

Activity: Migratory Birds, Law Enforcement and International Conservation
Subactivity: Law Enforcement

	2009 Actual	2010 Enacted	2011			Change from 2010 (+/-)
			DOI-wide Changes & Transfers (+/-)	Program Changes (+/-)	Budget Request	
Operations (\$000)	61,690	64,801	-618	-1,860	62,323	-2,478
Equipment Replacement (\$000)	977	977	0	0	977	0
Total, Law Enforcement (\$000)	62,667	65,778	-618	-1,860	63,300	-2,478
FTE	292	295	-	-9	286	-9

Summary of 2011 Program Changes for Law Enforcement

Request Component	(\$000)	FTE
• Operations - Special Agent Funding	-2,000	-10
• Operations - Treasured Landscapes- Chesapeake Bay	+140	1
TOTAL Program Changes	-1,860	-9

Justification of 2011 Program Changes

The 2011 budget request for the Office of Law Enforcement (OLE) is \$63,300,000 and 286 FTEs, which is a net program decrease of \$1,860,000 and 9 FTEs from the 2010 Enacted.

Law Enforcement Operations/Special Agent Funding (-\$2,000,000/-10 FTEs) This decrease eliminates \$2,000,000 in additional funding that Congress provided above the request in the 2010 Interior Appropriations Act. The funds are being used in 2010 to hire, train, and continue support for 10 special agents to replace officers lost through attrition. These agents will complete training in late 2011 and be positioned to contribute to Service investigative efforts in 2012 and beyond. However, the reduction will not allow the Service to fill positions lost through attrition in 2011 therefore reducing the number of investigations undertaken in the out years to enforce the Nation’s wildlife protection laws. While this budgetary decrease will affect program performance over time, it is consistent with Departmental and Service efforts to ensure that Federal resources spent on wildlife conservation under current fiscal constraints reflect the Administration’s most critical priorities.

Law Enforcement Operations/Treasured Landscapes-Chesapeake Bay (+\$140,000/+1 FTE) This increase will be used to help prevent the deliberate and unintentional introduction of terrestrial and aquatic invasive species in the Chesapeake Bay ecosystem. OLE staff is currently located at the designated port of Baltimore, Maryland, and at Dulles International Airport in Virginia. Increased funding will allow the OLE to increase the wildlife inspection presence and staffing levels at one of these locations as appropriate to address invasive species issues in the Chesapeake Bay watershed. Additional inspection effort will focus on the detection and interdiction of invasive species through risk analysis and improved use of analytical tools that are being made available, such as the International Trade Data System (ITDS). Increased OLE inspection presence will also improve liaison with partner agencies at

ports of entry and better secure their assistance in detecting and interdicting shipments that contain invasive species.

Program Performance Change Table - Law Enforcement

Performance Goal	2007 Actual	2008 Actual	2009 Actual	2010 Plan	2011 Base Budget	2011 President's Budget Request	Program Change Accruing in 2011	Program Change Accruing in Out-years
Sustaining Biological Communities								
CSF 6.5 Number of individuals and businesses conducting illegal activities involving migratory birds	3,635	3,370	2,755	2,690	2,690	2,690	0.0	-135
CSF Total Actual/Projected Expenditures(\$000)	\$21,946	\$18,525	\$19,240	\$19,218	\$19,218	\$19,660	\$442	
CSF Program Total Actual/Projected Expenditures(\$000)	\$16,368	\$15,964	\$16,368	\$16,745	\$16,745	\$17,130	\$385	
Actual/Projected Cost Per N/A (whole dollars)	\$6,037	\$5,497	\$6,984	\$7,144	\$7,144	\$7,309	\$164	
Comments:	New agents hired in late FY 2010 will complete training in late FY 2011 and have fewer operational dollars to work investigations, resulting in declining workload measures over time.							
6.5.4.1 # of migratory bird investigations	2,195	1,476	1,230	1,200	1,200	1,200	0.0	-60
Comments:	New agents hired in late FY 2010 will complete training in late FY 2011 and have fewer operational dollars to work investigations, resulting in declining workload measures over time.							
6.5.4.2 total # of investigations	15,021	15,000	15,000	14,000	14,000	14,000	0.0	-700
Comments:	New agents hired in late FY 2010 will complete training in late FY 2011 and have fewer operational dollars to work investigations, resulting in declining workload measures over time.							
CSF 9.2 Number of individuals and businesses conducting illegal activities involving marine mammals	317	327	218	206	206	206	0.0	-10
CSF Total Actual/Projected Expenditures(\$000)	\$3,488	\$3,002	\$3,197	\$3,091	\$3,091	\$3,162	\$71	
CSF Program Total Actual/Projected Expenditures(\$000)	\$2,575	\$2,583	\$2,734	\$2,797	\$2,797	\$2,861	\$64	
Actual/Projected Cost Per N/A (whole dollars)	\$11,002	\$9,181	\$14,666	\$15,003	\$15,003	\$15,348	\$345	
Comments:	New agents hired in late FY 2010 will complete training in late FY 2011 and have fewer operational dollars to work investigations, resulting in declining workload measures over time.							

Program Performance Change Table - Law Enforcement cont.

Performance Goal	2007 Actual	2008 Actual	2009 Actual	2010 Plan	2011 Base Budget	2011 President's Budget Request	Program Change Accruing in 2011	Program Change Accruing in Out-years
9.2.4.1# of marine mammal investigations	274	301	208	205	205	205	0.0	-10
Comments:	New agents hired in late FY 2010 will complete training in late FY 2011 and have fewer operational dollars to work investigations, resulting in declining workload measures over time.							
CSF 10.4Number of individuals and businesses conducting illegal activities involving foreign species	9,419	9,773	8,660	8,600	8,600	8,600	0.0	-430
CSF Total Actual/Projected Expenditures(\$000)	\$23,246	\$21,066	\$23,334	\$23,705	\$23,705	\$24,250	\$545	
CSF Program Total Actual/Projected Expenditures(\$000)	\$17,641	\$18,366	\$20,213	\$20,678	\$20,678	\$21,154	\$476	
Actual/Projected Cost Per N/A (whole dollars)	\$2,468	\$2,155	\$2,694	\$2,756	\$2,756	\$2,820	\$63	
Comments:	New agents hired in late FY 2010 will complete training in late FY 2011 and have fewer operational dollars to work investigations, resulting in declining workload measures over time.							
10.4.4.1# of investigations involving foreign species	9,235	9,834	8,921	9,000	9,000	9,000	0.0	-450
Comments:	New agents hired in late FY 2010 will complete training in late FY 2011 and have fewer operational dollars to work investigations, resulting in declining workload measures over time.							

Note: 2011 Base Budget is equal to 2010 Plan (enacted level) plus fixed cost (absorbed).

Program Overview

The Office of Law Enforcement protects fish, wildlife, and plant resources by investigating wildlife crimes, including those involving commercial exploitation, habitat destruction, and industrial hazards, and monitoring the Nation’s wildlife trade to intercept smuggling and facilitate legal commerce. Effective enforcement of the Nation’s wildlife laws is essential to the Service’s conservation mission. Service special agents, wildlife inspectors, and forensic scientists help recover endangered species, conserve migratory birds, restore fisheries, combat invasive species, safeguard wildlife habitat, and promote international wildlife conservation. Law Enforcement efforts that protect species and support strategic habitat conservation are increasingly critical as wildlife resources face accelerating threats from climate change and habitat loss. These threats make wildlife populations even more vulnerable to such crimes as poaching, black market trafficking, and industrial take.

Protecting the Nation’s Species: Service special agents investigate crimes involving Federally protected resources, including endangered and threatened species native to the United States, migratory birds, eagles, and marine mammals. Enforcement efforts focus on dismantling criminal enterprises illegally profiteering from trade in U.S. wildlife and plants, as well as, addressing other potentially devastating threats to wildlife, including habitat destruction, environmental contaminants, and industrial hazards. Service special agents provide enforcement assistance to support the strategic habitat conservation efforts of the Department’s Landscape Conservation Cooperatives; help negotiate and enforce Habitat

Conservation Plans under the Endangered Species Act; and investigate violations of laws that safeguard wildlife and wildlife habitat. Law Enforcement also works with industries whose activities affect U.S. wildlife resources and their habitat to reduce hazards and secure voluntary compliance with wildlife laws.

Combating Illegal Global Wildlife Trafficking: The United States remains one of the world's largest markets for wildlife and wildlife products, both legal and illegal. Illegal global trafficking represents a threat to the continued viability of thousands of species around the world. Law Enforcement's trade monitoring activities at U.S. ports provide a front-line defense against illegal wildlife trade. Service wildlife inspectors process declared shipments, intercept wildlife contraband, conduct proactive enforcement blitzes to catch smugglers, and work with special agents to investigate businesses and individuals engaged in illegal wildlife trafficking. Service Law Enforcement officers also work to prevent the introduction of invasive species via international trade and travelers. Special agents and wildlife inspectors enforce prohibitions on the importation and interstate transport of injurious wildlife.

Facilitating Legal Wildlife Trade: OLE's mandate to enforce wildlife trade laws encompasses a concurrent responsibility to deal fairly and efficiently with the businesses, organizations, and individuals that legally import and export wildlife. The speed and efficiency of wildlife inspection operations affect not only businesses trading in legal commodities but also the international movement of wildlife for purposes that range from scientific research to public entertainment. Service officers provide guidance to individuals and businesses to help them obey wildlife laws and expedite their import and export transactions. Customer service efforts use technology to speed trade, streamline communication, and improve public access to information about laws and regulations affecting trade in wildlife and wildlife products.

Management Excellence: Law Enforcement's success in protecting the Nation's wildlife, stemming illegal global wildlife trafficking, and facilitating legal wildlife trade depends on how well it uses its resources to meet these goals. The program maintains ongoing strategic planning and performance management; is implementing comprehensive workforce plans; and is working to strengthen the career development and professional integrity of its workforce. Law Enforcement also leverages technology to support its investigative and inspection efforts and works to reduce the impact of its operations and facilities on global climate change.

Use of Cost and Performance Information

Performance information for the Law Enforcement program is collected through both the Service's Activity Based Costing (ABC) program (which ties costs directly to work-hours spent on activities that address broad performance goals in the Service operational plan) and through the more detailed performance monitoring that is being conducted under the program's Strategic Plan.

OLE implemented its first 5-year Strategic Plan (which set goals and performance measures through 2010) in 2006. Data collected that year and in subsequent years provide the basis for tracking such performance parameters as loss of wildlife prevented by disruption of illegal activity; amount of restitution collected to conserve wildlife as a result of investigations; and numbers and values of illegally imported/exported wildlife shipments interdicted. These data along with the ABC-driven measures included in the Program Performance Overview table allow the Law Enforcement program to monitor both the scope and impact of its work and assess its progress in protecting U.S. species, preventing illegal trade in global resources, and facilitating legal wildlife commerce.

Work began in FY 2009 to review and update the Law Enforcement Strategic Plan so that appropriate performance goals and measures will be in place for FY 2011-2015.

2011 Program Performance

In 2011, the Law Enforcement program will build on past successes in stemming the exploitation of the Nation's wildlife resources and combating global wildlife trafficking. In 2009 and 2010, these efforts exposed unlawful take and sale of sea otter, bald and golden eagles, American paddlefish and sturgeon roe, striped bass, spiny lobster, shark fins, ginseng, freshwater mussels, native reptiles, walrus ivory, and big game resources. Inspections, investigations, and prosecutions were completed that disrupted illegal trafficking in African elephant ivory; sea turtle skin, shell, and products; coral; queen conch meat; leopard trophies; sperm whale teeth; Asian songbirds; live exotic reptiles; Asian arowanas; snakehead fish; caviar; butterflies; bats; Brazilian rosewood; orchids; and bear bile and other medicinal products made from protected species.

As in past years, the program will focus on those enforcement efforts that address the greatest conservation concerns. Investigations will address unlawful take and trafficking of wildlife, with priority given to crimes that jeopardize wild populations of protected wildlife (including populations that are already being affected by climate change). This work will help promote the recovery of U.S. species listed as endangered or threatened and improve safeguards for other federally protected wildlife, including marine mammals and migratory birds. Agents will also continue proactive outreach to secure voluntary compliance from industries and other groups whose activities affect wildlife and work to ensure that those addressing the Nation's crucial energy development needs also meet their responsibilities as environmental stewards. .

Prioritization will help ensure that inspection efforts focus appropriately on the interdiction of illegal trade involving protected species (both import and export) and preventing the entry of injurious wildlife. In addition to monitoring declared shipments, Service wildlife inspectors will use intelligence information to organize and conduct focused proactive inspection operations at air and ocean cargo warehouses, passenger terminals, and international mail facilities to intercept wildlife trafficking. Additional funding for inspection efforts in the Chesapeake Bay region will bolster efforts there to detect invasive species moving via international trade. The Law Enforcement program in this region and throughout the country will work with other Federal trade inspection agencies to strengthen border safeguards and forestall both wildlife trafficking and the introduction of invasive animals and plants. Trade interdiction capabilities and related investigations will be enhanced by upgraded intelligence collection and analysis, improved computer forensics support, and access to new data sources and capabilities provided by the Automated Customs Environment/International Trade Data System (ACE/ITDS).

OLE will look to greater use of technology to meet its goals of facilitating the expeditious movement of legal wildlife and achieving management excellence. The program will continue promoting use of its electronic declaration system and on-line fee payment process; it will also expand technological alternatives for handling other import and export procedures and pursue an "e-permitting" initiative with other Service programs. Progress will continue in improving the Law Enforcement Management Information System and working to interface with ACE/ITDS to share international trade information critical to law enforcement inspections and investigations.

Program Overview Table: Law Enforcement										
Performance Goal	2006 Actual	2007 Actual	2008 Actual	2009 Plan	2009 Actual	2010 Plan	2011 Base Budget	2011 President's Budget Request	Program Change Accruing in 2011	Long-term Target 2012
Sustaining Biological Communities										
CSF 6.5Number of individuals and businesses conducting illegal activities involving migratory birds	1,680	3,635	3,370	3,300	2,755	2,690	2,690	2,690	0.0	2,690
CSF Total Actual/Projected Expenditures(\$000)	\$19,632	\$21,946	\$18,525	unk	\$19,240	\$19,218	\$19,218	\$19,660	\$442	\$20,113
CSF Program Total Actual/Projected Expenditures(\$000)	\$17,092	\$16,368	\$15,964	unk	\$16,368	\$16,745	\$16,745	\$17,130	\$385	\$17,524
Actual/Projected Cost Per N/A (whole dollars)	\$11,686	\$6,037	\$5,497	unk	\$6,984	\$7,144	\$7,144	\$7,309	\$164	\$7,477
6.5.4.1# of migratory bird investigations	2,427	2,195	1,476	1,450	1,230	1,200	1,200	1,200	0.0	1,200
6.5.4.2total # of investigations	14,140	15,021	15,000	15,000	15,000	14,000	14,000	14,000	0.0	14,000
CSF 7.33Number of individuals and businesses conducting illegal activities involving T&E species	1,213	3,717	4,051	3,800	3,430	3,330	3,330	3,330	0.0	3,330
7.33.1# of individuals and businesses conducting illegal activities involving T&E species	1,213	3,717	4,051	3,800	3,430	3,330	3,330	3,330	0.0	3,330
7.33.4.1# of T&E investigations	3,029	2,953	2,988	2,900	2,529	2,500	2,500	2,500	0.0	2,500
CSF 9.2Number of individuals and businesses conducting illegal activities involving marine mammals	52	317	327	320	218	206	206	206	0.0	206
CSF Total Actual/Projected Expenditures(\$000)	\$3,100	\$3,488	\$3,002	unk	\$3,197	\$3,091	\$3,091	\$3,162	\$71	\$3,234
CSF Program Total Actual/Projected Expenditures(\$000)	\$2,672	\$2,575	\$2,583	unk	\$2,734	\$2,797	\$2,797	\$2,861	\$64	\$2,927
Actual/Projected Cost Per N/A (whole dollars)	\$59,621	\$11,002	\$9,181	unk	\$14,666	\$15,003	\$15,003	\$15,348	\$345	\$15,701
9.2.4.1# of marine mammal investigations	293	274	301	275	208	205	205	205	0.0	205
CSF 10.4Number of individuals and businesses conducting illegal activities involving foreign species	2,943	9,419	9,773	9,500	8,660	8,600	8,600	8,600	0.0	8,600
CSF Total Actual/Projected Expenditures(\$000)	\$21,485	\$23,246	\$21,066	unk	\$23,334	\$23,705	\$23,705	\$24,250	\$545	\$24,808
CSF Program Total Actual/Projected Expenditures(\$000)	\$18,728	\$17,641	\$18,366	unk	\$20,213	\$20,678	\$20,678	\$21,154	\$476	\$21,640
Actual/Projected Cost Per N/A (whole dollars)	\$7,300	\$2,468	\$2,155	unk	\$2,694	\$2,756	\$2,756	\$2,820	\$63	\$2,885
10.4.4.1# of investigations involving foreign species	9,436	9,235	9,834	9,500	8,921	9,000	9,000	9,000	0.0	9,000
10.4.5.2total # of wildlife shipments	151,500	163,428	175,000	180,000	180,000	185,000	185,000	185,000	0.0	185,000
10.4.9.2total # of wildlife shipments physically inspected	26,260	29,987	31,000	29,000	29,000	30,000	30,000	30,000	0.0	30,000
10.4.13.2total # of interdicted wildlife shipments	2,828	3,689	4,000	4,400	4,400	5,100	5,100	5,100	0.0	5,100

Note: 2011 Base Budget is equal to 2010 Plan (enacted level) plus fixed cost (absorbed).