



## FOREST SERVICE MANUAL NATIONAL HEADQUARTERS (WO) WASHINGTON, DC

### FSM 1200 - ORGANIZATION

#### CHAPTER 1230 - DELEGATIONS OF AUTHORITY AND RESPONSIBILITY

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**Approved:** IRVING W. THOMAS  
Associate Deputy Chief

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**Posting Instructions:** Amendments are numbered consecutively by title and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this title was 1200-2005-1 to FSM 1230.

<b>New Document</b>	1230	81 Pages
<b>Superseded Document(s) by Issuance Number and Effective Date</b>	1230 (Amendment 1200-2005-1, 08/12/2005)	81 Pages

#### **Digest:**

1231.4 - Adds new section to provide direction on order of succession and delegations of authority during a continuity of operations event.

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### **1230.1 - Authority**

Regulations at Title 7, Subtitle A, Part 2 of the Code of Federal Regulations set forth the delegations of authority from the Secretary of Agriculture to general officers and agency heads of the Department. At 7 CFR 2.7, the Secretary provides authority to agency heads to delegate and redelegate authorities and responsibilities to appropriate officers and employees of their agencies (FSM 1232).

### **1230.2 - Objectives**

1. To divide work into manageable parts that can be efficiently accomplished with personnel and other resources available.
2. To assign work in a manner that enhances productivity and achieves management efficiencies.
3. To establish and maintain uniform patterns of delegation within the Forest Service.

### **1230.3 - Policy**

It is Forest Service policy to:

1. Delegate authority and assign responsibility consistent with the established line and staff officer organizational structure and chain of command (FSM 1220; FSM 1230.6).
2. Limit to line officers the authority to give orders that direct programs and personnel, except as required in special circumstances such as certain personnel, fiscal, and procurement transactions.
3. Decentralize and redelegate authority and responsibility to the greatest degree practicable consistent with law and policy, employee capability, available resources, program objectives, and effective management principles and practices.
4. Make and document delegations of general and specific authority and responsibility of a continuing nature and affecting more than one unit in the appropriate titles, chapters, and sections of the Forest Service Manual or in the Handbooks.
5. When delegating authority to execute instruments embodying real property transactions, give notice of the delegation in the Federal Register, citing where the delegation is found in the parent text of the Manual or in supplements or interim directives.

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#### **1230.4 - Responsibility**

1. The Chief reserves the authority to issue delegations or reservations of general authority in FSM Chapter 1230 to line officers who report directly to the Chief and to Washington Office staff officers.
2. The Deputy Chief for Business Operations has broad responsibility to monitor and review delegations and to advise the Chief on the appropriateness and adequacy of delegations and on the delegation process. The Service-wide Directive Manager, Directives and Regulations Branch, Director of the Office of Regulatory and Management Services, and the Director of Human Resources Management provide staff advice and assistance to the Deputy Chief in carrying out this responsibility.
3. Other line and staff officers within the Forest Service have the responsibility to carry out the objectives, policies, and standards set forth in this chapter commensurate with the authority and responsibility delegated to them in FSM 1235 and 1236. These officers also have the responsibility to recommend appropriate changes in delegations of authority.

In addition, certain basic authorities and responsibilities are assigned to line officers and others to staff officers. These are set forth in FSM 1230.41 and 1230.42.

4. The Associate Chief has the authority and responsibility to serve as the principal source of guidance on whether correspondence should be signed by the Chief or by other agency or USDA officials.

#### **1230.41 - Line Officers**

Within the constraints of applicable law, regulation, and policy and the limits of their assignments, line officers in the Forest Service are delegated authority and assigned responsibility to:

1. Plan, establish, and evaluate overall policies and programs.
2. Advise superior officers on matters of policy and program administration.
3. Supervise the formulation of, approve, and issue necessary directives, goals, policy, procedure, and standards.
4. Direct and supervise employees under their jurisdiction.

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5. Estimate workload and staffing needs of their organizations, allocate personnel and other resources, and expend funds within the limits and authorities established at higher levels.

6. Sign and execute documents within authorities granted by higher levels.

#### **1230.42 - Staff Officers**

Staff officers derive authority from the line officers to whom they report. Consistent with their specific assignments, staff officers are delegated authority and assigned responsibility for formulating, recommending, and evaluating policy, programs, and procedures and for advising and reporting on them to their superior line officers, to other staff, or to line officers at lower echelons. In certain limited areas, line officer authority and responsibility may be delegated to staff officers. Examples include certain personnel management functions and specific procurement, fiscal, and lands transactions. These delegations are made in other titles, chapters, and sections of the Forest Service Manual.

#### **1230.5 - Definitions**

Authority. Authority is the power to take action and make decisions. Basic authority for actions taken by Forest Service officials derives from statute, Executive order, regulation, or Departmental policy.

- a. General Authority. This is the broad authorization granted to an employee to do work, usually by subject matter, broad function or type of position, and/or geographical jurisdiction.
- b. Specific Authority. This is the authorization for an employee to take a specific, discrete action, the authority for which cannot be easily or readily inferred from a general delegation of authority. Examples include such actions as signing contracts, approving particular types of plans, or selling forest products.

Delegation. Delegation is the act of assigning, and thereby sharing, one's own authority or responsibility to subordinate personnel and of authorizing those personnel to take action. A delegation of general authority is a delegation of broad authority and responsibility to the incumbent of one position (for example, to the Associate Chief) or to the incumbents of a type or class of position (for example, to Forest Supervisors). Generally, delegations of authority are made to the title of a position and thus to the present incumbent of that position, rather than to a specific, named individual. Some delegations of authority, however, may require the naming of a particular individual; for example, when a unit head designates an employee to act as the unit head during a specified period of time.

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Redelegation. Redelegation is the act of reassigning authority one has received from a higher level to subordinate personnel. For example, the Secretary has authorized the Chief to direct and supervise personnel within the Forest Service. The Chief has redelegated this authority to numerous line officers, who, in turn, have redelegated this authority to lower echelon personnel.

### **1230.6 - Chain of Command**

By virtue of its organization (FSM 1220), employees of the Forest Service perform their work through line and staff officer relationships. A line organization refers to a direct line of command from one designated official to another. In the Forest Service, the direct line of command runs from the Chief to:

1. The Associate Chief and Deputy Chiefs.
  - a. One Washington Office Staff Director who does not have line officer authority also reports directly to the Chief: The Director of Civil Rights.
  - b. Another staff director, the Director of Law Enforcement and Investigations, Washington Office, has line authority and also reports directly to the Chief (para. 5):
2. Regional Forester, to Forest Supervisor, to District Ranger or comparable unit leaders.
3. Station Director, to Assistant Station Director, to Project Leader or Program Manager.
4. Area Director, to Assistant Area Director.
5. Washington Office, Director of Law Enforcement and Investigations, to the Regional Special Agent in Charge, to the appropriate supervisory law enforcement personnel.

### **1231 - DELEGATION PRINCIPLES AND PROCESS**

Review and make delegations of authority and responsibility in accordance with the policies and principles of this section.

#### **1231.03 - Policy**

1. Generally, a delegating officer (FSM 1231.05) may delegate authority only to positions or individuals who report directly to that officer. Exceptions exist in certain activities such as personnel management (FSM 6104.1, ex. 01). Check pertinent sections of the Forest Service Manual for specific exceptions.

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2. No delegation of authority precludes the officer who made the delegation from performing the duties conferred.
3. A delegating officer has the discretion to withdraw or amend any delegation made by that officer at any time.
4. A delegating officer may modify general delegations until an employee is judged capable of carrying out the full delegation of authority.
5. A delegating officer may limit the level to which an authority may be redelegated, but should do so only after careful consideration of all the factors in FSM 1231.1 and a conclusion that further delegation would expose the Agency or its employees to unacceptable risks or liabilities, or result in management inefficiencies.
6. Delegations must be consistent with the authority granted or restricted by pertinent law, order, regulation, or Forest Service Manual and Handbook direction.
7. In making a delegation, a delegating officer may reserve (that is, choose not to delegate) authority to take a particular action or class of actions. Consistent with Forest Service delegations policy and practice (FSM 1230.3), a delegating officer should reserve authority sparingly.

### **1231.05 - Definitions**

The term "delegating officer" refers to both line and staff officers. While staff officers have relatively few opportunities to delegate authority, there are some occasions, such as when assigning acting responsibility. Therefore, the term "delegating officer" has been used for technical accuracy.

### **1231.1 - Determining Level of Delegation**

Base decisions to delegate authority and responsibility on thorough analysis. Consider the following factors:

1. The organizational level at which the decision can logically be made.
2. Legal restrictions.
3. Coordination needs.
4. Availability of qualified personnel.
5. The length of time to which the Forest Service would be committed by a decision.



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6. The nature, scope, and impact of the decision (policy, program, technical).
7. The cost of performing the work at that level.
8. The opportunity to streamline operations through avoidance of unnecessary levels of review and concomitant reporting and paperwork burdens and the resulting opportunity to increase program efficiency and productivity.

**1231.2 - Signing Authority**

The authority to sign correspondence, directives, reports, and other documents is implicit in and derives from the delegation of authority to make the decision, take the action, or approve the course of action that is embodied in that document. For example, if the Chief reserves the authority to approve a certain type of land transaction, then the corresponding authority to sign and execute a document approving the transaction also is reserved to the Chief.

Agency protocol and practice require that the name of the agency head or other unit head appear on some letters and reports. For example, the Chief's name and title appear on correspondence to certain key Members of Congress, to other Federal officials, and to Governors. Exhibits 01 through 04 provide further guidance on signing authority and protocols.

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**1231.2 - Exhibit 01**

**WASHINGTON OFFICE SIGNING PROTOCOLS**

The levels at which various types of correspondence are to be signed and the signature block to be displayed in the Washington Office are set out in exhibits 02-04 of this section. The categories in exhibits 02-04 apply to all correspondence prepared in the Washington Office, whether or not the correspondence is controlled through the USDA Office of the Executive Secretariat's (OES) correspondence management system.

The Assistant Director, Controlled Correspondence Unit (CCU), Office of Regulatory and Management Services shall apply the criteria and categories in exhibits 02-04 to correspondence assigned to the Forest Service through the OES system and shall indicate the recommended signing official before controlled correspondence is referred to staffs. As new topics and issues arise, CCU shall seek the advice of the Associate Chief or others in the immediate Office of the Chief on whether or not the Chief will sign controlled correspondence on these new topics. Questions on appropriate signing levels of other types should first be referred to CCU for advice and then, if necessary, referred to the Associate Chief, or, in the absence of the Associate Chief, to the Acting Chief or staff in the immediate Office of the Chief.

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**1231.2 - Exhibit 02**

**USE OF CHIEF'S NAME AND TITLE ON CORRESPONDENCE**  
**AND OTHER DOCUMENTS**

The Chief's name and title may appear only on the following:

1. Ceremonial certificates, letters, and plaques of congratulations or appreciation, and award presentations to agency employees or partners who are being recognized for outstanding performance or significant contributions.
2. Letters of concern, sympathy, and condolence to employees and their families, especially when employees are seriously injured or killed in the line of duty.
3. Letters dealing with topics of keen interest to employees on which the interest and support of the Chief is deemed especially important -- such as employment issues (civil rights, workforce diversity, grievances, and so forth), or catastrophic events (floods, earthquakes, fires, terrorist actions, and so forth) affecting resources, employees, and agency operations.
4. Letters designating Acting Deputy Chiefs, Acting Regional Foresters and Directors, or other key "acting" assignments when these positions are vacant.
5. Letters announcing initiation of major programs, activities, or new or modified policies, that advance the Chief's key messages and priorities.
6. Memorandums to the Under Secretary, Deputy Secretary, or Secretary on major policy issues or controversies, especially those to be coordinated with other cabinet Secretaries or cleared with the Executive Office of the President.
7. Major budget or strategic planning initiatives.
8. Replies to correspondence in which a Member of Congress, Governor, senior Federal official, or leader of a major interest group personally urges the Chief to adopt a particular policy position or to otherwise personally become involved in an issue.
9. Letters to key Congressional Committee and Subcommittee Members or Chairpersons on Committee/Subcommittee matters or other policy issues.

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**1231.2 - Exhibit 03**

**CORRESPONDENCE TO BE SIGNED OVER THE NAME AND TITLE**  
**OF THE ASSOCIATE CHIEF**

The following correspondence should display the Associate Chief's name and title and be signed by the Associate Chief, or in the absence of the Associate Chief, by the Acting Chief over the Associate Chief's name and title:

1. Letters to Members of Congress, elected officials, or organizational officials that cross deputy areas or that otherwise need to be handled at the level of the Office of the Chief, but which are not designated for the Chief's review and signature.
2. Internal correspondence to Regional Foresters and Directors (RF&Ds) and WO Staff on administrative or program matters that cross Deputy areas.
3. Memorandums to Departmental officials that are not designated for the Chief's review and signature.
4. Responses to Freedom of Information Act appeals filed with the Chief.

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**1231.2 - Exhibit 04**

**USE OF NAME AND TITLE OF DEPUTY CHIEFS AND ASSOCIATE DEPUTY CHIEFS  
ON CORRESPONDENCE AND RELATED DOCUMENTS**

1. The following correspondence should be prepared for signature by a Deputy Chief and over the Deputy Chief's name and title:

- a. Correspondence to Members of Congress within the Deputy Chief's assigned program responsibilities and authority, especially on topics or issues of some sensitivity. Responses to congressional correspondence related to constituent service issues carry the signature block of the appropriate Deputy Chief but typically are signed by an Associate Deputy Chief or a Staff Director.
- b. Letters related to appeal procedures or appeal decision letters, when the Deputy Chief is the appeal reviewing/deciding officer.
- c. Day-to-day operational or interpretative policy letters to their field line officers and WO Staff Directors.
- d. Letters delegating acting authority, such as assigning the Acting Deputy Chief responsibility for the year.

2. An Associate Deputy Chief may sign the following correspondence but must do so over the Deputy Chief's name and title:

- a. Any correspondence to Members of Congress when serving as Acting Deputy Chief or as otherwise agreed to by the Deputy Chief.
- b. Internal correspondence to Regional Foresters and Directors on matters within the Deputy's assigned program jurisdiction and authority.

3. Associate Deputy Chiefs may sign the following over their own names and titles:

- a. Correspondence to WO Staff Directors about programs assigned to the Associate Deputy Chief.
- b. Letters related to appeal procedures or appeal decision letters when the Associate Deputy Chief is the appeal reviewing/deciding officer.
- c. Acting assignments in the absence of the Associate Deputy Chief.

4. Staff Directors may continue to sign routine correspondence related to constituent service issues to Members of Congress. Deputy Chiefs and Staff Directors need to ensure that personnel who are designated to act for them have the necessary experience and judgment to make informed and appropriate decisions about whether they should sign a particular letter or refer the letter to the next higher level.

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### **1231.3 - Acting Authority**

Heads of organizational units are frequently not available for periods of time. Positions also become vacant. In either event, the responsible officer must designate, in writing, an individual to act for, or as, the unit head. The designation of an "acting" must include the duration of the assignment.

Employees designated as "actings" automatically assume and have the power to exercise all the authority delegated to the officer for whom they are acting, unless the written designation specifically limits the exercise of certain authorities. For example, a line officer designating an "acting" may be specifically prohibited from allowing an "acting" to exercise a particular authority.

#### **1231.31 - Continuing Acting Authority**

A unit head may designate an employee to act on a continuing basis but only when the unit head is absent. For example, the Chief annually designates the Deputy Chiefs to serve as "Acting Chief" on a monthly rotation basis when the Chief and Associate Chief are not available. Position descriptions of employees who are expected to routinely act in the absence of a unit head generally reflect this authority and responsibility also.

#### **1231.32 - Vacancy in Line or Primary Staff Positions**

When any position listed in FSM 1235 or FSM 1236 becomes vacant, the immediate superior line officer shall appoint an acting until the position is filled. Employees acting in this situation shall sign documents as "Acting"; for example, Acting Director, Acting Forest Supervisor, Acting Regional Forester. Refer to FSM 6130 for direction on duration of employees named as "actings" in vacancies.

#### **1231.4 - Continuity of Operations (COOP)**

For detailed instructions on orders of succession and delegation of authority during a COOP event, see the Washington Office COOP Plan maintained by the Office of Occupational Safety and Health.

### **1232 - DELEGATIONS OF AUTHORITY TO UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT**

The Secretary has delegated authority related to Forest Service programs to the Under Secretary for Natural Resources and Environment. These program authorities are set forth in Title 7, Subtitle A, Code of Federal Regulations, Part 2, Subpart C, section 2.20 (7 CFR 2.20) and are displayed in exhibit 01.

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**1232 - Exhibit 01**

**DELEGATIONS OF AUTHORITY TO UNDER SECRETARY  
FOR NATURAL RESOURCES AND ENVIRONMENT (7 CFR 2.20)**

Subpart C - Delegations of Authority to the Deputy Secretary, the Under Secretary and Assistant Secretaries.

Sec. 2.20 Delegations of authority to the Under Secretary for Natural Resources and Environment.

(a) The following delegations of authority are made by the Secretary of Agriculture to the Under Secretary for Natural Resources and Environment:

(1) Related to environmental quality. (i) Administer the implementation of the National Environmental Policy Act for the United States Department of Agriculture (USDA).

(ii) Represent USDA on Regional Response Teams on hazardous spills and oil spills pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act (OPA), as amended (33 U.S.C. 2701 et seq.), Executive Order 12580, 3 CFR, 1987 Comp., p. 193, Executive Order 12777, 3 CFR, 1991 Comp., p. 351, and the National Contingency Plan, 40 CFR part 300.

(iii) Represent USDA in contacts with the United States Environmental Protection Agency, the Council on Environmental Quality, and other organizations or agencies on matters related to assigned responsibilities.

(iv) Formulate and promulgate USDA policy relating to environmental activity and natural resources.

(v) Provide staff support for the Secretary in the review of environmental impact statements.

(vi) Provide leadership in USDA for general land use activities including implementation of Executive Order 11988, Flood Plain Management, 3 CFR, 1977 Comp., p. 117, and Executive Order 11990, Protection of Wetlands, 3 CFR, 1977 Comp., p. 121.

(vii) Take such action as may be necessary, including issuance of administrative orders, and enter into agreements with any person to perform any response action under sections 106(a) and 122 (except subsection (b)(1)) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. 9606(a), 9622), pursuant to sections 4(c)(3) and 4(d)(3) of Executive Order No. 12580, as amended by Executive Order No. 13016, to be exercised only with the concurrence of the General Counsel.

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**1232 - Exhibit 01--Continued**

**DELEGATIONS OF AUTHORITY TO UNDER SECRETARY**  
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(viii) Exercise the functions of the Secretary of Agriculture authorized in Title V of the Department of the Interior and Related Agencies Appropriations Act of 1998, Pub. L. 105-83, relating to the acquisition of the New World Mine and other priority land acquisitions, land exchanges, and other activities.

(ix) Serve on the USDA Hazardous Materials Policy Council.

(x) Recommend actions and policies that enable agencies under his or her authority to comply with the intent, purposes, and standards of environmental laws for pollution prevention, control, and abatement.

(xi) Consult with the United States Environmental Protection Agency and other appropriate Federal agencies in developing pollution prevention, control, and abatement policies and programs relating to agencies under his or her authority.

(2) Related to forestry. (i) Provide national leadership in forestry. (As used here and elsewhere in this section, the term "forestry" encompasses renewable and nonrenewable resources of forests, including lands governed by the Alaska National Interest Lands Conservation Act, forest-related rangeland, grassland, brushland, woodland, and alpine areas including but not limited to recreation, range, timber, minerals, watershed, wildlife and fish; natural scenic, scientific, cultural, and historic values of forests and related lands; and derivative values such as economic strength and social well-being).

(ii) Protect, manage, and administer the national forests, national forest purchase units, national grasslands, and other lands and interests in lands administered by the Forest Service, which collectively are designated as the National Forest System. This delegation covers the acquisition and disposition of lands and interests in lands as may be authorized for the protection, management, and administration of the National Forest System, including the authority to approve acquisition of land under the Weeks Act of March 1, 1911, as amended (16 U.S.C. 521), and special forest receipts acts, as follows: (Pub. L. 337, 74th Cong., 49 Stat. 866, as amended by Pub. L. 310, 78th Cong., 58 Stat. 227; Pub. L. 505, 75th Cong., 52 Stat. 347, as amended



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by Pub. L. 310, 78th Cong., 58 Stat. 227; Pub. L. 634, 75th Cong., 52 Stat. 699, as amended by Pub. L. 310, 78th Cong., 58 Stat. 227; Pub. L. 748, 75th Cong., 52 Stat. 1205, as amended by Pub. L. 310, 78th Cong., 58 Stat. 227; Pub. L. 427, 76th Cong., 54 Stat. 46; Pub. L. 589, 76th Cong., 54 Stat. 297; Pub. L. 591, 76th Cong., 54 Stat. 299; Pub. L. 637, 76th Cong., 54 Stat. 402; Pub. L. 781, 84th Cong., 70 Stat. 632).

(iii) As necessary for administrative purposes, divide into and designate as national forests any lands of 3,000 acres or more which are acquired under or subject to the Weeks Act of March 1, 1911, as amended, and which are contiguous to existing national forest boundaries established under the authority of the Weeks Act.

(iv) Plan and administer wildlife and fish conservation rehabilitation and habitat management programs on National Forest System lands, pursuant to 16 U.S.C. 670g, 670h, and 670o.

(v) For the purposes of the National Forest System Drug Control Act of 1986 (16 U.S.C. 559b-f), specifically designate certain specially trained officers and employees of the Forest Service, not exceeding 500, to have authority in the performance of their duties within the boundaries of the National Forest System:

(A) To carry firearms;

(B) To enforce and conduct investigations of violations of section 401 of the Controlled Substance Act (21 U.S.C. 841) and other criminal violations relating to marijuana and other controlled substances that are manufactured, distributed, or dispensed on National Forest System lands;

(C) To make arrests with a warrant or process for misdemeanor violations, or without a warrant for violations of such misdemeanors that any such officer or employee has probable cause to believe are being committed in that employee's presence or view, or for a felony with a warrant or without a warrant if that employee has probable cause to believe that the person being arrested has committed or is committing such a felony;

(D) To serve warrants and other process issued by a court or officer of competent jurisdiction;

(E) To search, with or without a warrant or process, any person, place, or conveyance according to Federal law or rule of law; and

(F) To seize, with or without warrant or process, any evidentiary item according to Federal law or rule of law.

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**DELEGATIONS OF AUTHORITY TO UNDER SECRETARY  
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(vi) Authorize the Forest Service to cooperate with the law enforcement officials of any Federal agency, State, or political subdivision, in the investigation of violations of, and enforcement of, section 401 of the Controlled Substances Act (21 U.S.C. 841), other laws and regulations relating to marijuana and other controlled substances, and State drug control laws or ordinances, within the boundaries of the National Forest System.

(vii) Administer programs under section 23 of the Federal Highway Act (23 U.S.C. 101(a), 120(f), 125(a)-(c), 138, 202(a)-(b), 203, 204(a)-(h), 205(a)-(d), 211, 317, 402(a)).

(viii) Exercise the administrative appeal functions of the Secretary of Agriculture in review of decisions of the Chief of the Forest Service pursuant to 36 CFR parts 215 and 36 CFR part 251, subpart C.

(ix) Conduct, support, and cooperate in investigations, experiments, tests, and other activities deemed necessary to obtain, analyze, develop, demonstrate, and disseminate scientific information about protecting, managing, and utilizing forest and rangeland renewable resources in rural, suburban, and urban areas in the United States and foreign countries. The activities conducted, supported, or cooperated in shall include, but not be limited to: renewable resource management research, renewable resource environmental research; renewable resource protection research; renewable resource utilization research, and renewable resource assessment research (16 U.S.C. 1641-1647).

(x) Use authorities and means available to disseminate the knowledge and technology developed from forestry research (16 U.S.C. 1645).

(xi) Coordinate activities with other agencies in USDA, other Federal and State agencies, forestry schools, and private entities and individuals (16 U.S.C. 1643).

(xii) Enter into contracts, grants, and cooperative agreements for the support of scientific research in forestry activities (7 U.S.C. 427i(a), 1624; 16 U.S.C. 582a-8, 1643-1645, 1649).

(xiii) Enter into cooperative research and development agreements with industry, universities, and others; institute a cash award program to reward scientific, engineering, and technical personnel; award royalties to inventors; and retain and use royalty income (15 U.S.C. 3710a-3710c).

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(xiv) Enter into contracts, grants, or cooperative agreements to further research, extension, or teaching programs in the food and agricultural sciences (7 U.S.C. 3152, 3318).

(xv) Enter into cost-reimbursable agreements relating to agricultural research, extension, or teaching activities (7 U.S.C. 3319a).

(xvi) Administer programs of cooperative forestry assistance in the protection, conservation, and multiple resource management of forests and related resources in both rural and urban areas and forest lands in foreign countries (16 U.S.C. 2101-2114).

(xvii) Provide assistance to States and other units of government in forest resources planning and forestry rural revitalization (7 U.S.C. 6601, 6611-6617; 16 U.S.C. 2107).

(xviii) Conduct a program of technology implementation for State forestry personnel, private forest landowners and managers, vendors, forest operators, public agencies, and individuals (16 U.S.C. 2107).

(xix) Administer Rural Fire Protection and Control Programs (16 U.S.C. 2106).

(xx) Provide technical assistance on forestry technology or the implementation of the Conservation Reserve and Softwood Timber Programs authorized in sections 1231-1244 and 1254 of the Food Security Act of 1985 (16 U.S.C. 3831-3844; 7 U.S.C. 1981 note).

(xxi) Administer forest insect, disease, and other pest management programs (16 U.S.C. 2104).

(xxii) Exercise the custodial functions of the Secretary for lands and interests in lands under lease or contract of sale to States and local agencies pursuant to title III of the Bankhead-Jones Farm Tenant Act and administer reserved and reversionary interests in lands conveyed under that Act (7 U.S.C. 1010-1012).

(xxiii) Under such general program criteria and procedures as may be established by the Natural Resources Conservation Service:

(A) Administer the forestry aspects of the programs listed in paragraphs (a)(2)(xxiii)(A)(1), (2) and (3) of this section on the National Forest System, rangelands with national forest boundaries, adjacent rangelands which are administered under formal agreement, and other forest lands;

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- (1) The cooperative river basin surveys and investigations program (16 U.S.C. 1006);
- (2) The Eleven Authorized Watershed Improvement Programs and Emergency Flood Prevention Measures Program under the Flood Control Act (33 U.S.C. 701b-1); and
- (3) The Small Watershed Protection Program under the Pilot Watershed Protection and Watershed Protection and Flood Prevention Acts (7 U.S.C. 701a-h; 16 U.S.C. 1001-1009); and
- (B) Exercise responsibility in connection with the forestry aspects of the Resource Conservation and Development Program authorized by title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(e)).
- (xxiv) Provide assistance to the Farm Service Agency in connection with the Agricultural Conservation Program, the Naval Stores Conservation Program, and the Cropland Conversion Program (16 U.S.C. 590g-q).
- (xxv) Provide assistance to the Rural Housing Service in connection with grants and loans under authority of section 303 of the Consolidated Farm and Rural Development Act, 7 U.S.C. 1923; and consultation with the Department of Housing and Urban Development under the authority of 40 U.S.C. 461(e).
- (xxvi) Coordinate mapping work of USDA including:
  - (A) Clearing mapping projects to prevent duplication;
  - (B) Keeping a record of mapping done by USDA agencies;
  - (C) Preparing and submitting required USDA reports;
  - (D) Serving as liaison on mapping with the Office of Management and Budget, Department of Interior, and other departments and establishments;
  - (E) Promoting interchange of technical mapping information, including techniques which may reduce costs or improve quality; and
  - (F) Maintaining the mapping records formerly maintained by the Office of Operations.
- (xxvii) Administer the radio frequency licensing work of USDA, including:
  - (A) Representing USDA on the Interdepartmental Radio Advisory Committee and its Frequency Assignment Subcommittee of the National Telecommunications and Information Administration, Department of Commerce;

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(B) Establishing policies, standards, and procedures for allotting and assigning frequencies within USDA and for obtaining effective utilization of them;

(C) Providing licensing action necessary to assign radio frequencies for use by the agencies of USDA and maintenance of the records necessary in connection therewith;

(D) Providing inspection of USDA's radio operations to ensure compliance with national and international regulations and policies for radio frequency use; and

(E) Representing USDA in all matters relating to responsibilities and authorities under the Federal Water Power Act, as amended (16 U.S.C. 791-823).

(xxviii) [Reserved]

(xxix) Administer the Youth Conservation Corps Act (42 U.S.C. precede 2711 note) for USDA.

(xxx) Establish and operate the Job Corps Civilian Conservation Centers on National Forest System lands as authorized by title I, sections 106 and 107 of the Economic Opportunity Act of 1964 (42 U.S.C. 2716-2717), in accordance with the terms of an agreement dated May 11, 1967, between the Secretary of Agriculture and the Secretary of Labor; and administration of other cooperative manpower training and work experience programs where the Forest Service serves as host or prime sponsor with other Departments of Federal, State, or local governments.

(xxxi) Administer the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a-558d, 558a note).

(xxxii) Exercise the functions of the Secretary of Agriculture authorized in the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101-3215).

(xxxiii) Exercise the functions of the Secretary as authorized in the Wild and Scenic Rivers Act (16 U.S.C. 1271-1278).

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(xxxiv) Jointly administer gypsy moth eradication activities with the Assistant Secretary for Marketing and Regulatory Programs, under the authority of section 102 of the Organic Act of 1944, as amended; and the Act of April 6, 1937, as amended (7 U.S.C. 147a, 148, 148a-148e); and the Talmadge Aiken Act (7 U.S.C. 450), by assuming primary responsibility for treating isolated gypsy moth infestations on Federal lands, and on State and private lands contiguous to infested Federal lands, and any other infestations over 640 acres on State and private lands.

(xxxv) Exercise the functions of the Secretary authorized in the Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 226 et seq.).

(xxxvi) Administer the Public Lands Corps program (16 U.S.C. 1721 et seq.) for USDA consistent with the Department's overall national service program.

(xxxvii) Jointly administer the Forestry Incentives Program with the Natural Resources Conservation Service, in consultation with State Foresters, under section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103).

(xxxviii) Focusing on countries that could have a substantial impact on global warming, provide assistance that promotes sustainable development and global environmental stability; share technical, managerial, extension, and administrative skills; provide education and training opportunities; engage in scientific exchange; and cooperate with domestic and international organizations that further international programs for the management and protection of forests, rangelands, wildlife, fisheries and related natural resources (16 U.S.C. 4501-4505).

(xxxix) Enter into pilot projects with the Bureau of Land Management (BLM), U.S. Department of the Interior, in support of the Service First initiative for the purpose of promoting customer service and efficiency in managing National Forest System lands and public lands and delegate to BLM employees those Forest Service authorities necessary to carry out pilot projects (Public Law 106-291).

(3) Related to natural resources conservation. (i) Provide national leadership in the conservation, development and productive use of the Nation's soil, water, and related resources. Such leadership encompasses soil, water, plant, and wildlife conservation; small watershed protection and flood prevention; and resource conservation and

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development. Integrated in these programs are erosion control, sediment reduction, pollution abatement, land use planning, multiple use, improvement of water quality, and several surveying and monitoring activities related to environmental improvement. All are designed to assure:

- (A) Quality in the natural resource base for sustained use;
  - (B) Quality in the environment to provide attractive, convenient, and satisfying places to live, work, and play; and
  - (C) Quality in the standard of living based on community improvement and adequate income.
- (ii) Provide national leadership in and evaluate and coordinate land use policy, and administer the Farmland Protection Policy Act (7 U.S.C. 4201 et seq.), including the Farms for the Future Program authorized by sections 1465-1470 of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended (7 U.S.C. 4201 note), except as otherwise delegated to the Under Secretary for Research, Education, and Economics in Sec. 2.21(a)(1)(lxii).
- (iii) Administer the basic program of soil and water conservation under Pub. L. No. 46, 74th Congress, as amended, and related laws (16 U.S.C. 590 a-f, i-l, q, q-1; 42 U.S.C. 3271-3274; 7 U.S.C. 2201), including:
- (A) Technical and financial assistance to land users in carrying out locally adapted soil and water conservation programs primarily through soil and water conservation districts in the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, and Federally recognized Native America tribes, but also to communities, watershed groups, Federal and State agencies, and other cooperators. This authority includes such assistance as:
    - (1) Comprehensive planning assistance in nonmetropolitan districts;
    - (2) Assistance in the field of income-producing recreation on rural non-Federal lands;
    - (3) Forestry assistance, as part of total technical assistance to private land owners and land users when such services are an integral part of land management and such services are not available from a State agency; and forestry services in connection with windbreaks and shelter belts to prevent wind and water erosion of lands;

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(4) Assistance in developing programs relating to natural beauty;  
and

(5) Assistance to other USDA agencies in connection with the  
administration of their programs, as follows:

(i) To the Farm Service Agency in the development and technical  
servicing of certain programs, such as the Agricultural Conservation  
Program and other such similar conservation programs;

(ii) To the Rural Housing Service in connection with their loan and  
land disposition programs;

(B) Soil Surveys, including:

(1) Providing leadership for the Federal part of the National  
Cooperative Soil Survey which includes conducting and publishing soil  
surveys;

(2) Conducting soil surveys for resource planning and development;  
and

(3) Performing the cartographic services essential to carrying out  
the functions of the Natural Resources Conservation Service, including  
furnishing photographs, mosaics, and maps;

(C) Conducting and coordinating snow surveys and making water  
supply forecasts pursuant to Reorganization Plan No. IV of 1940  
(5 U.S.C. App.);

(D) Operating plant materials centers for the assembly and testing  
of plant species in conservation programs, including the use,  
administration, and disposition of lands under the administration of the  
Natural Resources Conservation Service for such purposes under title III  
of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010-1011); and

(E) Providing leadership in the inventorying and monitoring of soil,  
water, land, and related resources of the Nation.

(iv) Administer the Watershed Protection and Flood Prevention  
Programs, including:

(A) The eleven authorized watershed projects authorized under 33  
U.S.C. 702b-1;

(B) The emergency flood control work under 33 U.S.C. 701b-1;

(C) The Cooperative River Basin Surveys and Investigations Programs  
under 16 U.S.C. 1006;

(D) The pilot watershed projects under 16 U.S.C. 590 a-f and 16  
U.S.C. 1001-1009;



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(E) The Watershed Protection and Flood Prevention Program under 16 U.S.C. 1001-1009, except for responsibilities assigned to the Under Secretary for Rural Economic and Community Development;

(F) The joint investigations and surveys with the Department of the Army under 16 U.S.C. 1009; and

(G) The Emergency Conservation Program under sections 401-405 of the Agricultural Credit Act of 1978 (the Act), 16 U.S.C. 2201 et seq., except for the provisions of sections 401 and 402 of the Act, 16 U.S.C. 2201-2202, as administered by the Under Secretary for Farm and Foreign Agricultural Services.

(v) Administer the Great Plains Conservation Program and the Critical Lands Resources Conservation Program under 16 U.S.C. 590p(b), 590q and 590q-3.

(vi) Administer the Resource Conservation and Development Program under 16 U.S.C. 590 a-f; 7 U.S.C. 1010-1011; and 16 U.S.C. 3451-3461, except for responsibilities assigned to the Under Secretary for Rural Economic and Community Development.

(vii) Responsibility for entering into long-term contracts for carrying out conservation and environmental measures in watershed areas.

(viii) Provide national leadership for and administer the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2001 et seq.).

(ix) Administer the Rural Clean Water Program and other responsibilities assigned under section 35 of the Clean Water Act of 1977 (33 U.S.C. 1251 et seq.).

(x) Monitor actions and progress of USDA in complying with Executive Order 11988, Flood Plain Management, 3 CFR, 1977 Comp., p. 117, and Executive Order 11990, Protection of Wetlands, 3 CFR, 1977 Comp., p. 121, regarding management of floodplains and protection of wetlands; monitor USDA efforts on protection of important agricultural, forest and rangelands; and provide staff assistance to the USDA Natural Resources and Environment Committee.

(xi) Administer the search and rescue operations authorized under 7 U.S.C. 2273.

(xxii) Administer section 202(c) of the Colorado River Basin Salinity Control Act, 43 U.S.C. 1592(c), including:

(A) Identify salt source areas and determine the salt load resulting from irrigation and watershed management practices;

(B) Conduct salinity control studies of irrigated salt source areas;

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(C) Provide technical and financial assistance in the implementation of salinity control projects including the development of salinity control plans, technical services for application, and certification of practice applications;

(D) Develop plans for implementing measures that will reduce the salt load of the Colorado River;

(E) Develop and implement long-term monitoring and evaluation plans to measure and report progress and accomplishments in achieving program objectives; and

(F) Enter into and administer contracts with program participants and waive cost-sharing requirements when such cost-sharing requirements would result in a failure to proceed with needed on-farm measures.

(xiii) Administer natural resources conservation authorities under title XII of the Food Security Act of 1985 (Act), as amended (16 U.S.C. 3801 et seq.), including responsibilities for:

(A) The conservation of highly erodible lands and wetlands pursuant to sections 1211-1223 of the Act (16 U.S.C. 3811-3823);

(B) Technical assistance related to soil and water conservation technology for the implementation and administration of the Conservation Reserve Program authorized by sections 1231-1244 of the Act, as amended (16 U.S.C. 3831-3844);

(C) The Environmental Easement Program authorized by sections 1239-1239d of the Act (16 U.S.C. 3839-3839d);

(D) The Agricultural Water Quality Improvement Program authorized by sections 1238-1238f of the Act, as amended (16 U.S.C. 3838-3838f); and

(E) The Wetland Reserve Program and the Emergency Wetlands Reserve Program authorized by sections 1237-1237f of the Act, as amended (16 U.S.C. 3837-3837f), and the Emergency Supplemental Appropriations for Relief From the Major, Widespread Flooding in the Midwest Act of 1993, Pub. L. No. 103-75.

(xiv) Approve and transmit to the Congress comprehensive river basin reports.

(xv) Provide representation on the Water Resources Council and river basin commissions created by 42 U.S.C. 1962, and on river basin interagency committees.

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(xvi) Jointly administer the Forestry Incentives Program with the Forest Service, in consultation with State Foresters, under section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103).

(xvii) Administer the Water Bank Program under the Water Bank Act (16 U.S.C. 1301 et seq.).

(xviii) Administer water quality activities under the Agriculture and Water Policy Coordination Act, subtitle G, title XIV of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended (7 U.S.C. 5501-5505).

(xix) Administer the Rural Environmental Conservation Program authorized by sections 1001-1010 of the Agriculture Act of 1970, as amended (16 U.S.C. 1501-1510).

(xx) Coordinate USDA input and assistance to the Department of Commerce and other Federal agencies consistent with section 307 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456), and coordinate USDA review of qualifying state and local government coastal management plans or programs prepared under such Act and submitted to the Secretary of Commerce, consistent with section 306(a) and (c) of such Act (16 U.S.C. 1455(a) and (c)).

(4) Related to committee management. Establish and reestablish regional, state, and local advisory committees for activities under his or her authority. This authority may not be redelegated.

(5) Related to defense and emergency preparedness. Administer responsibilities and functions assigned under the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.) and title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq.), relating to agricultural land and water, forests and forest products, rural fire defense, and forestry research.

(6) Related to surface mining control and reclamation. Administer responsibilities and functions assigned to the Secretary of Agriculture under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.).

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(7) Related to environmental response. (i) With respect to land and facilities under his or her authority, to exercise the functions delegated to the Secretary by Executive Order 12580, 3 CFR, 1987 Comp., p. 193, and Executive Order 12777, 3 CFR, 1991 Comp., p. 351, to act as Federal trustee for natural resources in accordance with section 107(f) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607(f)), section 311(f)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(f)(5)), and section 1006(b)(2) of the Oil Pollution Act of 1990 (33 U.S.C. 2706(b)(2)).

(ii) With respect to land and facilities under his or her authority, to exercise the functions delegated to the Secretary by Executive Order 12580, 3 CFR, 1987 Comp., p. 193, under the following provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("the Act"), as amended:

(A) Sections 104(a), (b), and (c)(4) of the Act (42 U.S.C. 9604(a), (b), and (c)(4)), with respect to removal and remedial actions in the event of release or threatened release of a hazardous substance, pollutant, or contaminant into the environment;

(B) Sections 104(e)-(h) of the Act (42 U.S.C. 9604(e)-(h)), with respect to information gathering and access requests and orders; compliance orders; compliance with Federal health and safety standards and wage and labor standards applicable to covered work; and emergency procurement powers;

(C) Section 104(i)(11) of the Act (42 U.S.C. 9604(i)(11)), with respect to the reduction of exposure to significant risk to human health;

(D) Section 104(j) of the Act (42 U.S.C. 9604(j)), with respect to the acquisition of real property and interests in real property required to conduct a remedial action;

(E) The first two sentences of section 105(d) of the Act (42 U.S.C. 9605(d)), with respect to petitions for preliminary assessment of a release or threatened release;

(F) Section 105(f) of the Act (42 U.S.C. 9605(f)), with respect to consideration of the availability of qualified minority firms in awarding contracts, but excluding that portion of section 105(f) of the Act pertaining to the annual report to Congress;

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(G) Section 109 of the Act (42 U.S.C. 9609), with respect to the assessment of civil penalties for violations of section 122 of the Act (42 U.S.C. 9622), and the granting of awards to individuals providing information;

(H) Section 111(f) of the Act (42 U.S.C. 9611(f)), with respect to the designation of officials who may obligate money in the Hazardous Substances Superfund;

(I) Section 113(g) of the Act (42 U.S.C. 9613(g)), with respect to receiving notification of a natural resource trustee's intent to file suit;

(J) Section 113(k) of the Act (42 U.S.C. 9613(k)), with respect to establishing an administrative record upon which to base the selection of a response action and identifying and notifying potentially responsible parties;

(K) Section 116(a) of the Act (42 U.S.C. 9616(a)), with respect to preliminary assessment and site inspection of facilities;

(L) Section 117(a) and (c) of the Act (42 U.S.C. 9617(a) and (c)), with respect to public participation in the preparation of any plan for remedial action and explanation of variances from the final remedial action plan for any remedial action or enforcement action, including any settlement or consent decree entered into;

(M) Section 119 of the Act (42 U.S.C. 9619), with respect to indemnifying response action contractors;

(N) Section 121 of the Act (42 U.S.C. 9621), with respect to cleanup standards; and

(O) Section 122 of the Act (42 U.S.C. 9622), with respect to settlements, but excluding section 122(b)(1) of the Act (42 U.S.C. 9622(b)(1)), relating to mixed funding agreements.

(iii) With respect to land and facilities under his or her authority, to exercise the authority vested in the Secretary of Agriculture to act as the "Federal Land Manager" pursuant to the Clean Air Act, as amended (42 U.S.C. 7401 et seq.).

(8) Related to compliance with environmental laws. With respect to facilities and activities under his or her authority, to exercise the authority of the Secretary of Agriculture pursuant to section 1-102 related to compliance with applicable pollution control standards and section 1-601 of Executive Order 12088, 3 CFR, 1978 Comp., p. 243, to

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enter into an inter-agency agreement with the United States Environmental Protection Agency, or an administrative consent order or a consent judgment in an appropriate United States District Court with an appropriate State, interstate, or local agency, containing a plan and schedule to achieve and maintain compliance with applicable pollution control standards established pursuant to the following:

(i) Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, the Hazardous and Solid Waste Amendments, and the Federal Facility Compliance Act (42 U.S.C. 6901 et seq.);

(ii) Federal Water Pollution Prevention and Control Act, as amended (33 U.S.C. 1251 et seq.);

(iii) Safe Drinking Water Act, as amended (42 U.S.C. 300f et seq.);

(iv) Clean Air Act, as amended (42 U.S.C. 7401 et seq.);

(v) Noise Control Act of 1972, as amended (42 U.S.C. 4901 et seq.);

(vi) Toxic Substances Control Act, as amended (15 U.S.C. 2601 et seq.);

(vii) Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 et seq.); and

(viii) Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601 et seq.).

(9) Related to outreach and technical assistance to socially disadvantaged farmers and ranchers. Provide outreach and technical assistance to socially disadvantaged farmers and ranchers and make grants and enter into contracts and other agreements to provide such outreach and technical assistance under 7 U.S.C. 2279.

(b) The following authorities are reserved to the Secretary of Agriculture:

(1) Related to natural resource conservation. Designation of new project areas in which the resource conservation and development program assistance will be provided.

(2) [Reserved]

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**1233 - DELEGATIONS OF AUTHORITY TO CHIEF OF FOREST SERVICE**

The Chief of the Forest Service has been delegated authority related to Forest Service programs by the Under Secretary for Natural Resources and Environment. These are set forth in Title 7, Subtitle A, Code of Federal Regulations, Part 2, Subpart J, section 2.60 (7 CFR 2.60) and are displayed in exhibit 01. See FSM 1234 for certain authorities related to the Forest Service that have been reserved to the Under Secretary (7 CFR 2.60(b)).

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**DELEGATIONS OF AUTHORITY TO**  
**CHIEF OF FOREST SERVICE (7 CFR 2.60)**

Subpart J--Delegations of Authority by the Under Secretary for Natural Resources and Environment.

Sec. 2.60 Chief, Forest Service.

(a) Delegations. Pursuant to Sec. 2.20(a)(1), (a)(2), (a)(6), (a)(7)(ii) and (a)(8), the following delegations of authority are made by the Under Secretary for Natural Resources and Environment to the Chief of the Forest Service:

(1) Provide national leadership in forestry. (As used here and elsewhere in this section, the term "forestry" encompasses renewable and nonrenewable resources of forests, including lands governed by the Alaska National Interest Lands Conservation Act, forest-related rangeland, grassland, brushland, woodland, and alpine areas including but not limited to recreation, range, timber, minerals, watershed, wildlife and fish; natural scenic, scientific, cultural, and historic values of forests and related lands; and derivative values such as economic strength and social well being).

(2) Protect, manage, and administer the national forests, national forest purchase units, national grasslands, and other lands and interests in lands administered by the Forest Service, which collectively are designated as the National Forest System. This delegation covers the acquisition and disposition of lands and interest in lands as may be authorized for the protection, management, and administration of the National Forest System, except that the authority to approve acquisition of land under the Weeks Act of March 1, 1911, as

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amended, and special forest receipts acts (Pub. L. No. 337, 74th Cong., 49 Stat. 866, as amended by Pub. L. No. 310, 78th Cong., 58 Stat. 227; Pub. L. No. 505, 75th Cong., 52 Stat. 347, as amended by Pub. L. No. 310, 78th Cong., 58 Stat. 227; Pub. L. No. 634, 75th Cong., 52 Stat. 699, as amended by Pub. L. No. 310, 78th Cong., 58 Stat. 227; Pub. L. No. 748, 75th Cong., 52 Stat. 1205, as amended by Pub. L. No. 310, 78th Cong., 58 Stat. 227; Pub. L. No. 427, 76th Cong., 54 Stat. 46; Pub. L. No. 589, 76th Cong., 54 Stat. 297; Pub. L. No. 591, 76th Cong., 54 Stat. 299; Pub. L. No. 637, 76th Cong., 54 Stat. 402; Pub. L. No. 781, 84th Cong., 70 Stat. 632) is limited to acquisitions of less than \$250,000 in value.

(3) As necessary for administrative purposes, divide into and designate as national forests any lands of 3,000 acres or less which are acquired under or subject to the Weeks Act of March 1, 1911, as amended, and which are contiguous to existing national forest boundaries established under the authority of the Weeks Act.

(4) Plan and administer wildlife and fish conservation rehabilitation and habitat management programs on National Forest System lands, pursuant to 16 U.S.C. 670g, 670h, and 670o.

(5) For the purposes of the National Forests System Drug Control Act of 1986 (16 U.S.C. 559-f), specifically designate certain specially trained officers and employees of the Forest Service, not exceeding 500, to have authority in the performance of their duties within the boundaries of the National Forest System:

(i) To carry firearms;

(ii) To enforce and conduct investigations of violations of section 401 of the Controlled Substance Act (21 U.S.C. 481) and other criminal violations relating to marijuana and other controlled substances that are manufactured, distributed, or dispensed on National Forest System lands;

(iii) To make arrests with a warrant or process for misdemeanor violations, or without a warrant for violations of such misdemeanors that any such officer or employee has probable cause to believe are being committed in that employee's presence or view, or for a felony with a warrant or without a warrant if that employee has probable cause to believe that the person being arrested has committed or is committing such a felony;



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(iv) To serve warrants and other process issued by a court or officer of competent jurisdiction;

(v) To search, with or without a warrant or process, any person, place, or conveyance according to Federal law or rule of law; and

(vi) To seize, with or without warrant or process, any evidentiary item according to Federal law or rule of law.

(6) Cooperate with the law enforcement officials of any Federal agency, State, or political subdivision, in the investigation of violations of, and enforcement of, section 401 of the Controlled Substances Act (21 U.S.C. 841), other laws and regulations relating to marijuana and other controlled substances, and State drug control laws or ordinances, within the boundaries of the National Forest System.

(7) Administer programs under section 23 of the Federal Highway Act (23 U.S.C. 101(a), 120(f), 125(a)-(c), 138, 202(a)-(b), 203, 204(a)-(h), 205(a)-(d), 211, 317, 401(a)).

(8) Administer provisions of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1272, 1305) as they relate to management of the National Forest System.

(9) Conduct, support, and cooperate in investigations, experiments, tests, and other activities deemed necessary to obtain, analyze, develop, demonstrate, and disseminate scientific information about protecting, managing, and utilizing forest and rangeland renewable resources in rural, suburban, and urban areas in the United States and foreign countries. The activities conducted, supported, or cooperated in shall include, but not be limited to: renewable resource management research; renewable resource environmental research; renewable resource protection research, renewable resource utilization research, and renewable resource assessment research (16 U.S.C. 1641-1647).

(10) Use authorities and means available to disseminate the knowledge and technology developed from forestry research (16 U.S.C. 1645).

(11) Coordinate activities with other agencies in USDA, other Federal and State agencies, forestry schools, and private entities and individuals (16 U.S.C. 1643).

(12) Enter into contracts, grants, and cooperative agreements for the support of scientific research in forestry activities (7 U.S.C. 427i(a), 1624; 16 U.S.C. 582a-8, 1643-1645, 1649).

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(13) Enter into cooperative research and development agreements with industry, universities, and others; institute a cash award program to reward scientific, engineering, and technical personnel; award royalties to inventors; and retain and use royalty income (15 U.S.C. 3710a-3710c).

(14) Enter into contracts, grants, or cooperative agreements to further research, extension, or teaching programs in the food and agricultural sciences (7 U.S.C. 3152, 3318).

(15) Enter into cost-reimbursable agreements relating to agricultural research, extension, or teaching activities (7 U.S.C. 3319a).

(16) Administer programs of cooperative forestry assistance in the protection, conservation, and multiple resource management of forests and related resources in both rural and urban areas and forest lands in foreign countries (16 U.S.C. 2101-2114).

(17) Provide assistance to States and other units of government in forest resources planning and forestry rural revitalization (7 U.S.C. 6601, 6611-6617; 16 U.S.C. 2107).

(18) Conduct a program of technology implementation for State forestry personnel, private forest landowners and managers, vendors, forest operators, public agencies, and individuals (16 U.S.C. 2107).

(19) Administer rural fire protection and control program (16 U.S.C. 2106).

(20) Provide technical assistance on forestry technology or the implementation of the conservation reserve and softwood timber programs authorized in sections 1231-1244 and 1254 of the Food Security Act of 1985 (16 U.S.C. 3831-3844; 7 U.S.C. 1981 note).

(21) Administer forest insect, disease, and other pest management programs (16 U.S.C. 2104).

(22) Exercise the custodial functions of the Secretary for lands and interests in lands under lease or contract of sale to States and local agencies pursuant to title III of the Bankhead-Jones Farm Tenant Act and administer reserved and reversionary interests in lands conveyed under that Act (7 U.S.C. 1010-1012).

(23) Under such general program criteria and procedures as may be established by the Natural Resources Conservation Service:

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(i) Administer the forestry aspects of the programs listed in paragraphs (a)(23)(i)(A), (B), and (C) of this section on the National Forest System, rangelands with national forest boundaries, adjacent rangelands which are administered under formal agreement, and other forest lands:

(A) The cooperative river basin surveys and investigations program (16 U.S.C. 1006);

(B) The eleven authorized watershed improvement programs and emergency flood prevention measures program under the Flood Control Act (33 U.S.C. 701b-1);

(C) The small watershed protection program under the Pilot Watershed Protection and Watershed Protection and Flood Prevention Acts (7 U.S.C. 701a-h; 16 U.S.C. 1001-1009).

(ii) Exercise responsibility in connection with the forestry aspects of the resource conservation and development program authorized by title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(e)).

(24) Provide assistance to the Farm Service Agency in connection with the agricultural conservation program, the naval stores conservation program, and the cropland conversion program (16 U.S.C. 590g-q).

(25) Provide assistance to the Rural Housing Service in connection with grants and loans under authority of section 303 of the Consolidated Farm and Rural Development Act, 7 U.S.C. 1923; and consultation with the Department of Housing and Urban Development under the authority of 40 U.S.C. 461(e).

(26) Coordinate mapping work of USDA including:

(i) Clearing mapping projects to prevent duplication;

(ii) Keeping a record of mapping done by USDA agencies;

(iii) Preparing and submitting required USDA reports;

(iv) Serving as liaison on mapping with the Office of Management and Budget, Department of the Interior, and other departments and establishments;

(v) Promoting interchange of technical mapping information, including techniques which may reduce costs or improve quality; and

(vi) Maintaining the mapping records formerly maintained by the Office of Operations.

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(27) Administer the radio frequency licensing work of USDA, including:

(i) Representing USDA on the Interdepartmental Radio Advisory Committee and its Frequency Assignment Subcommittee of the National Telecommunications and Information Administration, Department of Commerce;

(ii) Establishing policies, standards, and procedures for allotting and assigning frequencies within USDA and for obtaining effective utilization of them;

(iii) Providing licensing action necessary to assign radio frequencies for use by the agencies of USDA and maintenance of the records necessary in connection therewith; and

(iv) Providing inspection of USDA's radio operations to ensure compliance with national and international regulations and policies for radio frequency use.

(28) Represent USDA in all matters relating to responsibilities and authorities under the Federal Water Power Act, as amended (16 U.S.C. 791-823).

(29) [Reserved]

(30) Administer the Youth Conservation Corps Act (42 U.S.C. precede 2711 note) for USDA.

(31) Establish and operate the Job Corps Civilian Conservation Centers on National Forest System lands as authorized by title I, sections 106 and 107 of the Economic Opportunity Act of 1964 (42 U.S.C. 2716-2717), in accordance with the terms of an agreement dated May 11, 1967, between the Secretary of Agriculture and the Secretary of Labor; and administration of other cooperative manpower training and work experience programs where the Forest Service serves as host or prime sponsor with other Departments of Federal, State, or local governments.

(32) Administer the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a-558d, 558a note).

(33) Exercise the functions of the Secretary of Agriculture authorized in the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101-3215).

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(34) Administer responsibilities and functions assigned under the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), and title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq.), relating to forests and forest products, rural fire defense, and forestry research.

(35) Represent USDA on Regional Response Teams on hazardous spills and oil spills pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act (OPA), as amended (33 U.S.C. 2701 et seq.), Executive Order 12580, 3 CFR, 1987 Comp., p. 193, Executive Order 12777, 3 CFR, 1991 Comp., p. 351, and the National Contingency Plan, 40 CFR Part 300.

(36) Exercise the functions of the Secretary as authorized in the Wild and Scenic Rivers Act (16 U.S.C. 1271-1278), except for making recommendations to the President regarding additions to the National Wild and Scenic Rivers System.

(37) Issue proposed rules relating to the authorities delegated in this section, issue final rules and regulations as provided in 36 CFR 261.70, issue technical amendments and corrections to final rules issued by the Secretary or Under Secretary for Natural Resources and Environment, and issue proposed and final rules necessary and appropriate to carry out title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101-3215) with regard to National Forest System Lands.

(38) Jointly administer gypsy moth eradication activities with the Animal and Plant Health Inspection Service, under the authority of section 102 of the Organic Act of 1944, as amended; and the Act of April 6, 1937, as amended (7 U.S.C. 147a, 148, 148a-148e); and the Talmadge Aiken Act (7 U.S.C. 450), by assuming primary responsibility for treating isolated gypsy moth infestations on Federal lands, and on State and private lands contiguous to infested Federal lands, and any other infestations over 640 acres on State and private lands.

(39) With respect to land and facilities under his or her authority, to exercise the functions delegated to the Secretary by Executive Order 12580, 3 CFR, 1987 Comp., p. 193, under the following provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("the Act"), as amended:

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- (i) Sections 104 (a), (b), and (c)(4) of the Act (42 U.S.C. 9604 (a), (b), and (c)(4)), with respect to removal and remedial actions in the event of release or threatened release of a hazardous substance, pollutant, or contaminant into the environment;
- (ii) Sections 104 (e)-(h) of the Act (42 U.S.C. 9604 (e)-(h)), with respect to information gathering and access requests and orders; compliance with Federal health and safety standards and wage and labor standards applicable to covered work; and emergency procurement powers;
- (iii) Section 104(i)(11) of the Act (42 U.S.C. 9604(i)(11)), with respect to the reduction of exposure to significant risk to human health;
- (iv) Section 104(j) of the Act (42 U.S.C. 9604(j)), with respect to the acquisition of real property and interests in real property required to conduct a remedial action;
- (v) The first two sentences of section 105(d) of the Act (42 U.S.C. 9605(d)), with respect to petitions for preliminary assessment of a release or threatened release;
- (vi) Section 105(f) of the Act (42 U.S.C. 9605(f)), with respect to consideration of the availability of qualified minority firms in awarding contracts, but excluding that portion of section 105(f) of the Act pertaining to the annual report to Congress;
- (vii) Section 109 of the Act (42 U.S.C. 9609), with respect to the assessment of civil penalties for violations of section 122 of the Act (42 U.S.C. 9622), and the granting of awards to individuals providing information;
- (viii) Section 111(f) of the Act (42 U.S.C. 9611(f)), with respect to the designation of officials who may obligate money in the Hazardous Substances Superfund;
- (ix) Section 113(g) of the Act (42 U.S.C. 9613(g)), with respect to receiving notification of a natural resource trustee's intent to file suit;
- (x) Section 113(k) of the Act (42 U.S.C. 9613(k)), with respect to establishing an administrative record upon which to base the selection of a response action and identifying and notifying potentially responsible parties;

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(xi) Section 116(a) of the Act (42 U.S.C. 9616(a)), with respect to preliminary assessment and site inspection of facilities;

(xii) Section 117 (a) and (c) of the Act (42 U.S.C. 9617 (a) and (c)), with respect to public participation in the preparation of any plan for remedial action and explanation of variances from the final remedial action plan for any remedial action or enforcement action, including any settlement or consent decree entered into;

(xiii) Section 119 of the Act (42 U.S.C. 9619), with respect to indemnifying response action contractors;

(xiv) Section 121 of the Act (42 U.S.C. 9621), with respect to cleanup standards; and

(xv) Section 122 of the Act (42 U.S.C. 9622), with respect to settlements, but excluding section 122(b)(1) of the Act (42 U.S.C. 9622(b)(1)), related to mixed funding agreements.

(40) Exercise the functions of the Secretary authorized in the Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 226 et seq.).

(41) With respect to facilities and activities under his or her authority, to exercise the authority of the Secretary of Agriculture pursuant to section 1-102 related to compliance with applicable pollution control standards and section 1-601 of Executive Order 12088, 3 CFR, 1978 Comp., p. 243, to enter into an inter-agency agreement with the United States Environmental Protection Agency, or an administrative consent order or a consent judgment in an appropriate United States District Court with an appropriate State, interstate, or local agency, containing a plan and schedule to achieve and maintain compliance with applicable pollution control standards established pursuant to the following:

(i) Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, the Hazardous and Solid Waste Amendment, and the Federal Facility Compliance Act (42 U.S.C. 6901 et seq.);

(ii) Federal Water Pollution Prevention and Control Act, as amended (33 U.S.C. 1251 et seq.);

(iii) Safe Drinking Water Act, as amended (42 U.S.C. 300f et seq.);

(iv) Clean Air Act, as amended (42 U.S.C. 7401 et seq.);

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(v) Noise Control Act of 1972, as amended (42 U.S.C. 4901 et seq.);  
(vi) Toxic Substances Control Act, as amended, (15 U.S.C. 2601 et seq.);

(vii) Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 et seq.); and

(viii) Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601 et seq.).

(42) With respect to land and facilities under his or her authority, exercise the functions delegated to the Secretary by Executive Order 12580, 3 CFR, 1987 Comp., p. 193, and Executive Order 12777, 3 CFR, 1991 Comp., p. 351, to act as Federal trustee for natural resources in accordance with section 107(f) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607(f)), section 311(f)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(f)(5)), and section 1006(b)(2) of the Oil Pollution Act of 1990 (33 U.S.C. 2706(b)(2)).

(43) With respect to land and facilities under his or her authority, to exercise the authority vested in the Secretary of Agriculture to act as the "Federal Land Manager" pursuant to the Clean Air Act, as amended, 42 U.S.C. 7401 et seq.

(44) Administer the Public Lands Corps program (16 U.S.C. 1721 et seq.) for USDA consistent with the Department's overall national service program.

(45) Jointly administer the Forestry Incentives Program with the Natural Resources Conservation Service, in consultation with State Foresters, under section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103).

(46) Focusing on countries that could have a substantial impact on global warming, provide assistance that promotes sustainable development and global environmental stability; share technical, managerial, extension, and administrative skills; provide education and training opportunities; engage in scientific exchange; and cooperate with domestic and international organizations that further international programs for the management and protection of forests, rangelands, wildlife, fisheries and related natural resources (16 U.S.C. 4501-4505).



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(47) Exercise the functions of the Secretary of Agriculture authorized in Title V of the Department of the Interior and Related Agencies Appropriations Act of 1998, Pub. L. 105-83, relating to the acquisition so the New World Mines and other priority land acquisitions, land exchanges, and other activities.

(48) Enter into pilot projects with the Bureau of Land Management (BLM), U.S. Department of the Interior, in support of the Service First initiative for the purpose of promoting customer service and efficiency in managing National Forest System lands and public lands and delegate to BLM employees those Forest Service authorities necessary to carry out those pilot projects (Pub. L. 106-291).

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**1234 - RESERVATIONS OF AUTHORITY RELATED TO FOREST SERVICE**

The Under Secretary for Natural Resources and Environment has reserved certain authorities related to the Forest Service. These reserved authorities are set forth in Title 7, Subtitle A, Code of Federal Regulations, Part 2, Subpart J, section 2.60(b)) (7 CFR 2.60(b)) and are displayed in exhibit 01.

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**RESERVATIONS OF AUTHORITY BY UNDER SECRETARY**  
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**RELATED TO FOREST SERVICE (7 CFR 2.60(b))**

Sec. 2.60 Chief, Forest Service.

(b) Reservations. The following authorities are reserved to the Under Secretary for Natural Resources and Environment:

(1) The authority to issue final rules and regulations relating to the administration of Forest Service programs, except as provided in 36 CFR 261.70 and Sec. 2.60(a)(37).

(2) As deemed necessary for administrative purposes, the authority to divide into and designate as national forests any lands of more than 3,000 acres acquired under or subject to the Weeks Act of March 1, 1911, as amended (16 U.S.C. 521).

(3) The authority to make recommendations to the Administrator of General Services regarding transfer to other Federal, State, or Territorial agencies lands acquired under the Bankhead-Jones Farm Tenant Act, together with recommendations on the conditions of use and administration of such lands, pursuant to the provisions of section 32(c) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(c), and Executive Order 11609, 3 CFR, 1971-1975 Comp., p. 586).

(4) Making recommendations to the President for establishing new units or adding to existing units of the National Wild and Scenic Rivers System (16 U.S.C. 1271-1278); National Scenic Trails System (16 U.S.C. 1241-1249) and the National Wilderness Preservation System (16 U.S.C. 1131-1136).

(5) Signing of declarations of taking and requests for condemnation of property as authorized by law to carry out the mission of the Forest Service (40 U.S.C. 257).

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**1234 - Exhibit 01--Continued**

**RESERVATIONS OF AUTHORITY BY UNDER SECRETARY**  
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amended by Pub. L. No. 310, 78th Cong., 58 Stat. 227; Pub. L. No. 634, 75th Cong., 52 Stat. 699, as amended by Pub. L. No. 310, 78th Cong., 58 Stat. 227; Pub. L. No. 748, 75th Cong., 52 Stat. 1205, as amended by Pub. L. No. 310, 78th Cong., 58 Stat. 227; Pub. L. No. 427, 76th Cong., 54 Stat. 46; Pub. L. No. 589, 76th Cong., 54 Stat. 297; Pub. L. No. 591, 76th Cong., 54 Stat. 299; Pub. L. No. 637, 76th Cong., 54 Stat. 402; Pub. L. No. 781, 84th Cong., 70 Stat. 632) of \$250,000 or more in value for national forest purposes.

(7) The authority to approve disbursements from the New World Mine Response and Restoration Account and the authority to prepare and approve the New World Mine Response and Restoration Plan, including the coordination of the response and restoration activities of the Forest Service and the other Federal and State agencies, and make quarterly reports to Congress under section 502(d) and (f) of Title V of the Department of the Interior and Related Agencies Appropriations Act of 1998, Pub. L. 105-83.

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**1235 - DELEGATIONS OF AUTHORITY TO WASHINGTON OFFICE LINE AND STAFF OFFICERS**

The delegations of general authority set forth in this section include general signatory authorities assigned to line and staff officers in the Washington Office. Specific delegations, including specific signatory authority, are set forth in other pertinent titles, chapters, and sections of the Forest Service Manual.

**1235.1 - Reservations of Authority by Chief**

The Chief reserves authority to make decisions and sign documents related to important or broad policy matters on which no recent decision has been made, decisions which involve complex or sensitive interpretation of existing policies, or decisions that are likely to be highly controversial or have strong repercussions for the agency as a whole, for the Department, or for the President.

Specific reservations of authority by the Chief occur throughout the Forest Service Manual. Examples include notices and regulations published in the Federal Register (FSM 1010); various appeal and litigation-related decisions (FSM 1570; FSM 6270); land and resource management planning documents and actions (FSM 1920); law enforcement and investigation activities (FSM 5304.1); environmental and accompanying decision documents dealing with proposed actions for which the Chief has reserved authority in various sections of the Manual; and certain personnel actions (FSM 6127).

**1235.11 - Acting Chief Authority**

Except as provided at FSM 1230.4, when both the Chief and Associate Chief are absent or unavailable, an Acting Chief has full authority to act for the Chief on any matter specifically reserved to the Chief, unless one of the following conditions applies:

1. The Chief or Associate Chief directs otherwise in writing, or
2. The Chief is prohibited by law, order, regulation from delegating a specific authority (for example, see FSM 5404); in this latter case, the matter would be elevated to the Under Secretary for Natural Resources and Environment.

Officers serving as Acting Chief shall sign all correspondence over the Acting Chief title, not over their own titles, and not "for" the Chief; for example, John A. Smith, Acting Chief, would be the correct signature block.

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**1235.2 - Associate Chief**

The Associate Chief of the Forest Service is delegated authority to perform all duties and to exercise all functions vested in the Chief (FSM 1233), unless the incumbent Chief specifically reserves the authority to take a particular action or make a certain decision or unless the Chief is prohibited by law, order, or regulation from re-delegating an authority (FSM 5404).

**1235.21 - Chief of Staff**

The Chief of Staff to the Chief and Associate Chief of the Forest Service is delegated authority for the following duties:

1. To sign routine correspondence to disseminate information on the budget, organization, and business processes for the Washington Office;
2. Approve personnel actions for the Chief's Office;
3. Sign correspondence on National and Executive Leadership Team meetings, activities and schedules; and
4. Concur on controlled correspondence, legislative reports, enrolled bill reports and testimony statements for the agency.

The Chief of Staff also has the authority to represent the Chief and Associate Chief on critical agency issues with the Office of the Under Secretary, Natural Resources and Environment of the U.S. Department of Agriculture. In the absence of the Chief, Associate Chief, and Deputy Chiefs, the Chief of Staff is authorized to serve in the capacity of Acting Chief.

**1235.3 - Deputy Chiefs**

1. The Deputy Chiefs coordinate and carry out Forest Service programs at the National level. The Deputy Chiefs share jointly in assisting the Chief in policy, program, and budget development. Each is delegated line officer authority to perform all duties and to exercise all powers and functions vested in the Chief in their assigned program area(s) subject to the reservations at FSM 1235.1. In carrying out this authority as it relates to strategic planning, Deputy Chiefs must take the following action:

- a. Involve Staff Directors in selecting issues to be addressed in the [Forest Service Strategic Plan](#).

b. [To ensure effective implementation of the Forest Service Strategic Plan, involve Staff Directors in development of integrated strategies to address goals of the Strategic Plan.](#)

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c. Annually seek advice of Staff Directors regarding priority commitments for out-year budgets.

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d. Upon receipt of appropriations, consult Staff Directors concerning national commitments and the allocation of funds to agency units for the current year through the annual Program Direction.

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2. Each Deputy Chief has the following broad signing authorities within the areas of their assignments subject to policy direction and guidance by the Chief:

- a. Correspondence giving line direction.
- b. Correspondence to Members of Congress (FSM 1231.2).
- c. Correspondence to Assistant Secretaries and staff officers of the Department.
- d. Correspondence to heads of other departments and agencies.
- e. Correspondence referred from the President and the Secretary of Agriculture.
- f. Documents necessary to assert the deliberative process privilege in litigation.

**1235.31 - Deputy Chief for Business Operations**

The Deputy Chief for Business Operations is delegated line officer authority for the following programs: financial management, accounting; financial reports and reconciliation; financial management systems; financial policy and analysis; program and budget development, execution, and analysis; liaison and report coordination with the Office of the Inspector General and General Accounting Office; regulatory and management services, including Freedom of Information Act and Privacy Act implementation and data quality requirements; general administrative management and services; acquisition management; human resources management; senior, youth, and volunteer programs; occupational safety and health; computer sciences and telecommunications; information resources management; and special organizational studies and reviews. The Deputy Chief for Business Operations is also responsible for administrative support and oversight for operational programs of the Civil Rights Staff, including Title VI. One of the Associate Deputy Chiefs for Business Operations has been delegated the authority to serve as the agency's Chief Financial Officer (CFO) (FSM 1235.41).

**1235.32 - Deputy Chief for National Forest System**

The Deputy Chief for the National Forest System is delegated line officer authority for management of the National Forest System. Specifically, the Deputy Chief provides program direction and leadership for the following programs: forest management; rangeland management; forest health; wildlife and fisheries, watershed, soils and air management; minerals

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and geology; recreation, wilderness, and heritage management; lands and realty management; ecosystem management coordination; engineering (including the technology development and geospatial and remote sensing centers); coordination on National Fire Plan and other fire-related strategies and activities that involve National Forest System lands; and overall National Forest System coordination with other agency programs.

**1235.33 - Deputy Chief for Programs and Legislation**

The Deputy Chief for Programs, Legislation, and Communication is delegated line officer authority for the following programs: policy analysis; strategic planning and resource assessment; Government Performance Results Act implementation; legislative affairs operations and support; and communications, which includes the Office of Communication and the Press Officer.

**1235.34 - Deputy Chief for Research and Development**

The Deputy Chief for Research and Development is delegated line officer authority for the following research programs: vegetation management and protection research; wildlife, fish, watershed, and atmospheric sciences research; resource valuation and use research; and science policy, planning, inventory, and information research.

**1235.35 - Deputy Chief for State and Private Forestry**

The Deputy Chief for State and Private Forestry is delegated line officer authority for all State and Private Forestry activities and programs of the Forest Service and for overall program direction and leadership in the following: cooperative forestry; cooperative fire prevention and control; fire and aviation management; urban and community forestry; conservation education; Tribal government relations; forest health protection; coordination with the Deputy Chief for National Forest System for the National Fire Plan; coordination with the Director of International Programs for sustainable development; and overall coordination with other agency programs.

**1235.4 - Associate Deputy Chiefs**

Associate Deputy Chiefs have the authority to perform all duties and functions within their areas of assigned responsibility subject to general direction and supervision by the Deputy Chiefs. Associate Deputy Chiefs have signing authority within their areas of assigned responsibility comparable to that of the Deputy Chief.

Where two or three Associate Deputy Chiefs report to a Deputy Chief, each serves, in the absence or unavailability of the other, as a full alternate to the Deputy Chief and thus has authority to exercise all functions and responsibilities assigned to the absent Associate Deputy Chief. The Deputy Chief must establish specific written procedures of a continuing nature to guide the exercise of this authority for those circumstances when the absent Associate Deputy Chief has designated an "acting."

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**1235.41 - Associate Deputy Chiefs for Business Operations/Chief Financial Officer**

One of the Associate Deputy Chiefs for Business Operations has been delegated the authority and responsibility to serve as the agency's Chief Financial Officer (CFO).

**1235.5 - Staff Directors**

1. Washington Office Staff Directors. All Washington Office staff directors are delegated authority by the Chief and Deputy Chiefs to plan, develop, administer, monitor, and evaluate assigned programs. In carrying out this authority as it relates to strategic planning, Staff Directors must:

- a. Work with the Chief and the Deputy Chief in selecting issues to be addressed in the Forest Service Strategic Plan.
- b. Upon completion of the Forest Service Strategic Plan, create integrated, as well as, program-specific strategies to ensure effective implementation of the Strategic Plan and continued mission delivery, in consultation with staff, Strategic Planning and Resource Assessment Staff, and field representatives.
- c. Review, modify, and administer an effective performance oversight/accountability process to include reviews of strategy and program implementation, and systematic reviews of support functions to ensure effectiveness and efficiency.
- d. Work with the Chief and the Deputy Chief during the conduct of performance oversight reviews to ensure effective integration as well as unit and individual accountability for achieving the agency's Strategic Plan and annual Program Direction.
- e. Base advice and recommendations concerning allocation of appropriations on results of performance oversight reviews and analyses of performance measure accomplishment.
- f. Where oversight reviews suggest that the existing organizational model, structure, or culture is hindering program delivery and attainment of the agency mission, propose organizational adjustments to the Chief through the Deputy Chief.

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2. All Staff Directors Other Than the Directors of Law Enforcement and Investigations and Civil Rights. All other Washington Office staff directors are delegated authority by their Deputy Chiefs (except for the Director of Civil Rights and the Director of Law Enforcement and Investigations, who report directly to and are delegated authority by the Chief) to plan, develop, administer, monitor, and evaluate assigned programs. This includes recommending policies and activities in their program areas. These staff directors do not have line authority to field units (FSM 1206).



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Staff director signing authorities include:

- a. Routine correspondence of a technical, procedural, or informational nature in connection with programs and activities assigned to their technical direction and supervision.
- b. Routine correspondence to Members of Congress and routine referrals from the President and Secretary. Specific procedures on format for signing are included in the Correspondence Handbook, FSH 6209.12.

3. Director of Law Enforcement and Investigations. The Washington Office, Director of Law Enforcement and Investigations, coordinates and carries out the Forest Service law enforcement program at the national level. The Director, Law Enforcement and Investigations is delegated limited line officer authority to perform all duties related to coordinating and conducting the Service-wide law enforcement program. The Director, Law Enforcement and Investigations assists the Chief in policy, program, and budget development as it relates to Service-wide law enforcement activities and operations. The Director, Law Enforcement and Investigations has the following broad signing authorities subject to policy direction and guidance by the Chief:

- a. Correspondence giving line direction to subordinate law enforcement units or personnel.
- b. Routine correspondence of a technical, procedural, or informational nature in connection with programs and activities assigned to their technical direction and supervision.
- c. Routine correspondence to Members of Congress and routine referrals from the President and Secretary. Specific procedures on format for signing are included in the Correspondence Handbook, FSH 6209.12.

4. Director of Civil Rights. The Washington Office Director of Civil Rights has the same signing authorities as other staff directors as described in paragraph 2a and 2b. The Staff Director of Civil Rights does not have line authority to field units.

**1235.51 - Director for International Programs**

The Director for International Programs is delegated line officer authority for the following: international science and technology exchange; international assistance and technical cooperation program; international education and training programs; foreign visitors program, signing agreements between the Forest Service and the Department of State and the U.S. Agency for International Development (USAID); and support to international organizations. Assigned responsibilities include providing program direction and leadership for: the analysis,

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development, and coordination of forest management initiatives to address the principles of global human well-being; a healthy global environment; sound forest conservation practices; and support for the overall foreign policy objectives of the United States. This includes the collection and maintenance of timely information on major forestry issues; providing for technical, managerial, and administrative assistance to other nations; advancement of forest science and technology; education and training of foreign nationals; and developing the skills of career Forest Service employees to enhance their effectiveness when providing technical assistance and cooperation.

#### **1235.6 - Signing Authority Below Staff Director Level**

The signing of most correspondence and documents below the staff director level in the Washington Office involves cases where the individual is functioning under a specific delegation; examples are contracting officer, certifying officer, property management officer, budget officer, and apportionment officer.

Staff directors may also delegate signing authority to personnel such as assistant staff directors or group leaders on an individual basis. Limit such delegations to the following items:

1. Replies to requests for routine information and routine correspondence when based on established, published operating procedures.
2. Replies to requests for copies of documents, such as directives, circulars, and publications.
3. Routine recurring reports and related correspondence, not including requests for additional or new reports.
4. Routine discussions on technical questions with professional peers.

#### **1236 - DELEGATIONS OF AUTHORITY TO FIELD POSITIONS**

##### **1236.1 - Regions**

##### **1236.11 - Regional Foresters**

The Regional Forester is the line officer responsible to the Chief for administration of National Forest System lands; State and Private Forestry programs, except in Region 9; and related activities, including administration of the working capital fund. The Chief delegates specific authority to Regional Foresters commensurate with their assigned responsibilities through issuance of pertinent titles, chapters, and sections of the Forest Service Manual and Handbooks. Personnel authorities are delegated in accordance with FSM 6104.1.

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The Regional Forester in Region 9 does not have responsibility for State and Private Forestry programs. This program is assigned to the Area Director (FSM 1236.3).

Pursuant to 36 CFR 261.50 and 261.70, each Regional Forester may issue orders and regulations closing or restricting uses of certain areas. This authority may not be redelegated except to a Deputy; however, it may be performed by a designated acting when the Regional Forester position is vacant.

**1236.12 - Deputy and Assistant Regional Foresters**

Deputy Regional Foresters are assigned as line officers for their functions. They are responsible to the Regional Forester for day-to-day operating activities within their deputy areas, for establishing Regional policy, for formulating program plans, for allocating funds and personnel, for providing coordinated program direction to Regional staff directors, and for serving as the primary management link with Forest Supervisors and external clientele on broad operational and administrative matters.

Where only a single individual is assigned as a Deputy Regional Forester, the Deputy is delegated authority to perform all duties and to exercise all functions vested in the Regional Forester, unless the Regional Forester specifically reserves the authority to take a particular action or make a certain decision.

Where there are Assistant Regional Foresters, the incumbents of these positions may exercise limited line officer authority in specified areas as assigned by the Regional Forester and subject to the overall policy and coordination direction of the Regional Forester. Assistant Regional Foresters are a part of the Regional Forester's immediate staff.

**1236.13 - Staff Directors**

Staff directors are the immediate staff of the Regional Forester. They furnish the specialized assistance and advice to support line activities but do not have line authority over field units. They report directly to the Regional Forester, Deputy Regional Forester, or Assistant Regional Forester as determined by approved organization plans. They have delegated authority to plan, develop, and administer technical aspects of assigned functional activities within the limits of

1. National and Regional policies,
2. Their assigned functions, and
3. Specific authorizations or reservations of authority.

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### **1236.14 - Regional Signing Authorities**

Regional Foresters shall delegate broad signing authorities as supplements to this code and delegate specific signing authorities or reservations of authority as supplements to the pertinent titles, chapters, and sections of the Forest Service Manual. The policies and procedures for signing correspondence originating in a Region must parallel those established in the Washington Office (FSM 1235) and must be consistent with the policies and principles of this chapter. Regions should adapt and follow instructions provided for Washington Office personnel in preparing Regional supplements to this code.

For Regional Special Agents in Charge, see FSM 5300 and FSH 5309.11 for delegated authorities and responsibilities.

### **1236.2 - Stations and Institute**

#### **1236.21 - Station Directors and Institute Director**

The Station Directors and Institute Director are the line officers responsible to the Chief for assigned research activities. The Chief delegates specific authority to Station Directors and the Institute Director commensurate with their assigned responsibilities through issuance of pertinent titles, chapters, and sections of the Forest Service Manual and Handbooks.

Pursuant to 36 CFR 261.50, each Station Director may issue orders closing or restricting uses of certain areas. This authority may not be redelegated, except to a Deputy or to an acting when the Station Director position is vacant.

#### **1236.22 - Deputy Station and Institute Directors**

Deputy Station and Institute Directors have line officer responsibility to assist the Station and Institute Director in exercising all delegated authorities and responsibilities. They are responsible to the Director for day-to-day operating activities, including program direction and coordination.

#### **1236.23 - Assistant Station and Institute Directors**

Assistant Station and Institute Directors have both line and staff responsibility. They serve as staff officers to the Station and Institute Director and the Deputy. They also serve as line officers to their Station office staff and field unit staff for assigned functions and responsibilities. Assistant Station Directors have the general responsibility and authority to coordinate, direct, and control specific Station research programs within the limits of:

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1. Established policies,
2. Other assigned activities, and
3. Specific authorizations and reservations of authority.

**1236.24 - Station and Institute Signing Authorities**

The Station Directors and Institute Director shall delegate broad signing authorities as supplements to this code and specific signing authorities or reservations of authority as supplements to the pertinent titles, chapters, and sections of the Forest Service Manual. The policies and procedures for signing correspondence originating in a Station and the Institute must parallel those established in the Washington Office (FSM 1235) and must be consistent with the policies and principles of this chapter. Stations shall adapt and follow instructions provided for Washington Office personnel in preparing Station supplements to this code.

**1236.25 - Research Project Leaders**

Each line Research Work Unit constitutes a specific subject-matter assignment made to a unit with a Project Leader responsible for carrying out the approved research program. The Project Leader has delegated line authority to assign, direct, and control personnel and facilities; and to make technical determinations and decisions within the limits of approved project programs and plans.

The Project Leader may delegate signing authority following the principles outlined for Stations and the Institute.

**1236.3 - Area**

**1236.31 - Area Director**

The Northeastern State and Private Forestry Area Director is the line officer responsible to the Chief for the conduct of State and Private Forestry programs and related activities, including cooperation in protection, development, conservation, management, and utilization of forest resources; forest insect and disease eradication; and watershed programs within the area of assigned responsibility. The Area Director has authority commensurate with this responsibility.

**1236.32 - Assistant Area Directors**

Assistant Area Directors are assigned as line officers for their functions. They supply specialized assistance and advice needed by the Area Director to direct the planning and execution of assigned programs and activities within the limits of established policies and instructions and subject to specific authorizations and reservations of authority.

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### **1236.34 - Area Signing Authorities**

The Area Director shall delegate broad signing authorities as supplements to this code and specific signing authorities or reservations of authority as supplements to the pertinent titles, chapters, and sections of the Forest Service Manual. The policies and procedures for signing correspondence originating in the Area must parallel those established in the Washington Office (FSM 1235) and must be consistent with the policies and principles of this chapter. The Area Director shall adapt and follow instructions provided for Washington Office personnel in preparing Area supplements to this code.

### **1236.4 - National Forests**

#### **1236.41 - Forest Supervisors**

A Forest Supervisor is the line officer responsible to the Regional Forester for management, protection, development, and administration of a National Forest. As such, the Forest Supervisor has responsibility for the work and activities of all staff and line personnel assigned to the National Forest and has authority to direct and control their activities.

A Deputy Forest Supervisor performs all duties and exercises all functions vested in the Forest Supervisor, subject to any reservations of authority by the Forest Supervisor.

#### **1236.42 - Forest Staff Officers**

Forest staff officers are primary staff delegated authority for technical and procedural activities in assigned programs. They do not have line authority except when designated as acting or within certain specific limited areas. They have delegated authority from the Forest Supervisor to prescribe technical methods and procedures for the guidance of District Rangers.

#### **1236.43 - National Forest Signing Authorities**

The policies and procedures for signing correspondence originating on a Forest must parallel those established in the Washington and Regional Offices (FSM 1235) and must be consistent with the policies and principles of this chapter.

Forest Supervisors shall delegate broad signing authorities in supplements to this code and specific signing authorities or reservations of authority as supplements to the pertinent titles, chapters, and sections of the Forest Service Manual.

### **1236.5 - Ranger Districts, Nurseries, and Job Corps Centers**

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### **1236.51 - District Rangers**

A District Ranger is the line officer authorized by the Forest Supervisor to execute all resource management and general administration activities on a Ranger District.

General delegations of responsibility and authority for the execution of resource management and general administration on Land Utilization Projects and National Grasslands are similar to those for Ranger Districts.

The District Ranger or the head of a comparable unit, or an authorized acting, signs correspondence issued by the unit.

### **1236.52 - Nursery Superintendents**

A nursery superintendent is responsible for and is authorized by a Forest Supervisor to conduct assigned nursery operations. This general delegation is subject to reservations by the Regional Forester needed to coordinate planting plans and tree production plans.

A nursery superintendent, or an authorized acting, signs correspondence originated at that level.

### **1236.53 - Job Corps Conservation Center Directors**

Job Corps Conservation Center Directors are line officers responsible to Forest Supervisors for the operation of conservation center programs and Forest Service delegated authorities as specified in the agreement between the Secretary and the Department of Labor.

Authority to take specific action shall follow the same pattern as authorities generally delegated to District Rangers.

The Director, or an authorized acting, shall sign correspondence issued by the Center.

## **1237 - DELEGATIONS OF AUTHORITY TO OTHER FEDERAL OFFICIALS**

The delegations in this section of FSM 1230 are necessary to carry out joint Forest Service-Bureau of Land Management pilot "Service-First" projects through fiscal year 2005.

### **1237.01 - Authority**

1. Authority To Enter into Service First Projects and To Issue Reciprocal Delegations.
  - a. Section 330 of the Act Making Appropriations for the Department of the Interior and Related Agencies for Fiscal Year 2001 (Pub.L. 106-291; October 11, 2000). This section of the act authorizes the Secretaries of Agriculture and the Interior to make reciprocal delegations of their respective authorities in support of the Service First

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initiative to promote customer service and efficiency in the management of public lands and National Forest System lands. This statute makes explicit that this authority does not alter, expand, or limit the applicability of existing public laws or regulations administered by the Bureau of Land Management or the Forest Service. This authority is effective through 2005.

b. Title 7, Code of Federal Regulations, Part 2 - Delegations of Authority by the Secretary of Agriculture and General Officers of the Department (7 CFR part 2). The regulations at 7 CFR 2.20 delegate authority from the Secretary of Agriculture to the Under Secretary for Natural Resources and Environment to enter into pilot projects with the Bureau of Land Management (BLM), U.S. Department of the Interior, and to delegate to BLM employees the authority to perform Forest Service duties in support of the Service First initiative, which promotes customer service and efficiency in managing National Forest System lands and public lands. This authority is further delegated from the Under Secretary to the Chief at 7 CFR 2.60.

2. Labor-Management Agreements Governing Service-First Projects. The Forest Service Council of the National Federation of Federal Employees (NFFE), Federal District 1, International Association of Machinists and Aerospace Workers (IAMAW), and the Forest Service signed a Memorandum of Understanding (MOU) on the Service First Initiative November 29, 2000, and December 8, 2000, respectively. The MOU covers general principles regarding the Service First initiative as well as mandatory and optional criteria for determining whether a Service First activity will be pursued. The appendices of the MOU set out a Concept of Operations, covering delegations of authority, awards, performance appraisal, grievance procedures, labor-management relations, and telecommunications. Applicable to all NFFE bargaining units, the MOU is set out as exhibit 01 to this section.

3. Authority To Pilot Test Agency-wide Joint Permitting and Leasing Programs. Section 330 of the Act Making Appropriations for the Department of the Interior and Related Agencies for Fiscal Year 2001 (FSM 1237.01) authorizes the Secretaries of Agriculture and of the Interior to pilot test agency-wide joint permitting and leasing programs for fiscal years 2001 through 2005, subject to annual review by Congress, and to promulgate special rules as needed to test the feasibility of issuing unified permits, applications, and leases.



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**1237.01 - Exhibit 01**

**MEMORANDUM OF UNDERSTANDING (MOU) FOR  
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The following is a Memorandum of Understanding between the National Federation of Federal Employees, Federal District 1, IAMAW, Forest Service Council and the United States Forest Service.

**GENERAL PRINCIPLES**

The Parties acknowledge that the Service First Initiative is a way for the agencies to explore alternative methods for providing customer service. In the development of the Service First Initiative, the initial charge from the Chief and Director was that "there are real opportunities for our agencies to be partners in providing better and more convenient service and to share resources for more cost-effective delivery of services." Vice President Gore added his expectations: "The BLM and Forest Service are expected to increase collaboration to achieve dramatic increases in customer service, operational efficiency, and ultimately, quality of resource stewardship." The expectation is that we continually explore opportunities for sharing people and resources, harmonizing our processes, and delivering one-stop customer service.

The Parties acknowledge that the Service First Initiative is not an effort to create one agency out of the two agencies (Forest Service and BLM). Rather, it creates expectations for working together, as appropriate, to improve customer service and operational efficiency, as the public expects. Clearly, we want to retain the identities of each agency and the lands we manage, and foster high levels of morale and "esprit d corps". We also want the public to be served by seamless and boundary less approaches to land and resource management, and public service.

The Service First Initiative gives the agencies the authority to develop projects that share interagency activities between the Forest Service and BLM. There are various levels of interagency interactions that have different amounts of effects on employees.

These levels of interactions range from:

- (1) simple coordination of activities where the agencies do not share or exchange money or employees; to
- (2) complex coordination of activities where the agencies seek to have consistent outcomes or procedures; to
- (3) sharing of personnel, programs, facilities and equipment; to
- (4) integration of functional services involving intermixing Forest Service and BLM employees and their duties.

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**MEMORANDUM OF UNDERSTANDING (MOU) FOR  
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The analysis of whether and how to implement Service First activities increases from minimal in (1) to extensive in (4), above. Labor-management collaboration and/or notice obligation increases from (1) where none may be required, to (4) where such obligations would be required.

Toward implementing and administering agency projects and programs under the Service First Initiative, the Parties agree to the following procedures and arrangements to address the impacts created on bargaining unit employees:

**1. Service First Activities - Information Sharing**

- A. The following criteria will be used in determining whether a Service First (SF) activity should be pursued or continued and must apply to every project regardless of the level of interaction:
  - 1. SF activity improves customer service at same cost or  
SF activity provides same customer service at reduced cost; and
  - 2. Legal as to law, regulations, labor-management contract, etc.; and
  - 3. Furthers mission accomplishment by Forest Service (FS) and/or BLM.
- B. Other criteria. Projects should evaluate these criteria but the Parties recognize that these criteria may or may not apply, depending upon the scope and level of interaction of a project:
  - 1. Does the SF activity make sense?
  - 2. What are the objectives and desired outcomes of the SF activity and how do we measure success or failure? Has a monitoring plan been developed?
  - 3. Have authorities been delegated to the appropriate level and documented? Are official organization charts established (to show reporting structure for all officially established positions whether vacant or filled, and affects on local workforce planning)?
  - 4. Are Service First organization charts established that reflect each "shared" position, including % of funding/duties between agencies and which agency is charged the FTE?

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**MEMORANDUM OF UNDERSTANDING (MOU) FOR  
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5. Have adverse impacts to employees been identified and mitigated?
  6. Has collaboration between labor and management occurred, and issues resolved?
  7. Does implementation strategy address marketing needs to higher-level management, customers and employees?
  8. Have other similar SF activities been reviewed to ascertain lessons learned?
  9. Is a Civil Rights Impact Analysis necessary, and if so, have mitigations been put in place? If a CRIA is applicable, Forest Service CRIA direction and policy will be used.
  10. Has an exit strategy been developed?
- C. Upon request, but no less than annually, the Forest Service will provide the Union a listing of current Service First projects and inventory data maintained on those projects.

**2. Service First Activities - Studies and New Policy Initiatives**

Management agrees to inform the Union of any studies, evaluations or projects related to or which may lead to changes to SF program policies affecting conditions of employment for bargaining unit employees. Management will provide sufficient notice and involve the Union to ensure pre-decisional involvement takes place and any labor-management issues are resolved collaboratively at the appropriate level. The Parties agree to jointly develop processes and procedures to evaluate SF activities. Copies of any formal evaluations performed on SF projects by external government entities will be provided to the Union. Either Party may request an evaluation of a SF activity.

**3. Service First Activities - Concept of Operations Documents**

The Parties agree that they will adopt the concepts embodied in the Concepts of Operations documents (Appendices A through K), as clarified and supplemented in the text of this Memorandum of Understanding.

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**MEMORANDUM OF UNDERSTANDING (MOU) FOR  
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**4. Service First Activities - Authorities**

Authority for the agency to enter into Service First activities resides in law and regulations (e.g. PL xxx). Before authority is exercised, it shall be officially delegated in writing. The responsible management official must delegate the authority to each individual in writing. (Appendices A and B)

**5. Service First Activities - Telecommunications**

The Parties recognize the need to improve compatibility between the Forest Service and BLM computer systems to facilitate communications and other data processing needs (e.g. payroll and travel) for Service First projects. Further, Management is committed to ensuring that there is adequate radio-based communication capability between the Forest Service and BLM to provide for employee safety and communication in SF project locations. (Appendix I)

**6. Service First Activities - Acquisition Management**

- A. Management will develop a concept of operations paper that addresses the flexibility and issues associated with Service First (e.g. use of indefinite delivery, indefinite quantity contracts, authorities available to contracting/procurement specialists over contracts from the other agency, etc.) initiatives wherein collaborative FS-BLM AQM services may be provided.
- B. Management will fulfill its Labor Management obligations related to implementing the AQM concept of operations paper prior to implementing any SF projects that impact bargaining unit employees. (Appendix J, to be developed)

**7. Service First Activities - Financial Management**

- A. The Parties acknowledge that the Forest Service and BLM have many differences in budgets and budget processes. Budget process issues as they relate to the establishment of SF projects will be addressed by the Parties at the appropriate level prior to implementing any given project.

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**MEMORANDUM OF UNDERSTANDING (MOU) FOR  
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- B. Management agrees to strive to fund transition (up-front costs for implementation) and start-up (planning and evaluating) costs for Service First activities and projects from the WO level. The Parties recommend that such funds be used only for the purpose stated, and not for funding regular project work.
- C. Management will fulfill its Labor Management obligations related to implementing the Financial Management concept of operations paper prior to implementing any SF projects that impact bargaining unit employees. (See Appendix K, to be developed.)

**8. Service First Activities - Expiration of Delegation of Authority**

- A. The Parties acknowledge that the delegation of authority from the Secretary of Agriculture to the Chief of the Forest Service, which provides for further delegation of authority related to Service First projects, must be in place before further re-delegation can be properly effected.
- B. Management agrees to notify the appropriate Management officials and Union officials, by letter, advising them of any actions (by unit, with no personal identifiers) taken under Articles 21 and 22 of the Master Agreement (e.g. performance improvement periods, removals, etc.) between November 10, 1999 (when the original delegation letter expired), and September 11, 2000 (when the delegation letter was re-issued).

**9. Future Modifications To The Memorandum of Understanding**

The Parties agree that as new SF issues develop, they will negotiate and implement appropriate changes to the Memorandum of Understanding.

For the Union:

/s/ John R. Obst

John Obst  
President, NFFE Forest Service Council

November 29, 2000  
Date

For Management:

/s/ Clyde Thompson

Clyde Thompson  
Deputy Chief, Business Operations

December 8, 2000  
Date

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**1237.01 - Exhibit 01--Continued**

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**APPENDIX A - Concept of Operations: Positions, People and Authorities**

Some confusion exists as to how the BLM and the Forest Service (FS) will work together under the Service First initiative. Many use terms in this regard which do not have clear definitions, and this creates confusion. Examples of such terms are "consolidate", "combine" and "common supervision". Some, including the officials of the National Federation of Federal Employees (NFFE), have concerns about how BLM employees can supervise FS employees or vice versa. What rules are used in such situations? Will an employee of one agency who is supervised by an employee of another agency be subject to the rules of that agency? What does "cross delegation" mean?"

There are three major dimensions to this issue. Confusion will be reduced significantly if the involved parties use these three dimensions in designing and implementing working arrangements between the BLM and the FS. The three dimensions are positions, people and authority.

**POSITIONS**

BLM and FS positions can not exist in the same organization. There is no legal authority to do so. Specifically, a BLM position can not exist within a FS organization, and a FS positions can not exist within a BLM organization. Each agency has its own structure, chain of command and Department. Positions of both agencies can not be consolidated or combined into a single organization. There are situations were BLM and FS positions exist in an elbow-to-elbow working situation, i.e. a fire crew, and this can be a very effective working arrangement. However, it must remain clear that the BLM and FS positions do not exist within the same organization, in the organizational sense. The BLM positions remain as part of a BLM organization, and the FS positions remain as part of a FS organization.

Each agency will develop official organization charts for their agency that accurately display the official organization (chain of command) for their positions involved in the Service First Initiative project. These organization charts will follow the principles embodied in the paper "Positions, People and Authorities". In addition, a working relationships organization chart which displays the actual working relationships between positions (which may cross agency lines) within the Service First Initiative project will be developed, including temporary positions.

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**MEMORANDUM OF UNDERSTANDING (MOU) FOR  
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As part of the task of developing the actual working relationships organization chart, BLM and Forest Service management, in collaboration with the appropriate union officials, will determine, for each position, whether it is a Forest Service or BLM position. The determination would be based on factors such as the distribution of the work for the position between the two agencies and the distribution of funding for the position between the two agencies. The rationale for the determination will be documented and the determination will be depicted on the actual working relationships organization chart.

Once these two sets of organization charts have been developed, the Parties at the appropriate level (i.e., Local or Intermediate) may address which people will fill what positions, and how responsibilities and authorities will be delegated to the incumbents.

The Parties will jointly monitor and evaluate positions to determine whether, why and how they may be impacted, including whether BLM positions are being established to perform work previously performed by FS employees. The Forest Service will, wherever possible, use fund transfer authority instead of moving positions to the BLM. Management shall determine the proper nature of the work (i.e. temporary, term, seasonal, permanent) and staff according to OPM regulations and agency policies.

**PEOPLE**

Nonetheless, both BLM and FS people can be assigned to perform the duties of a position in the other agency, short of actually being transferred or formally detailed to the position. A classic example is where the person in a FS Forest Supervisor position is assigned to perform the duties of both the Forest Supervisor position as well as those of a vacant BLM District Manager position, i.e., Fremont NF and Lakeview District. That person would continue to supervise personnel on the National Forest according to FS policies as well as to supervise personnel on the BLM District according to BLM policies.

The point is that the positions involved are not realigned, consolidated or combined into the other agency. Rather, the person is assigned to perform the duties of another position or to perform the duties of both their current position and another position in the other agency. When performing FS duties, the person conforms to FS policies; when performing BLM duties, the person

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conforms to BLM policies. This is particularly important when the assigned duties involve supervision. FS people, being supervised by a BLM person assigned to perform the duties of the FS supervisory position over them, will continue to be supervised in accordance with FS policies and any labor-management agreement affecting their conditions of employment. The same is true, of course, for BLM people in the same situation. This places additional responsibility on the person to know and properly apply the policies of both agencies. Management of both agencies should clearly instruct and inform people in this situation of the applicable policy and labor-management agreements.

Advice to managers/supervisors should include consultation with the HR Advisors from the agency of record for the employee(s); however HR advisors from FS and BLM should work to keep each other informed of cases that are pending in these organizations.

**AUTHORITY**

Cross delegation of authority means that an employee of one agency is delegated authority by the other agency to perform duties of a position within that agency without actually being detailed or reassigned into that position. Cross delegation of authority allows the employee to perform the duties of their position as well as the duties of the position from the other agency. To the contrary, a detail involves an employee temporarily leaving one position and going to a different position, whether that different position is within their agency or within another agency. This implies that they are doing the duties of only one position.

A person assigned to perform the duties of a position in the other agency must be delegated the authority requisite to the performance of those duties. This is what "cross delegation" refers to, the act of one agency delegating authority to a person to perform duties of a position in the agency when the person is an employee of the other agency. Public Law xxx authorizes both agencies to delegate authority in this situation. Both agencies are working collaboratively to clarify which additional authorities may be delegated and how the delegation is to be executed. Much of this work has already been done, and the sharing of people between the BLM and the FS is becoming more commonplace.



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**APPENDIX B - Concept of Operations: Delegations of Authority**

When an employee of one agency is delegated authority(s) normally exercised in the other agency, the delegation will be put in writing and a copy of the delegation sent to the servicing HR office of the employee, to be filed in the employee's OPF, and a copy to the pertinent staff normally overseeing the delegation.

Written delegations will capture the following minimum information:

1. The extent and limitations of authority(s) being delegated.
2. All pertinent authorities to make the delegation, including manual references or direction regarding exercise of the authority.
3. The individual in the agency delegating the duties (for example, the Forest Supervisor delegates his/her employment authority).
4. The position in the agency giving the delegation that would normally exercise the delegation (for example, the vacant administrative officer position).
5. The person or position to contact regarding questions about procedural aspects of exercising the delegation.
6. Any training requirements prior to use of the delegation. Training will be provided to those individuals who receive delegated authority to supervise employees of another agency.

See Appendix F for impacts to classification.

If there are position classification impacts based on the exercising the delegation for another agency, the duties or authorities must be noted in the position description with the notation that the duties are exercised under delegation authorized by Public Law \_\_\_\_.

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**APPENDIX C - Concept of Operations: Awards and Recognition Program**

**GUIDING PRINCIPLES**

1. Supervisors and/or employees may recommend employees/coworkers for monetary and other awards consistent with current agency regulations.
2. Payment of individual and/or group monetary awards should be made by the agency which benefits the most from the work.

**GUIDELINES**

The guidelines which will be used are the U.S. Department of Agriculture Guide for Employee Recognition and the Master Agreement; the Department of Interior Awards and Recognition Handbook and local union agreements, if any.

**DELEGATIONS OF AUTHORITY**

For each agency, approval levels vary depending on the amount and/or type of award. Supervisors should check with the respective agency's servicing human resources office to determine the appropriate approval level.

**PROCEDURES**

In recommending employees for monetary and/or other awards, supervisors should use the appropriate agency guidelines and applicable union contracts.

Employees recommending coworkers for awards should discuss the recommendation with their supervisor or their servicing personnel office to determine the appropriate procedure to use.

Approved awards should be submitted to the appropriate Human Resources Offices for processing. Prior to submitting these awards, supervisors should ensure that all documentation is complete. If the award is an interagency award, the cost code of the agency giving the award must be included. The Human Resources Office will process the awards and will complete any necessary paperwork to ensure an interagency fund transfer.

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**APPENDIX D - Concept of Operations: Performance Management System**

**POLICIES/UNION AGREEMENTS**

The policies from the respective agencies, as well as the provisions of union agreements, if any, will be used as guidance to evaluate employee performance.

**PROCEDURES**

The Parties agree that unless the authority to conduct performance ratings has been specifically withheld from the delegation of authority for the supervisor, the supervisor will conduct the performance ratings for the employees they supervise. Supervisors are to use the policies of the respective agency, as well as pertinent provisions of union contracts, if any, to develop performance plans, conduct progress reviews and performance appraisals

If the supervisor is assigning a summary rating of unacceptable or if the employee's performance becomes unacceptable at any time during the rating period, the supervisor should immediately contact the employee's Human Resources Office, who will advise the supervisor of the steps to take to help that employee improve his/her performance or of any subsequent actions which may become necessary.

Forest Service and/or BLM supervisors should forward completed annual performance appraisals to the respective employee's Human Resources Office for retention. For example, all completed annual appraisals for BLM employees should be sent to the appropriate BLM Human Resources Office for review and retention. Performance appraisals for Forest Service personnel should be sent to the appropriate Forest Service Human Resources Office.

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**APPENDIX E - Concept of Operations: Employee Relations**

**GENERAL PRINCIPLES:**

Performance and conduct based administrative actions against FS and BLM employees participating in Service First projects will be taken in accordance with regulations and operating policies of the respective agencies.

Employees not covered under a negotiated grievance procedure, will use the administrative grievance system of their respective agency.

Applicable contract provisions pertaining to grievances, performance and discipline will apply for bargaining unit employees.

The FS and BLM jointly recognize duly appointed certified misconduct investigators from the other agency have the authority to take sworn statements from employees of either agency in conjunction with administrative investigations. All applicable Secretarial prohibitions on investigations will apply to Law Enforcement personnel of both agencies.

**PROCEDURES AND ARRANGEMENTS:**

Supervisors of employees from the other agency will adhere to the regulations, policies procedures, and/or requirements of the agency to which the employee is assigned. For example: If a BLM manager is dealing with inappropriate conduct or unacceptable performance of a Forest Service employee, the BLM manager will initiate action under the Forest Service disciplinary or performance process, including any pertinent collective bargaining agreement provisions.

Supervisors will contact the employee's Human Resource Office for consultative and advisory services.

The responsible HR office will determine and advise the involved supervisor(s) how the matter will be processed. The HR office will establish and resolve any questions related to such things as authorities, case follow up responsibilities, identification of proposing/deciding officials, and grievance steps/responding officials. These processing related issues will be resolved per agency-established timelines and communicated to the supervisor(s) involved. When such processes involve supervisors from the other agency, the responsible HR office will advise the appropriate HR office from the other agency.

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**APPENDIX F - Concept of Operations: Classification Operations**

When differences in classification of positions exist, including positions impacted by fire and law enforcement coverage, the following procedures should be followed by both BLM and FS personnel:

1. During the planning stage of any Service First project, Management will examine and address any apparent classification and/or pay inequities, including position description reviews, providing technical information on how positions are classified, and rewriting position descriptions, as appropriate.
2. At the local levels, BLM and FS HRM and management personnel will attempt to resolve classification/position management issues. If resolution cannot be achieved, the issue(s) shall be elevated to the appropriate level.
3. An interagency classification committee will be established which will convene quarterly to discuss all issues related to interagency classification/position management. The Forest Service Partnership Council (FSPC) will periodically request progress reports from the Interagency Classification Team.

New position descriptions should be jointly reviewed and developed by the interagency classification committee. When existing position descriptions are modified to include Service First duties, the employee and his/her supervisor will jointly develop the position description pursuant to Article 14 of the Master Agreement, and will provide the position description to the interagency classification committee for their review.

4. Respective classification appeal decisions will be shared between agencies and with the Union, and will be distributed to all levels within each agency.

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**APPENDIX G - Concept of Operations: Staffing Operations**

**AREA OF CONSIDERATION:**

Whenever Forest Service and BLM offices are located in close geographic proximity, local managers and servicing personnel offices must ensure that employees have the opportunity to apply for vacancies in both offices to the maximum extent possible. As a minimum, vacancies will be advertised government-wide within the appropriate geographic area (local community area/Forest-wide, regionwide, or nationwide). In the Forest Service, units may make an exception to the Merit Promotion Plan minimum area of consideration (local commuting area) so long as the principle of fair and open competition is followed and there is diversity in the commuting area candidate pool.

- a. Human Resources will determine if the Forest Service has the authority to limit the area of consideration to government-wide within the local geographic area. Further, Human Resources will explore getting approval to advertise positions such that area of consideration is only Forest Service and BLM employees within the local geographic area.
- b. If authority as discussed in 'a.' above is received, the Parties will discuss the use of such authority when filling non-SF positions.
- c. The Forest Service will follow Merit Promotion guidelines when deciding on the area of consideration for filling vacancies.

***Note: This entire section needs to be rewritten in the immediate future. Language will be consistent with the Merit Promotion Plan and with the language dealing with this topic coming out of the National Fire Plan effort as it relates to the Hispanic Initiative.***

**GS-13 THROUGH GS-15 RECRUITMENT/SELECTION:**

Where higher authority approval is required for either recruitment and/or selection for positions with dual responsibilities, the recommended recruitment plan and tentative selection package must note that appropriate management officials at both agencies have agreed upon the recommended action. Concurrence must be obtained from BLM's National Position Management Committee for all GS-13 through GS-15 recruitment/selections and the appropriate Regional Forester or Forest Service Headquarters Official with delegated authority.

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**RELOCATION EXPENSES:**

Whenever the Forest Service and/or BLM are advertising a position with dual responsibilities (one that is delegated work from both the Forest Service and BLM) beyond the local commuting area, relocation expenses will be paid. These expenses, unless both parties agree to a different arrangement, will be shared on a pro-rata basis.

**TEMPORARY ASSIGNMENTS:**

Temporary assignments from one agency to the other may be filled using appropriate agency policies and collective bargaining agreements.

Methods used to fill temporary assignments in excess of one year should be discussed with the appropriate servicing personnel office. Issues, such as employee return rights after a lengthy assignment to the other agency, must be discussed and resolved prior to placing the employee in the position.

**VACANCY ANNOUNCEMENTS:**

There are several options for advertising positions with dual responsibilities. Whichever option is used, the Forest Service and BLM must be able to meet their obligations under the Career Transition Assistance Program/Interagency Career Transition Assistance Program and the Forest Service's Workforce Reduction and Placement System.

1. If management has determined where the position will be officially located (on which agency's roles the position will be assigned), that agency will be responsible for issuing and processing the vacancy announcement.
2. Although rare, for certain non-bargaining unit positions for which management has not yet determined which agency will own the shared position, the vacancy announcement must be processed under both governing regulations.

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**APPENDIX H - Concept of Operations: Labor-Management Relations**

Under Service First, there is no change to the bargaining unit status of affected employees who remain covered by the provisions of applicable collective bargaining agreements. A BLM employee delegated the authority to perform the duties of a Forest Service supervisory position is responsible for ensuring that employee rights are protected and observed.

In work situations whereby the supervisory duties are being performed by a common supervisor of one agency or the other, there are a number of procedures and arrangements to be addressed. The Forest Service and the Union agree to the following procedures and arrangements:

**Procedures**

When changes to a Service First project are initiated, the procedures under Article 11 of the Master Agreement will apply and require pre-decisional involvement with the Union.

**Arrangements**

**1. Training and Orientation**

- a. Prior to implementing any Service First project, formal training will be conducted for all affected supervisors, managers and union officials to review the Concept of Operations, any Local LMR agreements, and the particular operational aspects of the local project. Participants will be provided information on the key components and receive a copy of collective bargaining agreement(s) under which employees are covered.
- b. Employees affected by the Service First project will be given an orientation that covers supervisory and reporting processes, an overview of the Concept of Operations as it pertains to their activities, and any local agreements that affects their rights and benefits. A Union official from each of the bargaining unit(s) with affected employees will be invited to participate.
- c. Development of a Service First training program will draw upon the contents of the Concept of Operations papers, as appropriate. The local parties are encouraged to jointly develop training programs and policies.



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d. Parties agree that the Forest Service and the BLM have different levels of Civil Rights training requirements for employees. In order to ensure consistency in understanding applications of Civil Rights programs and rules in SF mixed workforce situations, the following items will be accomplished:

1. The Forest Service Partnership Council will encourage Forest Service Civil Rights program managers to work with their BLM counterparts to seek consistency in Civil Rights training and awareness requirements.
2. On local SF projects, BLM supervisors of Forest Service employees will meet Forest Service Civil Rights training requirements and apply Forest Service behavioral standards to all employees they supervise.
3. Employees will be provided applicable training at the onset of a SF project involving a mixed workforce.

**2. Negotiated Grievance Procedures**

In applying negotiated grievance procedures, the respective agency official organization structure will be used to identify who should receive and render decisions. For example, where a

BLM Resource Area Manager is performing the duties of a FS District Ranger position, and a step 1 grievance is filed by a FS employee covered by the Master Agreement, the BLM Manager/District Ranger would receive and respond to the grievance as the Acting FS District Ranger.

**3. Workforce Reduction And Placement System (WRAPS) and Reduction In Force (RIF)**

To respond to issues concerning how WRAPS and RIF procedures will be used for Forest Service employees involved in SF projects, the Parties agree to the following:

- a. For shared SF positions, a determination will be made as to which is the "home" agency prior to reorganization, downsizing, or RIF. If the position is a Forest Service position, WRAPS procedures will apply. If it is determined to be a BLM position, WRAPS procedures do not apply.
- b. Service First will not be used as a means to avoid placement of employees from the WRAPS list.

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- c. The Parties will jointly monitor and evaluate reorganization, downsizing, and RIF processes to ensure compliance.
- d. Forest Service will add a question to the WRAPS data sheet asking the employee if they are willing to work in a position with BLM responsibilities.
- e. Workforce and workload analysis, as defined and used in Article 32.2 of the Master Agreement, will reflect any shared funding through the Service First Initiative, as appropriate, for the purpose of identifying any Forest Service positions to be abolished.

**4. Labor-Management Collaboration**

Management will seek to resolve issues affecting bargaining unit employees collaboratively with their unions.

**5. Changes to or Discontinuance of Service First Projects**

In compliance with Article 11, whenever changes are planned that will affect conditions of employment, including project endings, appropriate notice will be given to the Union officials. Issues and/or proposals resulting from such notice will be addressed in accordance with the Procedures section, above.

**6. Disputes In Mixed Crews**

If problems or disputes arise in "mixed crews" (both BLM and FS employees working on the same crew) where the Master Agreement provisions may be in conflict with policies that affect non-bargaining unit employees, the Parties agree to discuss and resolve such issues at a future date. The Local parties will be responsible for bringing such matters to the attention of the National Parties for resolution.

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**APPENDIX I - Concept of Operations: Telecommunications**

Management will insure IRM needs are addressed during the planning stage of all Service First (SF) projects, and resolve identified issues at that stage, including how e-mail systems will operate. Management will create needed mail distribution lists.

Until both agencies can effectively communicate with each other electronically and process necessary documents (e.g. payroll, travel, etc.), provision will be made for easy access to a "user friendly" computer and related training (e.g. a dedicated computer linked to the other agency's operating system).

Management will ask the Forest Service CIO what IRM issues they have identified and are working on related to improve IRM system compatibility between the FS and BLM. Information will be provided to the FSPC, to determine if further work is needed in resolving LMR issues on this topic.

Management will address the issue of radio communications and compatibility during the planning stage of any SF project, which will include completing a Job Hazard Analysis for those projects where communication issues are identified.

FS and BLM telecommunication program managers at the national level will make contact to identify radio system compatibility issues and work toward their resolution. This topic needs further consideration and follow up by the SF Steering Team. Intent is to reduce the program-related problems that must be addressed by the local FS and BLM parties.

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### **1237.03 - Policy**

The policy in this section is consistent with the Memorandum of Understanding for the Service First Initiative between the Forest Service and the National Federation of Federal Employees (FSM 1237.01, ex. 01). This section represents how the Forest Service chooses to implement the statutory and regulatory direction for granting reciprocal delegations to Bureau of Land Management (BLM) employees and extends the procedures to Forest Service employees who receive delegations from BLM officials.

1. Forest Service Delegations to BLM Employees. Forest Service officials may delegate authority to Bureau of Land Management (BLM) officials only when a pilot Service First project has been established by written agreement between the two agencies. (See FSM 1237.1 for criteria to consider in establishing joint pilot projects, whether local or nation-wide.)

The written agreement for each project should identify these specific authorities that one agency intends to delegate to employees of the other agency to accomplish the project. The written agreement describing the scope of the joint project and its objectives cannot serve as a delegation of authority to BLM or Forest Service employees. See paragraph 2, which follows, for documenting delegations. The written agreement must make clear that, when exercising Forest Service authorities, the BLM employee must comply with all laws, regulations, policies, and labor-management agreements applicable to National Forest System lands and to Forest Service employees. Also, in carrying out the Forest Service duties, the BLM employee may utilize only those legal authorities available to the Forest Service.

2. Documentation of Delegations. Any delegation of Forest Service authority to a BLM employee must be documented through official correspondence to the specific, named BLM employee who will exercise the authority being delegated. The letter must specify the authorities being delegated, the discrete duties being assigned, the name of the organizational unit, the duration of the authority, and, if a National Forest System position, the lands over which the BLM official will exercise authority.

- a. Delegation of Full Authority. If a BLM employee is to be delegated authority to exercise all duties and responsibilities of a Forest Service line or staff officer position, the delegation letter must designate the named BLM employee as an "acting" (for example, "Acting District Ranger" or "Acting Lands and Minerals Staff Officer"). In this case, the delegation letter also must require the BLM employee to sign all documents required to conduct Forest Service business using the Forest Service acting position title.
- b. Partial Delegations. In contrast to the appointment of a BLM employee to act in a Forest Service position (as described in preceding para. a), a Forest Service official may delegate to a BLM employee a limited subset of responsibilities, such as serving as authorized officer for issuing and administering Forest Service grazing permits.

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c. Mandatory Delegation Text. The letter of delegation to a BLM employee pursuant to this section must contain the following statement:

In taking any action or making any decision pursuant to the authority being delegated, you must comply with all relevant Forest Service policies and procedures. The primary source of Forest Service administrative practice and procedure is the Directive System, consisting of the Forest Service Manual and Handbooks. Forest Service regulations are codified in Title 36 of Chapter II, Parts 200-299 of the Code of Federal Regulations.

3. Notice of Delegations.

a. Public Notice. The Forest Service delegating official shall ensure public notice of any delegation of Forest Service authority to a BLM employee who will have substantial interaction with the citizens, organizations, or State, county, local, or Tribal government officials. Effective notice includes, but is not limited to,

(1) Prominent posting of the letter of delegation at all National Forest System offices affected by the delegation,

(2) Issuance of a press release,

(3) Distribution of a letter from the delegating official to interested and affected individuals and organizations, or

(4) Publication in newspapers of general circulation in the area where the delegations will be exercised.

b. Notice to Forest Service Employees Affected by the Delegation. Forest Service employees who will work with or report to a BLM employee to whom Forest Service authority is delegated are to receive prompt written notice of the delegation, including a description of the scope of the authority delegated and the duration of the delegation. For NFFE bargaining units, the letter shall also refer employees to the Memorandum of Understanding between the Forest Service and the union (FSM 1237.01, ex. 01).

4. Acceptance of BLM Delegations. Forest Service employees may accept a delegation of authority from a BLM official only under the following conditions:

a. The delegation is authorized by written agreement.

b. The delegation is documented in official BLM correspondence to the named Forest Service employee.

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- c. The delegation meets the same standards and requirements as Forest Service delegations to BLM employees pursuant to the requirements of this section and relevant law or regulation.

#### **1237.04 - Responsibility**

1. General Delegation. Where Forest Service and BLM officials have agreed to establish a Service First pilot project to promote customer service and improve land management efficiencies (FSM 1237.1), Regional Foresters and Directors of Forest and Range Experiment Stations may delegate to BLM employees all or part of the duties and responsibilities assigned to the Forest Service. Such delegations are subject to the policy requirements of FSM 1237.03. Regional Foresters may redelegate this cross-delegation authority to Forest Supervisors.

2. Limitations on Cross-agency Delegations. In delegating Forest Service authority to BLM employees, the Forest Service delegating official is bound by the same principles, practices, and restrictions that would apply if the receiving official were a Forest Service employee (FSM chapters 1220 and 1230 and title 6100). If a directive in the Forest Service Manual or a Forest Service Handbook prohibits redelegation of a specific, discrete authority or function below a certain organizational level, this prohibition also applies to delegation of authority to a BLM employee in an equivalent position.

a. Only a Regional Forester may delegate to a BLM employee the full authority to execute all duties and exercise all authorities of a Forest Supervisor. The Regional Forester's concurrence is required prior to any delegation by a Forest Supervisor of the duties of a District Ranger or any of the duties assigned to the Supervisor.

b. Following consultation and concurrence of the Regional Forester, a Forest Supervisor may delegate to a BLM employee the full authority to act as a District Ranger. A Forest Supervisor may also delegate to a BLM employee the authority to carry out a discrete set of duties assigned to personnel who report to the Forest Supervisor or even some of the Supervisor's responsibilities.

For example, a Forest Supervisor may redelegate to a BLM employee the authority to act as Range Conservationist for the Forest or a District or the authority to serve as the Authorized Officer for issuing and administering grazing permits.

#### **1237.05 - Definitions**

Cross-delegation of authority. The delegation of authority by one agency to an employee of another agency; also referred to as a "reciprocal delegation."

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### **1237.1 - Criteria for Establishing Service First Projects**

1. Factors To Be Considered. In determining whether to establish or continue a Service First project, the Forest Service line officer (FSM 1220) must consider the following:

- a. What are the objectives/desired outcomes of the Service First activity?
- b. How does the design of the Service First project reflect lessons learned from previous or other ongoing Service First projects?
- c. What is the organizational structure of the Service First project? Which authorities need to be cross-delegated? What are the effects of the cross-delegations or changes in organization on local workforce planning? Which agency is charged the Full Time Equivalency (FTE) position?
- d. How much of the Service First project will be funded by each agency?
- e. Are there any adverse impacts on employees? Can these be mitigated? Is a Civil Rights Impact Analysis (FSM 1730) necessary?
- g. If the unit is a bargaining unit, have consultation and collaboration with the union occurred?
- f. How will success or failure of the Service First project be measured? What should be included in a monitoring plan for the project?

2. Minimum Requirements for Establishing Service First Projects. In order to establish or continue a Service First joint project, the responsible official must find that the joint project meets each of the following criteria:

- a. The activity improves (or will improve) customer service at the same cost as currently expended by both agencies for this activity or the activity provides (or will provide) the same level of customer service at a reduced cost.
- b. The activity complies with all relevant laws, regulations, labor-management agreements, or other authority.
- c. The activity furthers (or will further) the mission accomplishment of the Forest Service and/or the BLM.

### **1239 - SUMMARY OF DELEGATIONS OF SPECIFIC AUTHORITY**

#### **1239.02 - Objectives**

Units may issue summaries of delegations of specific authority to:

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1. Provide employees a ready source for checking delegations, the source of delegations, and the limits of re-delegation.
2. Provide an easy means for reviewing patterns of delegations prior to revising or issuing new delegations.

**1239.03 - Policy**

Issuance of summaries of delegations of authority is optional. However, units that issue such summaries must adhere to the following policies:

1. Do not use a summary exhibit of delegations to effect a delegation of authority. Make and issue delegations of specific authority of a continuing nature affecting more than one unit in the appropriate titles, chapters, and sections of the Manual and Handbooks (FSM 1230.3).
2. Issue a simultaneous change to a summary of delegations, or supplement thereto, each time a new or revised delegation of authority is made elsewhere in the Directive System.

**1239.1 - Minimum Standards for Summary Exhibits**

Issue summaries of delegations of specific authority at this code. Design and format such summaries to best meet the unit's needs and to facilitate ease of reference, revision, or supplementation.

Any summary of delegations of specific authority issued at this code must display the following information:

1. The specific authority delegated.
2. The citation to the law, order, regulation, and/or Forest Service Manual or handbook section where the authority is granted and delegated.
3. The level to which the authority may be delegated; use approved position titles (FSM 1220) not names of incumbents.

Exhibit 01 displays one possible format for delegation summaries.



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**1239.1 - Exhibit 01**

**Sample Format for Summary of Specific Delegations of Authority**

X = May redelegate to the unit head of the next lower organizational level.

O = Delegation limited to the unit head of the organizational level.

# = May be delegated to specified position.

FSM/FSH Reference	Activity	Authority delegated to					
		Secretary	Chief.	Region, Forest	Station Director	Area, Institute Director	Staff Director
	1020 - LAWS, REGULATIONS, AND ORDERS						
1023.31 (7 CFR 2.60(b) (1))	Authority to issue regulations, except as provided in 36 CFR 261.70	0					
1023.32 (36 CFR 200-299)	Authority to amend existing Forest Service Federal Regulations	0					
1023.4 (36 CFR 261.70)	Pursuant to 7 CFR 2.60, each Regional Forester is delegated the authority to issue regulations authorized by 36 CFR 261.70			0			
1030	Forest Service objectives and policy		0				
1234 (7 CFR 2.60 (b))	Authorities reserved by Under Secretary	0					
1233 (7 CFR 2.60 (a))	Authorities delegated from Under Secretary to Chief of Forest Service		0				
1235	Authorities delegated from Chief to Associate Chief and Deputy Chiefs		0				
	1100 - DIRECTIVES						
1104	Authority to issue directives.			X	0	0	
	1200 - ORGANIZATION						
1220	Approval of organizational changes.						