

**Forest Service Handbook
National Headquarters - Washington Office
Washington, DC**

**Forest Service Handbook 5309.11 – Law Enforcement Handbook
Chapter 60 – Cooperative Agreements and Memorandums of Understanding**

Amendment: 5309.11-2000-1

Effective date: August 22, 2000

Duration: This amendment is effective until superseded or removed.

Approved by: Phil Janik, Chief Operating Officer

Date approved: August 07, 2000

Responsible Staff:

Last Change:

Superseded Document(s): Entire Handbook, Amendment 5309.11-99-1; Title page; 000--1 thru 000--2; 100--1 thru 190; 200--1 thru 273.5; ID 5309.11-99-1; ID 5309.11-99-4; 5309.11,300 Contents; 5309.11,300; 400 thru 410; 500 thru 534; 600 thru 611.8; 700--1 thru 737; ID 5309.11-99-2; ID 5309.11-99-3; 5309.11,80 Contents, 800--2 thru 800-46, 900--1 thru 900—20

Posting Instructions: Amendments are numbered consecutively by Handbook number and calendar year. Post by document name. Remove entire document and replace with this amendment. Retain this transmittal as the first page of this document.

Digest: Following is an explanation of the changes throughout the directive by section.

This amendment changes the coding from a 3-digit to a 2-digit system throughout the Handbook.

10: This amendment reorganizes, revises, and recodes direction throughout chapter 10, Planning; incorporates direction formerly issued in chapter 200; and changes the coding from a 3-digit to a 2-digit system.

10.2: Establishes objectives in group management, facility security, timber theft prevention, anti-drug operations, raid planning, and other law enforcement plans.

10.4: Incorporates and revises direction on responsibility formerly set forth in section 200.4.

10.41: Establishes direction on responsibility for planning for Special Agents in Charge.

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10.42: Establishes direction on responsibility for planning for Supervisory Special Agents and Supervisory Law Enforcement Officers.

11: Establishes direction on group management and organization for large group events, timber protests, special interest groups, and so forth.

12: Establishes direction on timber theft prevention and accountability.

13: Establishes a section on anti-drug operations and reporting procedures.

14: Incorporates and revises direction on Facility Security formerly set forth in section 220.

14.05: Establishes a definition of “security survey” for facilities.

14.1: Establishes direction on Security Barriers.

14.11: Incorporates with changes the direction on perimeter barriers formerly set forth in section 221.1. Describes techniques and methods for facility barriers and deterrents to be used for security.

14.12: Incorporates with changes the direction on building exteriors formerly set forth in section 221.2. Describes security measures for building exteriors.

14.13: Incorporates with changes the direction on interior controls formerly set forth in section 221.3. Describes methods and techniques to increase facility interior security.

14.2: Incorporates with changes the direction on security survey formerly set forth in section 222. Describes survey needs to reduce security risks and crime prevention.

14.21: Incorporates with changes the direction on the process to follow in the development of a security survey formerly set forth in section 222.1.

14.22: Incorporates with changes the direction on recommendations on overall facility security needs formerly set forth in section 222.2.

15: Establishes a section on planning and organizing raids in an effort to make arrests and seize evidence.

15.05: Establishes a section for definitions related to raid planning.

15.1: Establishes direction on organizing a raid and describes the Incident Command structure, surveillance operations, security, and assault elements.

15.11: Establishes direction on operations plan preparation for a raid operation.

15.12: Establishes direction on command and control of raid operations.

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15.12a: Establishes direction on command levels and methods for raid operation.

20: This amendment reorganizes and recodes direction and revises captions throughout chapter 20 to correspond with the organization of FSM 5320, Investigative Procedures, and to change coding from a 3-digit to a 2-digit system.

20.2: Adds objectives relating to investigations.

21: Incorporates with changes the direction on interviewing formerly set forth in section 100.

21.05: Incorporates definitions formerly set forth in section 110.5.

21.1: Incorporates with changes the direction on documenting interviews formerly set forth in section 111

21.11 - 21.13: Incorporates with changes the direction on methods of documentation formerly set forth in sections 111.1 - 111.14.

21.14: Incorporates with changes the direction on tape recording communications formerly set forth in section 111.2.

21.14a: Incorporates the direction on recording equipment formerly set forth in FSM 5323.11.

21.15: Incorporates the direction on polygraphs formerly set forth in FSM 5323.12.

21.2 - 21.21: Incorporates the direction on a suspect's rights formerly set forth in section 120.

21.22: Incorporates the direction on when a Miranda warning is issued formerly set forth in section 122.

21.23: Incorporates with changes the direction on suspects' waiving rights formerly set forth in section 123.

21.24: Incorporates the direction on when a warning is not issued formerly set forth in section 124.

21.25: Incorporates with changes the direction on warnings issued to juveniles formerly set forth in section 125

21.26: Incorporates the direction on warnings issued to other than English-speaking persons or persons with any type of language barrier formerly set forth in section 126.

21.27: Incorporates the direction on issuing warnings to mentally incompetent people formerly set forth in section 127.

21.28: Incorporates the direction on citizen's rights formerly set forth in section 128.

22: Incorporates with changes the direction on handling evidence formerly set forth in section 150.

22.05: Incorporates definitions formerly set forth in section 151.

22.1: Incorporates with changes the direction on managing a crime scene formerly set forth in section 152.1.

22.2: Incorporates with changes the direction on handling witnesses, suspects, and victims formerly set forth in sections 152.2 - 152.4.

22.3: Incorporates the direction on crime scene search formerly set forth in section 153.

22.31: Incorporates the direction on the objectives of crime scene search formerly set forth in section 153.02.

22.32: Incorporates with changes the direction on searching crime scenes formerly set forth in sections 153.1 and 152.6.

22.23: Incorporates the direction on crime scene sketching formerly set forth in section 153.2.

22.32a - 22.32b: Incorporates the direction on considerations and types of sketches for a crime scene formerly set forth in sections 153.21 and 153.22.

22.34: Incorporates the direction on photographing a crime scene formerly set forth in section 153.3.

22.34a: Incorporates the direction on identifying photographs and negatives formerly set forth in section 153.32.

22.4: Incorporates with changes the direction on custody and storage of evidence formerly set forth in section 153.42.

22.41: Incorporates with changes the direction on custody of evidence formerly set forth in section 152.

22.42: Adds direction on storage of evidence.

22.5: Adds direction on handling evidence and property.

23: Incorporates with changes the direction on types of investigations formerly set forth in sections 160-190.

23.1: Incorporates the direction on livestock investigations formerly set forth in section 160.

23.2: Incorporates the direction on occupancy and use violations formerly set forth in section 170.

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23.3: Incorporates with changes the direction on timber investigations formerly set forth in section 180.

23.4: Adds a section on fire investigations.

23.4a: Adds direction on fire cause and determination.

23.4b: Adds direction on wildland fire criminal investigation determination.

23.5: Adds direction on handling archeological resources investigations.

24: Incorporates the direction on consensual monitoring formerly set forth in FSM 5324.

25: Incorporates with changes the direction on informants formerly set forth in section 130.

25.13a: Incorporates with changes the direction on confidentiality of informants formerly set forth in section 139.1.

25.13b: Incorporates the direction on confidentiality of information formerly set forth in section 140.

25.8: Incorporates with changes the direction on payments for information formerly set forth in section 137.5.

25.81a: Incorporates with changes the direction on payments to informants formerly set forth in section 137.1

25.83: Incorporates the direction on the quick pay system for investigations formerly set forth in FSM 5323.17.

25.84: Adds direction on payment for evidence.

26: Adds direction on surveillance for short duration.

27: Adds direction on undercover operations.

28: Adds direction on case management.

30: This amendment reorganizes revises and recodes direction through out chapter 30, Violation; and incorporates direction on Form FS-5300-4, Violation Notice, formerly issued in Interim Directive (ID) 5309.11-99-2.

30.1: Revises direction on Authority formerly found in section 211.01.

30.2: Adds objectives.

30.3: Revises policy formerly set forth in section 700.3.

30.4: Revises the responsibilities formerly set forth in section 700.4.

30.41: Adds the responsibilities of Supervisory Special Agents and Supervisory Law Enforcement Officers for statistical reporting and assistance to line officers in preparation of special orders.

30.42: Adds the responsibility of Forest Protection Officers to take action on observed violations.

30.43: Revises line officer responsibilities for documentation of violations formerly set forth in section 700.4.

31: Adds direction on documentation of violations of law on National Forest System lands.

31.1: Incorporates direction on the Law Enforcement Incident Report (Form FS-5300-1) formerly set forth in section 712.2.

31.11: Incorporates with changes the direction for issuance of a Warning Notice formerly set forth in sections 712.3 - 712.31.

31.12: Incorporates with changes the direction for completion of an Incident Report formerly set forth in sections 712.4 - 712.52.

31.2: Incorporates with changes the direction for issuance of a Violation Notice (Form FS-5300-4) formerly found in section 712.6 and ID 5309.11-99-2.

31.21: Adds direction on the policy for officer discretion in the issuance of a Violation Notice.

31.22: Incorporates with changes the instructions for completion of a Violation Notice formerly set forth in section 712.61 and ID 5309.11-99-2.

31.22a: Incorporates with changes the direction on the Statement of Probable Cause on Form FS-5300-4 formerly set forth in section 712.7.

31.22b: Incorporates with changes the instructions on completion of the Probable Cause Statement formerly set forth in section 712.71.

31.23: Incorporates with changes the instructions for completing the Violation Notice Disposition Update Forms formerly set forth in section 712.81. Adds instructions for Additional Subject and Resource information.

32: Adds direction for issuing Orders under Title 36, Code of Federal Regulations, Part 261, Subpart B (36 CFR 261.50-261.58).

32.1: Incorporates with changes the direction on Scope of Orders formerly set forth in section 211.1.

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32.11: Incorporates with changes the list of Exemptions for orders formerly set forth in section 211.3.

32.2: Incorporates with changes the direction on Legality of Orders formerly set forth in section 211.2.

32.3: Adds direction on the posting of Orders formerly set forth in section 211.3.

32.4: Adds direction on assessment of need and enforcement plans, and incorporates with changes the direction for Enforcement of Orders formerly set forth in section 211.1, paragraph 2.

33: Incorporates with changes the direction on Termination of Order formerly set forth in section 211.4.

34: Incorporates with changes the direction on issuing Regional regulations under 36 CFR Part 261, Subpart C (36 CFR 261.70-261.78) formerly set forth in sections 212-212.1.

34.1: Incorporates with changes the procedures for issuing regulations under Subpart C formerly set forth in section 212.2.

34.2: Adds section for exemptions to regulations under Subpart C as outlined in 36 CFR, section 261.50(e).

40: This amendment reorganizes, revises, and recodes direction through out chapter 40, Report and Forms; and incorporates direction on completing the Report of Investigation (Form FS-5300-24a and FS-5300-24b) formerly issued in Interim Directive (ID) 5309.11-99-3.

40.2: Incorporates with changes the objectives in documenting violations and providing instructions on information retrieval formerly set forth in section 700.2 and ID 5309.11-99-3.

40.3: Incorporates with changes the policy for Reports of Investigations (Forms FS-5300-24a and FS-5300-24b) and documentation of all violations of law concerning National Forest System lands, property, and facilities formerly set forth in section 700.3 and ID 5309.11-99-3.

41: Revises direction on Law Enforcement Reports formerly set forth in section 710.

41.05: Establishes definitions related to law enforcement reports and incorporates definitions for "Civil Proceeding" and "Controlling Office" formerly issued to section 730.5 in ID 5309.11-99-3.

41.1: Incorporates with changes the direction on the Law Enforcement Management Reporting System formerly set forth in section 700.1.

41.2: Establishes direction on Case Tracking System.

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41.3 - 41.31: Establishes direction and instructions for completion of the Report of Investigation and incorporates direction formerly issued in ID 5309.11-99-3.

41.4: Establishes direction on Controlled Substance Activity Reporting and the use of Form FS-5300-2, Controlled Substance Enforcement Activity on NFS lands.

41.41: Establishes instructions for the completion of Form FS-5300-2, Controlled Substances Enforcement Activity on NFS Lands

41.5: Incorporates with changes the direction on the use of Form FS-5300-5, Cooperative Law Enforcement Activity Report formerly set forth in section 721.

42: Lists law enforcement forms by number in exhibits 01 and 02 and provides direction for electronic retrieval for MS in exhibit 03.

50: This amendment reorganizes, revises, and recodes direction throughout chapter 50, Action and Procedures; changes coding from a 3-digit to a 2-digit system; and incorporates direction on transport of firearms on aircraft formerly issued in Interim Directive (ID) 5309.11-99-4.

50.2: Establishes objectives for law enforcement actions and procedures.

50.4: Incorporates responsibilities for law enforcement personnel formerly set forth in section 200.4.

50.41: Establishes new responsibilities for Supervisory Special Agents and Supervisory Law Enforcement Officers.

50.42: Establishes new responsibilities for law enforcement personnel.

50.43: Establishes new responsibilities for Forest Officers.

51: Establishes a new section on Enforcement Actions.

51.01: Establishes authority for enforcement actions.

51.1: Establishes a new section on Traffic Enforcement and Pursuits.

51.11: Establishes direction on the use of radar in traffic enforcement.

51.12: Incorporates and revises direction for Vehicle Stops formerly set forth in section 512.

51.13: Incorporates direction on Vehicle Checkpoints formerly set forth in section 360.

51.13a: Incorporates direction on General Requirements Applicable to Checkpoints formerly set forth in section 361.

51.13b: Incorporates direction on Planned Checkpoints formerly set forth in section 362.

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51.13c: Incorporates direction on Planned Checkpoint Requirements and Procedures formerly set forth in section 362.1.

51.13d: Incorporates direction on Emergency Checkpoints formerly set forth in section 363.

51.14: Incorporates with changes the direction on Road and Trail Closures formerly set forth in section 340.

51.15: Incorporates with changes the direction on Driving Under the Influence enforcement actions formerly set forth in section 370.

51.15a: Incorporates with changes the direction on enforcement for driving under the influence off Forest roads formerly set forth in section 370.

51.15b: Incorporates with change direction on enforcement for driving under the influence on Forest development roads and trails formerly set forth in section 370.

51.15c: Establishes new direction for Stopping Drivers Who Appear To Be Under the Influence.

51.15d: Incorporates with changes the direction on Detaining Drivers Who Appear To Be Under the Influence formerly set forth in section 370.

51.15e: Establishes direction for Administering DUI Tests.

51.16: Incorporates with changes the direction on Vehicle Pursuits formerly set forth in section 530.

51.16a: Incorporates with changes the direction on Pursuit Procedures formerly set forth in sections 531-532.

51.16b: Establishes direction on Deciding To Pursue.

51.16c: Establishes direction on Assisting Other Agencies in pursuits.

51.16d: Incorporates with changes direction on Terminating Pursuits formerly set forth in section 534.

51.17: Establishes direction for Foot Pursuits.

51.18: Establishes direction for Vehicle-Mounted Camcorder Operations.

51.18a: Establishes direction for Installation of Vehicle Camcorders.

51.18b: Establishes direction on the Proper Care and Maintenance of Vehicle-Mounted Camcorders.

51.18c: Establishes Operating Procedures for vehicle-mounted camcorders.

- 51.18d:** Establishes direction for the Control and Preservation of Recorded Tapes.
- 51.18e:** Establishes direction on the Use of Recorded Tapes for Training.
- 51.18f:** Establishes direction on Requests for Copies of Tapes.
- 51.18g:** Establishes direction on the Use of Vehicle-Mounted Camcorders for Crime Scene Investigations.
- 51.2:** Establishes direction on law enforcement with Developed Sites and Concessionaires.
- 52:** Establishes section for Specialized Equipment Used In Enforcement Operations.
- 52.02:** Establishes objectives for the section on specialized equipment.
- 52.03:** Establishes policy on the use of specialized equipment.
- 52.04:** Establishes responsibilities for law enforcement personnel in the use of specialized equipment.
- 52.04a:** Establishes responsibilities for Supervisory Special Agents and Supervisory Law Enforcement Officers for specialized equipment use.
- 52.04b:** Establishes responsibilities for law enforcement personnel utilizing specialized equipment.
- 52.06:** Adds a reference for the Interagency Helicopter Operations Guide.
- 52.1:** Establishes direction for Law Enforcement Aviation Operations.
- 52.11:** Establishes direction on Operational Procedures for aviation use.
- 52.11a:** Establishes direction for Approved Aircraft and sets out an Operational Briefing Requirements Checklist in exhibit 01.
- 52.11b:** Establishes direction on Flight Following.
- 52.12:** Establishes direction on the use of Personal Protective Equipment (PPE).
- 52.13:** Establishes direction on Aircraft and Pilot Qualifications.
- 52.14:** Establishes direction on aviation use in Non-Emergency Operations.
- 52.15:** Establishes direction on aviation use in Emergency Operations.
- 52.16:** Establishes direction on Cooperative Agency Aviation Operations.

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52.17: Establishes section on Transport Guidelines for aviation.

52.17a: Establishes direction for Transport of Injured Officers.

52.17b: Establishes direction for Transporting Canines.

52.17c: Establishes direction for Transporting Prisoners on Forest Service Owned, Leased, or Contract aircraft.

52.17d: Establishes direction on Transporting Prisoners on Commercial Aircraft.

52.17e: Establishes direction on Transporting Cargo on aircraft, including evidence and hazardous materials (firearms, pyrotechnic devices, and hazardous chemicals). Incorporates the direction on transporting firearms on aircraft formerly issued in ID 5309.11-99-4.

52.18: Establishes section on Security for Aviation Operations.

52.18a: Establishes direction on Helibase security.

52.18b: Establishes direction on Helispot security.

52.18c: Establishes direction on Overnight Security.

52.18d: Establishes direction for Fuel Truck security.

52.2: Establishes direction for Law Enforcement Watercraft Operations.

52.3: Establishes direction for Law Enforcement Off Highway Vehicle (OHV) Operations.

52.4: Establishes direction for Law Enforcement Mountain Bicycle Patrol Operations.

52.5: Establishes direction for Law Enforcement Horse Mounted Patrol Operations.

52.6: Establishes direction for Motorized Snow Traversing Equipment.

53: Incorporates with changes the direction on Arrest Procedures formerly set forth in section 215.

53.01: Adds cross-references to applicable authorities.

53.02: Establishes objectives for arrest procedures.

53.05: Incorporates with changes the definitions for arrest, false arrest, juveniles, and probable cause formerly set forth in section 215.21 and 215.9.

53.1: Establishes a section on arrest of Adults.

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53.11: Incorporates with changes the direction on Arrest With Warrant formerly set forth in section 215.1.

53.12: Incorporates with changes the direction on Arrest Without Warrant formerly set forth in section 215.2.

53.13: Incorporates with changes the direction on False Arrest formerly set forth in section 215.21.

53.14: Incorporates with changes the direction on Custody and Delivery of Arrested Persons formerly set forth in section 215.5.

53.15: Incorporates with changes the direction on Searches formerly set forth in section 215.7.

53.16: Establishes direction on Searches Incidental to Arrest.

53.16a: Incorporates with changes the direction on Arrestees and Their Immediate Surroundings formerly set forth in section 216.1

53.16b: Incorporates with changes the direction on Vehicles Occupied by Arrestees formerly set forth in section 216.1.

53.2: Establishes direction on the arrest of Juveniles

53.21: Incorporates with changes the direction on Arrest of Juvenile Defendants formerly set forth in section 215.9.

53.22: Incorporates with changes the direction on Taking Juveniles into Custody formerly set forth in section 215.91.

53.23: Incorporates direction on Violation Notices for Juveniles formerly set forth in section 215.92.

54: Incorporates with changes the direction on the Use of Force formerly set forth in section 215.4.

54.01: Establishes Authority on use of force.

54.06: Establishes References on the use of force.

54.1: Establishes direction on Levels of Resistance and Control.

54.11: Establishes direction on Resistance.

54.11a: Establishes direction on Compliant.

54.11b: Establishes direction on Resistant (Passive).

- 54.11c:** Establishes direction on Resistant (Active).
- 54.11d:** Establishes direction on Assaultive (Bodily Harm)
- 54.11e:** Establishes the direction on Assaultive (Serious Bodily Harm or Death).
- 54.12:** Establishes direction on Control actions for law enforcement personnel.
- 54.12a:** Establishes direction on Verbal Commands.
- 54.12b:** Establishes direction on Contact Controls with subjects.
- 54.12c:** Establishes direction on Compliance Techniques.
- 54.12d:** Establishes direction on Defensive Tactics.
- 54.12e:** Establishes direction on the use of Deadly Force.
- 54.2:** Establishes direction on Escalation and De-Escalation of Force.
- 54.21:** Establishes direction on Factors That Affect Use of Force.
- 54.3:** Establishes direction on Non-Lethal Defensive Equipment.
- 54.31:** Establishes direction on Handcuffs and Restraints.
- 54.31a:** Establishes Procedures for the Use of Handcuffs and Restraints.
- 54.32:** Establishes section on Electronic Restraints.
- 54.32a:** Establishes direction on Electronic Restraint Belts.
- 54.32b:** Establishes direction on Hand-Held Electronic Restraint Devices.
- 54.33:** Establishes direction on the use of Aerosol Subject Restraints (ASRs).
- 54.33a:** Establishes direction for Procedures on Use of Aerosol Subject Restraints (ASRs).
- 54.34:** Establishes direction on Impact Weapons.
- 54.34a:** Establishes Procedures on Use of Impact Weapons.
- 54.33:** Establishes direction on the use of Aerosol Subject Restraints (ASRs).
- 54.4:** Incorporates with changes the direction on Firearms formerly set forth in section 260 and issued in ID 5309.11-99-4.

54.41: Incorporates with changes the Procedures for Use of Firearms formerly set forth in section 261 and issued in ID 5309.11-99-4.

54.42: Incorporates with changes the direction on Surrendering Weapons formerly set forth in section 263 and issued in ID 5309.11-99-4.

54.42a: Establishes direction on Hostages.

54.5: Establishes direction on Prohibited Weapons and Prohibited Use.

54.6: Establishes direction on authorization of police Canine (K-9) Teams for law enforcement personnel.

54.61: Establishes procedures for K-9 Teams.

54.7: Incorporates with changes the direction on Use of Force Medical Considerations formerly set forth in section 215.8.

54.8: Establishes direction and procedures for completion of the Use of Force Report.

55: Establishes direction on Search and Seizure.

55.02: Establishes Objectives for conducting search and seizures.

55.03: Establishes Policy for search and seizure.

55.04: Establishes responsibilities for Supervisory Special Agents and Supervisory Law Enforcement Officers for search and seizure

55.05: Incorporates with changes the definitions used for search and seizure formerly set forth in section 216.8.

55.1: Incorporates with changes the direction on Conducting Search and Seizures formerly set forth in section 216.

55.11: Establishes direction on Situations Where Search and Seizure May Be Conducted.

55.12: Establishes direction on Property That May Be Seized.

55.2: Incorporates direction on Consent Searches formerly set forth in section 216.2.

55.3: Incorporates with changes the direction for Exigent Circumstances formerly set forth in section 216.3.

55.31: Incorporates with changes the direction on Criteria for Conducting Searches formerly set forth in section 216.3(1).

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55.32: Incorporates with changes the direction on Examples of Exigent Circumstances formerly set forth in section 216.3(2).

55.4: Incorporates with changes the direction on Searches With Warrant formerly set forth in section 216.4.

55.41: Incorporates with changes the direction for Obtaining Search Warrant formerly set forth in section 216.41.

55.41a: Establishes a Probable Cause Checklist.

55.41b: Establishes an Oral Search Warrant Checklist.

55.42: Incorporates with changes the direction on Serving Search Warrant formerly set forth in section 216.42.

55.43: Establishes direction on the Execution and Return Requirements for search warrants.

55.5: Incorporates with changes the direction on Plain View searches formerly set forth in section 216.7.

55.6: Incorporates the direction on Search of Federally Owned Residential Areas formerly set forth in section 216.8.

56: Establishes direction on Impoundment and Property Seizure.

56.01: Establishes Authority for impoundment and property seizure.

56.02: Establishes Objectives of impounding private property.

56.03: Establishes Policy for impoundments and property seizures.

56.04: Establishes Responsibility for impoundments.

56.1: Incorporates with changes the direction on Impoundment and Property Seizure Procedures formerly set forth in section 215.6.

56.11: Incorporates with changes the direction on Notice of Intention To Impound formerly set forth in section 173.11.

56.12: Incorporates with change the direction on Removal of Personal Property From Area of Violation formerly set forth in section 173.12.

56.13: Incorporates with changes the direction on Redemption or Sale of Impounded Property formerly set forth in section 173.13.

56.14: Incorporates with changes the direction on Notice of Sale of Impounded Property formerly set forth in section 173.14.

56.2: Incorporates with change the direction on Removal of Obstructions formerly set forth in section 174.

57: Establishes direction on Criminal Violations and Courtroom Appearance.

57.02: Establishes Objectives on filing of criminal violations and courtroom appearance.

57.05: Establishes definitions for Complaint, Information, No Bill, Subpoena, Summons, and True Bill.

57.1: Incorporates with changes the direction on Criminal Violations - Felony and Misdemeanor formerly set forth in section 214.

57.11: Incorporates with changes the direction on Filing Complaint formerly set forth in section 214.1.

57.12: Incorporates with changes the direction on Information formerly set forth in section 214.2.

57.13: Incorporates with changes the direction on Grand Juries formerly set forth in section 214.3.

57.14: Incorporates with changes the direction for Subpoenas formerly set forth in section 216.5.

57.15: Incorporates with changes the direction on Summons formerly set forth in section 216.6.

57.15a: Establishes direction on Procedures for Serving Summons.

57.2: Incorporates with changes the direction on Courtroom Appearance formerly set forth in section 218.2.

58: Establishes direction on Media Communication and Diplomatic Considerations.

58.02: Establishes Objectives for the Media Communications and Diplomatic Considerations section.

58.03: Incorporates with changes the policy on Media Communications and Diplomatic Considerations formerly set forth in section 240.3.

58.04: Establishes Responsibility for media communications.

58.1: Establishes direction for the Release of Information by Law Enforcement Personnel in Criminal and Civil Matters.

58.11a: Establishes direction on Information That May Be Disclosed in Criminal Matters.

58.11b: Establishes direction on Information That May Be Disclosed in Civil Matters

58.11c: Incorporates with changes the direction on Information That May Not Be Disclosed formerly set forth in section 244.

58.11d: Incorporates with change the direction on Disclosure of Information Concerning Prior Criminal Record formerly found in FSH 5309.11, section 244.

58.11e: Establishes direction on Disclosure of Information Concerning Ongoing Investigations.

58.12: Establishes direction on Release of Information Prior to Execution of Search or Arrest Warrants.

58.13: Establishes direction on Inquiries from News Media.

58.14: Establishes direction on Media Inquiries Received in Emergency or Fast-Moving Situations.

58.15: Establishes direction for Access to media.

58.16: Establishes direction on the Questioning or Arrest of Member of News Media.

58.17: Incorporates with changes the direction on News Media Accompanying Law Enforcement Personnel on Field Operations formerly set forth in section 241.

58.18: Establishes direction on Proactive Activities with news media.

58.19: Establishes direction on Incident Media Planning for law enforcement.

58.2: Incorporates with changes the direction on International Diplomacy formerly set forth in section 610.

58.21: Incorporates with changes the direction on Consular Officers formerly set forth in section 611.

58.21a: Incorporates with changes the direction on Career Consular Officer Immunity formerly set forth in section 611.1.

58.21b: Incorporates with changes the direction on Honorary Consular Officer Immunity formerly set forth in section 611.2.

58.21c: Incorporates with changes the direction on Consular Premises and Property Immunity formerly set forth in section 611.3.

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58.21d: Incorporates with changes the direction on Misdemeanor Incidents Involving Career Consular Officers formerly set forth in section 611.4.

58.21e: Incorporates with changes the direction on Felony Cases Involving Career Consular Officers formerly set forth in section 611.5.

58.21f: Incorporates with changes the direction on Impounding Consular Vehicles formerly set forth in section 611.6.

58.21g: Incorporates with changes the direction on Request for Information Regarding Consular Officers formerly set forth in section 611.7.

58.21h: Incorporates with changes the direction on Advising Special Agent in Charge for cases involving consular officers formerly set forth in section 611.8.

59: Establishes direction on Hazardous Material Spill Responses.

59.02: Establishes Objectives for the hazardous material responses section.

59.03: Establishes Policy for the hazardous material responses.

59.04: Establishes the Responsibility of law enforcement personnel for hazardous spill responses.

60: This amendment revises, reorganizes, and recodes the direction formerly in chapters 200 and 700.

60.4: Adds responsibilities for Special Agents in Charge and supervisory law enforcement personnel.

60.41: Adds the responsibility of Special Agents in Charge and Forest Supervisors to jointly approve cooperative agreements and the financial and operating plans for these agreements.

60.42: Adds the responsibility of Special Agents in Charge to approve cooperative agreements and the financial and operating plans for cannabis investigation agreements.

60.43: Adds the responsibility for Supervisory Special Agents and Supervisory Law Enforcement Officers to coordinate and negotiate cooperative agreements and financial and operating plans.

61: Incorporates the direction on Development of Cooperative Agreements and Operating and Financial Plans formerly set forth in section 250.

61.1: Incorporates with changes the direction on Cooperative Agreements formerly set forth in section 251.

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61.2: Incorporates the direction on Operating and Financial Plans formerly set forth in section 252.

61.21: Incorporates the direction on Reimbursable Expenses formerly set forth in section 252.1.

61.22: Incorporates the direction on Loaned Equipment formerly set forth in section 252.2.

61.23: Incorporates the direction on Rate Schedules formerly set forth in section 252.3.

61.24: Incorporates the direction on Designated Officials formerly set forth in section 252.4.

61.3: Incorporates the direction on Monitoring formerly set forth in section 253.

62: Incorporates the direction on the Cooperative Law Enforcement Activity Report, Form FS-5300-5, formerly set forth in sections 720 and 721.

62.1: Incorporates instructions on completing the Cooperative Law Enforcement Activity Report formerly set forth in section 721.1.

62.2: Incorporates the direction on the Cooperative Law Enforcement Summary formerly found in section 722.

63: Adds a section on Service -Wide Law Enforcement Memorandums of Understanding, Memorandums of Agreement, and local Agreements With Other Agencies.

63.1: Adds section on agreements between the Forest Service and Department of the Interior.

63.11: Adds a section with a cross-reference to the Memorandum of Agreement for Cross-Designation of Law Enforcement Personnel.

63.12: Adds a section with a cross-reference to the Memorandum of Understanding for Cross-Designation of Law Enforcement Personnel between the Department of Agriculture, Forest Service and Department of Interior agencies.

63.13: Adds a section on Local Agreements Between the Forest Service and Bureau of Land Management.

63.14: Adds section on Local Agreements between the Forest Service and National Park Service.

63.2: Adds a section on the agreements between the Forest Service and agencies in the Department of Justice.

63.21: Adds a section with a cross-reference on the agreement between the Forest Service and Drug Enforcement Administration.

63.22: Adds a section with a cross-reference to the memorandum of understanding between the Forest Service and U.S. Marshals Service.

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63.22a: Adds a section with a cross-reference to the supplemental agreement between the Forest Service and U.S. Marshals Service.

63.23: Adds a section with a cross-reference on the memorandum of understanding between the Forest Service, Drug Enforcement Administration, Civil Air Patrol, Inc., and U.S. Air Force.

63.3: Adds a section on agreements with the Department of Agriculture.

63.31: Adds a section with a cross-reference to the agreement between the Forest Service and Office of the Inspector General.

63.4: Adds a section for agreements with the Department of Treasury.

63.41: Adds a section with a cross-reference on the memorandum of understanding between the Forest Service and the Bureau of Alcohol, Tobacco and Firearms.

70: Reserves the code for chapter 70, Training, for future issuances.

80: This amendment revises, reorganizes, and recodes direction formerly in chapter 200 and FSM 5380; changes the coding system from a 3-digit to a 2-digit system; and incorporates direction on credential cards for law enforcement personnel formerly issued in interim directive (ID) 5309.11-99-1.

80.4: Adds direction on the responsibility of supervisory law enforcement personnel to ensure that proper storage methods are being used for equipment and files.

81: Establishes a new section for direction on office and storage spaces.

82: Incorporates the direction on numbered badges and credentials formerly found in section 270.

82.1: Incorporates the direction on issuance of credentials formerly found in section 271 and ID 5309.11-99-1.

82.11: Incorporates with changes the direction on credentials for personnel assigned to the Washington Office formerly set forth in section 271.1 and ID 5309.11-99-1.

82.12: Incorporates with changes the direction on credentials for personnel assigned to a Region formerly set forth in section 271.2 and ID 5309.11-99-1.

82.2: Incorporates the direction on maintenance formerly set forth in section 272.

83: Incorporates with changes the direction on loss of badges and credentials formerly set forth in section 273. Establishes direction for the loss of firearms.

83.05: Incorporates with changes the definition of loss formerly set forth in section 273.05.

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83.1: Incorporates with changes the direction on reporting lost firearms, badges, and credentials formerly set forth in section 273.1.

83.11: Incorporates the direction for reporting the loss of a firearm, credential, or badge to the responsible local law enforcement agency formerly set forth in section 273.2.

83.12: Incorporates the direction for reporting losses in the National Crime Information Center (NCIC) system formerly set forth in section 273.3.

83.13: Adds direction on the documentation of loss of a firearm, badge, or credential.

83.13a: Incorporates the direction for a formal letter of explanation for a lost firearm, badge, or credential formerly set forth in section 273.4.

83.13b: Incorporates the direction to use Form AD-112, Report of Unserviceable, Lost, or Damaged Property, to report the loss of a firearm, badge, or credential formerly set forth in section 273.5.

84: Incorporates the direction for acknowledgment of a private citizen who returns lost property formerly set forth in section 275.

85: Incorporates the direction for re-issuance of lost property formerly set forth in section 276.

86: Establishes direction on carrying firearms and aerosol subject restraints on aircraft.

86.02: Establishes objectives for the guidelines in carrying firearms and other defensive equipment on aircraft.

86.1: Incorporates the direction for carrying or transporting firearms on aircraft formerly set forth in FSM 5381.15.

86.11: Incorporates with changes the direction for the carrying of firearms on commercial aircraft formerly set forth in FSM 5381.15a.

86.12: Incorporates with changes the direction for the carrying of firearms and other defensive equipment on Forest Service owned, leased, or contracted aircraft formerly set forth in FSM 5381.15b.

86.2: Incorporates with and changes the direction for the carrying or transportation of aerosol subject restraints on aircraft formerly set forth in FSM 5381.15b.

87: Establishes direction for specialized transportation equipment, such as horses, motorcycles, all terrain type vehicles, snowmobiles, and so forth.

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87.04: Establishes the responsibility of supervisory law enforcement personnel to ensure that proper training and licensing are completed for law enforcement personnel for specialized transportation equipment.

88: Establishes direction for the acquisition of technical investigative equipment.

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This chapter describes the process for implementing cooperative law enforcement agreements and operating plans and sets forth the agreements between the Forest Service and other Federal Departments and agencies (for further direction, see FSM 1580, 5301.4, 5303.2, and 5362, and FSH 1509.11).

60.4 - Responsibility

60.41 - Special Agents in Charge and Forest Supervisors

It is the responsibility of Special Agents in Charge and Forest Supervisors to jointly approve cooperative agreements and joint financial and operating plans pursuant to Title 16, United States Code, section 551a (16 U.S.C. 551a) for regular patrol agreements (FSM 5364.04a).

60.42 - Special Agents in Charge

It is the responsibility of Special Agents in Charge to approve cooperative agreements and joint financial and operating plans pursuant to Title 16, United States Code, section 551a (16 U.S.C. 551a) for cannabis investigation agreements (FSM 5364.04b).

60.43 - Supervisory Special Agents and Supervisory Law Enforcement Officers

It is the responsibility of Supervisory Special Agents and Supervisory Law Enforcement Officers to coordinate and negotiate cooperative agreements and joint financial and operating plans prior to approval by the Special Agent in Charge (FSM 5364.04c).

61 - Development of Cooperative Agreements and Operating and Financial Plans

61.1 - Cooperative Agreements

Ensure that the cooperator has contractual authority to sign the agreement. In most cases, these agreements are signed by a board of directors, a group of county commissioners, or a similar body, and approved by the department doing the work. See FSH 1509.11 for the standard cooperative agreement format. Provisions may be added to the standard agreement; however, substitutions or deletions must not be made without prior approval by the Washington Office, Director of Law Enforcement and Investigations. Reimburse the cooperator, not an individual, for services provided and equipment purchased.

61.2 - Operating and Financial Plans

Prepare an operating and financial plan for each cooperative agreement and ensure that it is approved by the authorized officials. Update the operating and financial plan at least annually or sooner if needed (FSH 1509.11, ch. 30).

61.21 - Reimbursable Expenses

In the operating and financial plan, specify those services and items furnished by the cooperator that should be reimbursed by the Forest Service (FSH 1509.11). Basically, these expenses are broken down into the following categories:

1. Support Provided by Cooperator. At a minimum, include items such as:
 - a. Assignments of extra enforcement officers to known or potential problem areas for specific periods, which may include individual days or periods of visitor impact. Agreements containing provisions for assignment and reimbursement of a cooperator for a specific period of time, such as 3 months, should include a stipulation that permits assignment of the officer to other non-agreement related duties for approximately 5 percent of the time without requiring an adjustment to the agreement.
 - b. Additional personnel and support for areas or periods of unforeseen or emergency situations.
 - c. Unanticipated impacts on cooperator's personnel, such as follow-up investigations or surveillance, directly resulting from activities on the National Forest System. Limit reimbursement to that specifically agreed to by the Forest Service prior to the cooperator incurring the costs.

2. Equipment Requested by Cooperator. In order to provide the cooperative law enforcement services, it may be necessary for the cooperator to request that certain equipment, such as radios, be provided by the Forest Service. The Forest Service may rent or purchase this equipment for use by the cooperator. Equipment purchased by the Forest Service shall remain the property of the Forest Service. In the event the equipment is purchased by the cooperator, specify in the operating and financial plan that the cooperator shall retain ownership and be responsible for the maintenance or repair of that equipment.

61.22 - Loaned Equipment

Law enforcement personnel may loan Forest Service equipment, excluding firearms, to a cooperator for use on National Forest System lands. However, equipment may not be purchased specifically for that purpose. In the financial and operating plan, specify the Forest Service retains ownership and specify the party responsible for maintenance and upkeep.

61.23 - Rate Schedules

In the operating and financial plan, include a rate schedule for the reimbursable expenses and specify the billing instructions.

1. Time and Mileage. Reimburse time and mileage on a rate basis. Base the rate on the actual cost to the cooperator for providing service and equipment to the National Forest System. Request the cooperator to provide documentation on how the rates are determined and retain this information in the agreement file.

2. Labor. Rates for labor may include salaries and fringe benefits costs, such as insurance, retirement, and uniforms.

3. Cooperator Equipment. Use rates for cooperator equipment should include operation and maintenance costs. Also, replacement costs may be included where the equipment is purchased by the cooperator. If reimbursement for the purchase is made with Government funds, do not include replacement costs.

4. Itemized Statements. Ensure the cooperator furnishes an itemized statement of expenditures for the periods specified in the operating and financial plan.

Ensure the statement is in sufficient detail to allow the Forest Service to tie expenditures back to the reimbursable expenses and the rate schedule contained in the agreement. The cooperator and approving Forest Service official shall certify the accuracy of the statement.

61.24 - Designated Representatives

The approving official shall designate in the plan a specific individual and alternate(s) to make or receive requests for activities under this agreement.

61.3 - Monitoring

Law enforcement personnel shall conduct periodic evaluations of cooperative agreements. A suggested list of items for monitoring includes, but is not limited to the following:

1. Is there a current signed master agreement? (See the standards described in FSH 1509.11, Grants, Cooperative Agreements, and Other Agreements Handbook.)

2. Is there a current signed operating plan?

3. Are periodic joint reviews of agreement and operating plan terms made and documented by authorized representatives?

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4. Is Form FS-5300-5, Cooperative Law Enforcement Activity Report, submitted on a regular basis and the information input into LEMARS?
5. Are the operating plan funds approved and allocated?
6. Are billings received as required?
7. Are periodic financial reviews of operating plans made and the excess identified and released, or needs identified and requested?
8. Is the transfer of loaned property documented on Form AD-107, Report of Transfer or Other Disposition or Destruction of Property?
9. Is all loaned property inventoried in the current operating plan or attachment thereto?
10. Is all loaned property updated in the current operating plan?
11. Is loaned property serviceable and repaired, replaced, or disposed of properly?
12. Are property items purchased under agreement terms as specified?
13. Are the cooperator's receipts of purchase on file?
14. Does the patrol officer have radio communications with the Forest Service?
15. Are all patrol activities completed and documented as specified in the operating plan?
16. Do law enforcement personnel or Forest Protection Officers participate with cooperators during patrol activities?

62 - Cooperative Law Enforcement Activity Report Form FS-5300-5

Line officers or their designees shall prepare statistical reports of State crimes occurring on National Forest System lands and submit them at the same time that cooperators submit invoices at the end of each month (FSM 5362). Prepare this form monthly and submit it either monthly or quarterly. Monthly reporting provides the best database. Utilize Form FS-5300-5, Cooperative Law Enforcement Activity Report, to record the information received from the cooperators for input into the Law Enforcement Management Reporting System (LEMARS) (FSM 5340).

62.1 - Instructions for Completing Cooperative Law Enforcement Activity Report

The following itemized headings are the same as the identification headings on Form FS-5300-5. Instructions for completing the form are printed on the back for the convenience of the cooperator.

1. **Cooperator (Department Name).** Enter the name of the cooperating law enforcement department (county or State).
2. **National Forest (Forest Name).** Enter the name of the National Forest covered by the agreement. If the agreement covers more than one Forest, enter the data for each Forest on a separate form.
3. **Unit Identification.** Enter the standard Forest Service code for Region, Forest, State, and county. This block must have an entry.
4. **Date.** Enter the month and year of activity. This block must have an entry.
5. **Patrol Unit.** Enter the number of patrol units; 4 person-hours of patrol equal one patrol unit. For example, one person patrolling for 4 hours equals one patrol unit, or two persons in one vehicle patrolling for 4 hours equals two patrol units.
6. **Search and Rescue Missions (SAR).** Enter the number of hours devoted to SAR and the number of SAR missions. Express in person hours. Do not use Cooperative Law Enforcement Funds to reimburse State and local agencies for expenses associated with SAR.
7. **Property Stolen.** Enter the dollar amount of stolen personal property reported to the cooperator. Use fair market value to determine the amount.
8. **Property Recovered.** Enter the dollar amount of stolen personal property recovered by the cooperator. Use fair market value to determine the amount.
9. **Controlled Substance Seized.** Enter the street dollar value of controlled substance(s) seized.
10. **Number of Crimes Occurring on National Forest System Lands.**
 - 10a. **Item Number.** For data processing use only.
 - 10b. **Type of Crimes.** List whether the crime is a part I or part II crime as identified in the FBI uniform crime report. List cooperator assists in part III.
 - 10c. **Cooperative Agreement Patrols.** Enter the number of crimes occurring on the National Forest System lands covered under a cooperative agreement.

10d. Non-Cooperative Agreement Activities. Enter the number of crimes occurring on the National Forest System lands not covered by a cooperative agreement.

11. Remarks. Enter information of interest to Forest Service program managers.

12. Prepared By (Signature). Enter the signature of the person preparing the report.

13. Date. Enter the date the report is prepared.

62.2 - Cooperative Law Enforcement Summary

Each National Forest that receives funding for regular patrol cooperative agreements shall submit a narrative summary of cooperative program activities to the Special Agent in Charge by October 30 of each year. This narrative should cover any special or unusual problems experienced in the cooperative patrol program, any areas within the program that should be highlighted for special recognition, and so forth. These summaries may be forwarded to the Washington Office, Director of Law Enforcement and Investigations, at the discretion of the Special Agent in Charge or when the program area affects national operations.

63 - Service-Wide Law Enforcement Memorandums of Understanding, Memorandums of Agreement, and Local Agreements with Other Federal Departments and Agencies

63.1 - Department of the Interior

63.11 - Memorandum of Agreement for Cross-Designation of Law Enforcement Personnel

The Memorandum of Agreement for Cross-Designation of Law Enforcement Personnel is set forth in FSM 1531.06g, as exhibit 01 and the addendum to that agreement is set forth as exhibit 02.

63.12 - Memorandum of Understanding for Cross-Designation of Law Enforcement Personnel Between United States Department of Agriculture, Forest Service and United States Department of the Interior, Bureau of Land Management, Bureau of Indian Affairs, National Park Service, Fish and Wildlife Service, and Bureau of Reclamation

The Memorandum of Understanding Between the Forest Service, Bureau of Land Management, Bureau of Indian Affairs, National Park Service, Fish and Wildlife Service, and Bureau of Reclamation is set forth in FSM 1531.06h, as exhibit 01.

63.13 - Supplemental Interagency Agreement Between Forest Service and Bureau of Land Management

See exhibit 01 for a sample supplemental agreement between the Bureau of Land Management and the Forest Service.

**Supplemental Interagency Agreement Between Forest Service and Bureau of Land
Management**

**SUPPLEMENTAL INTERAGENCY AGREEMENT
BETWEEN THE
BUREAU OF LAND MANAGEMENT
_____ STATE OFFICE
AND THE USDA FOREST SERVICE
_____ REGION**

I. Purpose

This Supplemental Interagency Agreement prescribes the procedures and guidelines for cross-designating law enforcement authority between the United States Department of the Interior (USDI), Bureau of Land Management (BLM), _____ State Office and the United States Department of Agriculture (USDA), Forest Service (FS), _____ Region, (collectively "Agencies") pursuant to the following authority.

II. Authority

This agreement is made pursuant to the Memorandum of Agreement between the United States Departments of Agriculture and Interior (Departments) dated February 27, 1990 and renewed March 3, 1995, for an indefinite term (Master Agreement), and implemented by the Memorandum of Understanding between the Department of Agriculture, Forest Service and the Department of the Interior, Bureau of Land Management, Bureau of Indian Affairs, National Park Service, Fish and Wildlife Service, and Bureau of Reclamation, dated April 5, 1994 and January 6, 1993, respectively (Implementing Agreement). And further, pursuant to Title 16, United States Code (16 U.S.C.), Sections 553, 559d, 559d(4), 559g, 43 U.S.C. 1733, and 31 U.S.C. 1535, Economy Act of June 30, 1932.

III. Statement of Mutual Interest and Mutual Benefits

The managers-in-charge for the "Agencies" have determined that cross-designation of law enforcement authorities between Law Enforcement Officers of the "Agencies" will increase protection of the natural and cultural resources on neighboring public lands administered by the Departments and is beneficial, economical, and advantageous to the public interest.

The managers-in-charge have also determined that in cases where a law enforcement emergency or a violation in progress exists, it shall be beneficial, economical, and advantageous to the public interest to cross-designate law enforcement officers.

63.13 - Exhibit 01--Continued

The managers-in-charge have further determined that cross-designation of law enforcement authorities is for the mutual benefit of both agencies and that either agency may serve as the responding or requesting agency as circumstances warrant. In all instances of cross-designation, the procedures set forth in the Master Agreement and Implementing Agreement shall apply to the cross-designation of law enforcement authority between the "Agencies."

IV. Definitions

Initial Law Enforcement Action - Law enforcement action, including, but not limited to, issuing citations or written warnings, making arrests, or any other constitutionally approved actions within the authority of the requesting agency that may be taken by cross-designated law enforcement officers of the responding agency for violations in progress, until relieved by the requesting agency.

Law Enforcement Officer - Shall include Forest Service Law Enforcement Officers and Special Agents and Bureau of Land Management Law Enforcement Rangers and Special Agents who meet the following standards:

1. Permanent full-time Federal employees assigned law enforcement responsibilities.
2. Individually authorized to make arrests and carry firearms.
3. Have received a basic course of instruction at the Federal Law Enforcement Training Center, attend 40 hours of law enforcement in-service training annually, and qualify with an issued or approved firearm at least twice per year.

Manager-in-Charge - The State Director for the BLM area subject to this agreement and the Special Agent in Charge for the FS Region subject to this agreement.

Requesting Agency - USDA Forest Service. Region, Law Enforcement and Investigations or USDI Bureau of Land Management for the _____ State Office.

Responding Agency - USDA Forest Service. Region, Law Enforcement and Investigations or USDI Bureau of Land Management for the _____ State Office.

Special Agent-in-Charge - Special Agent in Charge for the Forest Service Region subject to this agreement and BLM Special Agent-in-Charge for the BLM State Office subject to this agreement.

Violations in Progress - Violations that are encountered on the lands of the other agency that are incidental to the normal duties of the cross-designated law enforcement officer.

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63.13 - Exhibit 01--Continued

V. Scope and Limitations

This Supplemental Agreement for cross-designation of law enforcement authority is limited to conducting initial law enforcement action (which includes requests that involve an immediate threat to persons, property, or resources) by law enforcement officers on National Forest System lands administered by the _____ Region and on Bureau of Land Management lands administered by the _____ State Office. As provided in the Master Agreement and Implementing Agreement, law enforcement officers of the responding agency shall have the full extent of, but shall not exceed, the law enforcement authority of the requesting agency.

Any request that is outside of the above stated Scope and Limitations, shall require a specific request and approval from the Managers-in-Charge (pursuant to the conditions identified in the MOU Between USDA and USDI, Section IV, Procedures) by and for the "Agencies," and would require a separate certification on the mutual objective and benefits for compliance with the Economy Act.

VI. Cross-training and Reporting

Cross-designated law enforcement personnel will be provided a minimum of four (4) hours of training/briefing on the laws and regulations of the requesting agency. The Chief Law Enforcement Officer at the local level for each agency is responsible for ensuring this training is provided and that each officer successfully completes the training.

All cross-designated employee law enforcement actions taken, or incidents detected or investigated on lands administered by the requesting agency, will be reported to the requesting agency in a timely manner. Necessary forms/procedures will be provided by the requesting agency.

VII. Principal Contacts

Special Agent in Charge, BLM

Telephone No.

Special Agent in Charge, FS

Telephone No.

VIII. Cost Reimbursements

This cross-designation hereunder is deemed to be a mutual objective and benefit of the "Agencies" and as such, reimbursements under the Economy Act are not appropriate.

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63.13 - Exhibit 01--Continued

IX. Modification

Modifications within the scope of this agreement shall be made by mutual consent of the parties, by the issuance of a written modification, signed and dated by both parties, prior to any changes being performed.

X. Duration of Agreement

This agreement shall be effective from the last date of execution and shall remain in effect for five years, unless terminated with a 60-day written notice from either party to the other party. This agreement may be modified or amended upon written request of either party and written concurrence of the other party.

XI. Approved

For the USDA Forest Service

For the Bureau of Land Management:

Special Agent in Charge

Region

State Director,
State of _____

Date

Date

Special Agent in Charge

Date

63.14 - Supplemental Interagency Agreement Between Forest Service and National Park Service Local Agreement

See exhibit 01 for a supplemental interagency sample agreement between the Forest Service and the National Park Service.

63.14 - Exhibit 01

Supplemental Interagency Agreement Between Forest Service and National Park Service

**SUPPLEMENTAL INTERAGENCY AGREEMENT
BETWEEN THE
NATIONAL PARK SERVICE
_____ NATIONAL PARK
AND THE USDA FOREST SERVICE
_____ REGION**

I. Purpose

This Supplemental Interagency Agreement prescribes the procedures and guidelines for cross-designating law enforcement authority between the United States Department of the Interior (USDI), National Park Service (NPS), _____ National Park, and the United States Department of Agriculture (USDA), Forest Service (FS), _____ Region, (collectively "Agencies") pursuant to the following authority.

II. Authority

This agreement is made pursuant to the Memorandum of Agreement between the United States Departments of Agriculture and Interior (Departments) dated February 27, 1990 and renewed March 3, 1995, for an indefinite term (Master Agreement), and implemented by the Memorandum of Understanding between the Department of Agriculture, Forest Service and the Department of Interior, Bureau of Land Management, Bureau of Indian Affairs, National Park Service, Fish and Wildlife Service, and Bureau of Reclamation, dated April 5, 1994 and January 6, 1993, respectively (Implementing Agreement). And further, pursuant to Title 16, United States Code (16 U.S.C.), Sections 553, 559d, 559d(4), 559g, 16 U.S.C. 1a-6, and 31 U.S.C. 1535, Economy Act of June 30, 1932.

63.14 - Exhibit 01--Continued

III. Statement of Mutual Interest and Mutual Benefits

The managers-in-charge for the "Agencies" have determined that cross-designation of law enforcement authorities between Law Enforcement Officers of the "Agencies" will increase protection of the natural and cultural resources on neighboring public lands administered by the Departments and is beneficial, economical, and advantageous to the public interest.

The managers-in-charge have also determined that in cases where a law enforcement emergency or a violation in progress exists, it shall be beneficial, economical, and advantageous to the public interest to cross-designate law enforcement officers.

The managers-in-charge have further determined that cross-designation of law enforcement authorities is for the mutual benefit of both agencies and that either agency may serve as the responding or requesting agency as circumstances warrant. In all instances of cross-designation the procedures set forth in the Master Agreement and Implementing Agreement shall apply to the cross-designation of law enforcement authority between the "Agencies."

IV. Definitions

Initial Law Enforcement Action - Law enforcement action, including but not limited to, issuing citations or written warnings, making arrests, or any other constitutionally approved actions within the authority of the requesting agency that may be taken by cross-designated law enforcement officers of the responding agency for violations in progress, until relieved by the requesting agency.

Law Enforcement Officer - Shall include Forest Service Law Enforcement Officers and Special Agents, National Park Service Law Enforcement Rangers and Special Agents, and Park Police Officers and Special Agents who meet the following standards:

1. Permanent full time federal employees assigned law enforcement responsibilities.
2. Individually authorized to make arrests and carry firearms.
3. Have received a basic course of instruction at the Federal Law Enforcement Training Center, attend 40 hours of law enforcement in-service training annually, and qualify with an issued or approved firearm at least twice per year.

Manager-in-Charge - The National Park Service Park Superintendent for the NPS area subject to this agreement and the Special Agent in Charge for the FS Region subject to this agreement.

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Chapter 60 – Cooperative Agreements and Memorandums of Understanding

Amendment: 5309.11-2000-1

Effective date: August 22, 2000

63.14 - Exhibit 01--Continued

Requesting Agency - USDA Forest Service. Region, Law Enforcement and Investigations or USDI National Park Service, _____ National Park.

Responding Agency - USDA Forest Service. Region, Law Enforcement and Investigations or USDI National Park Service, _____ National Park.

Special Agent-in-Charge - Special Agent in Charge for the Forest Service Region subject to this agreement.

Violations in Progress - Violations that are encountered on the lands of the other agency that are incidental to the normal duties of the cross-designated law enforcement officer.

V. Scope and Limitations

This Supplemental Agreement for cross-designation of law enforcement authority is limited to conducting initial law enforcement action (which includes requests that involve an immediate threat to persons, property, or resources) by Law Enforcement Officers on National Forest System lands administered by the _____ Region on the National Forest and on National Park System lands administered by the _____ National Park. As provided in the Master Agreement and Implementing Agreement, Law Enforcement Officers of the responding agency shall have the full extent of, but shall not exceed, the law enforcement authority of the requesting agency.

Any request that is outside of the above stated Scope and Limitations, shall require a specific request and approval from the Managers-in-Charge (pursuant to the conditions identified in the MOU Between USDA and USDI, Section IV, Procedures) by and for the "Agencies," and would require a separate certification on the mutual objective and benefits for compliance with the Economy Act.

VI. Cross-training and Reporting

Cross-designated law enforcement personnel will be provided a minimum of four (4) hours of training/briefing on the laws and regulations of the requesting agency. The Chief Law Enforcement Officer at the local level for each agency is responsible for ensuring this training is provided and that each officer successfully completes the training.

All cross-designated employee law enforcement actions taken, or incidents detected or investigated on lands administered by the requesting agency, will be reported to the requesting agency in a timely manner. Necessary forms/procedures will be provided by the requesting agency.

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VII. Principal Contacts

Park Superintendent, NPS

Telephone No.

Special Agent in Charge, FS

Telephone No.

VIII. Cost Reimbursements

This cross-designation hereunder is deemed to be a mutual objective and benefit of the "Agencies" and as such, reimbursements under the Economy Act are not appropriate.

IX. Modification

Modifications within the scope of this agreement shall be made by mutual consent of the parties, by the issuance of a written modification, signed and dated by both parties, prior to any changes being performed.

X. Duration of Agreement

This agreement shall be effective from the last date of execution and shall remain in effect for five years, unless terminated with a 60-day written notice from either party to the other party. This agreement may be modified or amended upon written request of either party and written concurrence of the other party.

XI. Approved

For the USDA Forest Service:

For the National Park Service:

Special Agent in Charge
_____ Region

Park Superintendent
_____ National Park

Date

Date

63.2 - Department of Justice

63.21 - Memorandum of Understanding Between Forest Service and Drug Enforcement Administration

The Memorandum of Understanding Between the Drug Enforcement Administration and the Forest Service is set forth in FSM 1534.11.

63.22 - Interagency Agreement Between Forest Service and United States Marshals Service

The Interagency Agreement Between the Forest Service and the United States Marshals Service is set forth in FSM 1534.61.

63.22a - Supplemental Interagency Agreement Between Forest Service and United States Marshals Service

The Supplemental Interagency Agreement Between the Forest Service and the United States Marshals Service is set forth in FSM 1534.61a.

63.23 - Memorandum of Understanding Between Drug Enforcement Administration, U.S. Forest Service, Civil Air Patrol, Inc., and U.S. Air Force

The Memorandum of Understanding Between the Drug Enforcement Administration, the U.S. Forest Service, the Civil Air Patrol, Inc., and the U.S. Air Force is set forth in FSM 1534.12.

63.3 - Department of Agriculture

63.31 - Agreement Between Forest Service and Office of Inspector General

The Agreement Between the Forest Service and Office of the Inspector General is set forth in FSM 1549.1.

63.4 - Department of Treasury

63.41 - Memorandum of Understanding Between Forest Service and Bureau of Alcohol, Tobacco and Firearms

The Memorandum of Understanding Between the Forest Service and the Bureau of Alcohol, Tobacco and Firearms is set forth in FSM 1534.7.