



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

DIRECTOR'S ORDER NO. 162

Subject: Delegation of Authority - Chief, Law Enforcement

Sec. 1 What is the purpose of this Order? This Order delegates authority to the Chief, Law Enforcement to implement the actions specified in section 3 below. You may not redelegate these authorities unless authorized herein.

Sec. 2 Does this Order supersede or amend other directives? This Order amends the Fish and Wildlife Service Manual chapters, LE Handbook, and LE Memoranda noted in section 3.

Sec. 3 What authorities are delegated? The Chief, Law Enforcement has the authority to:

a. Approve requests for special agents to live more than 40 miles from their official duty station. (Reference: 445 FW 1)

b. Properly administer and manage availability pay system covering Service special agents, ensuring that:

(1) Availability pay is administered and applied to special agent positions equitably and consistently throughout the Service. (Reference: 225 FW 10)

(2) Subordinate managers and supervisors are accountable for the day-to-day management of availability pay and that appropriate action is taken against officials who fail to comply with the availability pay provisions. (Reference: 225 FW 10)

(3) Certify annually that each special agent meets or is expected to meet the required 2-hour average of unscheduled duty hours during the next 12 months. You may redelegate this authority in accordance with 225 FW 10. (Reference: 225 FW 10)

(4) Review written requests from special agents requesting that no overtime work, including unscheduled duty, be assigned for a specific period due to a personal or family hardship situation and make a determination regarding the merits of the request. (Reference: 225 FW 10)

c. Approve Standard Form 81 (Request for Space) for new space or changes in lease terms to existing space. (Reference: paragraph 2.6A(1), 370 FW 2)



d. Accept surety bonds or other security in accordance with applicable Service directives and 50 CFR to secure the release of fish and wildlife seized under authority of pertinent provisions of the Lacey Act, 16 U.S.C. 3371-3378; Endangered Species Act of 1973, 16 U.S.C. 1531-1543; and Marine Mammal Protection Act of 1972, 16 U.S.C. 1361-1384, 1401-1407. (Reference 032 FW 4)

e. Issue, modify, suspend, revoke, and deny import/export licenses pursuant to 50 CFR 14. You may redelgate this authority to Special Agents in Charge in accordance with 032 FW 7. (Reference: 032 FW 7)

f. Request mail covers from the U.S. Postal Service. (Reference: 3 LE 4.2)

g. Approve Class III undercover law enforcement operations. (Reference: LE Memorandum 20 Rev. 1)

h. Request approval of Class I and II undercover law enforcement operations. (Reference: 3 LE 12.6)

i. Issue commissions to individuals as U.S. deputy game wardens in accordance with established issuance criteria and Service policies. You may redelegate this authority to Special Agents in Charge. (Reference: 4 AM 4.2(d)(5))

j. Approve all news releases pertaining to Office of Law Enforcement investigations. Grant prior approval in conjunction with the U.S. Attorney. You may redelegate this authority to Special Agents in Charge. (Reference: 443 FW 2)

k. Issue directives that further implement components of the Service Directives System or that pertain to matters not covered in directives system. Law enforcement directives systems will be consistent with the provisions of 201 FW 1. (References: 010 FW 1 and 201 FW 1)

l. Perform all other duties relating to management and oversight of the Law Enforcement program that were previously delegated to the Regional Directors.

Sec. 4 When is this Order effective? This Order is effectively immediately. We will include the contents of this Order in the Fish and Wildlife Service Manual (010 FW 1, 032 FW 4, 032 FW 7, 201 FW 1, 225 FW 10, 370 FW 2, 443 FW 2, and 445 FW 1) and associated Handbooks.

Sec. 5 When does this Order expire? This Order will expire on March 31, 2005, unless amended, superseded, or revoked.



DIRECTOR

Date: January 6, 2004