

sistant Secretary of the Interior. See 43 U.S.C. 1453a and 5 U.S.C. 5315. Section 3 provided that such repeal be effective upon Senate confirmation of Presidential appointment of Assistant Secretary of the Interior under successor provisions.]

#### SEC. 5. INCIDENTAL TRANSFERS

The Secretary of the Interior may from time to time effect such transfers within the Department of the Interior of any of the records, property, personnel, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of such Department as he may deem necessary in order to carry out the provisions of this reorganization plan.

#### MESSAGE OF THE PRESIDENT

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 3 of 1950, prepared in accordance with the Reorganization Act of 1949 and providing for reorganizations in the Department of the Interior. My reasons for transmitting this plan are stated in an accompanying general message.

After investigation I have found and hereby declare that each reorganization included in Reorganization Plan No. 3 of 1950 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949.

I have found and hereby declare that it is necessary to include in the accompanying reorganization plan, by reason of reorganizations made thereby, provisions for the appointment and compensation of an Assistant Secretary of the Interior and an Administrative Assistant Secretary of the Interior. The rate of compensation fixed for these officers is that which I have found to prevail in respect of comparable officers in the executive branch of the Government.

The taking effect of the reorganizations included in this plan may not in itself result in substantial immediate savings. However, many benefits in improved operations are probable during the next years which will result in a reduction in expenditures as compared with those that would be otherwise necessary. An itemization of these reductions in advance of actual experience under this plan is not practicable.

HARRY S. TRUMAN.

THE WHITE HOUSE, March 13, 1950.

#### § 1452. Deputy Secretary of the Interior; appointment

The position of Deputy Secretary is established in the Department of the Interior with appointment thereto by the President, by and with the advice and consent of the Senate.

(May 9, 1935, ch. 101, § 1, 49 Stat. 177; Pub. L. 101-509, title V, § 529 [title I, § 112(a)(2)], Nov. 5, 1990, 104 Stat. 1427, 1454.)

#### CODIFICATION

Provisions of this section which prescribed the annual rate of basic compensation of the Deputy Secretary were omitted to conform to the provisions of the Federal Executive Salary Schedule. See section 5313 of Title 5, Government Organization and Employees.

Section was formerly classified to section 481a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

#### AMENDMENTS

1990—Pub. L. 101-509 substituted “Deputy Secretary” for “Under Secretary”.

#### EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on first day of first pay period beginning on or after Nov. 5, 1990,

with continued service by incumbent Under Secretary of the Interior, see section 529 [title I, § 112(e)(1), (2)(B)] of Pub. L. 101-509, set out as a note under section 3404 of Title 20, Education.

#### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

#### § 1453. Assistant Secretaries of the Interior

There shall be in the Department of the Interior two Assistant Secretaries of the Interior who shall be without numerical distinction of rank and who shall be appointed by the President, by and with the advice and consent of the Senate.

(R.S. § 438; Mar. 3, 1885, ch. 360, 23 Stat. 497; Mar. 3, 1917, ch. 163, § 1, 39 Stat. 1102; Feb. 29, 1944, ch. 72, 58 Stat. 107.)

#### CODIFICATION

Act Feb. 29, 1944, provided that the Assistant Secretaries shall be without numerical distinction of rank.

R.S. § 438 derived from acts Mar. 14, 1862, ch. 41, § 6, 12 Stat. 369; Mar. 3, 1873, ch. 226, § 1, 17 Stat. 486.

Section was formerly classified to section 482 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

#### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

Functions, powers, and duties of Office of Audit and Investigation in Department of the Interior transferred to Office of Inspector General in Department of the Interior, as established by section 9(a)(1)(F) of Inspector General Act of 1978, Pub. L. 95-452, set out in the Appendix to Title 5, Government Organization and Employees.

#### ADMINISTRATIVE ASSISTANT SECRETARY

An Administrative Assistant Secretary of the Interior, to be appointed, with the approval of the President, by the Secretary of the Interior under the classified civil service, to perform such duties as the Secretary of the Interior shall prescribe, and to receive compensation at the rate of \$14,800 per annum, was provided for by section 4 of Reorg. Plan No. 3 of 1950, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out as a note under section 1451 of this title, prior to repeal of section 4 by Pub. L. 92-22, § 3, June 1, 1971, 85 Stat. 76.

#### ADDITIONAL ASSISTANT SECRETARY

An additional Assistant Secretary of the Interior, to be appointed by the President, by and with the advice and consent of the Senate, to perform such duties as the Secretary of the Interior shall prescribe, and to receive compensation at the rate prescribed by law for Assistant Secretaries of executive departments, was provided for by Reorg. Plan No. 3 of 1950, § 3, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in note under section 1451 of this title.

#### TEMPORARY ADDITIONAL ASSISTANT SECRETARY

The office of a temporary additional Assistant Secretary of the Interior, which was provided for by act Feb. 29, 1944, ch. 72, 58 Stat. 107, ceased to exist by the

terms of such act at the expiration of six months following the cessation of hostilities in World War II, which was proclaimed by the President at 12 o'clock noon of December 31, 1946, in Proc. No. 2714, 12 F.R. 1, set out as a note under section 601 of the Appendix to Title 50, War and National Defense.

**§ 1453a. Additional Assistant Secretary of the Interior; appointment; duties; compensation**

There shall be hereafter in the Department of the Interior, in addition to the Assistant Secretaries now provided by law, an additional Assistant Secretary of the Interior who shall be appointed by the President by and with the advice and consent of the Senate, who shall be responsible for such duties as the Secretary of the Interior shall prescribe, and shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of the Interior.

(Pub. L. 92-22, § 1, June 1, 1971, 85 Stat. 75.)

SENATE CONFIRMATION OF PRESIDENTIAL APPOINTMENT OF ADDITIONAL ASSISTANT SECRETARY OF THE INTERIOR AS REPEALING PROVISIONS FOR ASSISTANT SECRETARY OF THE INTERIOR FOR ADMINISTRATION

Pub. L. 92-22, § 3, June 1, 1971, 85 Stat. 76, provided that: "Section 4 of Reorganization Plan Numbered 3 of 1950, as amended (64 Stat. 1262) [set out under section 1451 of this title], and item (25) of section 5316, title 5, United States Code, are repealed, effective upon the confirmation by the United States Senate of a Presidential appointee to fill the position created by this Act [enacting this section and section 5315(18) of Title 5, Government Organization and Employees]."

**§ 1454. Duties of Assistant Secretary and assistant to Secretary**

The Assistant Secretary of the Interior shall perform such duties in the Department of the Interior as shall be prescribed by the Secretary, or may be required by law. The assistant to the Secretary of the Interior is authorized to sign such official papers and documents as the Secretary may direct.

(R.S. § 439; Mar. 28, 1918, ch. 29, 40 Stat. 499.)

CODIFICATION

R.S. § 439 derived from act Mar. 14, 1862, ch. 41, § 6, 12 Stat. 369.

Section was formerly classified to section 483 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

**§ 1455. Solicitor; appointment; duties**

On and after June 26, 1946 the legal work of the Department of the Interior shall be performed under the supervision and direction of the Solicitor of the Department of the Interior, who shall be appointed by the President with the advice and consent of the Senate.

(June 26, 1946, ch. 494, 60 Stat. 312.)

CODIFICATION

Provisions of this section which prescribed the compensation of the Solicitor were omitted to conform to

the provisions of the Federal Executive Salary Schedule. See section 5311 et seq. of Title 5, Government Organization and Employees.

Section was formerly classified to section 483a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

**§ 1456. Chief clerk**

The chief clerk of the Department of the Interior on and after July 3, 1926, shall be the chief executive officer of the department and may be designated by the Secretary to sign official papers and documents, including the authorization of expenditures from the contingent and other appropriations for the department, its bureaus and offices, section 3683<sup>1</sup> of the Revised Statutes to the contrary notwithstanding.

(July 3, 1926, ch. 771, § 1, 44 Stat. 854.)

REFERENCES IN TEXT

Section 3683 of the Revised Statutes, referred to in text, was classified to section 675 of former Title 31, Money and Finance, and repealed by act Sept. 12, 1950, ch. 946, title III, § 301(76), 64 Stat. 843.

CODIFICATION

Section was formerly classified to section 484 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriations acts:

May 24, 1922, ch. 199, 42 Stat. 552.

Jan. 24, 1923, ch. 42, 42 Stat. 1174.

June 5, 1924, ch. 264, 43 Stat. 391.

Mar. 3, 1925, ch. 462, 43 Stat. 1142.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

DIVISION OF ADMINISTRATIVE SERVICES

Interior Department Order No. 2546, dated Dec. 7, 1949 and amended Jan. 20, 1950, set up the Office of Administrative Management with an executive officer in charge, and the Chief Clerk of the Department was placed in charge of a Division of Administrative Services under that office. A further amendment to Department Order No. 2546, dated Aug. 15, 1950, placed the Division of Administrative Services, with the Chief Clerk in charge, under the Administrative Assistant Secretary of the Interior Department.

**§ 1456a. Repealed. Pub. L. 95-164, title III, § 306(b), Nov. 9, 1977, 91 Stat. 1322**

Section, Pub. L. 93-153, title IV, § 405, Nov. 16, 1973, 87 Stat. 590, provided for appointment by the President of head of Mining Enforcement and Safety Administration.

EFFECTIVE DATE OF REPEAL

Repeal effective 120 days after Nov. 9, 1977, see section 307 of Pub. L. 95-164, set out as an Effective Date of 1977 Amendment note under section 801 of Title 30, Mineral Lands and Mining.

<sup>1</sup> See References in Text note below.