

United States Department of the Interior
OFFICE OF THE SECRETARY
Washington, D.C. 20240

ORDER NO. 3247, Amendment No. 1 (*Amended material italicized*)

SIGNATURE DATE: June 28, 2004

Subject: Transfer of Departmental Ethics Functions

Sec. 1 Purpose. The purposes of this Order are to transfer the functions of the Departmental Ethics Office from the Office of the Assistant Secretary - Policy, Management and Budget to the Office of the Solicitor; and to clarify certain roles and responsibilities in the Department's Ethics Program.

Sec. 2 Authority. This Order is issued under the authority provided in the Ethics in Government Act of 1978, as amended; Executive Order 12674, as modified by Executive Order 12731; 5 CFR Chapter XVI, Subchapter B; 5 CFR Chapter XXV; 43 CFR Part 20; and Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended.

Sec. 3 Organizational Changes.

a. The Ethics Office and the functions and responsibilities of the Designated Agency Ethics Official (DAEO) are transferred from the Office of the Assistant Secretary - Policy, Management and Budget to the Office of the Solicitor.

b. The Ethics Office will continue to provide ethics functions and services for the Office of the Secretary in accordance with the delegations identified below.

Sec. 4 Delegations. Because of the importance of consistent and appropriate administration of the statutes and regulations governing the Ethics Program, and the protections afforded to employees who obtain assistance consistent with the governing authorities, the Department's Ethics Program shall be executed in accordance with the following delegations:

a. The Director of the Ethics Office will serve as the DAEO, and is delegated, through the Solicitor, all authority necessary to coordinate and manage the Department's Ethics Program. These authorities may be redelegated only to deputy ethics officials identified by and reporting to the DAEO in accordance with applicable laws and regulations. These authorities may not be redelegated.

b. The Deputy Director of the Ethics Office is a deputy ethics official and will serve as the Alternate Agency Ethics Official in accordance with applicable laws and regulations.

c. Bureau heads, acting within the scope of their designation as Ethics Counselors, as defined in 5 CFR Part 3501 and 43 CFR Part 20, are delegated all authority necessary to fulfill their responsibilities within their respective bureaus, under the provisions of those Parts and other applicable authority. This authority may be redelegated in accordance with the provisions

of those Parts.

d. The Solicitor shall serve as the Ethics Counselor for the Office of the Secretary. The Solicitor should exercise this authority in consultation with the DAEO. In addition, when an ethics matter involving the Solicitor or Deputy Solicitor personally requires a determination by an Ethics Counselor or the DAEO, the determination will be made by the Assistant Secretary - Policy, Management and Budget, in consultation with the DAEO.

Sec. 5 Implementation. The Assistant Secretary - Policy, Management and Budget will effect the prompt transfer of personnel; funds for salaries, benefits, and overhead of personnel transferred; and property to implement the provisions of this Order. The Office of the Solicitor will prepare amendments to the Code of Federal Regulations and Departmental Manual as may be necessary to implement this Order.

Sec 6 Expiration Date. This Order is effective immediately. It will remain in effect until its provisions are converted to the Departmental Manual, or until it is amended, superseded or revoked, whichever comes first. In the absence of any of the foregoing actions, the provisions of this Order will terminate and be considered obsolete on *March 31, 2006*.

/s/ Gale A. Norton
Secretary of the Interior

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