

December 22, 2020

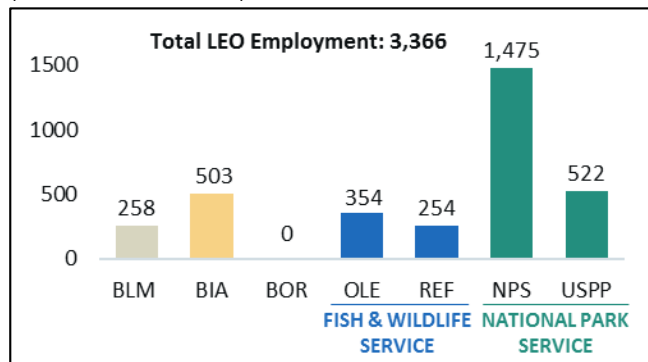
Department of the Interior (DOI) Law Enforcement Programs

Overview

As of November 2020, the Department of the Interior (DOI) employed nearly 3,400 law enforcement officers (LEOs) assigned to seven distinct organizational units within five DOI bureaus (see **Figure 1**). These seven units are the Bureau of Land Management (BLM); Bureau of Indian Affairs (BIA); Bureau of Reclamation (BOR); U.S. Fish and Wildlife Service's (FWS's) Office of Law Enforcement (OLE) and Division of Refuge Law Enforcement (REF); National Park Service (NPS); and U.S. Park Police (USPP) within NPS. DOI's law enforcement contingent is the fourth-largest among executive branch departments, after the Departments of Homeland Security, Justice, and Veterans Affairs.

Law enforcement on lands owned and administered by the federal government is of perennial interest to Congress. This includes issues related to funding, jurisdictional disputes between federal and non-federal law enforcement agencies, and more recent concerns around excessive force and police-community relations.

Figure 1. Total DOI Law Enforcement Figures
(as of November 2020)



Source: Totals provided to CRS on November 18, 2020, by DOI for all law enforcement units except USPP and BIA. USPP and BIA figures taken from Office of Personnel Management FedScope database (OPM, FedScope, Employment Trend cubes, Cabinet-Level Agencies parameter set to Department of the Interior, accessed November 21, 2020, at <https://www.fedscope.opm.gov/>).

Notes: BLM = Bureau of Land Management; BIA = Bureau of Indian Affairs; BOR = Bureau of Reclamation; OLE = U.S. Fish and Wildlife Service – Office of Law Enforcement; REF = U.S. Fish and Wildlife Service – Division of Refuge Law Enforcement; NPS = National Park Service; USPP = U.S. Park Police. All totals reflect “on-board employment” figures, which calculate the number of employees in pay status at the end of the quarter. Data for on-board employment provides employee “head count” in most departments and agencies as of a particular date, including full-time, part-time, and seasonal employees. Table does not reflect law enforcement officers employed by DOI’s Office of Inspector General.

DOI defines *law enforcement officer* as a “person who has entered the Federal service through established selection criteria, has received professional training according to published standards and has been commissioned or sworn to perform law enforcement duties” (*DOI Departmental Manual* Part 446 Ch. 1). Generally, LEOs include employees who are authorized to carry firearms, execute and serve warrants, search for and seize evidence, make arrests, and perform such duties as authorized by law. The category broadly includes uniformed police officers, investigative agents, correctional officers, and various other positions within DOI. It does not include DOI employees classified under the *security guard* job series title, as these positions generally do not have authority to take the enforcement-related actions listed above.

The specific duties of DOI LEOs can vary considerably based on the type (e.g., investigative agent vs. correctional officer), seniority (supervisory vs. nonsupervisory), and geographic location of the position. For example, in the American Southwest, officers may spend considerable time dealing with unauthorized recreational off-highway vehicle users and archaeological resource crimes, whereas LEOs working in urbanized areas may be responsible for managing special events and political demonstrations as well as performing more general law enforcement duties.

Since 2001, DOI’s Office of Law Enforcement and Security (OLES) has provided direction, oversight, and coordination across the department’s various law enforcement units (Secretarial Order No. 3234, *Enhanced Coordination of Department of the Interior Law Enforcement and Security*).

Bureau of Land Management

Under the Federal Land Policy and Management Act of 1976 (43 U.S.C. §§ 1701 et seq.), the Secretary of the Interior is authorized to stand up a law enforcement body to enforce federal laws and regulations with respect to lands and resources under BLM’s jurisdiction. As of November 2020, BLM employed 190 law enforcement *rangers* and 68 *special agents* for a total of 258 LEOs. BLM rangers typically are responsible for the everyday enforcement of laws and regulations governing BLM lands and resources. Special agents typically are plainclothes criminal investigators who plan and conduct investigations concerning possible violations on BLM lands.

Bureau of Indian Affairs

Jurisdiction over offenses or crimes committed on tribal lands may lie with federal, state, or tribal agencies, depending on the offense, the offense location, and whether or not the offender or victim is an enrolled member of a federally recognized tribe. Although most police departments and detention centers on tribal lands are

administered by tribes under their sovereign authorities, some are operated and administered by the BIA, largely under the authority of the Indian Law Enforcement Reform Act (25 U.S.C. §§2801-2809). As of 2019, roughly 9% of all police departments and 25% of detention centers on tribal lands were administered by the BIA (Bureau of Justice Statistics, *Census of Tribal Law Enforcement*, 2019). Staff in BIA-administered police departments and jails are considered federal employees rather than tribal employees. As of November 2020, BIA employed 177 uniformed *police officers*, 151 *special agents*, and 175 *correctional officers*, for a total of 503 LEOs.

Bureau of Reclamation

In 2001, Congress provided the Secretary of the Interior with the authority to use law enforcement personnel to provide for the security of dams, facilities, and resources under BOR's jurisdiction (43 U.S.C. §373b). Under this authority, BOR uses other federal, state, or local LEOs via contract or cooperative agreement to oversee and conduct law enforcement activities. The only site that previously employed a full-time law enforcement unit administered directly by BOR was the Hoover Dam office. Known as the Hoover Dam Police Department, the unit was established in the early 1930s and operated under its own separate authority delegated to DOI and the agency from the General Services Administration. In 2017, the unit was dissolved and law enforcement duties for the Hoover Dam were transferred to NPS. As of November 2020, BOR no longer operates a law enforcement unit.

National Park Service

NPS employees have long had a role in protecting national parklands and enforcing agency regulations, but they did not have express permission to “maintain law and order and to protect individuals and property within [National Park] System units” until 1976, when Congress passed the General Authorities Act (54 U.S.C. §102701). As of November 2020, NPS employed 33 *special agents*, who oversee criminal investigations as part of the agency's Investigative Services Branch, and 1,293 *park rangers*, who are responsible for everyday law enforcement on NPS lands. Although the title *park ranger* generally refers to a broad range of employee positions within NPS, the ranger figures here reflect only those employees who are specifically authorized to carry out law enforcement duties. NPS also uses seasonal rangers who conduct similar duties to permanent rangers, typically for a period of several months. As of November 2020, NPS employed 149 seasonal LEOs, for a total of 1,475 LEOs; however, this number may be higher during the summer months, when seasonal LEO employment is at its peak.

U.S. Park Police

The USPP is one of the oldest uniformed federal law enforcement units, with its origins dating back to the late 1700s, when they were referred to as *watchmen* and charged with safeguarding public buildings in the nation's capital. Congress formally established the USPP in 1919 (41 Stat. 364) and transferred the USPP to NPS administration in 1924 (43 Stat. 175). The USPP primarily oversees law enforcement on national parklands in Washington, DC; New York City; and San Francisco.

However, USPP jurisdiction generally extends to all NPS parklands nationwide. The USPP also has jurisdictional authority in the surrounding metropolitan areas of the three cities in which it primarily operates, making it one of the few federal law enforcement units that possess both state and federal authority. As of November 2020, USPP employed 522 uniformed *officers*.

U.S. Fish and Wildlife Service

FWS's law enforcement authority is derived from a number of federal wildlife statutes and from the implementation of selected international treaties. Two distinct law enforcement units are responsible for enforcing such federal wildlife laws: the Office of Law Enforcement (OLE) and the Division of Refuge Law Enforcement (REF).

Office of Law Enforcement

The OLE is responsible for on-the-ground investigations and wildlife inspection across the country. Federal law enforcement of wildlife crime originated with the Lacey Act of 1900 (16 U.S.C. §§3371-3378 and 18 U.S.C. §§42-43) but has since expanded to include a variety of laws and treaties. As of November 2020, OLE employed 212 *special agents* and 142 *inspectors*, for a total of 354 LEOs. Generally, special agents are plainclothes criminal investigators who enforce federal wildlife laws. Wildlife inspectors oversee wildlife transiting through U.S. ports and identify and intercept illegal wildlife trade.

Division of Refuge Law Enforcement

The REF is responsible for providing general law enforcement specifically on National Wildlife Refuge System (NWRS) lands. This authority primarily derives from the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. §668dd(g)). As of November 2020, FWS employed 254 uniformed officers, generally referred to as *federal wildlife officers*, on NWRS lands.

Additional DOI Law Enforcement

In addition to the seven law enforcement units, DOI's Office of the Inspector General (OIG) is vested with law enforcement authority pursuant to the Inspector General Act of 1978, as amended (5 U.S.C. §6(e)(3)). However, LEOs employed by DOI's OIG, which investigate DOI programs and operations, generally are not considered one of DOI's organizational LEO units. According to OPM's Fedscope database, the OIG employed 79 LEOs as of November 2020.

DOI agencies are also generally authorized to designate federal law enforcement personnel to act in areas within their jurisdiction. This includes shared or supplemental LEO support between DOI agencies, as well as with other federal agencies with appropriate authority. Agencies also regularly cooperate and contract with local sheriff's offices, as well as state and tribal authorities, to provide law enforcement on federal lands and areas within their responsibility or control. Such agreements may allow for certain officers to be cross-deputized to expand jurisdiction and capacity for federal and non-federal authorities.

Mark K. DeSantis, Analyst in Natural Resources Policy

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.