

DELEGATION TO THE UNDER SECRETARY FOR STRATEGY, POLICY, AND PLANS TO ACT ON FINAL RULES, REGULATIONS, AND OTHER MATTERS

I. Purpose

This delegation vests authority in the Under Secretary for Strategy, Policy, and Plans as specified below.

II. Delegation

By virtue of the authority vested in the Secretary of Homeland Security by law, including the Homeland Security Act of 2002, I hereby delegate to Chad F. Wolf, the Under Secretary for Strategy, Policy, and Plans, the authority of the Secretary:

- A. To review, approve or disapprove, and sign any regulatory action, including proposed rules, final rules, and significant notices, and to ratify any prior regulatory actions of the Department of Homeland Security.
- B. To approve waivers of laws, regulations, and other legal requirements to ensure expeditious construction of border barriers and roads.
- C. To establish and issue written documents, including but not limited to guidance documents, bulletins, and manuals, furthering policy goals.

This delegation will remain in effect so long as Mr. Wolf is the Under Secretary for Strategy, Policy, and Plans, or until the earlier to occur of (1) the appointment of a Senate-confirmed Secretary for the Department of Homeland Security by the President of the United States; or (2) the express revocation of this delegation.

III. Re-delegation

Only the authority to electronically sign documents for purposes of publication in the Federal Register is re-delegable, in writing, to an appropriate official. Subject to the above, the authorities herein delegated may not be re-delegated.

IV. Authorities

- A. Title 5, U.S.C. Section 301, "Departmental Regulations."
- B. Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002), as amended (6 U.S.C. § 112).
- C. Title 8, U.S.C. Section 1103, "Powers and duties of the Secretary, the Under Secretary, and the Attorney General" [Immigration and Nationality Act, § 103].
- D. Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended ("IIRIRA"), Section 102 (Public Law 104-208, Div. C, 110 Stat. 3009-546, 3009-554 (Sept. 30, 1996) (codified at 8 U.S.C § 1103 note))

V. Office of Primary Interest

The Office of the Under Secretary for Strategy, Policy, and Plans has the primary interest in this delegation.



Peter T. Gaynor
Acting Secretary of Homeland Security

12 JAN 2001
Date