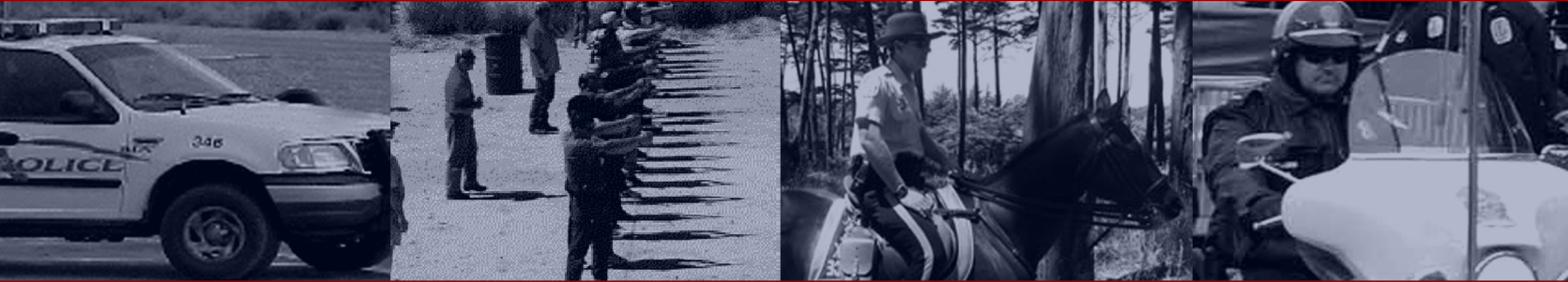




U.S. DEPARTMENT OF THE INTERIOR

# Office of Inspector General



## PROGRESS REPORT

Secretary's Directives for Implementing Law Enforcement Reform



April 2006

PI-EV-MOI-0001-2006



# United States Department of the Interior

OFFICE OF INSPECTOR GENERAL  
Washington, DC 20240

APR 24 2006

## Memorandum

To: Secretary

From: Earl E. Devaney  
Inspector General

Subject: Progress Report on the Secretary's Directives for Implementing Law Enforcement Reform in the Department of Interior (No. PI-EV-MOI-0001-2006)

This memorandum transmits our second report detailing the progress made toward implementing the July 2002 Secretarial directives concerning law enforcement reform in the Department of the Interior.

We discovered that the Department and the Bureaus continue to struggle with law enforcement reforms. While we acknowledge that some progress and improvements have been made, we remain concerned about the pace these directives are being implemented. After nearly four years, only 10 of the 25 reform directives have been fully implemented.

As a result of information obtained during this review, we intend to conduct future assessments that will focus on the effectiveness of specific Department law enforcement programs and how the implementation of these directives have impacted law enforcement operations throughout the Department and Bureaus.

If you have any questions about this report, please do not hesitate to contact me.



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# INTRODUCTION

This report presents the results of our second follow-up review on the Department's progress in implementing the Secretary's July 2002 directives for law enforcement reforms.

## Background

In March 2001, at the request of the Secretary, we conducted an assessment of the Department of the Interior's law enforcement activities, including the following programs:

- Bureau of Indian Affairs (BIA)
- Bureau of Land Management (BLM)
- Bureau of Reclamation (BOR)
- Fish and Wildlife Service (FWSLE)
- National Park Service (NPS)
- National Wildlife Refuge System (NWRS)
- U.S. Park Police (USPP)

Our January 2002 assessment report, *Disquieting State of Disorder: An Assessment of Department of the Interior Law Enforcement*, contained 25 recommendations to improve the leadership, organization, control, and accountability of Department law enforcement programs.

In July 2002, in response to our report, the Law Enforcement Review Panel (Review Panel), created by the Secretary, issued a report titled *Law Enforcement at the Department of the Interior, Recommendations to the Secretary for Implementing Law Enforcement Reforms*. The Secretary approved the Review Panel's report and directed that the report's recommendations be implemented.

In 2003, we conducted a follow-up assessment to determine the progress the Department's Office of Law Enforcement and Security (OLES) and the Bureaus had made implementing the Secretary's directives. We concluded that OLES and the Bureaus had made limited progress in the timely implementation of corrective actions. We also noted that serious efforts were required to fully implement all of the directives.

## Objective and Methodology

The objective of this review was to evaluate Department law enforcement programs on their current progress and level of implementation of the Secretary's directives for law enforcement reform. To accomplish our objective, we interviewed law enforcement, security, and emergency management officials, from both the Bureaus and OLES, as well as officials from the Solicitor's Office. We also reviewed numerous reports and documents.

Using the information obtained through interviews and document reviews, we rated the implementation status of each directive into one of three categories:

- Implemented – Actions taken have fulfilled the intent of the directive.
- Moderate Progress – Actions taken demonstrate continued movement towards full implementation of the directive.
- Inadequate Progress – Actions taken have substantially failed to adequately address implementation of the directive.

Our review was limited to determining the level of compliance that the Department and Bureaus have made towards implementing these directives. We did not assess the effectiveness of the programs we reviewed. We conducted our review in accordance with the President's Council on Integrity and Efficiency Quality Standards for Inspections.



## RESULTS IN BRIEF

The Department and the Bureaus have continued efforts in improving their law enforcement programs and have successfully implemented a number of the Secretary's directives for law enforcement reform. However, as we noted in our 2003 progress report, the pace of implementing these directives remains slow. Nearly four years after the directives were issued, the Department and Bureaus continue to struggle with their implementation.

The Department has staffed OLES with dedicated and experienced law enforcement personnel led by a Deputy Assistant Secretary. The office has become the intended single point of contact for Department officials as well as a clear advocate for Bureau law enforcement, security, and emergency management programs. The Bureaus have successfully installed senior level managers in their respective law enforcement programs and created line authority for special agents. These accomplishments are all steps toward improving coordination and accountability within these programs.

Although well intentioned, OLES continues to struggle with its fundamental role involving policy and oversight of Bureau law enforcement, security, and emergency management programs. Despite its growth, critical elements of recommended functions of the office remain unaddressed. Program oversight and compliance reviews are seldom if ever done. Department-wide law enforcement policies are tied up in bureaucratic delay with no discernable sense of urgency to address the issue by senior Departmental management. The establishment of the internal affairs program has been lackluster and the internal affairs supervisory position remained vacant for an extended period of time.

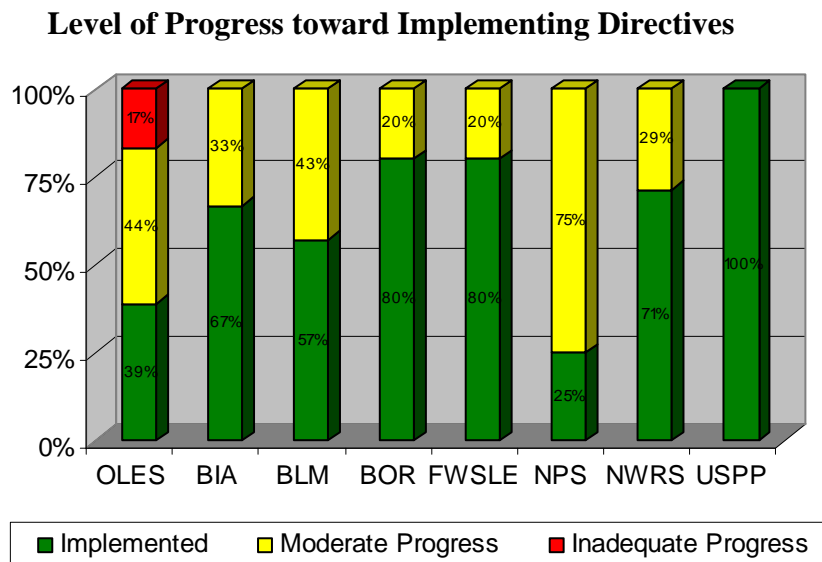
Some of the Bureaus' actions appear to demonstrate a sense of reluctance to complete full implementation of a number of directives. For example, accountability of non-law enforcement managers supervising law enforcement positions has not been sufficiently addressed. Some Bureaus have not yet established necessary staffing models. While NPS has met the requirements of installing an internal affairs program and direct reporting for special agents, both programs are reported to be managed ineffectively and are described as being in the process of imploding.

We did not evaluate if the Department or Bureaus effectively implemented these directives. We intend to conduct in-depth reviews of various Departmental law enforcement programs to determine whether the implementation of these

directives resulted in improved law enforcement operations.

Continuous efforts by the Department and Bureaus will be required in order to establish and maintain effective law enforcement operations as the Secretary's directives intended. Even those directives that have been fully implemented will need to be continually evaluated and revised as needs change.

Overall, the results of our follow-up review show progress. Nevertheless, the inability to fully implement more than half of the directives over the last four years dampens any celebratory enthusiasm on progress to date, and suggests the focus of the reform may have become blurred – or perhaps misdirected.



# DIRECTIVES AND FINDINGS

**THE DEPARTMENT SHOULD CREATE A NEW CAREER LEVEL DEPUTY ASSISTANT SECRETARY FOR LAW ENFORCEMENT AND SECURITY (DAS-LES), REPORTING DIRECTLY TO THE ASSISTANT SECRETARY FOR POLICY, MANAGEMENT AND BUDGET (PMB).**

The Department established the DAS-LES position and Mr. Larry Parkinson has been in the position since July 2002. The DAS-LES position reports to the Assistant Secretary for PMB.

**IMPLEMENTATION STATUS**

**DAS-LES, IN CONSULTATION WITH THE BOARD OF ADVISORS, DRAFT AND CODIFY THE PROTOCOLS AND PROCEDURES FOR EMERGENCY DEPLOYMENT EFFORTS.**

The Secretary delegated the DAS-LES with the authority to allocate Department law enforcement resources during national emergencies, catastrophic/critical incidents, and other situations through Secretarial Order 3249, which was signed on September 5, 2003. Secretarial Order 3249A1, signed on December 21, 2005, extends that authority to January 31, 2007. Emergency management protocols and procedures have been codified in Part 900 of the Departmental Manual, which became effective on January 4, 2006.

**IMPLEMENTATION STATUS**

	<b>OLES SHOULD BE STAFFED WITH DEDICATED AND EXPERIENCED LAW ENFORCEMENT PERSONNEL. THE REVIEW PANEL RECOMMENDS THE DAS DEVELOP A STAFFING MODEL THAT MEETS THE NEEDS OF THE OFFICE. DETAILED PERSONNEL FROM THE BUREAUS SHOULD PLAY AN INTEGRAL ELEMENT OF THE OFFICE’S STAFFING MODEL.</b>
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OLES has grown from 6 employees in 2001 to a current staff of 37 with an additional 8 vacant positions (Appendix 2). OLES has filled its positions with permanent full-time Departmental employees and detailees from most Bureau law enforcement agencies. We were told by both OLES and the Bureaus that detailees have played an integral part in the advancement of the OLES organization as well as the development and implementation of policies and guidance for Bureau law enforcement, security, and emergency operations.

While OLES has been able to achieve growth in staffing, the intended functions of some critical positions have not been carried out. We were told that Homeland Security duties and responsibilities have continued to detract from law enforcement and security program needs and oversight. For example, our original assessment stressed the criticality of monitoring Bureau law enforcement programs for compliance with policies and procedures. However, OLES has been unable to proactively conduct compliance reviews of Bureau law enforcement and security programs due to these other priorities.

Of OLES’ 37 employees, 20 are dedicated to the Watch Office, intelligence functions, and border and drug coordination. While we recognize that OLES’ workload has increased as a result of many new government-wide Homeland Security initiatives, we question whether OLES has achieved the appropriate balance of resources to address all of its responsibilities. Consequently, we will review this issue more in-depth in a future assessment of OLES.

<b>IMPLEMENTATION STATUS</b>

	<b>DAS-LES SHOULD REVIEW AND REVISE THE POLICIES AND PROCEDURES WHICH GUIDE THE BUREAUS' INTERACTIONS WITH OLES. THIS SHOULD BE DONE IN CONSULTATION WITH THE BOARD OF ADVISORS.</b>
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OLES incorporated the law enforcement directives contained in Part 446 of the Departmental Manual into a draft Law Enforcement Handbook, which contains comprehensive guidelines for Department and Bureau law enforcement operations. Although OLES initially made adequate progress developing this handbook, we learned that review of the final document has been stalled in the Solicitor's Office. We were told that the NPS Solicitor did not forward proposed revisions until nearly five months after they were due. According to officials in OLES and the Solicitor's Office, further delays in reviewing the handbook were incurred by the lack of an attorney within the Solicitor's Office who could devote sufficient time to review the draft handbook. OLES efforts to address the delays with the Solicitor's Office have been unsuccessful.

We note that the Review Panel recommended that "reviewing, revising, and strengthening the Departmental Manual" should be completed "no later than 90 days" following the DAS' entry on duty. We also noted that the DAS issued a memo to Bureau heads and the Solicitor's Office requesting their final comments on the handbook by February 11, 2005. However, over a year later and nearly four years since the DAS position has been filled, a formal comprehensive document has yet to be completed.

<b>IMPLEMENTATION STATUS</b>

	<b>THE COORDINATION AND REVIEW RESPONSIBILITY FOR LAW ENFORCEMENT AND SECURITY BUDGETS SHOULD BE FORMALIZED AS A SHARED FUNCTION BETWEEN THE DAS FOR OLES AND THE DAS FOR BUDGET AND FINANCE.</b>
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OLES implemented a formal budget review process for Bureau law enforcement and security programs. The DAS works with Department budget staff to provide budget guidance for Bureau law enforcement and security programs.

Bureaus present proposed law enforcement and security budgets to the DAS-LES, OLES and Budget Office through a "hearing" process. This process ensures

that priorities set forth in the Department's budget guidance are adequately addressed. The Bureaus have found this process to be useful as OLES can better understand and advocate for needed law enforcement and security funding.

IMPLEMENTATION STATUS

	<b>EACH BUREAU IS TO ESTABLISH A SENIOR-LEVEL DIRECTOR FOR LAW ENFORCEMENT (AND SECURITY). WHEN APPROPRIATE, THE TERM "SECURITY" SHOULD BE ADDED TO THE TITLE.</b>
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All of the law enforcement programs established senior-level positions for law enforcement and security directors. NWRS initially filled the position of Chief, Office of Refuge Law Enforcement at a GS-14 level, but has since elevated it to a GS-15.

IMPLEMENTATION STATUS

	<b>RESTRUCTURE THE REPORTING SYSTEM FOR SPECIAL AGENTS TO CREATE LINE LAW ENFORCEMENT AUTHORITY.</b>
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All applicable law enforcement programs (BIA, BLM, BOR, FWSLE, and NPS) have created reporting systems establishing Special Agent line law enforcement authority. While USPP does not have Special Agents, it does have line authority for all officers.

Although we did not gauge the effectiveness of these programs, we heard considerable anecdotal information warranting a closer examination of the NPS Special Agent program.

IMPLEMENTATION STATUS

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**FOR ALL REMAINING LAW ENFORCEMENT OFFICERS AND PERSONNEL, EACH BUREAU SHOULD PREPARE A PLAN TO ENHANCE THE ACCOUNTABILITY OF FIELD LAW ENFORCEMENT OPERATIONS. ALL NON-LAW ENFORCEMENT MANAGERS OF LAW ENFORCEMENT PERSONNEL SHOULD SUCCESSFULLY COMPLETE A BACKGROUND INVESTIGATION TO ENSURE MANAGEMENT INTEGRITY. ALL NON-LAW ENFORCEMENT MANAGERS OF LAW ENFORCEMENT PERSONNEL SHALL COMPLETE "LAW ENFORCEMENT TRAINING FOR SUPERVISORS."**

Our previous Progress Report noted that most of the efforts of the Bureaus had been targeted at acquiring background investigations and management training for their non-law enforcement managers overseeing law enforcement programs. This continues to be true. While we believe that timely background investigations and proper training are essential for these managers, we also believe the Bureaus need to re-focus on the intent of the directive to develop accountability plans for field law enforcement operations.

Although we were told of one school of thought where accountability goes to the program as a whole, we believe that this directive encompasses a narrower focus that is specifically targeted towards non-law enforcement managers who supervise law enforcement personnel. There have been some efforts by the Bureaus to hold field law enforcement managers accountable for their actions. Most Bureaus' internal affairs units are responsible for investigating allegations made against these managers. The director of BLM law enforcement can suspend a supervisor's authority over ranger operations even though the director does not have line authority over these managers. The Bureaus, however, have failed to develop formal plans to hold these managers accountable for their actions.

**IMPLEMENTATION STATUS**

**DEVELOP LINE-ITEM BUDGETING FOR LAW ENFORCEMENT ACTIVITIES. THE DEPARTMENT IS CURRENTLY IMPLEMENTING ACTIVITY BASED COSTING (ABC).**

While OLES and the Bureaus have strived to develop and implement line-item budgeting and ABC activity codes, their ability to execute this directive has been much harder than originally conceived. OLES and the Bureaus continue to

develop law enforcement ABC activity codes that attempt to capture accurate and relevant information. They have struggled with using this information to develop meaningful reports for use in making management decisions. The Bureaus have been variously successful in developing line-item budgeting for law enforcement units. We were told that line-item budgeting is difficult to implement on a Department-wide basis, and is dependent on factors outside Departmental control.

Although developing line-item budgeting and ABC activity codes has been difficult, the original concept behind the directive to track and account for law enforcement expenditures is being partially met through the OLES budget review process as we noted in Directive 5. However, we continue to be concerned about law enforcement funding in those situations where law enforcement funds are not centrally managed. For example, we were told that law enforcement funding for NPS rangers is included in individual park budgets and is reviewed by the DAS. Nevertheless, we were also told that park managers are able to divert budgeted law enforcement funds for other perceived needs. We will conduct an in-depth review of this issue in a future assessment of NPS law enforcement operations.

IMPLEMENTATION STATUS

	<b>DAS SHOULD CONTROL DESIGNATED OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) AND OTHER SPECIAL LAW ENFORCEMENT FUNDS TO EXERCISE FORMAL REVIEW AND STRONG OVERSIGHT OVER THE EXPENDITURE OF THOSE FUNDS.</b>
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The original intent of the directive was to have the ability to control ONDCP funding under program requirements that were in effect at the time the directive was issued. Subsequently, ONDCP, through the High Intensity Drug Trafficking Area (HIDTA) program, instituted a process whereby funds are issued, tracked, and accounted for according to specific HIDTA initiatives. ONDCP has instituted strict reporting and accounting requirements for Bureaus to be reimbursed for expended funds.

OLEs assists the Bureaus with the development of proposals for HIDTA funding, but is not part of the process in controlling these funds. While not part of the process in controlling these funds, OLES has routine communications with Bureau and ONDCP staff regarding these funding initiatives.

<b>IMPLEMENTATION STATUS</b>
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<b>BUREAUS SHOULD COMPLETE AN ANALYSIS OF STAFFING MODELS AND METHODOLOGIES.</b>
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We recognize that developing and implementing a comprehensive staffing methodology is difficult, particularly without a centralized system to record law enforcement statistics. Because of differences in law enforcement programs between the Bureaus, each Bureau has taken a different approach in developing their respective staffing methodologies. The Bureaus are in various stages of completing staffing models with three of them not yet achieving full implementation.

- BIA is in the process of developing a staffing model using the number of officers and population size compared to national averages for comparable communities.
- We were told BLM has completed a staffing analysis that has resulted in the reallocation of resources for critical areas and events. However, BLM has not been able to develop a comprehensive staffing methodology because of a lack of funding.
- NPS has conducted Law Enforcement Needs Assessments for each park using its Visitor Management Resource Protection Assessment Program (VRAP) to calculate park staffing requirements. However, NPS is unable to support VRAP methodology and has no certainty that assumptions made by the program are correct. We were told NPS is in the process of verifying VRAP results.

<b>IMPLEMENTATION STATUS</b>
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**EACH BUREAU WILL ASSESS THE EXTENT TO WHICH CORRECT STAFFING SHORTAGES IMPACT OFFICER SAFETY. THE BUREAUS AND DAS-LES SHOULD COORDINATE EFFORTS TO ADDRESS THE IDENTIFIED SHORTAGES IMMEDIATELY.**

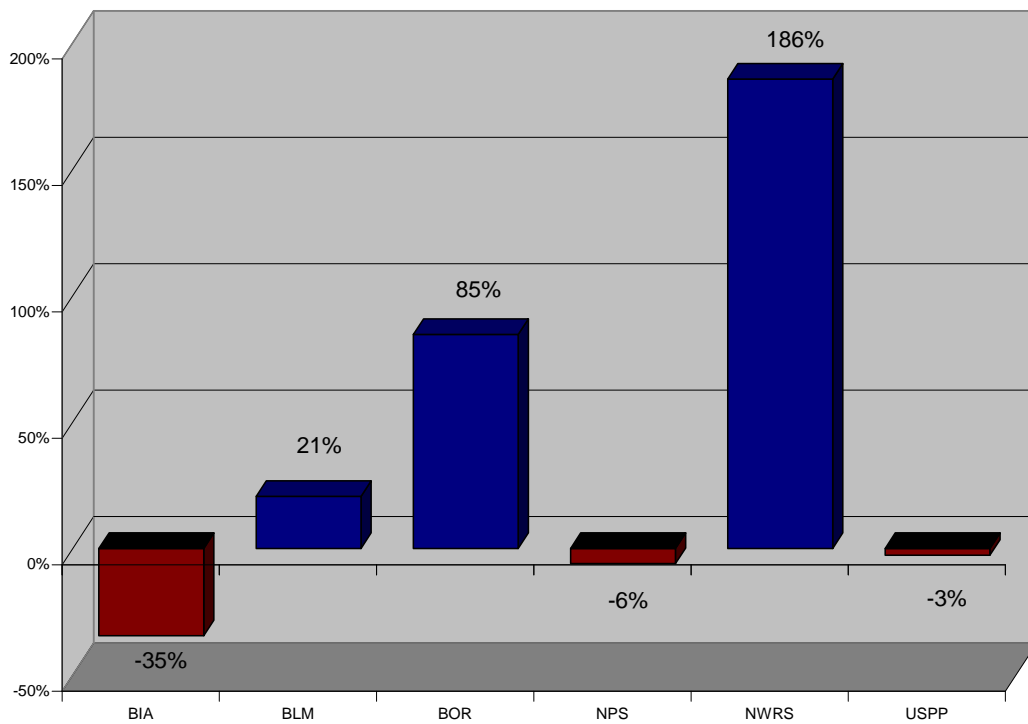
Senior OLES officials told us that staffing shortages affecting officer safety are being addressed and their advocacy has resulted in increased staffing levels for some Bureaus. However, officer safety issues remain due to the remote location and immense geographical area required to be patrolled by some Bureau law enforcement officers. The OLES officials also commented that addressing officer safety issues is a continuing process that will never be completed.

We were told that the Bureaus have addressed staffing shortages through various means. For example, NWRS conducted a staffing analysis that has identified the extent and severity of officer shortages, which has helped form the basis for budget requests for additional law enforcement positions. NWRS has also implemented a zone officer system to cover law enforcement needs when officer safety issues arise due to lack of coverage.

BLM law enforcement and State Staff Rangers have worked together to coordinate staffing to address shortages at high-recreation sites. BIA district law enforcement commanders are in the process of reviewing law enforcement staffing throughout the Bureau in order to reallocate resources among the different agencies. While progress has been made, we believe comprehensive staffing models are needed to assist BLM and BIA in fully implementing this directive.

NPS issued a “no net loss policy” in 2002 requiring parks to fill vacant law enforcement positions. However, park superintendents can apply for a waiver of this policy from the Regional Director, thus giving parks some latitude in filling these positions. We were told that budgetary constraints and other priorities have prevented some parks from complying with this policy. While NPS does not centrally track the number of waivers issued, information provided by the Bureau indicates a minimum of 22 waivers have been issued since 2002.

### Bureau Uniformed Officer Staffing Level Changes 2001-2006



IMPLEMENTATION STATUS	

**BUREAUS WILL REDUCE DEPENDENCE ON COLLATERAL DUTY AND SEASONAL LAW ENFORCEMENT OFFICERS.**

NPS reduced its dependence on seasonal law enforcement officers from 499 in 2001 to approximately 400 in 2004. NPS was unable to provide the number of seasonal law enforcement officers being utilized for 2005 and 2006. We were told that NPS does not control or track commissions issued to seasonal law enforcement officers from a central location. These commissions are issued by individual park superintendents. Consequently, NPS can not accurately account for the number of commissions issued to seasonal officers in the field. We were also told that NPS no longer issues collateral duty commissions to permanent employees; however, NPS is unable to state how many collateral duty commissions still exist.

We are encouraged by NWRS' progress in reducing the number of collateral-duty officers. The agency reduced the number of these officers by more than half, going from 522 officers in 2001 to 208 officers in 2006.

IMPLEMENTATION STATUS	

**THE SECRETARY HAS PLACED RESPONSIBILITY FOR SECURITY POLICY OVERSIGHT AND COMPLIANCE WITH THE OLES.**

The Review Panel observed that "Since the events of September 11<sup>th</sup>, no single issue has dominated the American landscape more than security and emergency preparedness." Our prior Progress Report noted that OLES hired an Assistant Director-Security to provide guidance and oversight of Department and Bureau security operations. We also noted that OLES had not yet conducted on-site security surveys for each of the Bureaus.

While OLES has issued some security guidance to the Bureaus, we were told that various Homeland Security initiatives have hindered OLES' ability to oversee Bureau security programs and limited its progress in developing Department-wide security policies. We were also told that OLES' delay in issuing comprehensive policy to the Bureaus has in turn impeded the Bureaus from producing their own respective security policies. Nearly four years later, it still has yet to conduct full-scale reviews of Bureau security programs.

IMPLEMENTATION STATUS

**THE REVIEW PANEL RECOMMENDS THAT THE NBC (NATIONAL BUSINESS CENTER) AUGMENT ITS SECURITY STAFF WITH THE APPOINTMENT OF A PROFESSIONAL SECURITY MANAGER TO OVERSEE THIS EFFORT.**

NBC hired a Chief of Security in 2003 to oversee and manage security operations for the Main and South Interior Buildings. However, the Chief of Security has a limited security background and has received little formal training in physical security measures. The only formal training the Chief of Security has attended is

the 10-day physical security training course at the Federal Law Enforcement Training Center (FLETC). We plan on assessing the effectiveness of security at the Main and South Interior Buildings in the future.

IMPLEMENTATION STATUS

	<b>EACH BUREAU WILL DEVELOP A SENIOR-LEVEL, FULL-TIME SECURITY MANAGER.</b>
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All of the Bureaus have established and hired full-time security managers. We believe that the GS grade levels for these positions are appropriate, satisfying the intent of this directive. However, the practical experience of the individuals placed in these positions varies between Bureaus. For example, BOR's security manager has years of experience and a formal background in security management. BIA's security manager also has a background in physical security. Although BLM initially demonstrated reluctance to hire a full-time security manager, it has since placed one of its former Special Agents in Charge, who has a background in security management, in the position of Chief, Security and Intelligence.

FWSLE and NWRS share a security manager who is responsible for both programs. We learned that FWSLE/NWRS and NPS filled their security positions with people who had limited or no experience in security management. Furthermore, these Bureaus have failed to provide them with adequate training necessary to fulfill the needs of the position. Due to heightened concerns about national security over the last several years, we believe that it is imprudent for FWSLE/NWRS and NPS to rely upon poorly-trained security managers. This is especially true for NPS, which has responsibility for the protection of several National Icons.

IMPLEMENTATION STATUS	

	<b>THE RESPONSIBILITY FOR EMERGENCY PREPAREDNESS SHOULD REMAIN WITH THE OFFICE OF MANAGING RISK AND PUBLIC SAFETY FOR THE INTERIM.</b>
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Emergency management responsibilities were officially transferred to OLES on November 25, 2002. In recognition of the importance of emergency preparedness, OLES is in the process of changing its name to the Office of Law Enforcement, Security and Emergency Management.

<b>IMPLEMENTATION STATUS</b>
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	<b>ALL BUREAUS SHOULD ACT PROMPTLY TO ENSURE INTERNAL AFFAIRS (IA) COVERAGE. THE OLES SHOULD ESTABLISH AN IA UNIT TO PERFORM AN OVERSIGHT ROLE AND TO INVESTIGATE BUREAU CASES IF THE BUREAU'S CAPACITY IS DEEMED INADEQUATE.</b>
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With the exception of BOR, all of the Bureaus have established internal affairs units. Because there are only six Special Agents in BOR, allegations involving them are investigated by either BLM or OLES.

We have concerns over the operation of the NPS internal affairs unit. Discussions with NPS managers revealed that the Bureau continues to struggle with the structure and funding of this unit. NPS is currently considering several options for the unit's structure and operation, including combining the NPS and USPP internal affairs units.

OLES initially created an Internal Affairs Unit using personnel detailed from the Bureaus. The OLES Internal Affairs Branch chief was hired in December 2005 after the position had been vacant for nine months. Formal internal affairs policies and procedures, which were being created in 2003, have still not been implemented. Although the OLES Internal Affairs Branch appears to have recently re-established its priorities and mission, its current ability to provide adequate oversight or investigate a case for a Bureau internal affairs unit is limited.

Although the basic structure is in place and they now have a unit chief, the DAS recognized that OLES is “not where they need to be” in terms of developing their Internal Affairs unit. His goal is to develop a proactive unit that is capable of providing oversight, guidance, and support for Bureau internal affairs programs.

We did not review the effectiveness of Departmental internal affairs programs; however, we will be assessing these programs in the future based on information we heard during this assessment.

IMPLEMENTATION STATUS	

	<b>OLES IS TO REVISE THE DEPARTMENTAL MANUAL (DM) PROVISIONS ADDRESSING INTERNAL LAW ENFORCEMENT INCIDENT REPORTING AND RESULTING INVESTIGATIONS.</b>
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The Review Panel recommended, and the Secretary directed, that Departmental manual provisions addressing internal law enforcement incident reporting be “completed no later than 120 days after entry by the Deputy Assistant Secretary.” After three years, OLES is only now in the final stages of issuing interim guidance to the Bureaus. The release of formal Departmental internal affairs policies and procedures has been delayed until the Law Enforcement Handbook is published. As with security policies noted in Directive 4, we were told that OLES’ delay in issuing comprehensive policy to the Bureaus has prevented some Bureaus from producing their own respective internal affairs policies.

Although the Handbook has yet to be issued, OLES has made progress by implementing a methodology for the review of law enforcement related incidents through the Serious Incident Review Group and Boards of Review. OLES has also instituted the Internal Affairs Branch Case Tracking System for the centralized reporting of internal affairs investigations.

IMPLEMENTATION STATUS

**DAS-LES SHOULD WORK WITH THE OFFICE OF HUMAN RESOURCES ON THE DEVELOPMENT OF RECRUITMENT STRATEGIES TO INCREASE THE DIVERSITY OF THE LAW ENFORCEMENT WORKFORCE.**

OLES contributed to the development of the Department's diversity plan and has continued to promote diversity in Department law enforcement programs. While OLES has not spent much time working with Bureaus on the composition of their respective law enforcement workforces, the DAS told us that OLES has encouraged the Bureaus to recruit from a wide variety of candidates and believes that this is being accomplished.

Our 2001 report described diversity in the Department as "nominal" and diversity in DOI law enforcement as "abysmal." We are encouraged by the level of improvement in DOI law enforcement's gender diversity statistics. However, the statistics reflect only a slight improvement in overall diversity in the Department's law enforcement programs.<sup>1</sup> While these statistics show progress, diversity numbers are only nominal, indicating a need for OLES and the Bureaus to intensify their efforts to recruit and retain a diverse law enforcement workforce.

Group	Male		Female	
	2001		2001	
DOI Workforce	70.8%		29.2%	
DOI Law Enforcement	87.0%		13.0%	

Group	White		Black		Hispanic		AA/PI		AI/AN	
	2001		2001		2001		2001		2001	
DOI Workforce	82.7%		6.5%		5.3%		2.1%		3.4%	
DOI Law Enforcement	87.3%		4.1%		4.2%		2.0%		2.4%	

**IMPLEMENTATION STATUS**

<sup>1</sup> Statistics provided by the Department's Office of Civil Rights. These statistics do not include BIA due to the statutory employment preference imposed upon them.

	<b>OLES SHOULD RESEARCH THE BACKGROUND INVESTIGATION PROCESS AND DETERMINE WHAT CAN BE DONE TO DECREASE THE TIME IT TAKES TO HIRE APPLICANTS.</b>
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OLES has completed research on the background investigation process; however, the slow progress of completing background investigations continues to be an ongoing, government-wide problem. The DAS believes that there has not been significant improvement and that OLES and the Bureaus need to keep working on this. OLES is actively involved in interagency discussions and has issued guidance on the hiring process.

We discovered that some Bureaus had hired their own background adjudicators, which has helped speed up the investigation process. However, delays outside Bureau control remain.

<b>IMPLEMENTATION STATUS</b>
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	<b>DAS SHOULD DEVELOP SPECIFIC TRAINING RECOMMENDATIONS WITH REPORTING AND EVALUATION MECHANISMS THAT FOCUS ON CONSISTENT TRAINING FOR FULL-TIME, COLLATERAL AND SEASONAL OFFICERS.</b>
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FLETC developed the multi-agency Land Management Police Training program where individual Bureau basic uniformed officer training programs have been combined into a standard course. The integration of the various Bureau basic law enforcement training programs provides for more consistent and efficient training for these officers.

The proposed Law Enforcement Handbook contains a policy that requires all part-time law enforcement employees to be trained to the same level as full-time employees beginning in January 2008. We were told that NWRS collateral duty personnel are required to attend law enforcement training at FLETC.

In contrast, we were told that NPS issues law enforcement commissions to seasonal personnel based upon their graduation from one of nine schools across the country that offer seasonal law enforcement training programs. However,

there is no standard testing requirement used to ensure that everyone meets the same certification level.

We were also told that NPS oversight of these training programs is virtually non-existent. Reportedly, the only program to have been reviewed in the last five years was using an outdated syllabus. This school has only been visited once in its 20-year history of offering this program. The other programs have not been reviewed in as much as 24 years. Although we were told commissioned personnel are involved in the instruction at each of these schools, we also heard that administrative records and documentation of coursework, attendees and instructors is severely limited.

IMPLEMENTATION STATUS

	<b>OLES SHOULD DEVELOP A CONSISTENT DEPARTMENT-WIDE CENTRALIZED RECORDS SYSTEM.</b>
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OLES has continued to progress with the development of the proposed Department-wide Incident Management Analysis and Reporting System (IMARS) despite delays in the contract solicitation process. After analyzing responses to the Request for Proposal (RFP), OLES discovered that none of the vendors were able to fully perform the requirements of the solicitation. Consequently, the DAS decided to cancel the existing RFP rather than proceed with an unacceptable product, recognizing there would be a six to nine month delay. A new RFP is expected to be awarded in mid 2006. Full implementation of IMARS is anticipated beginning in October 2008.

The development and implementation of IMARS is a significant Department initiative. We were told that the Office of Management and Budget is supportive of the IMARS project, recognizing its importance for planning and tracking performance measurements. Department and Bureau law enforcement officials alike recognize the need for a centralized Department-wide records system.

IMPLEMENTATION STATUS

**DAS-LES SHOULD WORK WITH THE DAS FOR PERFORMANCE MANAGEMENT TO DEVELOP PERFORMANCE GOALS AND OUTCOME MEASURES.**

As noted in our previous Progress Report, the Law Enforcement and Security program was incorporated into the Department's Strategic Plan for FY 2003-2008. OLES has established performance goals and measures for Department-wide law enforcement and security programs, which they continue to refine. However, the lack of a centralized Department-wide records system prevents the Department from obtaining the information necessary to measure performance outcomes for some established goals.

**IMPLEMENTATION STATUS****DAS SHOULD WORK WITH THE OFFICE OF THE SOLICITOR TO COORDINATE THE REVISION OF THE INTERAGENCY CROSS DESIGNATION AGREEMENTS.**

The Interagency Cross Designated Agreement was signed by the Secretary on June 17, 2004, and distributed to Bureau Law Enforcement chiefs on June 18, 2004. This Agreement allows Bureau law enforcement agencies to support one another in the enforcement of applicable laws and regulations.

**IMPLEMENTATION STATUS**



# CONCLUSION

As we noted in our 2003 follow-up report, the status of DOI law enforcement is a “work in progress.” While OLES and the Bureaus have implemented many of the directives, their progress on other directives has had only moderate success. Several of these directives—particularly those involving policy, staffing, and training—will require continuous monitoring and modification as needs change.

The Deputy Secretary for Law Enforcement and Security and his staff have increased advocacy, prominence, and accountability of law enforcement programs throughout the Department. The Bureaus have created senior-level law enforcement and security positions and established line authority for Special Agents. OLES has implemented a formal budget review process for Bureau law enforcement and security programs that ensures priorities set forth in Departmental budget guidance are adequately addressed.

Although the Department has had successes, there are many areas that still need attention. Accountability of non-law enforcement managers for law enforcement positions reporting to them still has not been adequately addressed. While OLES and the Bureaus have established Internal Affairs units and developed a Department-wide tracking system for reporting internal investigations, the ability of OLES to assist Bureau Internal Affairs units is limited. NPS still has not finalized the structure and funding of its Internal Affairs unit. Additionally, formal Department-wide law enforcement policies and procedures have yet to be implemented, partly due, we were told, to a lack of resources within the Solicitor’s Office.

Standardization of basic training has been implemented for land management law enforcement programs. However, we are gravely concerned about NPS’ lack of oversight of the training programs for seasonal officers. Without proper oversight, there is no assurance that these officers are being adequately trained. Although NBC and the Bureaus have hired full-time security managers, the security knowledge, training, and experience of FWSLE/NWRS, NPS, and NBC managers is limited or virtually non-existent. We believe that inadequate training significantly compromises effective law enforcement and security programs, resulting in considerable risk to the personnel and assets they protect. The proper and continuous training of law enforcement and security personnel, particularly for those people without extensive backgrounds in these areas, is of paramount importance and cannot be emphasized enough.

This assessment was limited to reviewing the status of the Department's implementation of the Secretary's directives. While many accomplishments have been made from an overall program level, we were also told anecdotal information indicating that little change has occurred in Bureau field operations. Our future assessments will further focus on how the implementation of these directives has impacted Bureau field law enforcement operations.

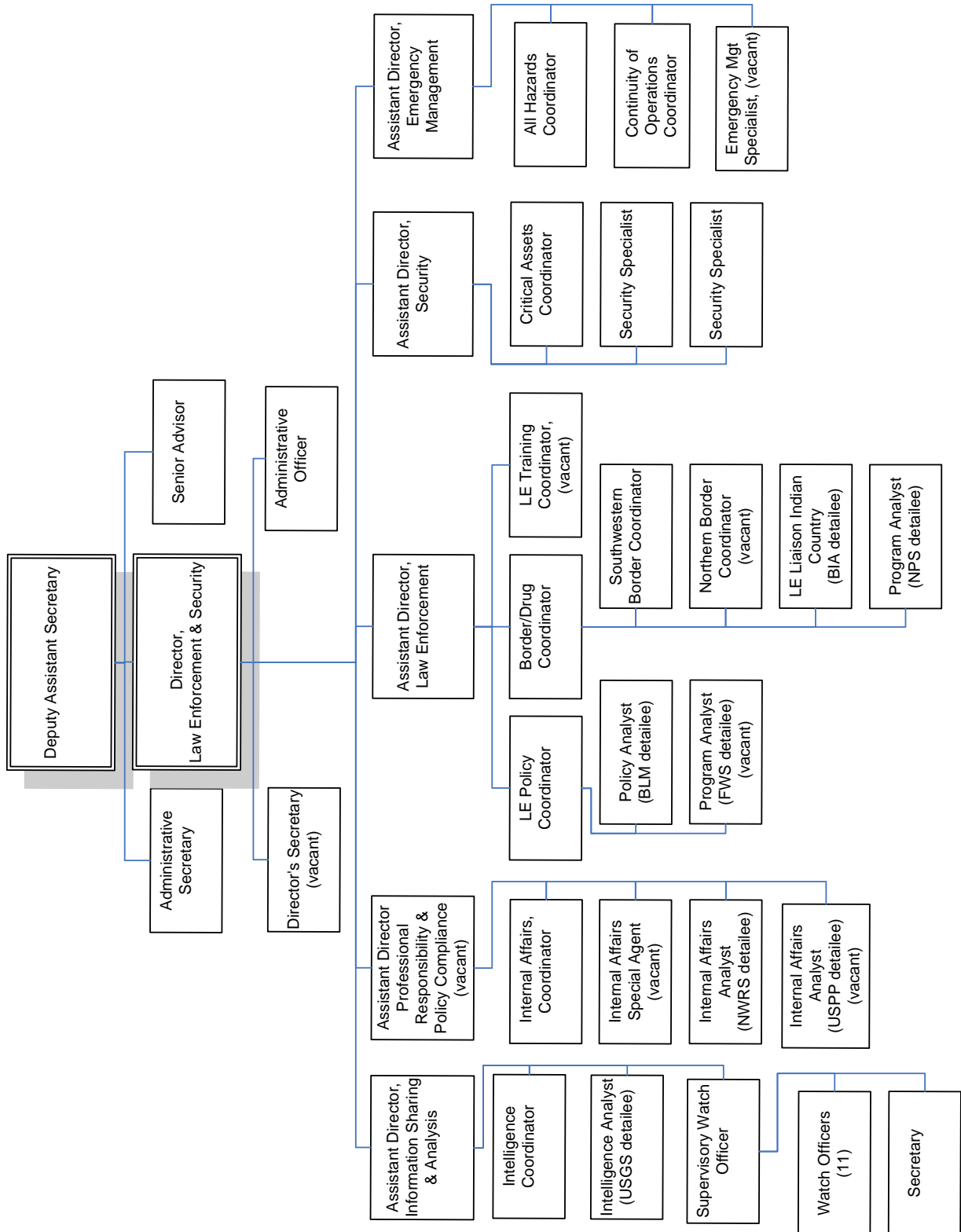
# APPENDIX 1

## STATUS OF THE SECRETARY'S DIRECTIVES

	DIRECTIVE	OLES	BIA	BLM	BOR	FWSLE	NPS	NWRS	USPP
1	Create DAS-LES								
2	Emergency Protocols								
3	OLES Staffing								
4	OLES Policy w/ Bureaus								
5	Budget Coordination								
6	Senior LE Director								
7	Line Authority 1811								
8	Non-LE Mgr Accountability								
9	Line-Item Budgets								
10	ONDCP funding								
11	Staffing Model								
12	Officer Safety								
13	Seasonal & Collateral								
14	Oversight of Security								
15	NBC - MIB Security								
16	Bureau Security Manager								
17	Emergency Preparedness								
18	Internal Affairs								
19	LE Incident Reporting								
20	Recruitment - Diversity								
21	Research Backgrounds								
22	Training								
23	Centralized Records								
24	Performance Goals								
25	Cross Delegation								
				IMPLEMENTED			MODERATE PROGRESS		INADEQUATE PROGRESS

# APPENDIX 2

## OLES ORGANIZATION CHART



## How to Report Fraud, Waste, Abuse and Mismanagement

**Mail:**

**Phone:**

**Internet:**

[http://www.oig.doi.gov/hotline\\_form.html](http://www.oig.doi.gov/hotline_form.html)



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