

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

	2010 Actual	2010 Enacted/ 2011 CR	2012				Change from 2011 CR (+/-)
			Fixed Costs & Related Changes (+/-)	Administrative Cost Savings (+/-)	Program Changes (+/-)	Budget Request	
Operations (\$000)	64,801	64,801	-2	-1,282	-1,860	61,657	-3,144
Equipment Replacement (\$000)	977	977	0	0	0	977	0
Total, Law Enforcement (\$000)	65,778	65,778	-2	-1,282	-1,860	62,634	-3,144
FTE	281	281	-	-	-9	272	-9

Summary of 2012 Program Changes for Law Enforcement

Request Component	(\$000)	FTE
• Operations-Special Agents	-2,000	-10
• Operations-Ecosystem Restoration-Chesapeake Bay	+140	1
Program Changes	-1,860	-9
Internal Transfer – Office of the Science Advisor	-143	
Internal Transfer – Endangered Species-Recovery	+11	

Justification of 2012 Program Changes

The 2012 budget request for the Office of Law Enforcement (OLE) is \$62,634,000 and 272 FTEs, which is a net program change of -\$1,860,000 and -9 FTEs from the 2010 Enacted/2011 annualized Continuing Resolution.

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 2011 to continue on-the-job training and support for 10 special agents hired in 2010 to replace officers lost through attrition. These agents will be working at full performance level by the end of the year and positioned to contribute to Service investigative efforts in the near future. However, the reduction will not allow the Service to fill positions lost through attrition since 2010, therefore reducing the number of investigations undertaken in FY 2012 and beyond to enforce the Nation’s wildlife protection laws. This budgetary decrease reflects tough choices under current fiscal constraints, but is consistent with Departmental and Service efforts to ensure Federal resources are spent on the Administration’s most critical conservation priorities.

Law Enforcement Operations/Ecosystem Restoration-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. Combating invasive species that threaten habitat is one of the actions called for in Executive Order 13508 *Strategy for Protecting and Restoring the*

Chesapeake Bay Watershed. 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 Automated Customs Environment/International Trade Data System (ACE/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.

2012 Internal Transfer (+11,000)

This internal transfer of \$11,000 from Endangered Species (ES) Recovery to the Office of Law Enforcement (OLE) corrects an error that occurred when the FY 2005 user pay space reprogramming was executed. At that time, the space attributed to the co-located OLE and ES offices in Olympia, Washington was incorrect. This change provides the OLE office in Olympia with the correct amount of funding for the amount of space occupied.

Law Enforcement - Performance Change Table

Performance Goal	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Plan	2012 PB	Program Change Accruing in 2012	Program Change Accruing in Out-years
CSF 6.5 Number of individuals and businesses conducting illegal activities involving migratory birds	3,635	3,370	2,755	2,739	2,670	2,540	-130 (-4.9%)	n/a
CSF Total Actual/Projected Expenditures (\$000)	\$21,946	\$18,525	\$19,240	\$20,619	\$20,361	\$19,621	(\$740)	n/a
CSF Program Total Actual/Projected Expenditures (\$000)	\$16,368	\$15,964	\$16,368	\$17,509	\$17,737	\$17,968	\$231	n/a
Actual/Projected Cost Per N/A (whole dollars)	\$6,037	\$5,497	\$6,984	\$7,528	\$7,626	\$7,725	\$99	n/a
Comments	Decrease in operational funding to work investigations will result in declining workload measures.							
6.5.4.1 # of migratory bird investigations	2,195	1,476	1,230	1,267	1,225	1,140	-85 (-6.9%)	n/a
Comments	Decrease in operational funding to work investigations will result in declining workload measures.							
6.5.4.2 total # of investigations	15,021	15,000	15,000	14,000	14,000	13,300	-700 (-5.0%)	n/a
Comments	Decrease in operational funding to work investigations will result in declining workload measures.							
CSF 7.33 # of individuals and businesses conducting illegal activities involving T&E species	3,717	4,051	3,430	3,261	3,225	3,160	-65 (-2.0%)	n/a
CSF Total Actual/Projected Expenditures (\$000)	n/a	n/a	n/a	\$26,895	\$26,944	\$26,745	(\$200)	n/a
CSF Program Total Actual/Projected Expenditures (\$000)	n/a	n/a	n/a	\$23,358	\$23,661	\$23,969	\$308	n/a
Actual/Projected Cost Per Unit (whole dollars)	n/a	n/a	n/a	\$8,248	\$8,355	\$8,463	\$109	n/a
Comments	Decrease in operational funding to work investigations will result in declining workload measures.							
7.33.4.1 # of T&E investigations	2,953	2,988	2,529	2,330	2,300	2,185	-115 (-5.0%)	n/a

Law Enforcement - Performance Change Table

Performance Goal	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Plan	2012 PB	Program Change Accruing in 2012	Program Change Accruing in Out-years
Comments	Decrease in operational funding to work investigations will result in declining workload measures.							
CSF 9.2 Number of individuals and businesses conducting illegal activities involving marine mammals	317	327	218	250	237	202	-35 (-14.8%)	n/a
CSF Total Actual/Projected Expenditures (\$000)	\$3,488	\$3,002	\$3,197	\$3,519	\$3,379	\$2,918	(\$462)	n/a
CSF Program Total Actual/Projected Expenditures (\$000)	\$2,575	\$2,583	\$2,734	\$2,971	\$3,009	\$3,049	\$39	n/a
Actual/Projected Cost Per N/A (whole dollars)	\$11,002	\$9,181	\$14,666	\$14,076	\$14,259	\$14,445	\$185	n/a
Comments	Decrease in operational funding to work investigations will result in declining workload measures.							
9.2.4.1 # of marine mammal investigations	274	301	208	218	210	195	-15 (-7.1%)	n/a
Comments	Decrease in operational funding to work investigations will result in declining workload measures.							
CSF 10.4 Number of individuals and businesses conducting illegal activities involving foreign species	9,419	9,773	8,660	8,758	8,625	8,200	-425 (-4.9%)	n/a
CSF Total Actual/Projected Expenditures (\$000)	\$23,246	\$21,066	\$23,334	\$26,148	\$26,086	\$25,123	(\$963)	n/a
CSF Program Total Actual/Projected Expenditures (\$000)	\$17,641	\$18,366	\$20,213	\$22,675	\$22,969	\$23,268	\$299	n/a
Actual/Projected Cost Per N/A (whole dollars)	\$2,468	\$2,155	\$2,694	\$2,986	\$3,024	\$3,064	\$39	n/a
Comments	Decrease in operational funding to work investigations will result in declining workload measures.							
10.4.4.1 # of investigations involving foreign species	9,235	9,834	8,921	9,180	9,000	8,550	-450 (-5.0%)	n/a
Comments	Decrease in operational funding to work investigations will result in declining workload measures.							

Law Enforcement - Performance Change Table

Performance Goal	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Plan	2012 PB	Program Change Accruing in 2012	Program Change Accruing in Out-years
10.4.5.2 total # of wildlife shipments	163,428	175,000	180,000	185,000	180,000	175,000	-5,000 (-2.8%)	n/a
Comments	Decrease in # of wildlife shipments reflect changes in trade that have occurred in tandem with the global economic downturn.							

Program Overview

The Office of Law Enforcement (OLE) 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, including its contributions to the President’s America’s Great Outdoors initiative. 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 pressure from habitat loss, habitat fragmentation, environmental change, and other developments affecting the environment. 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 profiting 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 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 the environment.

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. That plan was reviewed in 2010 and updated to reflect goals, objectives, and measures for the period 2011-2015.

This updated plan examines OLE's role in addressing stressors on wildlife that include commercial exploitation, industrial hazards, and injurious species and its utilization as a "tool" to support the on-the-ground conservation efforts deployed by the Department's Landscape Conservation Cooperatives to protect the lands and resources that constitute "America's Great Outdoors." Performance monitoring under this plan is used in conjunction with the ABC-driven measures included in the Program Performance Overview table to analyze both the scope and impact of OLE's work and track its progress in protecting U.S. species and wildlife, preventing illegal trafficking in global resources, and facilitating legal wildlife trade in the United States.

2012 Program Performance

In 2012, 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 2010 and 2011, these efforts exposed unlawful take and/or sale of endangered pallid sturgeon, threatened Mariana fruit bats, protected wolves and grizzlies, ESA-listed black and white abalone, sea otters, bald and golden eagles, American alligator, subsistence-caught salmon, American paddlefish, striped bass, freshwater U.S. turtles, other native reptiles, ginseng, saguaro cacti, bobcats, and big game resources. Inspections, investigations, and prosecutions were completed that disrupted illegal trafficking in African elephant ivory; rhino horn, sperm whale teeth, endangered Asian arowana fish, sea turtle eggs, black and other CITES-listed coral, queen conch meat and shells, live CITES-listed seahorses, Asian medicinals, tarantulas, monkey skulls, primate and African rodent "bushmeat," CITES-protected insects, leather goods made from protected species, injurious snakehead fish, State-banned invasive species, leopard trophies, live exotic reptiles, Madagascar ebony wood; and CITES-listed Brazilian rosewood.

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 habitat loss and environmental degradation, including climate change). This work will help promote the recovery of U.S. species listed as endangered or threatened; improve safeguards for other federally protected wildlife, including marine mammals and migratory birds; and protect wildlife resources and habitat that are integral components of America's Great Outdoors. 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.

The \$2 million reduction in funding for investigative work will decrease the number of wildlife crime investigations undertaken, including those focusing on illegal exploitation of native animals and plants listed as "endangered" or "threatened," migratory birds, marine mammals, and protected global species. 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 – species whose impact on the environment represents a threat to America's Great Outdoors. 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 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 to 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, dedicated computer forensics and high tech investigative 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 maintain its electronic declaration system and on-line fee payment process and will join with other Service programs in introducing "e-permit" options, with import/export license and other OLE applications expected to be available to the public in FY 2012. 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.

This page intentionally left blank.