

United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

ORDER NO. 3249

SIGNATURE DATE: September 5, 2003

Subject: Delegation of the Secretary's Law Enforcement Authority During National Emergencies, Catastrophic/Critical Incidents, and Other Situations

Sec. 1 **Purpose.** The purpose of this Order is to establish the circumstances and mechanism for delegation to the Deputy Assistant Secretary - Law Enforcement and Security of the full delegable authority of the Secretary over all law enforcement resources within the Department during National Emergencies, Catastrophic/Critical Incidents, and other situations at the direction of the Secretary or duly authorized successor to the Secretary. This Order implements Secretarial Law Enforcement Directive 2, which states, "To ensure coordinated responses at times of emergencies, the Deputy Assistant Secretary - Law Enforcement and Security should have direct authority (when delegated by the Secretary) to oversee the operational deployment of all Department of the Interior law enforcement officers." (July 19, 2002)

Sec. 2 **Authority.** The authority for this Order is Reorganization Plan Number 3 of 1950, as amended (64 Stat. 1262), 5 U.S.C. App.

Sec. 3 **Definitions.** For purposes of this Order the following definitions apply:

a. **National Emergency:** A situation that could result in, or has resulted in, a Presidential Declaration of a National Emergency.

b. **Catastrophic/Critical Incident:** A serious incident including, but not limited to, a terrorist action, a life threatening situation, a natural disaster or a significant threat to Departmental resources.

Sec. 4 **Delegation.**

a. In addition to the responsibilities assigned to the Deputy Assistant Secretary - Law Enforcement and Security by virtue of his/her regular position within the Department of the Interior, all authorities of the Secretary of the Interior over law enforcement resources may be delegated, through the Assistant Secretary - Policy, Management and Budget, to the Deputy Assistant Secretary - Law Enforcement and Security when the determination and declaration provided for in Section 4b are made.

b. The delegation provided for in Section 4a takes place only

when the Secretary or any duly authorized successor to the Secretary (as set forth in 302 DM 3) determines that a National Emergency, Catastrophic/Critical Incident, or other situation has occurred or is about to occur, and declares that such delegation shall go into effect.

Sec. 5 Limitations.

a. Authorities delegated under Section 4 may not be redelegated.

b. Any delegation under Section 4 will terminate when the Secretary or a duly authorized successor to the Secretary determines that the circumstances giving rise to the need for the delegation no longer exist.

c. To the extent that there are authorities of the Secretary over law enforcement resources that by law or regulation may not be delegated, such limitations will be identified in the Departmental Manual.

Sec. 6 Expiration Date. This Order is effectively immediately. It shall remain in effect until its provisions are converted to the Departmental Manual or until it is amended, superseded, or revoked, whichever occurs first. In the absence of any of the foregoing actions, this Order shall terminate and become obsolete on December 31, 2005.

/s/ Gale A. Norton
Secretary of the Interior

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