United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

In Reply Refer To:
FWS/D

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Memorandum

To: Service Directorate

From: Director

Subject: Law Enforcement Surnaming of Pertinent Documents

Many Service regulatory issuances involve the interpretation of wildlife protection laws or include information concerning law enforcement functions or authorities. Endangered species listing packages, for example, typically contain section 9 language that interprets the law and sets parameters for enforcement action by law enforcement personnel in the field.

It is essential that the Division of Law Enforcement participate in the review and surname process for Service proposed and final rules, including listing packages, that address law enforcement functions, authority, and interpretation of laws. Such consultation will ensure that conditions set forth in listings and other rules can be enforced in the field and prevent other potential problems.

All Service divisions should coordinate regulatory issuances that include language dealing with enforcement matters with the Division of Law Enforcement. Listing packages that address section 9 issues should always be surnamed by the relevant Assistant Regional Director for Law Enforcement and, when appropriate, the Chief, Office of Law Enforcement. In the interest of speed and efficiency, divisions seeking Law Enforcement coordination on rulemaking packages may photocopy relevant sections and submit those directly to Law Enforcement for surnaming separate from the full review process.