



Department of Defense

INSTRUCTION

NUMBER 5525.17

October 17, 2013

Incorporating Change 3, August 3, 2020

USD(I&S)

SUBJECT: Conservation Law Enforcement Program (CLEP)

References: See Enclosure 1

1. PURPOSE. In accordance with the authority in DoD Directive (DoDD) 5143.01 (Reference (a)) and the June 29, 2018 Deputy Secretary of Defense approval of the May 21, 2018 Under Secretary of Defense for Personnel and Readiness and Under Secretary of Defense for Intelligence and Security (USD(I&S)) Memorandum (Reference (b)), this instruction establishes policy, assigns responsibilities, provides direction, and defines the organization and authorities of the CLEP.

2. APPLICABILITY. This instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this instruction as the "DoD Components").

3. POLICY. It is DoD policy that:

a. The protection of property and natural and cultural resources under DoD control is accomplished through the enforcement of all applicable federal and State laws and regulations.

b. The CLEP is used to support decisions and management actions by DoD's natural and cultural resources managers regulating the users of these resources to achieve specific goals and objectives.

c. DoD Component law enforcement officials exercise functional oversight over the CLEP and the conservation law enforcement officers (CLEOs) carrying out the program.

d. CLEOs assigned to DoD Component law enforcement elements may be co-located with the conservation program manager at the installation.

e. CLEP Officers conducting criminal investigations will comply with the policies and procedures of DoD Instructions (DoDIs) 5505.07, 5505.11, 5505.14, 5505.16, and 5505.17 (References (d) through (g)).

f. The DoD Component's law enforcement and conservation functions will establish, and mutually support, an implementation method which defines roles, internal and external support agreements, funding responsibilities, accountability, command and control, and expectations which will provide for an effective and efficient CLEP.

g. CLEP roles and responsibilities will be integrated into an installation's Integrated Natural Resources Management Plan (INRMP) and Integrated Cultural Resources Management Plan (ICRMP), where conservation law enforcement is required.

h. The implementation method(s) for each installation CLEP should be proportionate to the conservation law enforcement needed at the installation; therefore, several implementation methods are provided for within this instruction. Although the specific implementation methods at installations can vary, those details should be clearly defined at the appropriate command level and address at a minimum, consistent with this instruction, roles and responsibilities, internal and external support agreements, funding responsibilities, accountability, and command and control.

i. Mutual assistance agreements with other agencies and organizations may be used to maximize enforcement capabilities, when authorized by law.

j. Primary (basic) training for personnel who serve as DoD CLEO is the Federal Law Enforcement Training Center (FLETC) Land Management Police Training (LMPT) Program. Equivalent basic natural resources management training must meet the standards of the natural resources management program of instruction of FLETC LMPT.

k. The DoD Peace Officers Standards and Training Commission, in accordance with the authority in DoDD 5525.15 (Reference (h)), will certify CLEP equivalent training standards.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3.

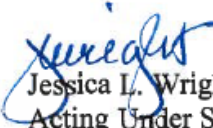
6. RELEASABILITY. **Cleared for public release.** This instruction is available on the Directives Division Website at <https://www.esd.whs.mil/DD/>.

7. SUMMARY OF CHANGE 3. The changes to this issuance are substantive and:

a. Update the responsibilities to reflect the transfer of ownership of this issuance from the Under Secretary of Defense for Personnel and Readiness to the USD(I&S).

b. Update references and correct other administrative concerns for accuracy.

8. EFFECTIVE DATE. This instruction is effective October 17, 2013.


Jessica L. Wright
Acting Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. References
2. Responsibilities
3. CLEP Procedures

Glossary

TABLE OF CONTENTS

ENCLOSURE 1: REFERENCES.....5

ENCLOSURE 2: RESPONSIBILITIES.....6

 USD(I&S).....6

 UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT6

 DoD COMPONENTS HEADS RESPONSIBLE FOR DoD INSTALLATIONS OR SITES..6

ENCLOSURE 3: CLEP PROCEDURES8

 OBJECTIVES8

 PLANS.....8

 General.....8

 Plans Goals and Objectives.....8

 Tiering CLEP to the INRMP and ICRMP9

 PERSONNEL AND TRAINING9

 AUTHORITY, POWERS, AND JURISDICTION10

 Conservation Officer Authority10

 Conservation Officer Powers.....13

 LAW ENFORCEMENT COORDINATION14

 Coordination with Other Federal and State Agencies.....14

 Law Enforcement Agreements15

GLOSSARY19

 PART I: ABBREVIATIONS AND ACRONYMS19

 PART II: DEFINITIONS.....19

TABLE

 Natural and Cultural Resources Laws.....11

FIGURE

 Sample Law Enforcement Agreement15

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence and Security (USD(I&S))," October 24, 2014, as amended
- (b) Under Secretary of Defense for Personnel and Readiness and Under Secretary of Defense for Intelligence and Security Memorandum, "DoD Directive 5525.IC, Protection of Buildings, Grounds, Property, and Persons, and Implementation of Section 2672 of Title 10, United States Code," May 21, 2018
- (c) DoD Directive 5525.21, "Protection of Buildings, Grounds, Property, and Persons and Implementation of Section 2672 of Title 10, United States Code," July 9, 2018.
- (d) DoD Instruction 5505.07, "Titling and Indexing in Criminal Investigations," February 28, 2018
- (e) DoD Instruction 5505.11, "Fingerprint Reporting Requirements," October 31, 2019
- (f) DoD Instruction 5505.14, "Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations, Law Enforcement, Corrections, and Commanders," December 22, 2015, as amended
- (g) DoD Instruction 5505.16, "Investigations by DoD Components," June 23, 2017
- (h) DoD Instruction 5505.17, "Collection, Maintenance, Use, and Dissemination of Personally Identifiable Information and Law Enforcement Information by DoD Law Enforcement Activities," December 19, 2012, as amended
- (i) DoD Instruction 5525.15, "Law Enforcement (LE) Standards and Training in the DoD," December 22, 2016, as amended
- (j) DoD Instruction 4715.03, "Natural Resources Conservation Program," March 18, 2011, as amended
- (k) DoD Instruction 4715.16, "Cultural Resources Management," September 18, 2008, as amended
- (l) United States Code, Title 16
- (m) United States Code, Title 10
- (n) United States Code, Title 42
- (o) United States Code, Title 7
- (p) United States Code, Title 43
- (q) United States Code, Title 25
- (r) United States Code, Title 33
- (s) United States District Court Violation Notice¹
- (t) United States Code, Title 50
- (u) DoD Directive 5210.56, "Arming and the Use of Force," November 18, 2016
- (v) United States Code, Title 54

¹ Available from the Central Violations Bureau, <https://www.cvb.uscourts.gov/index.html>

ENCLOSURE 2

RESPONSIBILITIES

1. USD(I&S). The USD(I&S):

- a. Establishes overall policy and provides guidance for the DoD CLEP.
- b. Monitors implementation of the DoD CLEP.
- c. Serves as the central point of contact for CLEP policy issues.
- d. Coordinates with other federal agencies on conservation law enforcement matters of national or regional scope.
- e. Identifies opportunities for efficiencies in providing CLEP training through increased interagency and DoD Component cooperation.
- f. Serves as the CLEP authority for and manages the partnership agreement with the FLETC, known as the Department of Defense Conservation Law Enforcement Consortium (DoDCLEC).

2. UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT. The Under Secretary of Defense for Acquisition and Sustainment:

- a. Establishes and monitors Natural Resources Conservation and Cultural Resources Management Program policies, in accordance with DoDI 4715.03 (Reference (i)) and DoDI 4715.16 (Reference (k)).
- b. Ensures that the CLEP is integrated into DoD Natural Resources Conservation Programs and Cultural Resources Management Programs policy and guidance in accordance with DoDI 4715.03 (Reference (j)) and Reference (k).

3. DoD COMPONENT HEADS RESPONSIBLE FOR DoD INSTALLATIONS OR SITES. The DoD Component heads responsible for DoD installations or sites:

- a. Establish policies and procedures to implement CLEP within their Component.
- b. Integrate CLEP into the Component law enforcement programs.
- c. Ensure that, to the extent practicable using available resources, sufficient numbers of natural resources law enforcement personnel are available and assigned responsibility to perform tasks necessary to carry out the CLEP in accordance with chapter 5C of Title 16, United States

Code (U.S.C.) (Reference (1)), including the preparation and implementation of the law enforcement portions of the integrated natural resources management plans.

d. Ensure sufficient levels of conservation law enforcement planning are incorporated into installation INRMPs and ICRMPs where necessary, and to the extent practicable using available resources, and that these plans are fully coordinated with appropriate installation offices.

e. Establish agreements with other agencies and organizations to facilitate mutual working relationships and to maximize enforcement capabilities, when authorized by law.

ENCLOSURE 3

CLEP PROCEDURES

1. OBJECTIVES. CLEP will:

- a. Conserve and direct the use of natural and cultural resources in accordance with the INRMP and ICRMP.
- b. Ensure installations and military and public users remain in compliance with appropriate environmental, natural, and cultural resource laws and regulations.
- c. Provide specialized law enforcement expertise regarding natural and cultural resource matters and protection of government property.
- d. Improve inter-jurisdictional conservation law enforcement among the Military Departments, federal, State, tribal, and local law enforcement and land management agencies.
- e. Collect and track data on violations.

2. PLANS.

a. General. Each installation that is required to prepare an INRMP or ICRMP in accordance with Reference (i) and Reference (l) will incorporate within the INRMP or ICRMP the methods, techniques, and strategies that will be utilized to provide law enforcement services to the federal lands, complementing the resource management objectives of the installation.

b. Plan Goals and Objectives. The CLEP section will provide specific goals and objectives to ensure compliance with laws and regulations; to support the overarching goals of the INRMP and ICRMP; and to integrate with other installation security and emergency services plans. These objectives will include:

(1) Providing education and training to the installation populace, workforce, and general public to prevent inadvertent violation of natural resource and cultural resource laws.

(2) Defining areas clearly to prevent hunting, fishing, and other outdoor recreational activities in unauthorized areas.

(3) Reporting non-compliance with laws and regulations in accordance with Military Service criminal data reporting procedures.

(4) Encouraging coordination with the United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service.

(5) Reporting and tracking natural and cultural resources crimes and their disposition (both military and civil).

c. Tiering CLEP to the INRMP and ICRMP.

(1) Reference (j) and Sections 670-670f of Reference (l) require installations that have significant natural or cultural resources to prepare and implement an INRMP or ICRMP that provides for adequate management and enforcement.

(2) The CLEP should provide the maximum feasible protection of military lands and resources under the jurisdiction of the Department of Defense within the funding and manpower levels allocated to support the mission.

(3) The INRMP provides the overall framework for implementing conservation and management activities and enforcement on DoD installations.

(4) The ICRMP provides the overall framework for implementing cultural resources management activities and enforcement on DoD installations.

(5) The conservation law enforcement plan should be an attachment to the INRMP and ICRMP.

3. PERSONNEL AND TRAINING.

a. All conservation officers (regardless of previous law enforcement training) must successfully complete LMPT at the FLETC or equivalent natural resource training as required by the DoD Peace Officers Standards and Training Commission (Reference (i)) within 1 year of being hired.

b. Military police, security forces, master-at-arms, component civilian police, or other law enforcement personnel who are temporarily or seasonally assigned to CLEPs are not required to complete LMPT but should be supervised by a fully certified conservation officer and receive on-the-job training specific to conservation law enforcement. Personnel augmenting CLEPs are only to be used for temporary or seasonal assignment and are not to be used to fulfill the full-time CLEO requirement.

c. DoD Component heads may authorize exceptions to Paragraph 3.a. of this Enclosure for smaller installations or bases that do not require the services of a full-time CLEO year-round to assign CLEP duties to specially trained, dual-function police officers.

d. DoD Components may augment CLEP forces with the following personnel and under the following restrictions:

(1) Military police, security forces, master-at-arms, component civilian police, or other law enforcement personnel who are temporarily or seasonally assigned to CLEPs are not

required to complete LMPT but should be supervised by a fully certified conservation officer and receive on-the-job training specific to conservation law enforcement. Augmented personnel are only to be used for temporary or seasonal assignment and are not to be used to fulfill the full-time CLEO requirement.

(2) Non-law-enforcement personnel, including General Services 400 series civilians and active duty personnel, may assist conservation officers with case-specific investigations and education and awareness activities. They may not:

(a) Carry out direct law enforcement duties unless their core personnel document or position description includes law enforcement duties and they have completed LMPT at FLETC.

(b) Carry weapons in performance of this duty (unless so authorized by the commander and after these personnel have received appropriate training and qualified with the authorized weapon).

e. The DoD is a partner organization with the FLETC for conservation law enforcement training including basic training, the LMPT Program, and advanced training requirements. The partner organization status is managed through the DoDCLEC. The DoDCLEC consists of the USD(I&S)'s Office of Law Enforcement and the Military Departments.

f. DoD CLEOs should complete a minimum of 40 hours of annual refresher training, specialized to conservation law enforcement. This refresher training is after completion of FLETC LMPT and is not to be considered a replacement for it.

g. DoD CLEO position descriptions, grades, and series will be developed and filled at a level of expertise and professionalism commensurate with federal agency standards and in accordance with the specialized duties of CLEOs. These responsibilities include, but are not limited to, having the knowledge and expertise in environmental laws, in natural and cultural resource protection and use, troop training and outreach for compliance with environmental laws and regulations, and specialized investigative responsibilities beyond basic law enforcement patrol.

4. AUTHORITY, POWERS, AND JURISDICTION.

a. Conservation Officer Authority.

(1) Section 2671 of Title 10, U.S.C. (Reference (m)) requires that all hunting, fishing, and trapping on an installation be in accordance with the laws of the State in which it is located. It also states that offenders are guilty of a like offense and subject to a like punishment for an act or omission on the installation that would be punishable if committed within the jurisdiction of the State. On installations under either proprietary or concurrent legislative jurisdiction, State laws may be directly enforceable under State authority.

(2) The Secretary of Defense may enforce all natural resources management laws, pursuant to the authority of Section 670e of Reference (i) and cultural resources management

laws, pursuant to the authority of Sections 470ff of Reference (l) on military installations within the United States. Although Reference (l) provides authority to enforce natural and cultural resources laws, it does not expressly grant powers to search, seize, or arrest with regard to each statute. Military and civil service law enforcement personnel may temporarily detain civilian offenders until civilian law enforcement authorities arrive. The natural and cultural resource management laws are numerous and are listed in the Table for informational purposes.

Table 1. Natural and Cultural Resources Laws

NATURAL AND CULTURAL MANAGEMENT	ASSOCIATED LAWS
Airborne Hunting	Section 742j-1 of Reference (l)
American Indian Religious Freedom	Section 1996 of Title 42, U.S.C. (Reference (n))
Antiquities Act	Subchapter LXI of chapter 1 of Reference (l) beginning with Section 431
Archaeological and Historic Preservation	Subchapter I of chapter 1A of Reference (l) beginning with Section 461
Archaeological Resources Protection	Chapter 1B of Reference (l) beginning with Section 470aa
Bald and Golden Eagle Protection	Subchapter II of Chapter 5A of Title 16, U.S.C., beginning with Section 668 of Title 16, U.S.C. (Reference (l))
Coastal Barrier Resources	Chapter 55 of Reference (l) beginning with Section 3501
Coastal Zone Management	Chapter 33 of Reference (l) beginning with Section 1451
Endangered Species	Chapter 35 of Reference (l) beginning with Section 1531
Estuary Protection	Chapter 26 of Reference (l) beginning with Section 1221
Federal Insecticide, Fungicide, and Rodenticide	Chapter 6 of Title 7 U.S.C., beginning with Section 136 (Reference (o))
Federal Land Policy and Management	Chapter 35 of Title 43, U.S.C., beginning with Section 1701 (Reference (p))
Noxious Weeds	Chapter 61 of Reference (o) beginning with Section 2809

Table 1. Natural and Cultural Resources Laws, Continued

NATURAL AND CULTURAL MANAGEMENT	ASSOCIATED LAWS
Fish and Wildlife Conservation	Chapter 49 of Reference (l) beginning with Section 2901
Game, Fur-Bearing Animals, and Fish	Subchapter I of chapter 5A of Reference (l) beginning with Section 661
Forest and Rangeland Renewable Resources Planning	Chapter 36 of Reference (l) beginning with section 1601
Lacey Act	Chapter 53 of Reference (l) beginning with Section 3371
Marine Mammal Protection	Chapter 31 of Reference (l) beginning with Section 1361
Migratory Birds	Subchapter II of chapter 7 of Reference (l) beginning with Section 703
Migratory Bird Conservation	Subchapter III of chapter 7 of Reference (l) beginning with Section 715
Migratory Bird Hunting and Conservation Stamps	Subchapter IV of chapter 7 of Reference (l) beginning with Section 718
Multiple Use Sustained Yield of Forests	Sections 528-531 of Reference (l)
National Environmental Policy	Chapter 55 of Reference (n) beginning with Section 43421
National Forest Management	Chapter 36 of Reference (l) beginning with Section 1600
National Historic Preservation	Division A of subtitle III of Title 54, U.S.C. (Reference (v)) beginning with Section 300101
National Trails Systems	Chapter 26 of Reference (l) beginning with Section 1241
Native American Graves Protection and Repatriation	Section 3001 of Title 25, U.S.C. (Reference (q))
Recreational Hunting Safety	Chapter 72 of Reference (l) beginning with Section 5201
Rivers and Harbors Act of 1899	Sections 401 and 403 of Title 33, U.S.C. (Reference (r))

Table 1. Natural and Cultural Resources Laws, Continued

NATURAL AND CULTURAL MANAGEMENT	ASSOCIATED LAWS
Sikes Act	Subchapter I of chapter 5C of Reference (l) beginning with Section 670
Soil and Water Conservation	Chapter 40 of Reference (l) beginning with Section 2001
Taylor Grazing Act	Chapter 8A of Reference (p) beginning with Section 315
Wild and Scenic Rivers	Chapter 28 of Reference (l) beginning with Section 1274
Wild Exotic Bird Conservation	Chapter 69 of Reference (l) beginning with Section 4901
Wild Horses and Burros	Chapter 30 of Reference (l) beginning with Section 1331
Wilderness Act	Chapter 23 of Reference (l) beginning with Section 1131

(3) The United States District Court Violation Notice (Reference (s)) is used as the charging document to notify the magistrate court of misdemeanor offenses that occur within its jurisdiction; however, felonies committed on military lands are referred to the local United States Attorney's Office. Felony violations on the installation are within the investigative purview of the appropriate military criminal investigative organization (MCIO). Coordination will be conducted with both the supporting MCIO and the USFWS before proceeding beyond the preliminary stages of a felony investigation so that appropriate coordination can be made with the responsible assigned Assistant United States Attorney.

(4) Section 3375 of Reference (l) allows the Secretaries of Interior and Commerce to use (via agreement) DoD personnel, services, and facilities to the extent necessary for enforcement of any laws relating to fish and wildlife. The agreements are accomplished at the local level under the guidance of the responsible DoD Component.

(5) DoD Component heads may enter into standard agreements with the USFWS for CLEOs to exercise authority under USFWS commission for those laws for which the USFWS is the regulating authority.

b. Conservation Officer Powers.

(1) Federal civilian law enforcement authorities may be granted to designated CLEOs pursuant to Section 2672 of Title 10, U.S.C., in accordance with Reference (c), to enforce civilian laws on federal property.

(2) CLEOs may use necessary and appropriate force to arrest suspects in accordance with DoDD 5210.56 (Reference (u)). The primary consideration in the use of force is the timely

and effective application of an objectively reasonable level of force required to establish and maintain lawful control. A paramount consideration is the preservation of life and prevention of bodily injury.

5. LAW ENFORCEMENT COORDINATION.

a. Coordination with Other Federal and State Agencies. Each DoD Component or its designated lead office should address specific conservation law enforcement issues relevant to its component with other national headquarters offices of federal agencies such as the Departments of Interior, Homeland Security, Commerce, and Agriculture. The major command, regional office, or installation should address conservation law enforcement issues with respective regional offices of federal, State, and tribal fish and game agencies.

(1) National Level Coordination. Each DoD Component is responsible for national-level liaison and contact with the departmental law enforcement officials and all federal law enforcement, security, and intelligence agencies on all matters relating to conservation law enforcement. On national matters pertaining to DoD lands, the USD(I&S) Law Enforcement Office will consult with the appropriate DoD Component.

(2) International Coordination. If an international agreement permits such activity, local liaison is allowed with cooperating foreign agencies adjacent to the international border of the United States relating to matters of mutual concern and assistance. This coordination and cooperation with local foreign law enforcement officials and agencies will be in accordance with applicable legally binding international agreements between the United States and Mexico or Canada, and will be conducted in a circumspect manner to avoid violation of the sovereignty of the other country.

(3) Regional Level. The major command or regional office is the appropriate level for interagency inter-governmental coordination and environmental planning with other federal, State, and tribal agencies. The regional office or major commands should conduct all coordination and communication for regional and multi-State issues.

(4) State and Local Level. The major command or regional criminal investigative office, installation lead criminal investigator, and conservation officer are concurrently responsible for liaison with local, State, tribal, and federal agencies on matters relating to natural and cultural resource law enforcement.

(5) Individual Cooperation. Criminal investigators and conservation officers are expected to make every effort to cooperate with and assist officials of State fish and game agencies and law enforcement officials of other federal, State, tribal, and local agencies located in their geographic area of responsibility for the purpose of enforcing natural and cultural resource laws on DoD installations.

b. Law Enforcement Agreements.

(1) Small Installation Agreements. Installations that do not require full-time conservation officers due to limited resources, but require periodic patrols and response as needed for enforcement of natural and cultural resource management laws, may enter into appropriate agreements, when authorized by law, with local law enforcement agencies, State fish and game agencies, sheriff's offices, or other federal agencies.

(a) Typically, these installations require an INRMP or ICRMP, but do not have large acreage or complex issues such as endangered species, coastal resources, or extensive cultural resources.

(b) These agreements should identify the roles and responsibilities of the installation and the cooperating agency or agencies where the cooperating agency is the lead in all conservation law enforcement activities. An example of an installation agreement is provided at the Figure.

(2) Large Installation Agreements. Appropriate agreements, when authorized by law, are also available for use on large installations and ranges that have DoD conservation officers. Installation-specific agreements may be developed to address complex or multi-jurisdictional issues such as border patrol, coastal zone management, and shared land use.

Figure 1. Sample Law Enforcement Agreement

[Date]
AGREEMENT BETWEEN THE [Insert Title of DoD Official] AND THE (FEDERAL OR STATE AGENCY) FOR THE PROVISION OF NATURAL RESOURCES LAW ENFORCEMENT
This agreement, entered into this _____ day of _____ 20____, by the [Insert DoD Component Name] for (INSTALLATION NAME) and [name of other party] (hereinafter referred to as the parties). Witnessed that:
WHEREAS, the Secretary of Defense is authorized by the Sikes Act to enforce on DoD installations all federal laws relating to the management of natural resources, and
WHEREAS, it is the responsibility of [Insert DoD Component Name] to conserve natural resources and provide adequate law enforcement on its lands; and
WHEREAS, the [Insert Name of other party] has the authority to enforce State and local laws relating to the management of natural resources on such lands; and
WHEREAS, it is in the best interests of the [Insert DoD Component Name] to obtain the assistance of the [Insert Name of other party] in the enforcement of State and local laws on [Insert DoD Component Name] lands.
NOW, THEREFORE, the parties hereto mutually agree as follows:

Figure 1. Sample Law Enforcement Agreement, Continued

Article 1. Plan of Operation.

(a) [Insert DoD Component Name] and the [Insert Name of other party] have agreed to a plan of operation which describes the scope and extent of natural resources law enforcement to be provided to [Insert DoD Component Name] by the [Insert Name of other party] in accordance with this agreement. Such plan of operation, as concurred in by the [Insert Name of other party], is attached hereto as Appendix A and made a part hereof. The plan of operation will be reviewed before the beginning of each federal fiscal year and the [Insert DoD Component Name] will determine if it is still current and whether there are sufficient funds available to pay the [Insert Name of other party] charges for the next fiscal year.

(b) It is recognized and understood that the [Insert DoD Component Name] and the [Insert Name of other party] may, at the request of either, renegotiate the plan of operation. The renegotiated plan of operation will, upon written acceptance thereof by both parties, supersede Appendix A.

Article 2. Obligations of the [Insert Name of other party].

(a) The [Insert Name of other party] agrees to furnish normal, emergency, and unanticipated enforcement of State and local civil and criminal laws relating to management of natural resources on [Insert DoD Component Name] lands and waters in accordance with the schedules and duties described in the plan of operation, with payment by [Insert DoD Component Name] in accordance with Article 3 of this agreement.

(b) The [Insert Name of other party] agrees to provide personnel, equipment, and supplies required to provide the natural resources law enforcement requested by the [Insert DoD Component Name] in accordance with paragraph (a) of this article.

(c) The [Insert Name of other party] agrees to prepare a daily enforcement log of a format provided or approved by the [Insert DoD Component Name] and to submit this log to [Insert DoD Component Name] at least once a month throughout the effective period of the current plan of operation.

(d) The [Insert Name of other party] agrees to assign only those personnel who are qualified and trained pursuant to the requirements of applicable federal and State laws and regulations to undertake the law enforcement to be provided under Article 2(a) of this agreement in support of [Insert DoD Component Name]. Where State and local standards for the qualifications of law enforcement personnel do not exist, the [Insert Name of other party] will advise [Insert DoD Component Name] of the experience, qualifications, and training of those personnel expected to be assigned law enforcement duties under this agreement and assign such duties to them only with the approval of the [Insert DoD Component Name].

Article 3. Obligations of the [Insert DoD Component Name].

Subject to the availability of funds, the [Insert DoD Component Name] agrees to pay the [Insert Name of other party] for the total cost of the law enforcement support to [Insert DoD Component Name], to be provided in accordance with the obligations agreed to be undertaken by the [Insert Name of other party] in Article 2 of this agreement, including the costs of operation and maintenance of such equipment as is required for the provision of such support to [Insert DoD Component Name] identified in the plan of operation under Article I of this Agreement. At the request of the [Insert Name of other party], partial payments may be made as the law enforcement support to [Insert DoD Component Name] is performed based on billings as identified in the plan of operation under Article I of this agreement and approved by the [Insert DoD Component Name].

Article 4. Period of [Insert DoD Component Name].

The period of this agreement is from the date of execution until terminated by mutual agreement, or on written notice from either party to the other, as set forth in Articles 6 and 10 of this agreement.

Figure 1. Sample Law Enforcement Agreement, Continued

Article 5. Disputes.

(Insert clause from DoD 3210.6-R, "Department of Defense Grant and Agreement Regulations", April 13, 1998, with Change 2, October 24, 2001)

Article 6. Default.

In the event that either party to this agreement fails to meet any of its obligations hereunder, the other party may immediately terminate this agreement. Such termination will be effected by written notice of either party to the other.

Article 7. Exclusion of Federal Employee Benefits.

It is understood and agreed that the services to be provided by the *[Insert Name of other party]* and its employees are not considered to fall within the scope of federal employment, that the *[Insert Name of other party]* and its employees are not considered as agents or employees of the U.S. Government, and that none of the benefits of federal employment will be conferred under the terms of this agreement.

Article 8. Release of Claims.

The *[Insert Name of other party]* agrees to secure insurance in a form and amount satisfactory to the *[Insert DoD Component Name]* for liability arising from the negligence of *[Insert Name of other party]* in performing services under this agreement. Such insurance will name the United States as a named insured. The cost of such insurance may be included as a cost under Article 3 of this agreement.

Article 9. Transfer or Assignment.

The *[Insert Name of other party]* will not transfer or assign this agreement, nor any rights acquired thereunder, nor grant any interest, privilege, or license whatsoever in connection with this agreement without the approval of the *[Insert DoD Component Name]*.

Article 10. Termination for Convenience.

[Insert DoD Component Name] or *[Insert Name of other party]* may, on 30 days written notice, terminate this agreement without cause. If this agreement is so terminated, the *[Insert DoD Component Name]* will be liable only for payment in accordance with the payment provisions of this agreement for services rendered prior to the effective date of termination.

Article 11. Equal Opportunity.

(Insert clause from DoD 3210.6-R, "Department of Defense Grant and Agreement Regulations," April 13, 1998, as amended)

Article 12. Gratuities.

(Insert clause from DoD 3210.6-R, "Department of Defense Grant and Agreement Regulations", April 13, 1998, as amended)

Figure 1. Sample Law Enforcement Agreement, Continued

Article 13. Examination of Records by Comptroller General.

The [Insert Name of other party] agrees that the Comptroller General of the United States or any of his or her duly authorized representatives will, until the expiration of 3 years after final payment under this agreement, have access to and the right to examine any directly pertinent books, documents, papers, and records of the [Insert Name of other party] involving transactions related to this agreement.

Article 14. Audit by the [Insert DoD Component Name].

Upon request, the [Insert Name of other party] must provide, and the [Insert DoD Component Name] will have the right to examine, books, records, documents, and other evidence of accounting procedures and practices, sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred and anticipated to be incurred for the performance of this agreement.

Article 15. Amendments.

Any changes in the provisions of this agreement must be made by formal amendment signed by both parties.

IN WITNESS HEREOF, the parties hereto have executed this agreement, as of the day and year first written above.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

CLEO	Conservation Law Enforcement Officer
CLEP	Conservation Law Enforcement Program
DoDCLEC	Department of Defense Conservation Law Enforcement Consortium
DoDD	DoD directive
DoDI	DoD instruction
FLETC	Federal Law Enforcement Training Center
ICRMP	Integrated Cultural Resources Management Plan
INRMP	Installation Natural Resources Management Plan
LMPT	Land Management Police Training
MCIO	military criminal investigative organization
U.S.C.	United States Code
USD(I&S)	Under Secretary of Defense for Intelligence and Security
USFWS	United States Fish and Wildlife Service

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this instruction.

Defense criminal investigative organizations. The four criminal investigative organizations of DoD: Defense Criminal Investigative Service, U.S. Army Criminal Investigation Command, Naval Criminal Investigative Service, and Air Force Office of Special Investigations.

dual-function conservation officer. A natural resources professional who is assigned law enforcement duties consisting of at least 50 percent of overall duties. Dual-function conservation officers should maintain equivalent training and qualifications as full-time conservation officers.

ICRMP. A plan that defines the process for the management of cultural resources on DoD installations by integrating the entirety of the installation cultural resources program with ongoing mission activities, to allow for ready identification of potential conflicts between the installation's mission and cultural resources, and identify compliance actions necessary to maintain the availability of mission-essential properties and acreage.

INRMP. An integrated plan focused, to the maximum extent practicable, on ecosystem management that shows the interrelationships of individual components of natural resources management (e.g., fish and wildlife, forestry, land management, and outdoor recreation) to mission requirements and other land use activities affecting an installation's natural resources. INRMPs ensure natural resource conservation programs and military operations are integrated and consistent with stewardship and legal requirements through cooperation among DoD, USFWS, and State fish and wildlife agencies.

MCIOs. The three military criminal investigative organizations of DoD: U.S. Army Criminal Investigation Command, Naval Criminal Investigative Service, and Air Force Office of Special Investigations.