

Department of the Interior Departmental Manual

Effective Date: 6/5/89

Series: Delegation

Part 209: Secretarial Officers

Chapter 4: Assistant Secretary - Policy, Budget and Administration

Originating Office: Office of Planning and Performance Management

This chapter has been given a new release number.* No text changes were made.

209 DM 4

4.1 Delegation. Subject to the limitations in 200 DM 1, the Assistant Secretary - Policy, Budget and Administration is authorized to exercise all of the authority of the Secretary including:

A. The authority to issue amendments of and additions to the material in the Code of Federal Regulations.

B. The authority delegated to the Secretary by Section 204(a) of Public Law 94-579, relating to the withdrawal or reservation of certain lands by the issuance of public land orders.

C. The administration of the oath of office or any oath required by law in connection with employment.

D. The authority to sign Records of Decision and associated documents under Public Law 96-510 (Comprehensive Environmental Response, Compensation and Liability Act), as amended, ' ' 104(c)(4), and 120(e).

4.2 Authority to Redelegate. The Assistant Secretary - Policy, Budget and Administration may redelegate the authority delegated in 209 DM 4.1, except where prohibited by statute, Executive order, or limitations established by other competent authority. Such redelegations will be restricted to authority related to the programs, functions, and responsibilities assigned exclusively to the Assistant Secretary - Policy, Budget and Administration, and will be issued in strict compliance with the procedural requirements in Part 200 of the Departmental Manual.

4.3 Deputy Assistant Secretary. Under conditions specified by the Assistant Secretary - Policy, Budget and Administration, a Deputy Assistant Secretary - Policy, Budget and Administration may exercise the authority delegated in 209 DM 4.1 and 209 DM 4.2, excluding 209 DM 4.1B.

4.4 Statutory Waivers. The authority of the Secretary to grant waivers under 18 U.S.C. ' 208(b) is delegated to the Designated Agency Ethics Official for all employees except those who

work in the same organization as the Designated Agency Ethics Official (i.e., anywhere within Policy, Budget and Administration). The Secretary retains authority to grant 18 U.S.C. ' 208(b) waivers to employees who work in the same organization as the Designated Agency Ethics Official. Determining whether a waiver is justifiable or advisable requires substantial analysis, evaluation against statutory standards and a thorough consideration in each case. This delegation of authority is made to ensure proper analysis, evaluation and consideration at the appropriate management levels.

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