

Department of the Interior Departmental Manual

Effective Date: 1/18/01

Series: Departmental Management

Part 302: Automatic Succession

Chapter 2: Designation of Successors for Presidentially-Appointed, Senate-Confirmed Positions

Originating Office: Office of Planning and Performance Management

302 DM 2

2.1 Purpose. This chapter describes responsibilities, standards, and procedures for designating automatic successors for certain positions subject to the Vacancies Act.

2.2 Automatic Succession.

A. In the event of a vacancy or the absence of the incumbent in a position covered by the Vacancies Act, the duties of the position shall be temporarily assumed by another individual serving in an acting capacity. Permanent arrangements must be made for automatic succession to all such positions.

B. Limitations on Presidential Advice-and-Consent (PAS) Positions. The statutory limitation for details for officials serving in PAS positions is as follows: When a vacancy occurs in a PAS position, the first assistant to the absent official automatically assumes the duties of the position on an acting basis unless the President specifically directs otherwise. The first assistant's service in an acting capacity may not exceed 210 days unless extended in accordance with law. (One may occupy a position in an acting capacity for longer than 210 days pending Senate confirmation of a first or second nomination or under other conditions specified in 5 U.S.C. 3346(a) (1) and (2).)

C. The designation of officers of the Department of the Interior to act as Secretary, Deputy Secretary, or as Assistant Secretaries of the Interior is provided in 302 DM 3.

2.3 Responsibilities. All officials in positions subject to the Vacancies Act shall designate automatic successors in accordance with the standards and procedures contained in this chapter.

2.4 Standards.

A. The heads of bureaus and offices and other officials subject to the Vacancies Act shall designate a position as "first assistant" and a sufficient number of successors to serve in the position as first assistant in the event of a vacancy in a superior "first assistant" position.

B. The designation of the first assistant position and the successors to the first assistant position shall follow the standards and procedures in 302 DM 1.4A -H.

C. Appendix A contains the format for designating successors to positions subject to the Vacancies Act.

2.5 Delegations of Authority to Successors. Subject to the provisions of the Vacancies Act, incumbents in all of the positions listed pursuant to 302 DM 2.4 are to be delegated the authority to perform all duties and responsibilities of a PAS when required. The authority of the PAS may be exercised only when an official in one of the designated positions is reasonably certain that a designated superior is unable and unavailable to exercise authority and immediate action is required. Individuals exercising PAS authority will be relieved of the responsibility as soon as a designated superior is available and able to exercise the PAS authority or when an official with the authority designates a permanent or acting official. Individuals exercising the authority of the PAS will keep a record of important actions taken and the period during which the authority was exercised.

2.6 Record of Succession. The original copy of documents prepared in accordance with 302 DM 2.4, including updates or revisions, shall be forwarded to the Office of Planning and Performance Management for inclusion in the Department's permanent records. Copies of all documents are to be provided to the Department's Emergency Coordinator in the Office of Managing Risk and Public Safety and to the Associate Solicitor for General Law.

Appendix A

Memorandum

To:

From:

Subject: Designation of Successors for Presidentially-Appointed, Senate-Confirmed Positions

Subject to the Vacancies Act the following positions in the [name of organization] will automatically succeed the [name of position] in the absence of the incumbent and in the order listed. Incumbents in all of the positions listed are hereby delegated the authority to perform all duties and responsibilities of the [name of position] when required to ensure continued, uninterrupted direction and supervision and to perform essential functions and activities of the office. The authority to exercise the authority of the [name of position] may be exercised only when an official in one of the following positions is reasonably certain that no superior in the list is able and available to exercise the authority and when the nature of the situation requires immediate action. Individuals exercising the authority of the [name of position] will be relieved of this responsibility as soon as a superior on the list is available and able to exercise the authority of the [name of position] or when an official with the requisite authority designates a permanent or acting [name of position]. Individuals exercising the authority of the [name of position] will keep a record of important actions taken and the period during which the authority was exercised.

Position One:

Position Two:

Position Three:

Position Four:

Position Five:

Name and Title of the Head of the Office:

Signature of the Head of the Office _____ Date_____

Concur:

Attachment: List of incumbents to above positions.