation	The Secretary of the Interior's Law Enforcement Review Panel	
	Evaluation of Inspector General Recommendation	Implementation Recommendation
4. The Deputy Assistant Secretary for Law Enforcement and Security 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 the Office of Law Enforcement and Security and enforcement of those rules of engagement.	The Review Panel recommends that the Deputy Assistant Secretary review and revise the policies and procedures which guide the Bureau's interaction with the Office of Law Enforcement and Security. This should be done in consultation with the Board of Advisors.	The Review Panel recommends that the process for the coordination of this task be completed no later than 90 days following the Deputy Assistant Secretary's entry on duty.
5. The Deputy Assistant Secretary for Law Enforcement and Security should be granted oversight authority for all Departmental law enforcement units' budgets.	The Review Panel recommends that the coordination and review responsibility for law enforcement and security budgets be formalized as a shared function between the Deputy Assistant Secretary for Law Enforcement and Security and the Deputy Assistant Secretary for Budget and Finance.	The Deputy Assistant Secretary for Budget and Finance should prepare budget guidance in consultation with the Deputy Assistant Secretary for Law Enforcement and Security for fiscal year 2004 funding of law enforcement and security.
6. For all Bureaus, establish a Senior Executive Service 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.	The Review Panel recommends that each Bureau should establish a senior-level Director of Law Enforcement and Security. When appropriate, the word "security" should be added to the title of this position to reflect the importance of security to some Interior Bureaus. Bureau justification for selecting an appropriate grade-scale must satisfy the spirit of the Inspector General's recommendation and be reviewed by the Deputy Assistant Secretary.	The Fish and Wildlife Service, the National Park Service, and the Bureau of Indian affairs have effectively completed implementation. The Bureau of Land Management and the Bureau of Reclamation are currently formulating an implementation plan.

Table A1. Inspector General Recommendations and Departmental Review and Implementation Action

Inspector General's Recommendation	The Secretary of the Interior's Law Enforcement Review Panel	
	Evaluation of Inspector General Recommendation	Implementation 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 Review Panel recommends that the Department adopt line authority for Special Agents.	Final Bureau organization charts and implementation plans for Special Agent line authority are to be reviewed by the Deputy Assistant Secretary.
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.	Each Bureau has prepared a reform plan to enhance the accountability and professionalism of field law enforcement operations. The Review Panel recommends that the reform plans be implemented. The Review Panel recommends that all non-law enforcement managers of law enforcement personnel successfully complete a background investigation (as required for all Critical Sensitive positions) to ensure management integrity. The Review Panel further recommends that all non-law enforcement managers of law enforcement personnel be required to complete "law enforcement training for supervisors."	These implementation plans must be reviewed by the Deputy Assistant Secretary. Once implemented, these reform plans will be subject to quarterly reporting for the first year, and annual reviews thereafter to ensure they achieve the intended results. Each Bureau should perform necessary background checks within 120 days of approval of this recommendation. Further, each Bureau should develop a training plan for non-law enforcement managers within 60 days of approval of this recommendation. All training should be completed by the end of fiscal year 2003.

Table A1. Inspector General Recommendations and Departmental Review and Implementation Action		
Inspector General's Recommendation	The Secretary of the Interior's Law Enforcement Review Panel	
	Evaluation of Inspector General Recommendation	Implementation Recommendation
9. Establish and implement single line item budgets and cost tracking systems for all Department of the Interior law enforcement units.	The Review Panel concluded that line-item budgeting for law enforcement activities is appropriate. The Department is currently in the process of implementing a much more detailed cost tracking system, called Activity Based Costing. Activity Based Costing is a cost accounting method that measures the cost of work efforts leading to a specific result. Activity Based Costing will result in more efficient operations and enhance accountability to the Congress and the public, by tying costs to performance measures.	Activity Based Costing will be implemented throughout the Department over the next two years. The Bureau of Land Management and the Office of Surface Mining are currently using Activity Based Costing or similar accounting systems. The remaining Interior Bureaus will be required to implement Activity Based Costing by October 1, 2003.
10. The Office of National Drug Control Policy and other special law enforcement monies should be controlled by the Deputy Assistant Secretary - Law Enforcement and Security and assigned a separate fund code for spending and tracking.	The Review Panel recommends that the Deputy Assistant Secretary should "control" designated Office of National Drug Control Policy and other special law enforcement funds if any such funds are received by the Department through the authority to exercise formal review and strong oversight over the expenditure of those funds.	The Deputy Assistant Secretary's oversight role can begin immediately upon his entry on duty.
11. Each law enforcement program should develop staffing models and methodologies. The Office of Law Enforcement and Security should oversee this development effort.	Bureaus should complete their ongoing analysis of staffing models. This analysis should be reviewed for sufficiency by the Deputy Assistant Secretary. In addition, the Deputy Assistant Secretary and the Board of Advisors should create an agency-wide staffing model.	The Review Panel recommends that Bureaus complete their initial staffing models and methodologies promptly, for application in the fiscal year 2004 budget. By the fiscal year 2005 budget cycle, all Bureaus are to have completed thorough, defensible staffing models and methodologies.

Table A1. Inspector General Recommendations and Departmental Review and Implementation Action		
Inspector General's Recommendation	The Secretary of the Interior's Law Enforcement Review Panel	
	Evaluation of Inspector General Recommendation	Implementation Recommendation
12. Staffing shortages related to officer safety should be identified by the Office of Law Enforcement and Security and corrected immediately.	The Review Panel recommends that each Bureau assess the extent to which staffing shortages that impact officer safety are present. The Bureaus and the Deputy Assistant Secretary should coordinate efforts to address the identified shortages immediately. Efforts to secure resources should include a review of available resources within the Bureaus and the Department.	Bureaus to include funding proposals in the fiscal year 2004 budget to the extent additional staffing needs can be identified and supported. For the fiscal year 2005 budget, Bureaus are expected to have completed staffing methodologies and include requests for additional resources if necessary.
13. Reduce dependence on part-time collateral duty and seasonal law enforcement officers.	<p>The Review Panel agrees that it is necessary to reduce the dependence on collateral duty and seasonal officers. The Review Panel recommends several short-term steps to move in this direction together with the development and implementation of innovative staffing models aimed, in part, at achieving this result.</p> <p>The Review Panel also recommends that the zone system being designed by the Fish and Wildlife Service be implemented. The Deputy Assistant Secretary and the Board of Advisors should evaluate the zone system for wider application.</p>	<p>Beginning in fiscal year 2003 all Bureaus are to ensure and certify annually that all law enforcement collateral duty and seasonal law enforcement officers and managers have completed appropriate training. Additionally, all Bureaus are to develop procedures to demonstrate that enforcement officers are knowledgeable of and acting within their authority on a day-to-day basis.</p> <p>The Fish and Wildlife Service should implement its zone system in fiscal year 2003.</p>
14. All Department of the Interior security policy oversight and compliance should be the responsibility of the Office of Law Enforcement and Security.	As part of the Department's (physical) security initiative, the Secretary has placed responsibility for security policy oversight and compliance with the Office of Law Enforcement and Security.	The Review Panel recommends that the Deputy Assistant Secretary maintain open communications with the Department's Chief Information Officer regarding the Department's information technology security.

Table A1. Inspector General Recommendations and Departmental Review and Implementation Action		
Inspector General's Recommendation	The Secretary of the Interior's Law Enforcement Review Panel	
	Evaluation of Inspector General Recommendation	Implementation Recommendation
15. Main Interior Building security should remain the responsibility of the National Business Center, however, the National Business Center should appoint a dedicated Security Management professional with proper credentials to manage security at Main Interior Building.	The Review Panel recommends that the National Business Center -- the entity responsible for overseeing security in the Main Interior Building -- augment its security staff with the appointment of a professional Security Manager to oversee this effort.	National Business Center is to include necessary requests in fiscal year 2004 budget.
16. Each Bureau should appoint a senior-level (GS 14/15), full-time security manager to maintain the daily security operations of the Bureau.	The Review Panel recommends each Bureau develop a senior-level, full-time security manager position. Bureau justification for selecting an appropriate grade-scale for this position must satisfy the spirit of the Inspector General's recommendation and be reviewed by the Deputy Assistant Secretary.	Bureau plans are to be approved no later than 45 days following the Deputy Assistant Secretary's entry on duty and be included in the fiscal year 2004 budget.
17. Responsibility for Emergency Preparedness should remain in the Office of Managing Risk and Public Safety. The Office Managing Risk and Public Safety should, however, appoint a GS 15 Emergency Preparedness Manager and provide that appointee with adequate staff to fulfill these responsibilities.	The Review Panel concurs with the Inspector General that responsibility for emergency preparedness should remain with the Office of Managing Risk and Public Safety for the interim. The Assistant Secretary for Policy, Management and Budget has pending before her a report with recommendations for an emergency management program including resource needs.	The Panel recommends that a decision on the recommendations in the report analyzing emergency management needs be made promptly.
18. A single, Departmental Internal Affairs Unit should be established in Office of Law Enforcement and Security, to provide independent, objective oversight over all Departmental law enforcement officers and managers.	The Review Panel recommends that Bureaus act promptly to ensure adequate Internal Affairs coverage. The Office of Law Enforcement and Security should establish an Internal Affairs Unit to perform an oversight role and to investigate Bureau cases if the capacity of a Bureau's Internal Affairs Unit is deemed inadequate.	The Office of Law Enforcement and Security and relevant Bureau Internal Affairs Units should be established promptly and funding requests included in the fiscal year 2004 budget.

Table A1. Inspector General Recommendations and Departmental Review and Implementation Action		
Inspector General's Recommendation	The Secretary of the Interior's Law Enforcement Review Panel	
	Evaluation of Inspector General Recommendation	Implementation Recommendation
19. Office of Law Enforcement and Security should review, revise and strengthen the Departmental Manual provisions addressing internal law enforcement incident reporting and resulting investigations.	The Review Panel recommends that the Office of Law Enforcement and Security and the Board of Advisors review, revise, and strengthen the Departmental Manual provisions addressing internal law enforcement incident reporting and the resulting investigations. Additionally, the Deputy Assistant Secretary and the Board of Advisors should identify the best approach for evaluating professional standards and review.	The process of revising the Manual should be completed no later than 120 days after the Deputy Assistant Secretary's entry on duty.
20. The Law Enforcement and Security Board of Advisors should develop recruiting standards and guidelines for recruiting new Department of the Interior agents and officers, with an emphasis on building on existing and developing new innovative strategies to improve Department of the Interior'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.	The Deputy Assistant Secretary and the Board of Advisors should work with the Office of Human Resources on the development of recruitment strategies to increase the diversity of the law enforcement workforce. Bureau Directors of Law Enforcement should be given the ability to review and approve the credentials of all law enforcement applicants prior to hiring.	Creating recruitment standards and guidelines that include a special process for increasing diversity should be completed no later than 120 days following the Deputy Assistant Secretary's entry on duty. Bureau Directors of Law Enforcement and Security should be granted this authority as soon as possible.
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.	The Office of Law Enforcement and Security has begun research on the background investigation process. Once completed, recommendations will be provided to the Deputy Assistant Secretary and the Board of Advisors.	The Deputy Assistant Secretary should report on this issue no later than 60 days after the entry on duty. Appropriate reform measures should be undertaken no later than 120 days thereafter.
22. Office of Law Enforcement and Security should develop training standards and training modules for all Department of the Interior law enforcement - 1811s, 1812s and uniformed officers.	The Review Panel agrees with this recommendation and recognizes that increased cooperation in training among Bureaus would benefit them and the Department.	The Deputy Assistant Secretary and the Board of Advisors should develop specific recommendations with reporting and evaluation mechanisms that focus on consistent training across Bureaus for both full-time and seasonal and collateral duty law enforcement personnel.

Table A1. Inspector General Recommendations and Departmental Review and Implementation Action		
Inspector General's Recommendation	The Secretary of the Interior's Law Enforcement Review Panel	
	Evaluation of Inspector General Recommendation	Implementation Recommendation
23. Office of Law Enforcement and Security should coordinate the development and implementation of a department-wide central records system. The Office of Law Enforcement and Security and the Law Enforcement and Security Board of Advisors should mandate what law enforcement information must be maintained and how it must be reported.	The Review Panel recommends the Office of Law Enforcement and Security, in coordination with Board of Advisors, develop a consistent Department-wide centralized records system. The Deputy Assistant Secretary and the Board of Advisors should work cooperatively with the Bureaus to identify the necessary information requirements to develop a consistent reporting system.	The Deputy Assistant Secretary should identify information requirements necessary to develop a consistent reporting system no later than 120 after entry on duty. Bureaus should include funding necessary requests in their fiscal year 2004 budgets.
24. Office of Law Enforcement and Security should lead the development of performance goals and measures for Department of the Interior law enforcement programs, and should coordinate the reporting process for law enforcement programs Department-wide.	The Review Panel recommends that the Deputy Assistant Secretary for Law Enforcement and Security and the Board of Advisors work with the Deputy Assistant Secretary for Performance and Management to develop performance goals and outcome measures.	The necessary performance goals and outcome measures should be developed by September 30, 2002 for inclusion in fiscal year 2004 budget process.
25. Office of Law Enforcement and Security should coordinate the revision and streamlining of an Interagency Agreement among all Department of the Interior law enforcement entities to ensure, at the very least, cross-designation among Department of the Interior law enforcement programs.	The Review Panel recommends the Deputy Assistant Secretary work with the Office of the Solicitor to coordinate the revision of Interagency cross-designation agreements.	The Deputy Assistant Secretary should complete this task no later than 60 days following entry on duty.

APPENDIX 2
List of Attendees at the Review Panel's Meetings on May 21-22

Adams, Kevin - Assistant Director for Law Enforcement,
United States Fish and Wildlife Service

Baldauf, Bob - Office of Budget, Department of the Interior

Blyth, Pamela - Special Assistant to the Chief, United States Park Police, National Park Service

Calvery, Steve - Director, Office of Law Enforcement and Security, Department of the Interior

Chambers, Teresa - Chief of Police, United States Park Police, National Park Service

Clark, Kristina - Land and Water, Office of the Solicitor, Department of the Interior

Culp, Pete - Assistant Director, Realty, Minerals, and Resource Protection,
Bureau of Land Management

Ecoffey, Robert - Office of Law Enforcement Services, Albuquerque, New Mexico,
Bureau of Indian Affairs

Fulton, Tom - Deputy Assistant Secretary, Land and Minerals

Harp, Van - Federal Bureau of Investigation

Hatfield, Nina - Deputy Assistant Secretary - Budget and Finance

Holmes, Benjamin - Assistant Chief, United States Park Police, National Park Service

Johnson, Walt - Chief of Law Enforcement, Bureau of Land Management

Jones, Marshall - Deputy Director, United States Fish and Wildlife Service

Keable, Edward - Office of the Solicitor, Department of the Interior

Kurth, Jim - Deputy Chief, National Wildlife Refuge System,
United States Fish and Wildlife Service

Lamar, Walt - Albuquerque, Bureau of Indian Affairs

Lamb, Robert - Senior Advisor, Assistant Secretary for Policy, Management and Budget

Manson, Craig - Assistant Secretary - Fish, Wildlife and Parks

Maybee, Peter - Executive Officer, Washington, DC Liaison Office,
Office of Law Enforcement Services, Bureau of Indian Affairs

Murphy, Donald - Deputy Director, National Park Service

Myers, Randolph - Office of the Solicitor, Department of the Interior

Rossetti, Michael - Counselor to the Secretary, Department of the Interior

Schabacker, Christine - Counselor, Assistant Secretary of Water and Science

Teufel, Hugo - Associate Solicitor, Office of the Solicitor, Department of the Interior

Todd, Larry - Director, Operations, Bureau of Reclamation

Ulrich, Tim - Area Manager, Lower Colorado Dams, Bureau of Reclamation

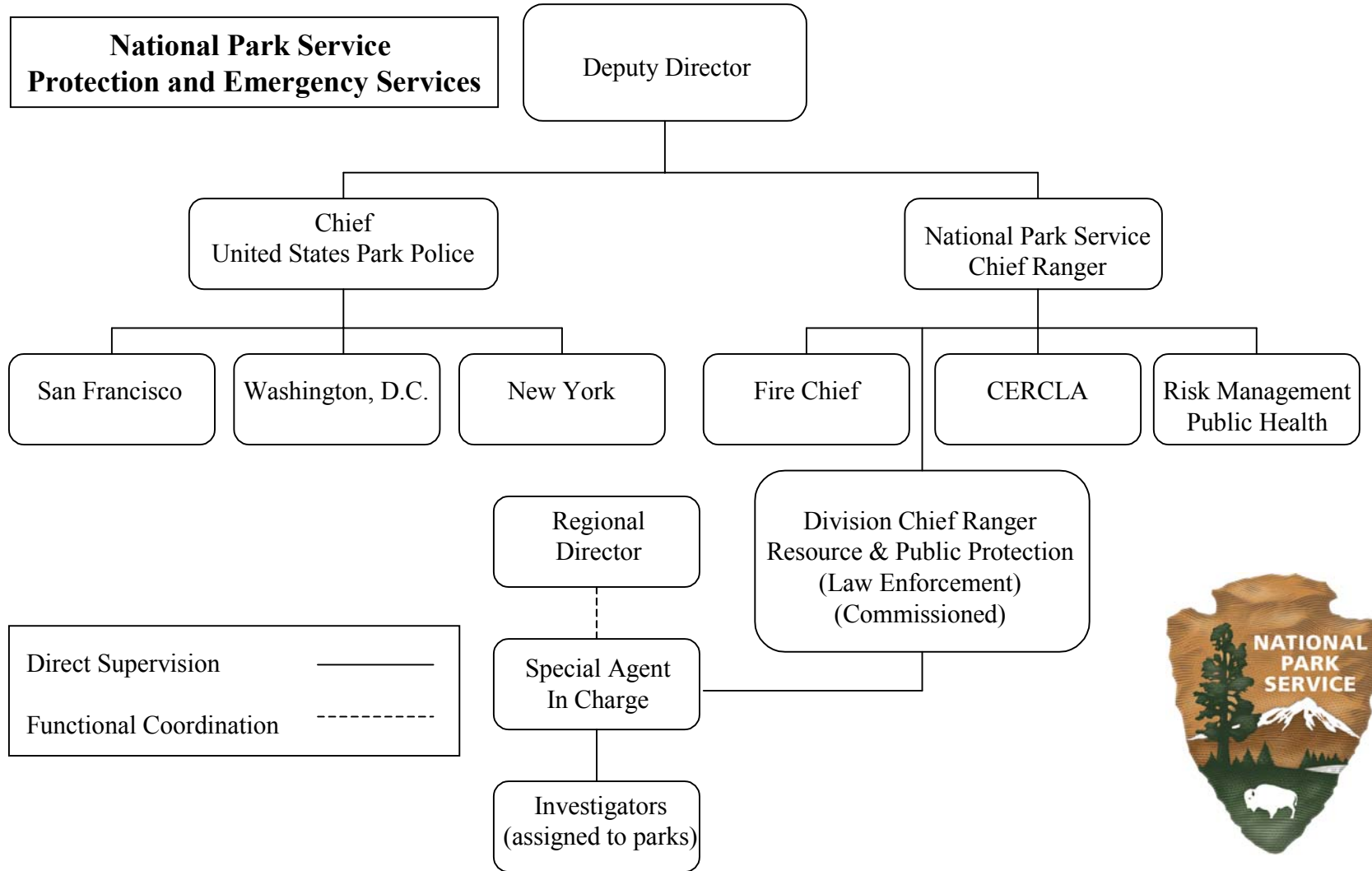
Van Horn, Gary - Acting Chief Law Enforcement, Bureau of Reclamation

Virden, Terry - Director of Trust Responsibility, Bureau of Indian Affairs

Weimer, Tom - Deputy Assistant Secretary, Water and Science

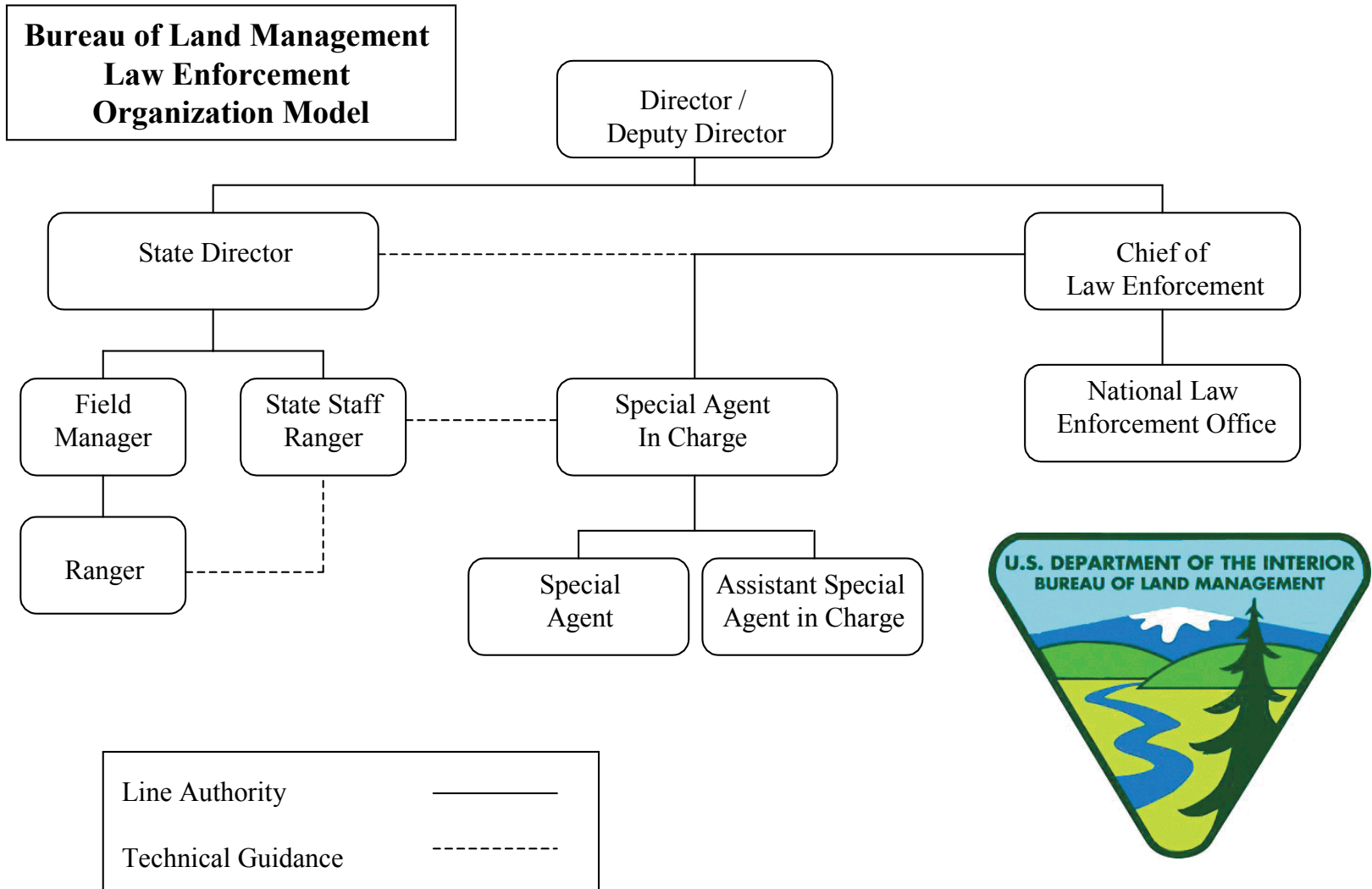
Willey, Seth - Office of Policy Analysis, Department of the Interior

APPENDIX 3.1
Inspector General Recommendation 7 National Park Service Organizational Chart



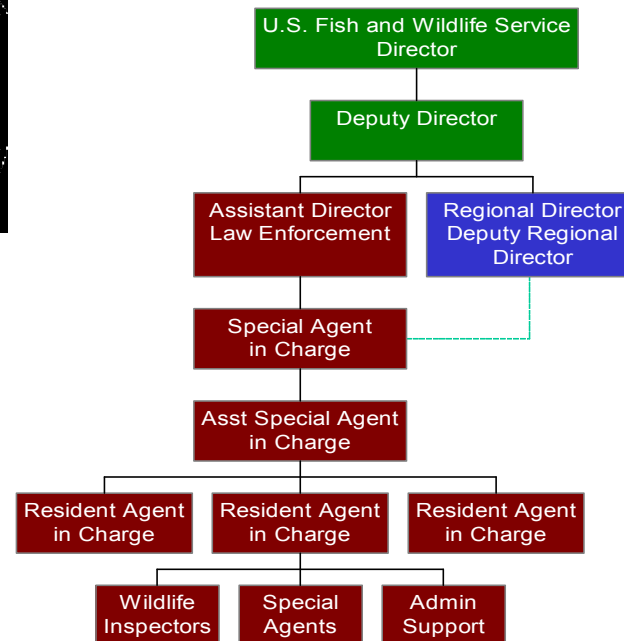
APPENDIX 3.2

Inspector General Recommendation 7 Bureau of Land Management Organizational Chart



APPENDIX 3.3
Inspector General Recommendation 7 Fish and Wildlife Service Organizational Chart

U.S. Fish and Wildlife Service Division of Law Enforcement



Note: Depiction of Line Authority for the Law Enforcement program, USFWS, with inclusion of oversight responsibilities for Regional Directors

APPENDIX 3.4
Inspector General Recommendation 7 Bureau of Reclamation Organizational Chart

