

103^D CONGRESS
1ST SESSION

H. R. 2360

To establish the Office of Law Enforcement in the United States Fish
and Wildlife Service.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 1993

Mr. LEHMAN introduced the following bill; which was referred to the
Committee on Merchant Marine and Fisheries

A BILL

To establish the Office of Law Enforcement in the United
States Fish and Wildlife Service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Fish
5 and Wildlife Service Law Enforcement Clarification and
6 Enhancement Act”.

7 **SEC. 2. FINDINGS.**

8 The Congress finds the following:

9 (1) The law enforcement responsibilities of the
10 United States Fish and Wildlife Service have evolved

1 far beyond the realm of ensuring compliance with
2 hunting and fishing regulations. Increasing visitor
3 utilization and urbanization of refuges bring with
4 them associated problems of crime. The expansion of
5 international treaties and attendant responsibilities
6 have increased tremendously in recent years. The il-
7 legal trade in wildlife products is becoming increas-
8 ingly well organized and commercial and is often as-
9 sociated with other criminal activities such as nar-
10 cotics, money laundering, weapons dealing, and tax
11 fraud.

12 (2) The concerns and needs of the United
13 States Fish and Wildlife Service Law Enforcement
14 Division are not adequately represented at the direc-
15 torate level and the degree of agency support for law
16 enforcement is at the discretion of the Director and,
17 therefore, is inconsistent over time.

18 (3) Partly as a result of the lack of directorate
19 level representation for law enforcement, the Law
20 Enforcement Division is grossly understaffed and
21 underfunded. Three decades of documentation clear-
22 ly show that this is a chronic problem. The division
23 is unable to adequately enforce the wildlife protec-
24 tion laws enacted by the Congress and as a result—

25 (A) wildlife populations are in danger;

1 (B) although the legal and illegal trade in
2 wildlife products is increasing, the percentage of
3 shipments of those products that are inspected
4 is decreasing; and

5 (C) the percentage of shipments inspected
6 that are in violation of wildlife protection laws
7 is increasing.

8 (4) Although the law enforcement program of
9 the United States Fish and Wildlife Service should
10 not be any more important than other Service pro-
11 grams, law enforcement is fundamentally different
12 than the other programs and would be better inte-
13 grated into the overall mission of the Service if it
14 operated at the directorate level.

15 (5) A directorate level status for the United
16 States Fish and Wildlife Service Law Enforcement
17 Division is necessary in order to improve commu-
18 nication, coordination, consistency, control, and over-
19 sight of law enforcement activities of the United
20 States Fish and Wildlife Service.

21 **SEC. 3. LAW ENFORCEMENT FUNCTIONS OF UNITED**
22 **STATES FISH AND WILDLIFE SERVICE.**

23 The Fish and Wildlife Act of 1956 (16 U.S.C. 742a
24 et seq.) is amended by adding at the end the following:

1 **“SEC. 15. DIVISION OF LAW ENFORCEMENT.**

2 “(a) ESTABLISHMENT.—The Division of Law En-
3 forcement is hereby established in the office of the Direc-
4 tor of the United States Fish and Wildlife Service.

5 “(b) ASSISTANT DIRECTOR FOR LAW ENFORCE-
6 MENT.—

7 “(1) IN GENERAL.—The Assistant Director for
8 Law Enforcement shall be the head of the Division
9 of Law Enforcement, and shall be appointed by the
10 President from among individuals who have wildlife
11 law enforcement experience.

12 “(2) CAREER RESERVED POSITION.—The As-
13 sistant Director for Law Enforcement shall be a ca-
14 reer reserved position within the meaning of that
15 term under section 3132(a) of title 5, United States
16 Code.

17 “(3) LOCATION.—The office of the Assistant
18 Director for Law Enforcement shall be located in
19 the District of Columbia.

20 “(c) FUNCTIONS.—The Assistant Director for Law
21 Enforcement shall administer the law enforcement func-
22 tions of the United States Fish and Wildlife Service.”.

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