

Department of the Interior Departmental Manual

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Part 142: U.S. Fish and Wildlife Service

Chapter 1: Creation, Authority, Objectives, and Functions

Originating Office: U.S. Fish and Wildlife Service

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1.1 U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service, working with others, is responsible for conserving, protecting, and enhancing fish and wildlife and their habitats for the continuing benefit of the American people through Federal programs relating to migratory birds, endangered species, interjurisdictional fish and marine mammals, and inland sport fisheries.

A. Creation and Authority. The Bureau of Sport Fisheries and Wildlife was created as a part of the U.S. Fish and Wildlife Service in the Department of the Interior on November 6, 1956, by the Fish and Wildlife Act of 1956 (70 Stat. 1119). That act was amended on July 1, 1974, by Public Law 93-271 (88 Stat. 92) to, among other purposes, abolish the position of Commissioner of Fish and Wildlife and designate the Bureau as the U.S. Fish and Wildlife Service.

B. Historical Information. The following statutes are cited for historical purpose only. These authorities were the forerunners of the present U.S. Fish and Wildlife Service.

(1) The Act of February 9, 1871 (16 Stat. 593), provided for the appointment of a Commissioner of fish and fisheries to prosecute investigations and inquiries on the number of the food fishes of the coast and the lakes of the United States, what protective, prohibitory, or precautionary measures should be adopted, and to report upon the same to Congress.

(2) The Act of March 3, 1885 (23 Stat. 353), appropriated sums for the Entomological Division in the Department of Agriculture for the promotion of economic ornithology, the study of the interrelation of birds and agriculture, and investigation of the food, habitats, and migration of birds in relation to both insects and plants, and publication of a report thereon.

(3) The Act of June 30, 1886 (24 Stat. 100), made appropriations to the Division of Economic Ornithology and Mammalogy in the Department of Agriculture for the promotion of economic ornithology and mammalogy, and investigations of the food, habitats, distribution, and migrations of North American birds and mammals in relation to agriculture, horticulture, and

forestry.

(4) The Act of April 23, 1896 (29 Stat. 99), appropriated funds to the Division of Biological Survey in the Department of Agriculture for biological investigations including the geographic distribution and migrations of animals, birds, and plants; for the promotion of economic ornithology and mammalogy; and investigation of the food and habitats of North American birds and mammals in relation to agriculture, horticulture, and forestry.

(5) Reorganization Plan No. 2 of 1939 (53 Stat. 1433) transferred the Bureau of Fisheries in the Department of Commerce and its functions, and the Bureau of Biological Survey in the Department of Agriculture and its functions to the Department of the Interior.

(6) Reorganization Plan No. 3 of 1940 (54 Stat. 1232) consolidated the Bureau of Fisheries and the Bureau of Biological Survey into one agency in the Department of the Interior to be known as the Fish and Wildlife Service.

(7) Reorganization Plan No. 3 of 1970 transferred to the Administrator, Environmental Protection Agency, functions relating to studies on the effects of insecticides, herbicides, fungicides, and pesticides upon the fish and wildlife resources of the United States; and functions administered by the Gulf Breeze Biological Laboratory of the Bureau of Commercial Fisheries at Gulf Breeze, Florida. Between October 2, 1970, the effective date of Reorganization Plan No. 4, and December 2, 1970, the effective date of Reorganization Plan No. 3, the Gulf Breeze Biological Laboratory was under the administration of the Secretary of the Interior.

(8) Reorganization Plan No. 4 of 1970 transferred to the Secretary of Commerce all functions vested in the Bureau of Commercial Fisheries exclusive of functions with respect to: (1) Great Lakes fishery research and activities related to the Great Lakes Fisheries Commission; (2) Missouri River Reservoir research; (3) Gulf Breeze Biological Laboratory at Gulf Breeze, Florida; and (4) Trans-Alaska pipeline investigations. Items (1), (2), and (4) were assigned to the Bureau of Sport Fisheries and Wildlife. The functions vested in the Secretary of the Interior by the Act of September 22, 1959 (Public Law 86-359, 73 Stat. 642, 16 U.S.C. 760e-760g), relating to migratory marine species of game fish also were transferred to the Commerce Department.

C. Authority. The authority of the Director, U.S. Fish and Wildlife Service, as delegated by the Assistant Secretary for Fish and Wildlife and Parks, is set forth in Part 242 of the Departmental Manual. The authority of subordinate officers and employees of the Service, as redelegated by the Director, is set forth in Parts 030 through 039 of the Fish and Wildlife Service Manual.

D. Objectives. The U.S. Fish and Wildlife Service has three basic objectives: (1) to assist in the development and application of an environmental stewardship ethic for our society, based on ecological principles, scientific knowledge of fish and wildlife, and a sense of moral responsibility; (2) to guide the conservation, development, and management of the Nation's fish and wildlife resources; and (3) to administer a national program to provide the public

opportunities to understand, appreciate, and wisely use fish and wildlife resources. These objectives support the Service mission of conserving, protecting, and enhancing fish and wildlife and their habitats for the continuing benefit of the American people.

E. Functions. In fulfillment of its mission, the U.S. Fish and Wildlife Service performs the following functions:

- (1) Acquires, protects, and manages unique ecosystems necessary to sustain fish and wildlife such as migratory birds, resident species, and endangered species.
- (2) Operates a National Fish Hatchery System in support of the restoration of depleted interjurisdictional fish stocks, the recovery of federally listed threatened and endangered species, and the fulfillment of Federal mitigation responsibilities.
- (3) Provides protection of fish and wildlife from dislocation or destruction of their habitats, overuse, and industrial, agricultural, and domestic pollutants.
- (4) Renders financial and professional technical assistance to States through Federal Aid programs for the enhancement and restoration of fish and wildlife resources.
- (5) Conducts programs of enforcement, management, and professional technical assistance to other agencies for the protection of endangered species.
- (6) Promulgates and enforces regulations for the protection of migratory birds, marine mammals, fish and other nonendangered wildlife from illegal taking, transportation, or sale within the United States or from foreign countries.
- (7) Conducts programs of planning, evaluation, and professional technical assistance to other agencies for the proper use and protection of fish and wildlife habitat that directly benefit the living natural resource and add quality to human life.
- (8) Conducts programs of interpretation, education, and recreation to foster a stewardship ethic in the American public through high quality fish and wildlife oriented experiences.
- (9) Communicates information essential for public awareness and understanding of the importance of fish and wildlife resources and interprets fish and wildlife changes reflecting environmental degradation that ultimately will affect the welfare of human beings.

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