

Reclamation Manual

Policy

Subject:	Law Enforcement Program
Purpose:	To define the Bureau of Reclamation's responsibility to develop, implement, and provide oversight to a professional Law Enforcement Program. The benefit of this Policy is that it establishes the Reclamation Law Enforcement Program and the law enforcement functions associated with the protection of Reclamation facilities, lands, waterbodies, employees, contractors, and the public.
Authority:	Reclamation Act of 1902 (June 17, 1902; ch. 1093; 32 Stat. 388; 43 U.S.C. 391 et seq.), as amended and supplemented; Title X, Section 1016 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (October 26, 2001; Pub. L. 107-56; 15 Stat. 400; 42 U.S.C. 5195c); Law Enforcement Authority at Bureau of Reclamation Facilities Act of 2001 (November 12, 2001; Pub. L. 107-69; 15 Stat. 593; 43 U.S.C. 373b and 373c); Homeland Security Act of 2002 (November 25, 2002; Pub. L. 107-296; Title XVII, 1706(b); 116 Stat. 2316 (partially codified at 40 U.S.C. 1315); 43 CFR 422, <i>Law Enforcement Authority at Bureau of Reclamation Projects</i> ; Departmental Manual (DM) Part 446, <i>Law Enforcement</i> .
Approving Official:	Commissioner
Contact:	Director, Security, Safety, and Law Enforcement (SSLE); Office of Information Sharing and Law Enforcement Support (84-42000)

- 1. Introduction.** As a result of the terrorist attacks of September 11, 2001, Congress recognized a need to enhance the security of facilities, lands, and waterbodies under Reclamation's jurisdiction. Prior to this event, Reclamation generally had to rely on law enforcement personnel from other agencies for protection. On November 12, 2001, the President signed Public Law 107-69 (43 U.S.C. 373b and 373c) which provided the Secretary of the Department of the Interior (Secretary) the authority to utilize a variety of Federal and non-Federal law enforcement entities to enforce Federal laws and regulations within a Reclamation project or on Reclamation lands. Reclamation subsequently promulgated regulations to address criminal activities upon Reclamation facilities, lands, and waterbodies, or against individuals in these places. Other legislation, as well as numerous Executive Orders, rules, directives, and requirements exist which must be complied with by Federal law enforcement agencies within the Executive Branch, including those operating within Reclamation's Law Enforcement Program.

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2. **Applicability.**

A. This Policy applies to:

- (1) Reclamation law enforcement officers, including Reclamation Special Agents (RSAs) and Hoover Dam police officers;
- (2) security officers who are employees of Reclamation;
- (3) security guards who are employees of Reclamation;
- (4) supervisors and managers of Reclamation employees who are law enforcement and security personnel; and
- (5) law enforcement personnel of any other Federal agency that has law enforcement authority (with the exception of the Department of Defense) or law enforcement personnel of any state or local government, including an Indian Tribe, and has been authorized pursuant to 43 U.S.C. 373b(c)(2) to act as law enforcement officers to enforce Federal laws and regulations within a Reclamation project or on Reclamation lands, when acting under such authority.

B. This Policy does not apply to individuals working under contracts not referenced in Paragraph 2.A.(5) above [e.g., contract security guards or non-Federal law enforcement officers operating under agreements for the enforcement of local or state law where those agreements are not premised on 43 U.S.C. 373b(c)(2)].

3. **Definitions.** For the purposes of this Policy, the terms below are defined as follows:

A. **Facilities.** Any structure or area constructed or acquired under Federal Reclamation law that is situated on Reclamation lands and is used or occupied by Reclamation under a lease, easement, right-of-way, license, contract, or other arrangement. The term includes, but is not limited to, any of the following that are under the jurisdiction of or administered by Reclamation: dams, power plants, buildings, switchyards, transmission lines, recreation areas, fish and wildlife facilities, pumping plants, and warehouses.

B. **Law Enforcement Program.** Those functions performed by Reclamation law enforcement personnel and, where applicable, Reclamation security personnel. These functions are administered as a "Program," even though law enforcement is a budgetary activity under the Security Program.

C. **Reclamation Law Enforcement Officer (RLEO).** A RLEO is a person who:

- (1) has entered Federal service through established law enforcement selection criteria;

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- (2) has received professional law enforcement training according to published standards;
 - (3) has been commissioned or sworn to perform law enforcement duties;
 - (4) is authorized to carry a firearm;
 - (5) is authorized to make arrests;
 - (6) is authorized to search for and seize evidence; and
 - (7) has been delegated law enforcement authority from the Secretary or the Commissioner of Reclamation pursuant to:
 - (a) 43 U.S.C. 373b(c)(1),
 - (b) 43 U.S.C. 373b(c)(2), or
 - (c) any other legal mechanism (e.g., Federal Register notice, interagency agreement, memorandum of agreement, etc.) delegating authority from the Secretary to the RLEO.
- D. **RSAs.** Criminal investigators who are law enforcement officers in the GS-1811 job series detailed to SSLE from another Department bureau whose duties involve enforcement of applicable Federal laws to include Reclamation laws and regulations pursuant to 43 U.S.C. 373b(c)(1). These positions include the Reclamation Special Agent-in-Charge (SAC) and Reclamation regional special agents.
- E. **Security Guard.** Any Reclamation uniformed employee, armed or unarmed, assigned to security duties for the protection of critical infrastructure or key resources. Security guards provide a visible deterrent by controlling access to Reclamation property, as well as assisting to ensure the safety of employees and visitors. They are members of the facility security force, an element of a security post, and have the training, equipment, and appropriate certifications to perform specific security functions. These positions are normally in the GS-0085 job series. This term does not include contract security guards
- F. **Security Officer.** Any Reclamation employee whose principle duties are the administration, supervision, direction, coordination, and control of security risks including the development, installation, and management of Reclamation's Security Program. These positions are normally in the GS-0080 job series and include the Chief Security Officer, Deputy Chief Security Officer, regional security officers, National Critical Infrastructure security officers, and others as may be designated by the Chief Security Officer. This term does not include information security specialists, personnel

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security specialists, physical security specialists, industrial security specialists, security specialists, or contract security guards.

4. **Responsibilities.** Specific roles and responsibilities of each position are further detailed in related Directives and Standards (D&S) in the Security and Law Enforcement (i.e., SLE) series of the Reclamation Manual.
 - A. **Commissioner.** The Commissioner is responsible for:
 - (1) promulgating any policy and procedures required to implement the policies established in 446 DM, *Law Enforcement*; and
 - (2) appointing the Director, SSLE as the “Bureau Director of Law Enforcement” (BDLE) to administer the Law Enforcement and/or Security Programs.
 - B. **Director, SSLE.** The Director, SSLE is responsible for:
 - (1) performing the duties of the BDLE as required in 446 DM, *Law Enforcement*;
 - (2) coordinating and providing oversight to the Law Enforcement Program; and
 - (3) serving as a member of the Department’s Law Enforcement Board of Advisors to represent his or her office on law enforcement and security issues.
 - C. **SAC.** The SAC is responsible for providing day-to-day operational direction as well as technical and administrative supervision of the RSAs.
 - D. **Regional Directors.** Regional directors are responsible for providing operational management to law enforcement and security functions and personnel assigned to their areas of responsibility.
5. **Policy.** Reclamation will have an accountable and professional Law Enforcement Program that upholds the laws and Constitution of the United States of America; protects life and property; preserves public order and protects Reclamation’s facilities, lands, waterbodies, employees, contractors, and the public; enforces Federal laws in a fair, consistent, and professional manner; creates a work environment dedicated to the safety of RLEOs, security guards, and other employees; maintains a continuing review and evaluation of Reclamation’s Law Enforcement Program and operations to ensure compliance with applicable Federal laws, regulations, and policies; ensures that approved standards are attained and maintained by each law enforcement agency undertaking a contract or cooperative agreement; and provides for the coordination and flow of information, both internal and external to Reclamation, regarding law enforcement, security, and intelligence matters.

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6. **Law Enforcement Program Functions.** Reclamation's Law Enforcement Program will consist of the following major functions:
- A. conducting criminal investigations;
 - B. gathering, analyzing, and disseminating information and intelligence;
 - C. advising Reclamation leadership and management on all law enforcement matters;
 - D. developing and coordinating interagency law enforcement relationships;
 - E. conducting internal affairs investigations and administrative inquiries;
 - F. conducting threat assessments;
 - G. providing security for Reclamation assets and visitor protection;
 - H. conducting law enforcement and security exercises;
 - I. conducting training seminars; and
 - J. developing Reclamation Manual Policy and D&S.

Reclamation Manual Transmittal Sheet

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