

**FISH AND WILDLIFE SERVICE
LAW ENFORCEMENT**

Law Enforcement

Part 450 Special Funds and Rewards

Chapter 2 The Payment of Rewards by the Office of Law Enforcement

450 FW 2

2.1 What is the purpose of this chapter? This chapter describes how and when the Office of Law Enforcement (OLE) pays rewards for law enforcement operations.

2.2 What are the authorities for this chapter?

- A. The Fish and Wildlife Revenue Enhancement Act (16 U.S.C. 742I (k)),
- B. The Endangered Species Act (16 U.S.C. 1540(e)(3)),
- C. The Lacey Act Amendments of 1981(16 U.S.C. 3375(b)), and
- D. The Rhinoceros and Tiger Conservation Act (16 U.S.C. 5305a (e)).

2.3 What is the policy? We may pay rewards, but only in situations in which an individual has furnished essential information leading to:

- A. An arrest,
- B. A criminal conviction,
- C. A civil penalty assessment, or
- D. Forfeiture of property.

2.4 What is the difference between paying for information and paying a reward? Special agents must distinguish between paying for information and paying a reward. The appropriate procedure depends on the effect the information has on the furtherance of an investigation.

A. Paying for information: If information furthers an investigation but has not yet led or does not lead to an arrest, criminal conviction, civil penalty assessment, or forfeiture of property, then the special agent pays for the information according to the procedures in 450 FW 1.

B. Paying a reward: If the information leads to one of these results, then the special agent may pay a reward according to the procedures in this chapter.

2.5 Are there people who are ineligible for rewards? Yes, special agents may not pay rewards to:

- A. An official of a foreign government, or
- B. Any person whose receipt of a reward would create a conflict of interest or appearance of impropriety.

2.6 May special agents offer rewards for information? Yes, special agents may offer rewards for information leading to the results in section 2.3. An example would be a reward posted in a local newspaper for information regarding a recent eagle shooting. One of the Acts in section 2.2 must authorize the reward offer, and the special agent's Special Agent in Charge (SAC) must approve it.

2.7 How does a special agent request payment of a reward?

- A. Once an arrest, criminal conviction, civil penalty assessment, or forfeiture of property has occurred; special agents request payment of a reward by sending a request (see Exhibit 1) in writing to the

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appropriate SAC. If the SAC approves the request, he/she sends it to the Chief/OLE for review.

B. Requests for paying rewards should include the following information:

- (1) The name, address, occupation, and employer (when appropriate) of the proposed recipient.
- (2) If the proposed recipient has had a personal relationship with a special agent, a family member of a special agent, or with any other person or family members of a person involved in the investigation, provide details of the relationship.
- (3) The permanent Cooperating Private Individual (CPI) identification number, if applicable.
- (4) The investigation (INV) number and title.
- (5) The amount of reward requested.
- (6) The total amount of compensation the individual has already received for assistance in the investigation, and the total amount of compensation paid to the individual within the last fiscal year for any investigation.
- (7) The authority for issuing the reward (see section 2.2 or 2.8).
- (8) A justification statement that must include:
 - (a) A summary of the investigation and a description of the individual's involvement,
 - (b) The number of subjects involved,
 - (c) The criminal or civil charges filed,
 - (d) The results of all legal proceedings. If legal proceedings are not completed prior to the request, the special agent must provide a reason why he/she is requesting the reward beforehand and include a statement confirming that the prosecuting attorney concurs with payment,
 - (e) The safety risk, if any, to the individual,
 - (f) The impact of the illicit activities to the resource,
 - (g) How the amount of the reward was chosen, and
 - (h) Circumstances, if any, requiring the issuance of a special check (see section 2.9).

2.8 From what accounts do we pay rewards?

A. When we pay rewards resulting from law enforcement operations under the Lacey Act, the Endangered Species Act, and the Rhinoceros and Tiger Conservation Act, the money comes from the Law Enforcement Reward Account.

B. When we pay rewards resulting from law enforcement operations under the Airborne Hunting Act, the African Elephant Conservation Act, the Archeological Resources Protection Act, the Bald and Golden Eagle Protection Act, the Marine Mammal Protection Act, the Migratory Bird Treaty Act, and the Wild Bird Conservation Act, the money comes from the Headquarters OLE Special Funds Account.

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2.9 Are there any special considerations for issuing checks to reward recipients?

A. We usually issue reward checks in the name of the reward recipient.

B. Sometimes a recipient wants to remain anonymous, and receiving a Government-issued check may reveal his/her cooperation with the Government. In these circumstances, we may use one of the following procedures to pay the reward:

(1) We may issue a covert check to the individual from the HQ/OLE Special Funds Account, or

(2) We may issue a check from the Law Enforcement Reward Account or the HQ/OLE Special Funds Account to the Regional Special Funds Account. The SAC then issues a check from the Regional Special Funds Account to the special agent responsible for the investigation. The special agent cashes the check and pays the reward to the individual in cash. In this situation, the special agent must send a Reimbursement Claim for Purchase of Evidence/Information (FWS Form 3-302) to the SAC. The form documents the cash reward payment.

C. The HQ/OLE mails all reward checks to the office of the SAC. The SAC coordinates with the special agent for delivery to the recipient.

2.10 Do special agents need to get receipts when they pay rewards? Yes, special agents need to get receipts when they pay rewards. Special agents should advise reward recipients that the reward is reportable as taxable income on Federal income tax returns and State and local taxes may be owed as well (See 450 FW 1, Exhibit 1 for a sample Receipt/Tax Acknowledgment letter).

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