The Assistant Secretary of the Interior shall perform such duties in the Department of the Interior as shall be prescribed by the Secretary, or may be required by law. The assistant to the Secretary of the Interior is authorized to sign such official papers and documents as the Secretary may direct.

(R.S. § 439; Mar. 28, 1918, ch. 29, 40 Stat. 499.)

Codification

Section was formerly classified to section 483 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

Codification
Section 3 of Pub. L. 92-22 provided that: “Section 4 of Reorganization Plan Numbered 3 of 1950, as amended (64 Stat. 1282) [set out under section 1451 of this title], and item (25) of section 5316, title 5, United States Code, are repealed, effective upon the confirmation by the United States Senate of a Presidential appointee to fill the position created by this Act [enacting this section and section 5315(19) of Title 5, Government Organization and Employees].”

§ 1454. Duties of Assistant Secretary and assistant to Secretary

The Assistant Secretary of the Interior shall perform such duties in the Department of the Interior as shall be prescribed by the Secretary, or may be required by law. The assistant to the Secretary of the Interior is authorized to sign such official papers and documents as the Secretary may direct.

(R.S. § 439; Mar. 28, 1918, ch. 29, 40 Stat. 499.)

Codification

Section was formerly classified to section 483 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

Transfer of Functions
For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

June 26, 1946, ch. 494, 60 Stat. 312.)

Codification
Provisions of this section which prescribed the compensation of the Solicitor were omitted to conform to the provisions of the Federal Executive Salary Schedule. See section 5311 et seq. of Title 5, Government Organization and Employees.

Section was formerly classified to section 483a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

§ 1456. Chief clerk

The chief clerk of the Department of the Interior on and after July 3, 1926, shall be the chief executive officer of the department and may be designated by the Secretary to sign official papers and documents, including the authorization of expenditures from the contingent and other appropriations for the department. Its bureaus and offices, section 3683 of the Revised Statutes to the contrary notwithstanding.

(July 3, 1926, ch. 771, § 1, 44 Stat. 854.)

References in Text
Section 3683 of the Revised Statutes, referred to in text, was classified to section 675 of former Title 31, Money and Finance, and repealed by act Sept. 12, 1950, ch. 946, title III, § 301(76), 64 Stat. 843.

Codification
Section was formerly classified to section 484 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

Prior Provisions
Provisions similar to those in this section were contained in the following prior appropriations acts:

May 24, 1922, ch. 199, 42 Stat. 552.


Transfer of Functions
For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

Division of Administrative Services

Interior Department Order No. 2546, dated Dec. 7, 1949 and amended Jan. 20, 1950, set up the Office of Administrative Management with an executive officer in charge, and the Chief Clerk of the Department was placed in charge of a Division of Administrative Services under that office. A further amendment to Department Order No. 2546, dated Aug. 15, 1950, placed the Division of Administrative Services, with the Chief Clerk in charge, under the Administrative Assistant Secretary of the Interior Department.


Section, Pub. L. 95-153, title IV, § 405, Nov. 16, 1973, 87 Stat. 596, provided for appointment by the President of head of Mining Enforcement and Safety Administration. Effective Date of Repeal

Repeal effective 120 days after Nov. 9, 1977, see section 307 of Pub. L. 95-164, set out as an Effective Date of 1977 Amendment note under section 801 of Title 30, Mineral Lands and Mining.

§ 1457. Duties of Secretary

The Secretary of the Interior is charged with the supervision of public business relating to the following subjects and agencies:

1. Alaska Railroad.
2. Alaska Road Commission.

1 See References in Text note below.
7. Division of Territories and Island Possessions.
8. Fish and Wildlife Service.
10. Indians.
13. Public lands, including mines.


CODIFICATION

CHANGE OF NAME
“United States Bureau of Mines” substituted for “Bureau of Mines” in par. (5) pursuant to section 10(b) of Pub. L. 102–265, set out as a note under section 1 of Title 30, Mineral Lands and Mining.


EFFECTIVE DATE OF 1967 AMENDMENT

TRANSFER OF FUNCTIONS
For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1939, §§1, 2, eff. May 24, 1939, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

Functions of General Land Office and of Grazing Service consolidated into a new agency known as Bureau of Land Management by Reorg. Plan No. 3 of 1946, §403(a), eff. July 16, 1946. See note set out under section 1 of this title.

The following subjects of which Secretary of the Interior was charged with supervision by R.S. §441, were transferred in the manner indicated:

Census—Transferred to Department of Commerce and Labor by act Feb. 14, 1903, ch. 552, §4, 32 Stat. 826. (See Title 13, Census.)
Pensions—Transferred to Veterans’ Administration by Ex. Ord. No. 5398 of July 21, 1930, pursuant to act July 3, 1930, ch. 863, §1, 46 Stat. 1016. (See Title 38, Veterans’ Benefits.)


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Functions of Secretary of the Interior, Department of the Interior, and officers and components of Department of the Interior exercised by Bureau of Mines relating to fuel supply and demand analysis and data gathering, research and development relating to increased efficiency of production technology of solid fuel minerals other than research relating to mine health and safety and research relating to environmental and leasing consequences of solid fuel mining, and coal preparation and analysis transferred to Secretary of Energy by section 7152(d) of Title 42, The Public Health and Welfare. Subsequently, those functions transferred to, and vested in, Secretary of the Interior, by section 100 of Pub. L. 97–237, 96 Stat. 841, set out as a note under section 7152 of Title 42.

For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see note set out under section 1 of Title 30, Mineral Lands and Mining.


Power marketing functions of Bureau of Reclamation, including construction, operation, and maintenance of transmission lines and attendant facilities, transferred to Secretary of Energy by section 7152a(1)(D), (3) of Title 42, The Public Health and Welfare, and to be exercised by Secretary through a separate Administration within Department of Energy.

Division of Territories and Island Possessions—Ex. Ord. No. 6726 of May 29, 1934. Functions of Division transferred to Office of Territories established July 28, 1950, pursuant to Secretarial Order No. 2577. Office of Territories ceased to exist on June 30, 1971, and its functions assigned to Deputy Assistant Secretary for Territorial Affairs in Office of the Assistant Secretary for Public Land Management by Secretarial Order No. 2942, eff. July 1, 1971. Subsequently, functions and responsibilities of Deputy Assistant Secretary were assumed by Office of Territorial Affairs, headed by a Director, established by Secretarial Order No. 2961 of Feb. 6, 1973. Functions and responsibilities of Office of Territorial Affairs transferred to Office of Assistant Secretary for Territorial and International Affairs established by Secretarial Order No. 3046 of Feb. 14, 1980, as amended May 14, 1980.


Office of Consumers’ Counsel of National Bituminous Coal Commission—Abolished and functions transferred to Office of Solicitor of Department of the Interior, by Reorg. Plan No. II of 1939, § 4(c), eff. July 1, 1939, set out in the Appendix to Title 5, Government Organization and Employees. Its functions, records, property, and personnel were subsequently transferred from Solicitor to Bituminous Coal Consumers’ Counsel.


Emergency Preparedness Functions

For assignment of certain emergency preparedness functions to Secretary of the Interior, see Parts 1, 2, and 10 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

Report to Congress on Availability of Federal Programs to Territories of United States; Authorization of Appropriations


Study of Health and Safety Conditions in Metal and Nonmetallic Mines

Pub. L. 87–300, Sept. 26, 1961, 75 Stat. 649, directed Secretary of the Interior to make a study on health and safety conditions in metal and nonmetallic mines, excluding coal and lignite mines, which study was to cover causes of injuries and health hazards, the relative effectiveness of voluntary versus mandatory reporting of accident statistics, the relative contribution to safety of inspection programs embodying right-of-entry and right-of-entry with enforcement authority, the effectiveness of health and safety training programs, the cost of an effective safety program, and the scope and adequacy of State mine safety laws, and to submit his findings, accompanied with recommendations for an effective safety program for metal and nonmetallic mines, excluding coal or lignite mines, to Congress not later than two years after Sept. 26, 1961.

Surveys, Investigations and Research; Appropriations

Pub. L. 85–745, Aug. 23, 1958, 72 Stat. 837, provided: “That the authority vested in the Secretary of the Interior, to perform surveys, investigations, and research in geology, biology, minerals and water resources, and mapping is hereby extended to include Antarctica and the Trust Territory of the Pacific Islands.”

SEC. 2. The Secretary of the Interior is authorized to compile maps of Antarctica from materials already available and from such additional material as may result from the several expeditions in support of the International Geophysical Year.

SEC. 3. Nothing in this Act shall be construed to authorize the absorption or modification of, or change in any way, the responsibility of any other department or agency of the United States, including the performance of surveys, mapping, and compilation of maps.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.”

[For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.]

Executive Order No. 9633

Ex. Ord. No. 9633, eff. Sept. 29, 1945, 10 F.R. 12305, which reserved and placed certain resources of the Continental Shelf under the control and jurisdiction of the Secretary of the Interior, was revoked by Ex. Ord. No. 10426, eff. Jan. 16, 1953, 18 F.R. 665.

Ex. Ord. No. 12906, Coordinating Geographic Data Acquisition and Access: The National Spatial Data Infrastructure


Geographic information is critical to promote economic development, improve our stewardship of natural resources, and protect the environment. Modern technology now permits improved acquisition, distribution, and utilization of geographic (or geospatial) data and mapping. The National Performance Review has recommended that the executive branch develop, in cooperation with State, local, and tribal governments,
and the private sector, a coordinated National Spatial Data Infrastructure to support public and private sector applications of geospatial data in such areas as transportation, community development, agriculture, emergency response, environmental management, and information technology.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America; and to implement the recommendations of the National Performance Review; to advance the goals of the National Information Infrastructure; and to avoid wasteful duplication of effort and promote effective and economical management of resources by Federal, State, local, and tribal governments, it is ordered as follows:

SECTION 1. DEFINITIONS. (a) ‘‘National Spatial Data Infrastructure’’ (‘‘NSDI’’) means the technology, policies, standards, and human resources necessary to acquire, process, store, distribute, and improve utilization of geospatial data.

(b) ‘‘Geospatial data’’ means information that identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth. This information may be derived from, among other things, remote sensing, mapping, and surveying technologies. Statistical data may be included in this definition at the discretion of the collecting agency.

(c) The ‘‘National Geospatial Data Clearinghouse’’ means a distributed network of geospatial data producers, managers, and users linked electronically.

(d) The Federal Geographic Data Committee (‘‘FGDC’’), established by the Office of Management and Budget (‘‘OMB’’), Circular No. A-16 (‘‘Coordinating Surveying, Mapping, and Related Spatial Data Activities’’) and chaired by the Secretary of the Department of the Interior (‘‘Secretary’’), or the Secretary’s designee, shall coordinate the Federal Government’s development of the NSDI.

(e) Each member agency shall ensure that its representative on the FGDC holds a policy-level position.

(f) Executive branch departments and agencies (‘‘agencies’’) that have an interest in the development of the NSDI are encouraged to join the FGDC.

(g) The Executive order is intended to strengthen and enhance the general policies described in OMB Circular No. A-16. Each agency shall meet its respective responsibilities under OMB Circular No. A-16.

(h) The FGDC shall seek to involve State, local, and tribal governments in the development and implementation of the initiatives contained in this order. The FGDC shall utilize the expertise of academia, the private sector, professional societies, and other organizations necessary to aid in the development and implementation of the objectives of this order.

Sec. 2. EXECUTIVE BRANCH LEADERSHIP FOR DEVELOPMENT OF THE COORDINATED NATIONAL SPATIAL DATA INFRASTRUCTURE. (a) The Federal Geographic Data Committee (‘‘FGDC’’), established by OMB Circular No. A-16 (‘‘Coordinating Surveying, Mapping, and Related Spatial Data Activities’’) and chaired by the Secretary of the Department of the Interior (‘‘Secretary’’) or the Secretary’s designee, shall coordinate the Federal Government’s development of the NSDI.

(b) Each member agency shall ensure that its representative on the FGDC holds a policy-level position.

(c) Executive branch departments and agencies (‘‘agencies’’) that have an interest in the development of the NSDI are encouraged to join the FGDC.

(d) The Executive order is intended to strengthen and enhance the general policies described in OMB Circular No. A-16. Each agency shall meet its respective responsibilities under OMB Circular No. A-16.

(e) The FGDC shall seek to involve State, local, and tribal governments in the development and implementation of the initiatives contained in this order. The FGDC shall utilize the expertise of academia, the private sector, professional societies, and other organizations necessary to aid in the development and implementation of the objectives of this order.

Sec. 3. DEVELOPMENT OF A NATIONAL GEOGRAPHICAL DATA CLEARINGHOUSE. (a) Establishing a National Geospatial Data Clearinghouse. The Secretary, through the FGDC, and in consultation with, as appropriate, State, local, and tribal governments and other affected parties, shall take steps within 6 months of the date of this order, to establish an electronic National Geospatial Data Clearinghouse (‘‘Clearinghouse’’) for the NSDI. The Clearinghouse shall be compatible with the National Information Infrastructure to enable integration with that effort.

(b) Standardized Documentation of Data. Beginning 9 months from the date of this order, each agency shall document all new geospatial data it collects or produces, either directly or indirectly, using the standard under development by the FGDC, and make that standardized documentation electronically accessible to the Clearinghouse network. Within 1 year of the date of this order, agencies shall adopt a schedule, developed in consultation with the FGDC, for documenting, to the extent practicable, geospatial data previously collected or produced, either directly or indirectly, and make that data documentation electronically accessible to the Clearinghouse network.

(c) Public Access to Geospatial Data. Within 1 year of the date of this order, each agency shall adopt a plan, in consultation with the FGDC, establishing procedures to make geospatial data available to the public, to the extent permitted by law, current policies, and relevant OMB circulars, including OMB Circular No. A-130 (‘‘Management of Federal Information Resources’’) and any implementing bulletins.

(d) Agency Utilization of the Clearinghouse. Within 1 year of the date of this order, each agency shall adopt internal procedures to ensure that the agency accesses the Clearinghouse before it expends Federal funds to collect or produce new geospatial data, to determine whether the information has already been collected by others, or whether cooperative efforts to obtain the data are possible.

(e) Funding. The Department of the Interior shall provide funding for the Clearinghouse to cover the initial prototype testing, standards development, and monitoring of the performance of the Clearinghouse. Agencies shall continue to fund their respective programs that collect and produce geospatial data; such data is then to be made part of the Clearinghouse for wider accessibility.

Sec. 4. DATA STANDARDS ACTIVITIES. (a) General FGDC Responsibility. The FGDC shall develop standards for implementing the NSDI, in consultation and cooperation with State, local, and tribal governments, the private and academic sectors, and, to the extent feasible, the international community, consistent with OMB Circular No. A-119 (‘‘Federal Participation in the Development and Use of Voluntary Standards’’), and other applicable law and policies.

(b) Standards for Which Agencies Have Specific Responsibilities. Agencies assigned responsibilities for data categories by OMB Circular No. A-16 shall develop, through the FGDC, standards for those data categories, so as to ensure that the data produced by all agencies are compatible.

(c) Other Standards. The FGDC may from time to time identify and develop, through its member agencies, and to the extent permitted by law, other standards necessary to achieve the objectives of this order. The FGDC will promote the use of such standards and, as appropriate, such standards shall be submitted to the Department of Commerce for consideration as Federal Information Processing Standards. Those standards shall apply to geospatial data as defined in section 1 of this order.

(d) Agency Adherence to Standards. Federal agencies collecting or producing geospatial data, either directly or indirectly (e.g., through grants, partnerships, or contracts with other entities), shall ensure, prior to obligating funds for such activities, that data will be collected in a manner that meets all relevant standards adopted through the FGDC process.

Sec. 5. NATIONAL DIGITAL GEOSPATIAL DATA FRAMEWORK. In consultation with State, local, and tribal governments and within 9 months of the date of this order, the FGDC shall submit a plan and schedule to OMB for completing the initial implementation of a national digital geospatial data framework (‘‘framework’’) by January 2000 and for establishing a process of ongoing data maintenance. The framework shall include geospatial data that are significant, in the determination of the FGDC, to a broad variety of users within any geographic area or nationwide. At a minimum, the plan shall address how the initial transportation, hydrology, and boundary elements of the framework might be completed by January 1998 in order to support the decennial census of 2000.

Sec. 6. PARTNERSHIPS FOR DATA ACQUISITION. The Secretary, under the auspices of the FGDC, and within 9 months of the date of this order, shall develop, to the extent permitted by law, strategies for maximizing cooperative participatory efforts with State, local, and tribal governments, the private sector, and other nonfederal organizations that share costs and improve efficiencies of acquiring geospatial data consistent with this order.
SEC. 7. SCOPE.
(a) For the purposes of this order, the term “agency” shall have the same meaning as the term “Executive agency” in 5 U.S.C. 105, and shall include the military departments and components of the Department of Defense.
(b) The following activities are exempt from compliance with this order:
(1) national security-related activities of the Department of Defense as determined by the Secretary of Defense;
(2) intelligence activities as determined by the Director of Central Intelligence;
(3) the national security-related activities of the Department of Homeland Security as determined by the Secretary of Homeland Security.
(c) Additional limitations
Notwithstanding the limitation otherwise imposed by subsection (a) of this section—
(1) the authorization for obligation and appropriations for the Department of the Interior may exceed the amount specified in subsection (a) of this section by such amount as permanent and annual indefinite appropriations exceed the estimates for such appropriations as contained in “The Budget of the United States Government, Fiscal Year 1982,” as revised by the March 1981, publication of the Office of Management and Budget entitled “Fiscal Year 1982 Budget Revisions”, when receipts available to be appropriated equal or exceed such appropriations, and
(2) the authorization for obligation and appropriations for the Department of the Interior may exceed the amount specified in subsection (a) of this section by such amounts as may be required for emergency firefighting and for increased pay costs authorized by law.
(d) Omitted
(e) Applicable programs
For the purposes of this section, the term “Department of the Interior programs” means—
(1) the authorization for obligation and appropriations for the following programs:

- Alaska Native Fund amounts included in Bureau of Indian Affairs programs funded from Miscellaneous Trust Funds and Miscellaneous Permanent Appropriations accounts;
- Bureau of Land Management programs;
- United States Bureau of Mines programs;
- National Park Service programs other than the John F. Kennedy Center for the Performing Arts (including those programs formerly administered by the Heritage Conservation and Recreation Service as of October 1, 1980);
- Offices of the Solicitor and the Secretary;
- Office of Surface Mining Reclamation and Enforcement programs;
- Office of Territorial Affairs programs;
- United States Geological Survey programs; and
- Bureau of Reclamation (including those programs formerly administered by the Water and Power Resources Service).


REFERENCES IN TEXT

\(^1\) See References in Text note below.