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EPA, FDA stocking up on body armor during President Obama's watch

EPA, VA, FDA among those nabbing heavy armaments

Kellan Howell

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As the U.S. engages in a national debate over the militarization of the police, federal data shows that government agencies charged with largely administrative roles are spending tens of millions of taxpayer dollars to purchase SWAT and military-style equipment.

Since FY 2006, 44 traditionally administrative agencies have spent over \$71 million on items like body armor, riot helmets and shields, cannon launchers and police firearms and ammunition, according to federal spending data from watchdog group OpenTheBooks.com.

This comes in addition to the \$330 million spent on such equipment in that period by traditional law enforcement agencies like the [FBI](#), Secret Service and [Drug Enforcement Administration](#).

Some examples of the purchases include:

- Nearly \$2 million spent by the Department of Veterans Affairs on riot helmets, defender shields, body armor, a “milo return fire cannon system,” armored mobile shields, Kevlar blankets, tactical gear and equipment for crowd control.
- Over \$300,000 spent by the Food and Drug Administration on “ballistic vests and carriers” in fiscal 2014
- Over \$200,000 on body armor spent by the [Environmental Protection Agency](#) during the Obama administration years, versus just \$30,000 in the three previous fiscal years.
- More than \$28,000 by the Smithsonian Institution on body armor for its “zoo police and security officers” in fiscal 2012.

Spending watchdogs say these examples, highlighted in an upcoming oversight report by OpenTheBooks.com titled “Arming of the Federal Agencies,” point to a trend of duplicitous federal law enforcement agencies run amok.

“Spending \$71.1 million on body armor outside of traditional law enforcement agencies raises troubling questions. It’s no surprise Gallup found that nearly 50 percent of Americans believe the federal government is a threat to their liberty,” said Adam Andrzejewski, founder of OpenTheBooks.com and author of the oversight report.

“Living in D.C., one gets a sense of the growing police power of the federal government when you increasingly see official cars emblazoned with ‘fill-in-the-blank-agency Police Service’ for obscure bureaucracies you’ve hardly even heard of,” said Chris Edwards, a budget analyst at the Cato Institute.

For spending tens of millions of dollars on body armor and other protective gear for duplicative police forces, the VA, [EPA](http://EPA.gov), FDA and 41 other administrative agencies win this week’s Golden Hammer, a weekly distinction awarded by The Washington Times highlighting examples of wasteful federal spending.

“When agencies like the Bureau of Public Debt and Small Business Administration are spending money on body armor and bulletproof vests, it is an indicator of bloat in those agencies’ budgets and the wasteful incentive to spend every dime before the fiscal year-end,” Mr. Edwards said.

Federal agencies employ roughly 120,000 full-time officers authorized to carry guns and make arrests, according to a June 2012 report from the Bureau of Justice Statistics.

Administrative agencies with special police like the [EPA](http://EPA.gov), IRS and NOAA argue that their officers, just like other law enforcement officers, always face the potential for physical confrontation and must therefore be armed and ready.

Other agencies are required by Congress to have their own officers.

“Under the law (38 USC 902) VA police officers are appointed and trained to enforce Federal law within the Department’s jurisdiction. Because they are in every VA Medical Center, and the properties are Federally owned, the officers are the first responders to active threat incidents, civil disturbances or similar incidents,” a spokesman for the VA said in a statement to The Washington Times. “Facilities do receive excellent support from local police agencies, but our guys will be the first to respond.”

In a statement to The Times, a spokeswoman for the FDA said the agency’s Office of Criminal Investigations employs special agents that have the authority to obtain and execute arrest and search warrants, carry firearms and gather evidence to enforce U.S. criminal law on matters relating to the FDA.

“OCI provides its special agents with numerous resources to support investigations OCI Special Agents are dedicated to protecting the health and welfare of the public by investigating criminal allegations falling within the jurisdiction of the FDA,” the spokeswoman said.

Some agencies like the EPA, U.S. Fish and Wildlife Service and the Bureau of Land Management have come under fire in recent years for conducting raid-like operations with heavily armed agents. In 2013 armed EPA officers raided the town of Chicken, Alaska. The agency said the raid was conducted to look for possible violations of the Clean Water Act.

The EPA did not immediately respond to a request for comment.

In some cases Congress might require an agency to install its own police force when federal authorities won't take on the job.

According to Paul Larkin, a senior legal research fellow at The Heritage Foundation and a former special agent in charge with the EPA criminal enforcement program, the FBI was asked to take on the role of environmental law enforcement in 1986, but the bureau turned down the job, citing its newly added responsibilities in the war on drugs.

He added that administrative agencies also have an incentive to create their own police forces because it provides them the authority to bring criminal charges against someone that will not cooperate in a civil settlement on a special interest matter, like environmental violations.

“We have too many federal agencies with law enforcement authorities. If you're going to give somebody law enforcement authorities, there are certain expenses that come with it. The problem is that we have given law enforcement authority to far too many different agencies,” Mr. Larkin said.

He argued that administrative federal agencies should not handle their own criminal investigations, but should transfer those probes to the U.S. Marshals Service.

Several reports from the Government Accountability Office have highlighted concerns with the growing number of law enforcement officers at federal agencies over the year.

In 1996 32 agencies employed 4,262 law enforcement personnel, an increase of 70 percent since 1987, according to a GAO report.

A 2006 GAO report showed there were 25,000 sworn officers in smaller government agencies, excluding departments commonly associated with crime-fighting.

And that number has continued to balloon despite growing criticism.

“It’s unfortunate that problems like this don’t get addressed until there is some tragedy that occurs. Sometime there is going to be a use of force by someone, and the agency is not going to support the agent,” Mr. Larkin said. “The difference is, the FBI will stand by its agents; DEA will; the Marshals Service will. I had no belief the EPA would stand by its agents. Something like that is going to happen, and only then will the problem get addressed.”