

# Department of the Interior

## Departmental Manual

---

**Effective Date:** 10/26/81

**Series:** Organization

**Part 109:** Secretarial Officers

**Chapter 3:** Solicitor

**Originating Office:** Office of the Solicitor

---

### 109 DM 3

**3.1 General.** The Solicitor is the principal legal adviser to the Secretary and the Chief Law Officer of the Department. He/she is responsible for and has supervision over all of the legal work of the Department, except that the Office of Hearings and Appeals has responsibility for the determination of specific cases filed with it pursuant to regulation, and except for the work of the Legislative Counsel relative to legislation of interest to the Department.

**3.2 Responsibilities.** In performing assigned functions, the Solicitor is responsible for:

A. Providing legal advice to the Secretary and Under Secretary and members of their staffs, the Assistant Secretaries of the Department, the heads of the offices and bureaus of the Department and all other officers and employees of the Department;

B. Formulating the legal policies of the Department and resolving any conflicts which may arise in the application of these policies;

C. Providing legal services for all programs, operations and activities of the Department, including the following programs: energy and minerals; land and water resources; fish and wildlife and parks; Indian affairs; territories; and management and administrative affairs.

**3.3 Supervisory Authority.** The Solicitor exercises supervision over employees of the Office of the Solicitor. The organization description of the Office of the Solicitor is published in 111 DM 2. Internal delegations, policies and procedures applicable to the Office of the Solicitor are prescribed in the Solicitor's Regulations Manual.

**3.4 Scope of Activities.** The Solicitor performs, or supervises the performance of, activities which include:

A. Interpretation and application of all legal authority affecting actions proposed or taken under the Department's programs and operations, including statutes, judicial decisions,

executive and other orders, and regulations;

B. Serving as contact with the Attorney General, officials and lawyers of the Department of Justice, including U.S. Attorneys, in all litigation and other matters arising from or affecting the programs of the Department;

C. Provision of all legal services to the Secretary and the Under Secretary and their staff, and to the Assistant Secretaries and to other officials and employees of the Department in connection with actions proposed or taken under the Department's programs and operations, except as provided by the Department of Justice;

D. Consideration, adjustment and final disposition of all tort claims under the jurisdiction of the Department, as well as the appeals arising therefrom in accordance with criteria published in 451 DM;

E. Formulating patent policy and handling all patent matters arising in the Department including the prosecution of applications before the Patent Office and the handling of appeals with the Patent Office;

F. Providing legal services to the responsible Department officers in connection with the formulation of proposed legislation relating to programs of the Department and their recommendation to Congress and OMB.

G. Formulating all legal policy relating to procurement and overseeing the legal aspects of procurement operations of the Department.

10/26/81 #2355

Replaces 1/24/78 #2058