

United States Senate

WASHINGTON, DC 20510

August 7, 2014

The Honorable Sally Jewell
Secretary
U.S. Department of the Interior
1849 C Street, NW, Room 7229
Washington, DC 20240-0002

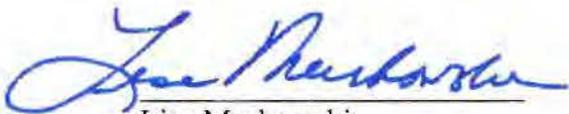
Dear Secretary Jewell:

There is no issue more important to our nation than energy security. With our allies under threat, our friends under attack, and our enemies on the move, continued exploration and production of energy from federal lands in the United States is absolutely vital. Our offshore resources, which the Outer Continental Shelf Lands Act of 1953 declares "should be made available for expeditious and orderly development," are critical to this effort.

As you proceed with planning the next Five Year Program (2017-2022), we urge you to reconsider the Administration's disappointing decision not to include lease sales in the Atlantic region in the current program, contrary to the original vision for OCS development during this time period. In addition to the areas in Alaska and the Gulf of Mexico that are presently open to exploration and production, the new program should include lease sales in the Arctic, the Atlantic Ocean and Cook Inlet in Alaska, and retain area-wide leasing. Shifting to targeted lease sales in Alaska or elsewhere could prematurely preclude access to and development of vital oil and gas resources.

We must not return to the constrained vision of the past wherein America's resources remain untapped just off our coastline. As the next program is finalized, please know that we will only support a leasing program that continues to develop in current exploration areas and includes new access in areas such as Alaska and the Atlantic regions.

Sincerely,



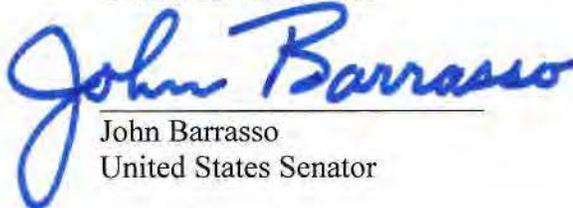
Lisa Murkowski
United States Senator



James Inhofe
United States Senator



Rob Portman
United States Senator



John Barrasso
United States Senator



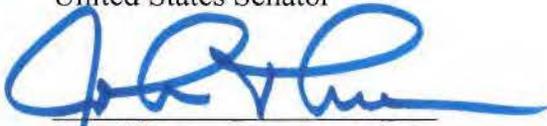
Tim Scott
United States Senator



Roy Blunt
United States Senator



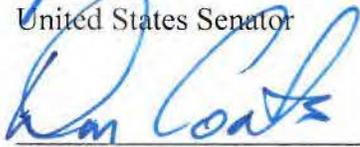
Mike Enzi
United States Senator



John Thune
United States Senator



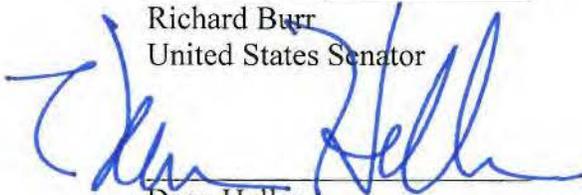
Jeff Flake
United States Senator



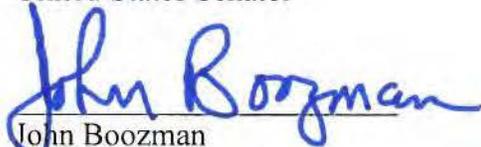
Dan Coats
United States Senator



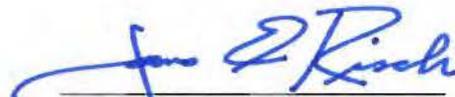
Richard Burr
United States Senator



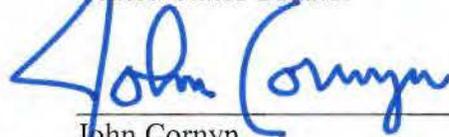
Dean Heller
United States Senator



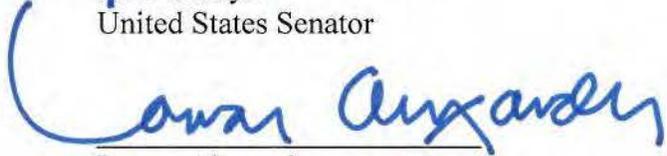
John Boozman
United States Senator



James Risch
United States Senator



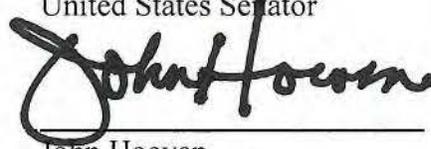
John Cornyn
United States Senator



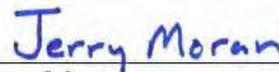
Lamar Alexander
United States Senator



Lindsey Graham
United States Senator



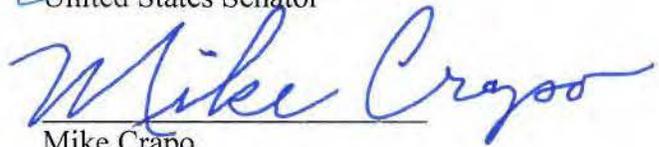
John Hoeven
United States Senator



Jerry Moran
United States Senator



Jeff Sessions
United States Senator



Mike Crapo
United States Senator

United States Senate
WASHINGTON, DC 20510-3308

July 22, 2014

The Honorable Sally Jewell
Secretary
Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Dear Secretary Jewell:

I write on behalf of my constituents to convey grave concern over the ongoing management strategies implemented at the Mattamuskeet National Wildlife Refuge. This letter comes as a result of numerous inquiries from those in the state as well as conversations my staff has had with local stakeholders.

I understand the United States Fish and Wildlife Service (USFWS) has instituted a passive water level management plan at the Refuge and will not actively alter water levels at Lake Mattamuskeet. Furthermore, I understand that this practice is in large part due to an effort to protect submerged vegetation that is deemed vital to migratory waterfowl. While I respect the Refuge's mission and efforts to maintain certain areas of critical habitat, it troubles me that USFWS has failed to take into account the suggestions of other stakeholders in and around the area—namely those of the North Carolina Wildlife Resources Commission (NCWRC).

It is my understanding that the NCWRC has provided significant feedback to USFWS on how the Refuge might better balance its management responsibilities with the needs of local residents and businesses, even going so far as to suggest some experimental programs in hopes of optimizing the mutual goal of maintaining the Refuge in the best way possible. At this point, USFWS has failed to incorporate any of these suggestions and in my estimation, has lost the support of many local residents in the process.

I urge you to make certain that USFWS works in closer collaboration with the NCWRC and local residents to ensure that current management practices at the Mattamuskeet National Wildlife Refuge do not shutout the significant needs of local stakeholders. I firmly believe that incorporating local ideas and opinions will help to better manage the Refuge in a manner in which we all can enjoy and take pride.

Sincerely,



Richard Burr
United States Senator

OFFICE OF THE
GENERAL SECRETARY

Winston-Salem Office
5000 West First Street
Suite 508
Winston-Salem, NC 27104
(336) 631-8123
Fax: (336) 725-4493
Toll Free in NC: (800) 685-9910

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Fax: (910) 251-7975
Toll Free in NC: (800) 844-1823

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RECEIVED
ASST. DIR. OF THE
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Fax: (828) 350-2439

Gastonia Office
181 South Street
Suite 222
Gastonia, NC 28602
(704) 833-0854
Fax: (704) 833-1467

615-9566
 Rocky Mount Office
1000 South Lane Street
Suite 210
Rocky Mount, NC 27804
(252) 977-9522
Fax: (252) 977-7962



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1875 Century Boulevard
Atlanta, Georgia 30345

AUG 13 2014

In Reply Refer To:
FWS/R4/RF/Area III/057914

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your letter to Secretary of the Interior Sally Jewell dated July 22, 2014, regarding the U.S. Fish and Wildlife Service's (Service) management of Lake Mattamuskeet, which is the centerpiece of Mattamuskeet National Wildlife Refuge (Refuge) in Hyde County, North Carolina. I have been asked to respond on her behalf.

The Refuge was established to provide habitat for migratory birds and is a popular destination for birdwatchers, hunters and anglers. As currently managed, the shallowness of the lake promotes growth of vast acres of wetland plants that attract large numbers of wintering waterfowl. As an example, our January 2014 survey documented 350,000 waterfowl utilizing the lake.

In the past, the Service heard concerns from local, state, and national stakeholders regarding lake water levels. Their interests included the protection of migratory bird populations, opportunities to enjoy fish and wildlife, flooding of private lands, farming and maintenance of drainage rights, and support for recreational fisheries and recreational boating access. The Service is continually reviewing best management strategies to address these interests.

Recently, the Service received a request from the North Carolina Wildlife Resources Commission (Commission) to hold higher water levels in the lake. The ability to control water on Lake Mattamuskeet is a complex issue with the Service's legal responsibility defined by several Federal District Court, Eastern District of North Carolina rulings in 1934 and 1986. The Service is willing to consider any new information that would help address any biological or legal concerns and support adjacent landowner drainage rights.

To gather needed data, Refuge staff will continue coordination with both Federal and State technical specialists. Together they will, in an expedited manner, develop research projects, conduct monitoring, recommend management strategies to address current lake water quantity and quality issues, and try to answer the recommendations better. These efforts will help produce a long-term Lake Mattamuskeet Management Plan. This plan will include management strategies and actions that support the Refuge's biological and public use priorities and objectives as defined in the Refuge Comprehensive Conservation Plan (CCP). As new information becomes available from ongoing monitoring and research projects, the CCP's management objectives will be reviewed and updated, as appropriate, and include a thorough review of the biological and legal implications. Any objective

or management strategy outside of those identified within the CCP must go through a public review and comment process.

The Service is working in close collaboration with Commission staff on their recommendations and in partnership on the following fishery and enhancement efforts to provide recreational opportunities on the Refuge:

- Construction of a new boat ramp and parking area to access Rose Bay Canal.
- Rehabilitation of the boat ramp and parking area on the west side of the lake.
- Construction of a new Fishing Trail around Mattamuskeet Lodge.
- Herbicide and mechanical treatment to reduce Phragmites on the Lake Road to increase shoreline-fishing areas.
- Construction of a new Rose Bay Water Control Structure to prevent saltwater intrusion into the western side of the lake.
- Canal maintenance dredging to improve fishery habitat and boating access to the lake from the Central Canal Boat Ramp.
- Renovation of the existing fishing bridge across from the Visitor Center, which has become a very popular fishing and crabbing location for the public.
- Opening one third of the lake on the west side to fishing before March 1 if waterfowl are largely gone.
- Reviewing the potential for our National Fish Hatchery System to contribute fish for stocking the lake.
- Increasing public safety and outreach efforts with a new law enforcement position.
- Monitoring of water quality and quantity through the U.S. Geological Survey.

The Refuge will continue to solicit input from local and area stakeholders to gain feedback relative to their concerns about Lake Mattamuskeet and to keep the public informed regarding the management direction of the Refuge. We appreciate your interest in the management of Lake Mattamuskeet. If you have questions or concerns, please contact me at (404) 679-4000, or David Viker, Regional Chief, National Wildlife Refuge System, at (404) 679-7152.

Sincerely yours,



Cynthia K. Dohner
Regional Director

United States Senate

WASHINGTON, DC 20510

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April 23, 2014

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OFFICE OF THE
EXECUTIVE SECRETARIAT

The Honorable Sally Jewell
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Madam Secretary:

The global crisis of illegal wildlife take and trafficking continues unabated. In 2012 up to 35,000 elephants were killed, nearly 100 per day. More white rhinos were poached in South Africa in 2013 than in any other year, representing a 50 percent increase over 2012. The U.S. must be a leader in ending this illegal trade. In recent omnibus legislation the U.S. Congress allocated \$45 million in funding to do this.

Global wildlife crime consists of illegal killing of wildlife in country, and illegal trade of wildlife parts across national borders. In addition to robbing developing countries of their natural resources, corrupting their rule of law and driving the extinction of important species, there is growing evidence that organizations tied to terrorism are turning to wildlife trafficking to help finance their operations. Similar to efforts against narcotics and weapons trafficking, to effectively address wildlife crime it is vital that all points along the illegal trade chain (national, regional and global) be addressed.

The crisis has reached such alarming levels that President Obama issued an Executive Order in 2013 recognizing that the poaching of protected species and the illicit trade in ivory has become an international crisis with implications for national security and international stability. It also mandated important coordination between your agency, the Department of State, USAID and others involved in stemming this illegal trade domestically and abroad. We, the Co-Chairs of the International Conservation Caucus in the United States Senate, believe it is essential that these funds are utilized as quickly and as effectively as possible. Funds should support mutually reinforcing programs across the illegal trade routes including those that: 1) disrupt and dismantle illegal syndicates driving poaching, and improve security at key ports of concern, 2) improve law enforcement and prosecutorial training in source and recipient countries, 3) enhance site based protection such as ranger training and support to community based conservation efforts, 4) strengthen regional enforcement networks and collaboration between them; and 5) build the political will to take action, particularly in reducing demand.

The allocation of this funding signals a strong commitment on the part of the United States Congress that should encourage other nations to follow suit. Partnership with source and recipient countries is equally important as these governments increasingly recognize wildlife trafficking as an issue demanding attention. It is important that the funds support wildlife resources which are most threatened by the current crisis and where affected nations have demonstrated the necessary political

will and action to address the problem, and develop national poaching prevention strategies. In addition, matching funds should be encouraged from partner governments or implementing partners. Partnerships with NGOs and international organizations are equally important in broadening the reach and impact of U.S. funding.

U.S. leadership and international partnership on this front is the only way to truly arrest the crisis in global wildlife trafficking. The allocation of specific U.S. funding to combat the current crisis, and President Obama's Executive Order are greatly encouraging. As your agency submits implementing plans to the Appropriations Committee for review, we request that you keep our staff informed of your progress. Properly directing and allocating the funds to critical points along the illegal trade chain, and areas with greatest need and greatest capacity to optimally utilize these resources, will make significant headway in the battle on poaching.

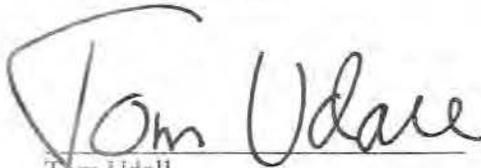
Sincerely,



Richard Burr
United States Senator



Robert Portman
United States Senator



Tom Udall
United States Senator



Sheldon Whitehouse
United States Senator

CC:

The Honorable John Kerry, Secretary, U.S. Department of State

The Honorable Rajiv Shah, Administrator, U.S. Agency for International Development



THE SECRETARY OF THE INTERIOR
WASHINGTON

JUN 03 2014

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your letter of April 23, 2014, co-signed with several of your colleagues, regarding the growing global crisis in illegal wildlife take and trafficking.

I greatly appreciate the International Conservation Caucus' support for the Administration's efforts to combat wildlife trafficking and your recognition of the unique role the U.S. Fish and Wildlife Service plays in addressing the issue. We are working closely with the Department of State and U.S. Agency for International Development to determine how to best use the funds Congress has provided in this fiscal year.

I have asked the Service to keep you informed about the allocation of these funds. If you have additional questions about this matter, please feel to contact me personally or the Service's Director, Mr. Dan Ashe, at 202-208-4545.

Thank you for your support and interest in our programs. A similar response is being sent to the co-signers of your letter.

Sincerely,

Sally Jewell

Congress of the United States
Washington, DC 20515

April 10, 2014

The Honorable Sally Jewell
Secretary of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Jewell:

We write to you on behalf of the residents, visitors, and small business owners of Dare County, North Carolina about an urgent matter.

In November 2011, Hurricane Sandy extensively damaged and disrupted NC Highway 12, the only transportation route on Hatteras Island. After Sandy, the Dare County Board of Commissioners charted a course of action to protect its transportation lifeline for the safety, welfare, and vitality of Hatteras Island visitors and residents.

In keeping this commitment, the Dare County Board of Commissioners has made a significant investment by hiring engineers to develop and execute a Beach Nourishment Project for the County in the Buxton Village area. The purpose of this project will be to protect and maintain the structural integrity of NC Highway 12 during and after storms.

Our understanding is that Dare County has the necessary funding to proceed with the permitting, engineering, design and construction of a re-nourishment project. The County would like to present a feasibility study as well as its ideas on nourishment to the Department of Interior. These county leaders seek to engage in meaningful dialogue with those at the Department best suited to address this pressing matter. We ask that Dare County be granted an audience with your staff as soon possible given the urgency of conditions on Hatteras Island.

Thank you for your attention to this matter. We look forward to a timely response as the residents in Dare County have little time to protect themselves from the losses and damages from upcoming storms.

Sincerely,


Kay Hagan
Senator


Richard Burr
Senator


Walter B. Jones
Member of Congress

United States Senate

WASHINGTON, DC 20510

August 3, 2012

The Honorable Ken Salazar
Secretary of Interior
U.S. Department of Interior
1849 C Street NW
Washington, D.C. 20240

Dear Mr. Secretary:

Given the continued necessity to have full transparency as to how tax dollars are used by the federal government, we respectfully request that you answer the following questions with regard to how your department allocates performance awards¹ to federal employees. Please provide us with the award data for the last 5 full fiscal years (FY2007-FY2011). For each fiscal year, please provide:

- a. A listing of all performance award programs by office or departmental agency. For each office or departmental agency, please detail the type of and qualifications for receiving performance awards each fiscal year, including any agency or office-wide sponsored award programs.
- b. Please provide a list of all individual awards provided to employees at the discretion of the agency. Please include the number of awards granted under each program, the percentage of employees receiving awards, and average amount of each award
- c. For each performance award program or individual award, please provide the process or method by which employees were evaluated and the percentage of employees receiving each level or metric used to evaluate employees' performance for each fiscal year.
- d. The amount of money spent in total and as a percentage of payroll spent per fiscal year, on performance awards to department employees.
- e. Please describe any performance award minimums or caps that the department follows pursuant to collective bargaining agreements or department memoranda. Please provide us with copies of all current department memoranda outlining procedures and guidelines for the management of performance awards.

Please provide this information in hard copy and electronic and searchable format to Eric Leath with Senator Burr and Dan Lips with Senator Coburn. If you have any questions please contact Eric Leath (Burr) at 202.224.2294 or Dan Lips (Coburn) at 202.224.9248. We look forward to your response no later than August 31, 2012.

Sincerely,



Richard Burr
U.S. Senator



Tom Coburn, M.D.
U.S. Senator

¹ Performance awards include any monetary payment, hourly award, or step increase provided to an agency employee by the agency and above the employee's annual salary or annual leave.

United States Senate

WASHINGTON, DC 20510-3308

OFFICIAL BUSINESS



U.S.S.

AUG 15 2012

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United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 13 2012

The Honorable Richard Burr
United States Senator
217 Russell Senate Office Building
Washington, DC 20510

Dear Senator Burr:

Thank you for your August 3, 2012 letter to Secretary Salazar requesting information regarding how the Department of the Interior (DOI) allocated performance awards for fiscal years 2007-2011. I have been asked to reply to your request. This is an interim reply.

The DOI is in the process of gathering data relating to your query. We anticipate being able to compile and provide requested information by October 15, 2012.

If you or your staff has questions in the interim, you may contact Mr. Darrell Hoffman, Director Workforce Management or Mr. Nicholas Chomycia, Human Resources Specialist. Mr. Hoffman can be reached at (202) 208-6754 or via email at Darrell_R_Hoffman@ios.doi.gov and Mr. Chomycia at (202) 208-6107 or via e-mail at Nicholas_Chomycia@ios.doi.gov.

Sincerely,

Rhea Suh

Assistant Secretary – Policy Management and Budget

United States Senate

WASHINGTON, DC 20510

August 3, 2012

The Honorable Ken Salazar
Secretary of Interior
U.S. Department of Interior
1849 C Street NW
Washington, D.C. 20240

Dear Mr. Secretary:

Given the continued necessity to have full transparency as to how tax dollars are used by the federal government, we respectfully request that you answer the following questions with regard to how your department allocates performance awards¹ to federal employees. Please provide us with the award data for the last 5 full fiscal years (FY2007-FY2011). For each fiscal year, please provide:

- a. A listing of all performance award programs by office or departmental agency. For each office or departmental agency, please detail the type of and qualifications for receiving performance awards each fiscal year, including any agency or office-wide sponsored award programs.
- b. Please provide a list of all individual awards provided to employees at the discretion of the agency. Please include the number of awards granted under each program, the percentage of employees receiving awards, and average amount of each award
- c. For each performance award program or individual award, please provide the process or method by which employees were evaluated and the percentage of employees receiving each level or metric used to evaluate employees' performance for each fiscal year.
- d. The amount of money spent in total and as a percentage of payroll spent per fiscal year, on performance awards to department employees.
- e. Please describe any performance award minimums or caps that the department follows pursuant to collective bargaining agreements or department memoranda. Please provide us with copies of all current department memoranda outlining procedures and guidelines for the management of performance awards.

Please provide this information in hard copy and electronic and searchable format to Eric Leath with Senator Burr and Dan Lips with Senator Coburn. If you have any questions please contact Eric Leath (Burr) at 202.224.2294 or Dan Lips (Coburn) at 202.224.9248. We look forward to your response no later than August 31, 2012.

Sincerely,



Richard Burr
U.S. Senator



Tom Coburn, M.D.
U.S. Senator

¹ Performance awards include any monetary payment, hourly award, or step increase provided to an agency employee by the agency and above the employee's annual salary or annual leave.

United States Senate
WASHINGTON, DC 20510-3308
OFFICIAL BUSINESS


U.S.S.

PRSRRT STD

AUG 15 2012

MS-7314

Ms. [illegible]
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SFS-7PJ 20240





THE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON

FEB 11 2013

The Honorable Richard Burr
United States Senate
Washington, DC 20510

Dear Senator Burr:

This is a follow-up to our interim response of September 13, 2012. You requested information regarding how the Department of the Interior (DOI) allocated performance awards for Fiscal Years 2007-2011. The DOI's performance management policy is designed to document the expectations of individual and organizational performance, provide a meaningful process by which employees can be rewarded for noteworthy contributions to the organization, and provide a mechanism to improve individual/organizational performance as necessary. Enclosed is the guidance and awards data regarding DOI's award program as you requested.

The DOI has a performance and award program for general schedule employees; a program for Senior Level (SL) and Scientific and Professional (ST) employees; and a program for SES employees. The enclosed Departmental guidance (Enclosures A1 and A2) provide you with information regarding the type of awards available and the qualifications for receiving the awards. The DOI recently revised the non-monetary awards policy. The new policy is enclosed (Enclosure A3).

Enclosure B contains data regarding performance and cash awards provided during the periods you requested. The amount of money spent as a percent of payroll on awards to DOI employees is also shown. Additionally, information regarding Departmental honor awards, which provides non-monetary recognition to employees and partners of DOI, is provided. The DOI Honor Awards are the most prestigious recognition that can be granted by DOI for career accomplishments, exceptional support of DOI's mission, or for heroism.

Enclosure C describes DOI's performance management system(s) which addresses your inquiry about the process. To be eligible for a performance award, a non-SES employee must be rated at Superior (Level 4) or Exceptional (Level 5). Our Departmental Manual provides guidance for determining the performance award amount. The SES Performance and incentive awards are subject to a rigorous four-step review and recommendation process, which includes performance review boards (PRBs) described in 5 CFR 430.310. The same process, with PRB review, is used for SL and ST performance and incentive awards as well.

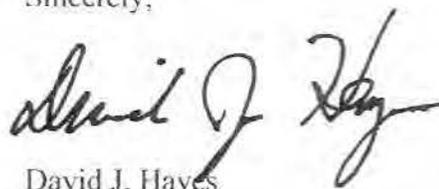
The data requested for percentage of payroll spent on awards is included in Enclosure B. Performance award minimums or caps that DOI follows are found in Departmental Manual 370 DM 430 and 370 DM 430 C (Enclosure C). Additionally, guidance for Non-SES and SES performance awards is issued annually to provide updates on information pertaining to performance and awards for the specific fiscal year. Guidance for FYs 2007-2011 is included in

Enclosure D. Enclosure D1 relates to general schedule; Attachment D2 relates to SES, SL, and ST; and Enclosure D3 includes DOI's guidance that caps awards at 1 percent, per the Office of Personnel Management's instruction for FYs 2011 and 2012.

A follow-up letter with the breakdown of the percentage of employees in each awards program receiving each level of rating by fiscal year will be provided to you as soon as possible.

We appreciate your interest in this matter. If you or your staff has additional questions, please feel free to contact Mr. Darrell Hoffman, Director Workforce Management at (202) 208-6754 or via e-mail at Darrell_R_Hoffman@ios.doi.gov; or Mr. Nicholas Chomycia, Human Resources Specialist, at (202) 208-6107 or via e-mail at Nicholas_Chomycia@ios.doi.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Hayes". The signature is written in a cursive style with a long horizontal stroke at the end.

David J. Hayes

Enclosures

Department of the Interior Departmental Manual

Effective Date: 7/16/08

Series: Personnel Management

Part 370: Departmental Personnel Program

Chapter 451: Awards and Recognition Program

Subchapter 1: General

Originating Office: Office of Human Resources

370 DM 451.1

1.1 General. This chapter provides Departmental policy for an Awards and Recognition Program. The main purpose of the program is to allow maximum flexibility in the design and application of a variety of traditional and non-traditional mechanisms to recognize individual and group achievement, and to acknowledge contributions that lead to achievement of organizational, team, or individual results. Departmental awards fall into the following categories:

- A. Performance Awards (370 DM 451.2)
- B. Honor Awards (370 DM 451.3)
- C. Monetary Awards (370 DM 451.4)
- D. Non-Monetary Awards (370 DM 451.5)
- E. Outside Awards (370 DM 451.6)

1.2 Scope. This policy covers all bureaus and offices of the Department.

1.3 Authorities. Authorities governing the Awards Program include:

- A. 5 U.S.C. Chapter 43 and 45;
- B. 5 CFR Parts 430 and 451;
- C. Comptroller General Decisions B-223319 July 21, 1986; and B-235163.11, February 13, 1996.

1.4 Objective. The objective of the awards program is to encourage recognition of employees and partners. The program strives to be simple to use, allow for approval at the lowest practical level, and reduce paperwork. Timely recognition encourages improvement in individual, team, and organizational performance.

7/16/08 #3804

Replaces 2/96 Sec. 1-4, HRM Handbook; 2/21/89 FPM-378; and 6/28/84 FPM-334

1.5 **Policy.**

A. Achievements should be recognized at the time of accomplishment, and acknowledgement of progress toward achieving individual, team, or organizational results should be a continuous process.

B. Awards should be presented in a way that supports the significance of the recognition.

C. Refreshments may be purchased with operating appropriations when it is determined that the effectiveness of an official award ceremony would be materially enhanced by serving light refreshments.

D. Travel expenses for an employee award recipient and one guest may be paid by the bureau when holding a major presidential, Departmental, or bureau award ceremony or Convocation.

1.6 **Limitations.** There are prohibitions on awards for certain Federal employees, such as political employees (Schedule C and non-career Senior Executive Service (SES) members) who are not eligible to receive awards between June 1 of any year in which there is a Presidential election and January 20 of the following year. (See 5 CFR § 451.105)

Department of the Interior Departmental Manual

Effective Date: 7/16/08

Series: Personnel Management

Part 370: Departmental Personnel Program

Chapter 451: Awards and Recognition Program

Subchapter 2: Performance Awards

Originating Office: Office of Human Resources

370 DM 451.2

2.1 General. The Department's 5-level performance management system for general workforce employees became effective on October 4, 2004. Under this performance system the year-end performance rating is used as a basis for appropriate personnel actions, including rewarding noteworthy performance.

2.2 Policy. An employee must be rated at Superior (Level 4) or Exceptional (Level 5) to be eligible for a performance-based award. Any employee rated Exceptional (Level 5) must be considered for an award as required by 370 DM 430. There may be circumstances when awards cannot be given. However, in accordance with 5 CFR Section 451.104(g), performance-based cash awards must make a meaningful distinction based on levels of performance. In other words, an employee who receives an award based on a performance rating of Level 5 must receive a larger cash award, in terms of percentage of base pay, than an employee at the same grade/pay level who received a rating of Level 4.

2.3 Rating Levels for Recognition. Managers/Supervisors have the flexibility to recognize employees using any of the award recognitions outlined below, or a combination thereof:

A. Exceptional (Level 5) - Eligible for one or more of the following: a Cash Award of up to 5 percent of base pay, a QSI, Time-Off Award, or other appropriate equivalent recognition.

B. Superior (Level 4) - Eligible for a Cash Award of up to 3 percent of base pay, Time-Off Award, and/or other appropriate equivalent recognition.

C. Fully Successful (Level 3) - Not eligible for any performance-based award. However, an employee is eligible to receive an award for reasons other than sustained performance tied to the rating of record. For example, the employee is eligible to be recognized for a noteworthy contribution within the rating period (e.g., recognition for work on a special project that contributed to its success).

2.4 Performance-based Cash Awards. Monetary or non-monetary awards given to employees who rated at Level 4 (Superior) or Level 5 (Exceptional) under the Department's 5-level performance management system. A cash award may be a specific dollar amount or a

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Replaces 2/96 Sec. 1-4, HRM Handbook; 2/21/89 FPM-378; and 6/28/84 FPM-334

percentage of the employee's pay. Cash awards based on a specific dollar amount that are in excess of \$5,000 require approval of the Assistant Secretary or equivalent. When performance-based cash awards based on a percentage of the employee's pay are in excess of \$5,000, approval of the Assistant Secretary or equivalent is not required. Based on 5 CFR 451.104(g), when awards are computed as a percentage of an employee's rate of base pay, the rate of base pay must include locality payments under 5 U.S.C. 5304, special rate supplements under 5 U.S.C. 5305 and/or other similar payments. Such awards are recommended by the immediate supervisor or rating official, and are approved under appropriate bureau delegations.

2.5 Quality Step Increase. A Quality Step Increase (QSI) is a pay increase that provides faster than normal progression within grade steps for permanent General Schedule employees. To be eligible, the employee must achieve an overall rating of Exceptional (Level 5) on their Employee Performance Appraisal Plan and display exceptional performance that is expected to continue.

2.6 Time-Off Awards. An excused absence awarded to an employee without charge to leave. Bureaus must establish approval authorities, scheduling guidance, and an appropriate number of hours commensurate with employee contributions, and supervisory responsibilities. The minimum time-off recognition is one hour; the time-off award shall not exceed 40 hours per event or 80 hours total per year. This limit includes performance-based time-off awards. Employees normally have the discretion to determine when they will use a time-off award, subject to supervisory approval. A time-off award must be used while the recipient is employed at the Department; the time-off award cannot be transferred to another agency upon separation of the employee. Further, upon separation from the Department, employees are not entitled to receive payment for any unused time-off award hours. These limits apply to all employees.

2.7 Nomination Process and Approval Authority for Performance Awards. Performance awards may be documented using either the front page of the performance appraisal form or the revised awards form, DI-451. An example of the form is provided in the Appendix to this chapter. An overview of the process is provided below:

A. Processing Timelines. For employees whose performance appraisal cycle ends on September 30, all awards should be input into FPPS no later than November 30. For those on other than a Fiscal Year Cycle, awards should be input within 60 days after the end of the performance cycle.

B. Processing Codes. All performance-based cash awards must be input using Nature of Action Code 840-A1, which is "performance award (Cash)". Performance-based time off awards must be input using Nature of Action Code 846-A2, performance (time-off).

C. Delayed Processing of QSIs. Supervisors should attempt to process all QSIs no later than December 31, or 90 days from the end of the performance cycle for those on other than a fiscal year cycle. However, when situations preclude timely processing, the QSI can be delayed past the 90 days, but cannot be delayed past the end of the next performance year. Whenever processing of the QSI is delayed for more than 90 days, a request for exception should be submitted to the respective Bureau or Office head, through the servicing Human Resources

Office and the Bureau Headquarters Human Resources Office for approval. Since a QSI must be supported by a performance rating of Level 5 (Exceptional), which requires the approval of a rater and reviewer, both signatures are required for a QSI exception request. Requests should be in the form of a memorandum and include an explanation as to why it was not possible to process the rating and the QSI within 90 days from the end of the performance cycle.

D. **Responsibility.** Bureaus and offices are responsible for establishing nomination processes and approval authorities for implementing this policy.

UNITED STATES DEPARTMENT OF THE INTERIOR RECOMMENDATION AND APPROVAL OF AWARDS

Agency/Bureau	Name Of Employee (Last, First, Middle Initial)	
Social Security No. X X X - X X -	Position Title	Pay Plan-Series/Grade/Step
Duty Station	Period Covered For Award (MM/DD/YY) From: _____ To: _____	Cost Account Number

COMPLETE THE APPROPRIATE AWARD SECTION BELOW

MONETARY AWARD:

_____ Performance-Based Cash Award

_____ Exceptional (Level 5) Performance Rating \$ _____ or % _____

_____ Superior (Level 4) Performance Rating \$ _____ or % _____

_____ Quality Step Increase
(Exceptional (Level 5) Performance Rating Required)

_____ Star (Special Thanks for Achievement) Award \$ _____

_____ Productivity Improvement Award \$ _____

_____ Invention/Patent Award \$ _____

NON-MONETARY AWARD:

_____ Time-Off Recognition
Number of Hours: _____

_____ Non-Monetary Recognition
Cash Value of \$ _____

HONOR AWARD:

_____ Distinguished Service Award

_____ Partners in Conservation Award

_____ Valor Award

_____ Outstanding Service Award

_____ Meritorious Service Award

_____ Unit Award for Excellence of Service

_____ Superior Service Award

_____ Exemplary Act Award

_____ Citizen's Award for Exceptional Service Award

_____ Citizen's Award for Bravery

_____ Other Award _____

BUREAU-SPECIFIC AWARD:

Name of Award: _____

It is the policy of the Department to ensure that consideration for awards is made without regard to race, color, national origin, religion, sex, age, marital status, disability, or other non-merit factors. Information on this form is protected by the Privacy Act. Disclosure may be made only to authorized persons according to Title 5 U.S.C., Section 552a(b).

FINANCIAL ACTION RECORD

This record is to initiate payment, accounting, and tax transactions for only non-monetary recognition of significant value.

Recipient Name: _____	Social Security No. X X X - X X - _____
-----------------------	--

Bureau	Sub-Bureau	Block	Org. Code	Cost Account
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NON-MONETARY RECOGNITION OF SIGNIFICANT VALUE	(Date Presented: _____)
--	-------------------------

Cash Value of Award (Hours Code 66A)	\$ _____ (Net Amount)
--------------------------------------	-----------------------

Value Including Taxes (Cash Value divided by .55) (Hours Code 30A)	\$ _____ (Gross Amount)
--	-------------------------

Disposition of this form: Original to servicing personnel office, copy to recipient. FAX this form to the Payroll Operations Division. This FAX is in lieu of Original. **DO NOT SEND ORIGINAL OF THIS DOCUMENT TO PAYROLL.**

It is the policy of the Department to ensure that consideration for awards is made without regard to race, color, national origin, religion, sex, age, marital status, disability, or other non-merit factors. Information on this form is protected by the Privacy Act. Disclosure may be made only to authorized persons according to Title 5 U.S.C., Section 552a(b).

Department of the Interior Departmental Manual

Effective Date: 7/16/08
Series: Personnel Management
Part 370: Departmental Personnel Program
Chapter 451: Awards and Recognition Program
Subchapter 3: Honor Awards

Originating Office: Office of Human Resources

370 DM 451.3

3.1 General. Departmental Honor Awards provide non-monetary recognition to employees and partners of the Department. Honor Awards are the most prestigious recognition that can be granted by the Department for career accomplishments, exceptional support of the Department mission, or for heroism.

A. Honor Awards are not intended to serve as a substitute for deserved monetary awards, but are designed to bestow singular honor on an individual as an official recognition of achievement at all levels of the organization when the high standards required for these honors are met.

B. Employees at all grade levels are eligible to be nominated for an honor award in accordance with the criteria established for each category of award. Employees may receive only one Meritorious Service Award and one Distinguished Service Award in the course of their career.

C. Any employee may initiate an Honor Award nomination by completing form DI-451, Award Certification. However, the nomination and supporting documents must be prepared and submitted through supervisory channels to the appropriate bureau awards coordinator for review.

D. When granted, Honor Awards are meant to be progressive career recognition as described in paragraph 3.2. However it is not a requirement to award them in successive order. They may also be awarded upon an employee's retirement.

3.2 Honor Awards. Honor Awards can be granted and presented throughout the year and also may be given to an employee at a retirement ceremony. Honor awards include:

A. **Highest Level Honor Awards.** The highest Departmental Honor Awards presented to career employees or non-employee partners. Recipients must have demonstrated extremely significant long-term contributions to Departmental programs and missions. These awards are signed by the Secretary of the Interior.

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Replaces 2/96 Sec. 1-4, HRM Handbook; 2/21/89 FPM-378; and 6/28/84 FPM-334

(1) Distinguished Service Award - This award is granted to career employees of the Department. Normally the recipients of this award will have received a Meritorious Service Award (MSA), but a Distinguished Service Award may be granted to an employee who has not been awarded a MSA. A one page citation is required for this award.

(2) Cooperative Conservation Award - This award is granted to Department employees and partners, including individuals and groups who work cooperatively with the Department, its bureaus or offices, to achieve common goals related to conservation. The award may be granted for outstanding performance and direct service to the effectiveness of the Department's mission including service to any of the bureaus or offices of the Department. A one page citation is required for this award.

B. Mid-Level Honor Awards. The second highest Departmental Honor Awards presented to employees and groups who have made exceptional continuing contributions to Department or bureau mission accomplishment. These Awards are signed by the appropriate Assistant Secretary or bureau/office head as described below.

(1) Meritorious Service Award - For career employees of the Department, typically in mid-career, who may have received one or more Superior Service Awards. However, prior receipt of a Superior Service Award is not a prerequisite for a Meritorious Service Award. A one page citation is required for this award.

(2) Unit Award for Excellence of Service - For exceptional contribution(s) of employee groups, units, or teams. The award may be signed by the bureau/office head.

C. Entry-Level Honor Awards. The first level of recognition in the Departmental Honor Awards program presented to career employees, volunteers, or other partners who have made significant contributions to the Department through outstanding service to a bureau program. These awards are signed by the bureau/office head.

(1) Superior Service Award - For career employees of the Department who have made significant achievements, acts, or services that materially aid the mission of the Department of the Interior. A one page citation is required for this award.

(2) Citizen's Award for Exceptional Service - Bureau-specific award for private citizens or organizational partners, including volunteers.

D. Heroic Act Honor Awards - Departmental honorary recognition granted to employees or private citizens for heroic acts or unusual bravery. These awards are signed by the Secretary.

(1) Valor Award - The highest honors granted to employees of the Department who demonstrate unusual courage involving a high degree of personal risk in the face of danger and risk their lives while attempting to save the life of another. The heroic act does not have to be related to official duties and the site of the incident does not have to be the official duty station. A one page citation is required for this award.

(2) Citizen's Award for Bravery - For private citizens who risk their lives to save the life of a Departmental employee serving in the line of duty or the life of any other person, while on property owned by or entrusted to the Department. A one page citation is required for this award.

(3) Exemplary Act Award - For Department employees or private citizens who attempt to save the life of a Departmental employee serving in the line of duty or the life of any other person while on property owned by or entrusted to the Department, when risk to their own lives is not an issue.

E. Other Honor Awards - Special Honor Awards granted by the Department to recognize significant accomplishments by individuals or groups in support of the Department's mission.

(1) Departmental Unsung Hero Award recognizes employees of the Department who have made valuable behind-the-scene contributions. These awards are signed by bureau or office heads.

(2) Secretary's Diversity Award recognizes and honors employees or groups of employees of the Department who have provided exemplary service and/or have made significant contributions to the Department in its efforts to increase diversity at all levels. These awards are signed by the Secretary.

(3) Environmental Achievement Award recognizes Department employees and teams as well as DOI cooperators (contractors or outside partners) who have attained exceptional environmental achievements. These awards are signed by the Assistant Secretary - Policy, Management and Budget.

(4) Safety Awards. Accurate information about the Department of the Interior Safety Awards can be found in 485 DM 10, Safety Management Awards. The Safety Awards given by the Department are:

(a) Award of Merit. The Safety Award of Merit is given to an individual or to a group, bureau, office, or organizational unit which has performed an outstanding service or made a contribution of unusual value to the DOI Safety and Occupational Health Program.

(b) Professional Service Award. The Professional Service Award is the top recognition presented to members of the Department's safety and health community who have demonstrated sustained accomplishments in preventing injury, illness, and accidents and have contributed quality service to their bureau, office, and the Department during their career.

(5) Outstanding Service Award (for Political Appointees). Established in 1972, the Outstanding Service Award may be granted to non-career employees for outstanding performance in a policy or personal staff relationship with the Secretary or the various Secretarial offices. This award gives the Secretary a means to recognize outstanding personal

and policy service to his or her administration. The Outstanding Service Awards may be made at a bureau ceremony and the presentation may be delegated to a ranking executive in an organization component.

3.3 Responsibility. Bureaus and offices are strongly encouraged to establish mechanisms, such as an awards committee, to ensure that a consistent approach is applied in the review, evaluation, and recommendation of the award nomination. These mechanisms should also provide oversight of equity and cultural diversity to ensure that employees at all levels of the organization who meet the high standards required for these honors are considered for the awards.

3.4 Requirements for Nominations for Awards.

A. Any employee may recommend an honor award recipient by completing an Award Certification Form (DI-451) and submitting the form to the recipient's supervisor for concurrence and transmittal through the bureau awards coordinator to the approving official.

B. Before final approval of an honor award, the bureau's servicing human resources office must ensure that there is no derogatory information in the nominee's Official Personnel Folder (OPF). Potential derogatory information may include issues such as discriminatory actions, garnishment orders, suitability and security findings.

C. Bureau servicing human resources offices are also required to check with their bureau's Office of Civil Rights, the Departmental Office of Civil Rights, the Departmental Ethics Office, and the Office of Inspector General to determine whether there are any known complaints or investigations on the proposed awardees.

D. Potential derogatory information will be forwarded to the Departmental Office of Human Resources for evaluation to determine if there is justification to disapprove the award. In this evaluation the Office of Human Resources will consider recency, seriousness, relationship to the award, notoriety and impact of the incident, and other relevant factors.

3.5 Nominating Procedures. All honor award nominations should be submitted in a timely manner. Nominations must be received no later than six months after the date of retirement or separation of an employee. When appropriate, the sample format provided in the Appendix to this chapter should be used as a guide to write a citation for an honor award.

A. Distinguished Service Award /Valor Awards. Although these awards are presented officially only once a year, at the Department Convocation, nominations may be submitted year round. The following instructions apply:

(1) Bureau and Office Awards Coordinators will ensure that: the nomination packet consists of proper documentation; the citation has been signed and approved by the Office of the Executive Secretariat and Regulatory Affairs, approval of the nominee is signed by the head of the bureau and the appropriate Assistant Secretary; the bureau human resources office has documented its review of the employee's OPF; and the Departmental Office of Civil Rights,

the Departmental Ethics Office, and the Office of Inspector General have followed the procedures in section 3.4 of this chapter if derogatory information was found.

(2) The Bureau and Office Awards Coordinators will give the nomination packets to the Department of the Interior Awards Coordinator; and when requested, a digital photograph of the nominee or media files illustrating the event.

(3) The Departmental Awards Coordinator will then prepare Certificates and send a copy of the packet and the certificate to the Office of the Executive Secretariat and Regulatory Affairs. The certificate will be signed by the Secretary.

(4) The Office of the Executive Secretariat and Regulatory Affairs is responsible for obtaining the Secretary's signature, ensuring the certificate format is correct, and sending a copy of the packet and certificate to the Secretary's files.

B. Citizens Award for Bravery. These awards are presented once a year at the Department Convocation but the nominations may be prepared year round. The Citizens Award for Bravery nomination packets will include the materials required for the Valor Award except that certifications of review from the Office of Civil Rights and the servicing Human Resources Office are not required. Certification of review procedures for the Citizen Award for Bravery procedures will be provided to Bureau and Office Coordinators by the Departmental Awards Coordinator.

C. Cooperative Conservation Award. When the Assistant Secretary - Policy, Management and Budget (PMB) calls for the Cooperative Conservation Awards, the following information must be submitted:

(1) Electronic and paper copies of the justification of the group's or individual's accomplishments in relation to the award; the one-page citation; the bureau Director and appropriate Assistant Secretary approval of the nominee; and OPF review that there is no derogatory information on Department employees.

(2) Other required reviews will be done only for nominations recommended to the Secretary. PMB will coordinate these reviews.

(3) The Cooperative Conservation Award and citation must be signed by the Secretary. The Office of the Executive Secretariat and Regulatory Affairs is responsible for obtaining the Secretary's signature, ensuring the certificate format is correct, and sending a copy of the packet and certificate to the Secretary's files.

D. Meritorious Service Award. The Meritorious Service Award should follow the general awards procedure and is presented to recipients at an appropriate bureau ceremony. The award nomination should be primarily based on the employee's recent contributions while an employee of the Department of the Interior, although contributions to other Government agencies where the employee worked may be cited.

E. Outstanding Service Award. The Outstanding Service Award nominations may be initiated by the Secretary, the Deputy Secretary, an Assistant Secretary, the Solicitor, and the Inspector General in the form of a memorandum to the Secretary. The nomination is based on personal and policy contributions of an employee rather than the length of professional performance implied in the Distinguished Service and Meritorious Service awards. Each recipient of the Outstanding Service Award receives an engraved silver medal, a silver lapel pin, a certificate, and a citation signed by the Secretary outlining the achievements of the employee. Award presentation is made at a bureau or office ceremony which may be delegated to a ranking executive in an organization component.

Appendix

**FORMATTING AND PROCESSING OF
DEPARTMENTAL HONOR AWARDS**

HONOR AWARD CITATIONS:

The citation must be clearly written, in plain language, with sufficient detail so that a layman can easily understand the contributions of the recipient. Specific examples of accomplishments should be included with limited laudatory expressions.

CITATION FORMAT:

Margins should be at least one inch and the text should be justified. The font used will be Times Roman 12 point.

Citations should not be dated; the Executive Secretariat will date the citation

The citation should have a heading that is in capital letters, in bold, and centered on the page as follows:

CITATION
[Double Space]
FOR MERITORIOUS SERVICE
[Double Space]
JOHN D. DOE

The name may be an individual or a group. Triple space between full name and first paragraph.

The body of the citation consists of two paragraphs. The first paragraph always begins, "In recognition of his /her ..." and ends with the bureau name. For example:

"In recognition of his outstanding leadership of international water resources programs for the Bureau of Reclamation."

or "In recognition of the outstanding contributions of the Florida Upland Invasive Plant Management Program to preserve the recreational, economic, and ecological values of Florida's uplands."

The citation must reflect formal reference to the nominee, i.e., Dr. Brown, Mrs. Jones, Mr. Smith - not John, Barbara, or Henry. Always use the formal reference except in the last sentence of the second paragraph where the full name must be used.

The final sentence of the second paragraph for Distinguished Service Awards will read: "For ...(full name) is granted the highest honor of the Department of the Interior, the Distinguished Service Award."

The final sentence of the second paragraph for MSAs will read: "for ...(full name) is granted the Meritorious Service Award of the Department of the Interior."

The final sentence for other Honor Awards will read similarly to MSAs. The final sentence may use the group name.

The signature block will be six spaces below the body of the citation and will begin at the center of the page.

Citations should be approximately 350 words and must fit on one page with heading and signature block.

Eliminate large gaps in spacing on citations.

When the bureau name is first used in citation, spell out the bureau name. Use the word "Bureau" or "Service" for all subsequent references to the bureau instead of spelling it out.

Use action verbs in the citation.

Citations should be checked for correct spelling (including nominee's name), grammar, punctuation, and sentence structure prior to sending to the Executive Secretariat.

Citations should be clear and concise.

If the nominee is deceased, and is receiving a Distinguished Service Award, the citation should follow normal procedure and the closing statement should read as follows, "For his contributions to the (insert bureau or office), (Insert name) is posthumously granted the Distinguished Service Award of the Department of the Interior."

Before processing a Departmental Secretarial honor award, bureau award coordinators must conduct a review to ensure that there is no derogatory information in the employee's Official Personnel Folder, and there are no findings of discrimination or wrongdoing as determined by the bureau's Office of Civil Rights, the Departmental Office of Civil Rights, the Departmental Ethics Office, the Office of Inspector General, and the Office of the Solicitor, if appropriate. If derogatory information is found, see section 3.4 of this chapter for further instructions.

The above review results must be documented under Honor Award Review Application on the Form DI-451, Award Certification.

7/16/08 #3806

Replaces 2/96 Sec. 1-4, HRM Handbook; 2/21/89 FPM-378; and 6/28/84 FPM-334

Department of the Interior Departmental Manual

Effective Date: 7/16/08

Series: Personnel Management

Part 370: Departmental Personnel Program

Chapter 451: Awards and Recognition Program

Subchapter 4: Monetary Awards

Originating Office: Office of Human Resources

370 DM 451.4

4.1 **General.** Monetary awards are cash awards that may be granted to recognize an individual or team of employees of the Department. An employee can be recognized for the same accomplishment by granting two different types of awards provided that the combined value of both awards is commensurate with the accomplishment. Monetary awards may be given for:

- A. Achieving organizational results.
- B. Providing quality customer service.
- C. Displaying exemplary behavior, dedication, innovation, and/or team cooperation.
- D. Fostering partnerships.
- E. Promoting diversity.
- F. Ensuring safety in the workplace.

4.2 **Scope.** This policy covers all employees of the Department. Volunteers, contract employees, and partners are not eligible for monetary awards unless a different authority states otherwise.

4.3 **Monetary Performance-Based Awards.** Monetary performance-based awards (Performance Awards and Quality Step Increases) are covered in 370 DM 451.1. The other types of monetary awards are: Special Thanks for Achieving Results Awards (STAR), Productivity Improvement Awards, and Invention/Patent Awards. On-the-Spot Awards may no longer be issued but STAR Awards of amounts consistent with the criteria in Appendix A to this chapter can be issued. The scale of awards based on intangible benefits and the scale of award amounts based on tangible benefits to the government can be found in Appendices A and B to this chapter. All monetary awards are processed using gross, not net, dollar amounts.

A. Special Thanks for Achieving Results Award. A STAR Award is used to recognize noteworthy accomplishments that are limited to a one-time occurrence or for exceptional

7/16/08 #3807

Replaces 2/96 Sec. 1-4, HRM Handbook; 2/21/89 FPM-378; and 6/28/84 FPM-334

accomplishments over a period of months. It should not be issued in relation to an employee's annual performance appraisal. Accomplishments may be either within or outside the scope of an employee's normal duties. Examples of situations for which it would be appropriate to give an employee a STAR Award are those in which employees: produce exceptionally high quality work under tight deadlines; perform added or emergency assignments in addition to their regular duties; or exercise extraordinary initiative or creativity in addressing a critical need or difficult problem.

B. Productivity Improvement Award. Productivity Improvement Awards are recognition for process improvement, cost-saving suggestions, streamlining, or the elimination of non-value added processes. The award shares some portion of actual savings resulting from cost reduction or productivity gains with the employee(s) who recommends or achieves the savings. Suggested guidelines to use, when deciding on the award amount, are provided in Appendices A and B to this chapter.

C. Invention/Patent Award. The Department encourages the use of monetary awards to reward employees for their inventions. An automatic \$500 (gross) compensation is awarded upon the actual filing of a patent application at the Patent Office by the Office of the Solicitor. An additional \$800 (gross) will be awarded if the patent is granted. Further recognition based on the benefit of the contribution may be granted through the use of an additional cash award. The awardee's organization is responsible for payment of the award amount. Suggested guidelines to use to award employees are provided in Appendix B to this chapter.

4.4 STAR Awards.

A. An employee may be recommended for a STAR award by another Federal employee who is aware of an achievement he/she believes deserves recognition. Form DI-451, Award Certification, is used to recommend a STAR award and must be submitted to the proposed recipient's supervisor for concurrence. Supervisors concur and/or transmit award nominations to the approving official for the amount recommended. If an award recognizes team achievements and members are to receive different award amounts, the justification must describe each individual team member's contribution. There is no limit to the number of STAR awards an employee may receive, but managers should administer the program fairly to ensure consistent and equitable opportunity for employee recognition.

B. When another bureau within the Department of the Interior, or another agency, wishes to recognize an individual through a monetary award, the outside bureau or agency will prepare the award documentation and contact the award recipient's servicing personnel office for guidance on how to process the award. The award must be submitted for approval within six months following the contribution.

4.5 Approval Authority for Monetary Awards.

A. Assistant Secretaries, the Solicitor, and the Inspector General have approval authority for individual awards from \$5,001 to \$10,000. However, when a performance-based cash award that is based on a percentage of pay instead of a set dollar amount is over \$5,000,

approval by an Assistant Secretary, the Solicitor, or the Inspector General is not required. All awards in excess of \$10,000 must be submitted by bureau/office heads through the appropriate Assistant Secretary, the Director of Human Resources, and the Assistant Secretary - Policy, Management and Budget, to the Office of Personnel Management for approval or further processing.

B. Bureau and office heads may approve group awards up to \$10,000 if no group member receives more than \$5,000. They may also approve individual awards up to \$5,000, QSIs, and Performance Based Cash Awards; however, bureau/office heads are encouraged to delegate approval authority for these awards to the lowest practical level.

C. The Department's Executive Resources Board must approve all monetary awards for SES including non-career and limited term employees. The White House Liaison Office should be consulted on all awards for Schedule C employees.

SCALE OF AWARDS BASED ON INTANGIBLE BENEFITS

Value of Benefit	EXTENT OF APPLICATION		
	Local	Bureau	Department Wide
	Example Affects:	Example Affects:	Example Affects:
<ul style="list-style-type: none"> • one or more field facilities or Central Office organizational elements or staff office, or • a minor change or correction of a DOI form, policy, or procedure, or • optional use of an idea or procedure, or • minor change in the area of technology or automation 	<ul style="list-style-type: none"> • an entire network, region, or • all Central Office organizations, or • ideas approved for optional use in the Department or an administration, or • important area of technology or automation 	<ul style="list-style-type: none"> • more than one region, or bureau • has impact DOI wide or beyond. 	
Moderate. Change or contribution to an operating principle, practice, procedure or program of limited impact or use.	Up to \$500	Up to \$1,500	Up to \$3,000
Substantial. Significant or important change, contribution to, or modification of an operating principle, practice, procedure, program, or service to the public.	Up to \$1,500	Up to \$3,000	Up to \$5,000
Exceptional. Complete revision or initiation of a major policy, practice, or procedure that has significant impact on DOI's mission. Major improvement in the quality of a critical product, activity, program or service to the public.	Up to \$3,000	Up to \$5,000	Up to \$10,000 Awards more than \$10,000 require OPM approval. Awards more than \$25,000 require Presidential approval after OPM review.

7/16/08 #3807

Replaces 2/96 Sec. 1-4, HRM Handbook; 2/21/89 FPM-378; and 6/28/84 FPM-334

Appendix B**SCALE OF AWARD AMOUNTS BASED ON
TANGIBLE BENEFITS TO THE GOVERNMENT**

Benefits	Awards
Estimated First-Year Benefits	Amount of Award to Employee
Up to \$100,000 in benefits	10% of benefits
\$100,001 and above in benefits	\$10,000 plus 1% of benefits above \$100,001, up to \$25,000 with the approval of the Office of Personnel Management
	Presidential approval is required for all awards of more than \$25,000

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Chapter 451: Awards and Recognition Program

Subchapter 5: Non-Monetary Awards

Originating Office: Office of Human Resources

370 DM 451.5

5.1 **General.** Non-monetary recognition awards are granted to employees to recognize their contributions to the Department. Contributions may include:

- A. superior accomplishment of regularly assigned duties;
- B. exceptional achievements of project goals;
- C. noteworthy accomplishments over a sustained period; or
- D. specific contributions to an organization's mission.

5.2 **Eligibility for Non-Monetary Awards.** Employees of the Department and employees of other Federal agencies may receive non-monetary recognition of nominal value and informal honors.

5.3 **Items of Nominal Value.** The upper limit for non-monetary recognition of nominal value within the Department of the Interior is \$50 cash value. The Department may increase this amount in succeeding years based on the inflation rate. Nominal value items can be tickets to events, balloons, lapel pins, coffee cups, key chains, pens, paperweights, pen and pencil sets, clocks, plaques, jackets, caps, T-shirts, watches, fruit baskets, gift certificates, and U.S. Savings Bonds or other similar items. Approving officials should exercise care in selecting an appropriate item for non-monetary recognition to avoid potential appearance of misuse of government funds. The approving official should consider whether public disclosure of the item would cause embarrassment to the Department. The item must take an appropriate form to be used in the public sector to be purchased with public funds. Where appropriate, a non-monetary award item should contain the bureau or Departmental name, logo, award title, and/or mission. If there is some level of discomfort or concern, the supervisor should always check with the servicing human resources office for guidance.

A. The recognition method selected should be based on the employee's effort expended, the behavior exemplified or the results achieved. Supervisors can tailor recognition of their

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Replaces 2/96 Sec. 1-4, HRM Handbook; 2/21/89 FPM-378; and 6/28/84 FPM-334

employees based on the personal interests of the individual. Supervisors may ask an employee how he/she would like to be rewarded.

B. Gift certificates cannot exceed nominal value because a gift certificate conveys a clear monetary value, does not have a lasting “trophy” value, nor does it symbolize the employer/employee relationship therefore, it does not meet the criteria for exceeding the nominal value threshold. Because gift certificates can be easily exchanged for cash, gift certificates must be taxed regardless of the amount. Employees may choose whether money is withheld for taxes or claiming the amount of the gift certificate as an increase in income.

5.4 Items that Exceed Nominal Value. Items that can exceed nominal value are those items similar to those listed in paragraph 5.3 of this chapter except that the cost exceeds \$50.00. A non-monetary recognition item may exceed the nominal cash value threshold; however, the cost of any non-monetary item in excess of the nominal value must be included in the employee’s gross wages and would be taxable. The maximum value for a non-monetary award is \$250.00. Items that exceed the nominal cash value threshold must:

A. Be something that the recipient could reasonably be expected to value, but not something that conveys a sense of monetary value;

B. Have lasting trophy value. An employee can show the item to coworkers and friends as a “trophy” given in appreciation of good work; and,

C. Clearly symbolize the employer-employee relationship in some fashion.

5.5 Informal Honors. Bureaus must establish guidelines and controls for granting informal recognition and awards.

5.6 Time-Off Awards. An excused absence awarded to an employee without charge to leave. Bureaus must establish approval authorities, scheduling guidance, and an appropriate number of hours commensurate with employee contributions, and supervisory responsibilities. The minimum time-off recognition is one hour; the time-off award shall not exceed 40 hours per event or 80 hours total per year. This limit includes performance-based time-off awards. Employees normally have the discretion to determine when they will use a time-off award, subject to supervisory approval. A time-off award must be used while the recipient is employed at the Department; the time-off award cannot be transferred to another agency upon separation of the employee. Further, upon separation from the Department, employees are not entitled to receive payment for any unused time-off award hours. These limits apply to all employees.

5.7 Length of Service Award. Certificates and/or pins awarded at various milestones in an employee’s career. Recognition is usually given in 10-year increments but bureaus may give it in 5-year increments. Bureaus may develop their own Length of Service certificates or order Government-issued certificates through the publication rider process. Pins for 10, 20, 30, 40, and 50 years of Government service are available for procurement through a Departmental contract. Bureaus may use Government-issued Length-of-Service pins if they choose to do so through the GSA procurement process.

5.8 Processing Awards. Any employee aware of an achievement(s) that he/she believes deserves recognition may make an award recommendation to the award recipient's supervisor. The recommendation must be signed by the bureau or office official authorized to approve non-monetary awards.

A. Items of Nominal Value and Informal Honors. Items may be awarded, as appropriate, without completion of form DI-451, Award Certification. There is no limit on how many non-monetary awards an employee can receive in a fiscal year. However, supervisors should avoid granting non-monetary awards and presenting award items several times throughout the fiscal year to avoid any possibility of abuse in granting awards, and to prevent creating tax liabilities for the employee (even if the individual awards are under the nominal value). Tax liability is determined based on the cumulative value of the awards even if each award is under the nominal value. The specific item should be purchased through normal procurement channels. Bureaus and offices should order supplies of specific award items to affect cost savings and provide for immediate recognition of employees.

B. Items that Exceed Nominal Value. A DI-451, Award Certification, is required for items that exceed nominal value. Before finalizing and granting a non-monetary award that exceeds nominal value, the employee should be advised that the award will be taxable to determine if the employee concurs in the granting of the taxable award item.

Department of the Interior Departmental Manual

Effective Date: 7/16/08
Series: Personnel Management
Part 370: Departmental Personnel Program
Chapter 451: Awards and Recognition Program
Subchapter 6: Outside Awards

Originating Office: Office of Human Resources

370 DM 451.6

6.1 General. Outside awards are award programs sponsored by external organizations. The Department will provide criteria, the exact due date, and other pertinent information concerning outside awards via the Office of Human Resources Website at: <http://www.doi.gov/hrm/>. A list of Outside Awards is available at the Office of Personnel Management website at: <http://www.opm.gov/perform>

6.2 Nominations for Outside Awards. Any employee may recommend another employee for an outside award by providing all information required by the recommended recipient's supervisor for concurrence and transmittal to the approving official.

6.3 Required Reviews. The bureau or office servicing human resources office must ensure that there is no derogatory information in the nominee's Official Personnel Folder and it is required to check with its Office of Civil Rights, the Departmental Office of Civil Rights, the Departmental Ethics Office, the Office of Inspector General, and the Office of the Solicitor, if appropriate, to determine if there are any findings of discrimination or OIG investigations on the proposed awardee. If derogatory information is found, refer to the procedures in 370 DM 451.3, section 3.4.

6.4 Concurrence and Approvals. When the reviews are completed, the nominations must be consolidated and submitted through the appropriate Assistant Secretary, the Solicitor, or the Inspector General to the Office of Human Resources.

Department of the Interior Departmental Manual

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Series: Personnel Management

Part 370: Departmental Personnel Program

Chapter 430: Managing Senior Executive Performance

Originating Office: Office of Personnel Policy

370 DM 430, Subpart C

1. **Purpose and Authority.** This chapter establishes the Department of the Interior (DOI) Performance Management System (PMS) for Senior Executive Service (SES) employees. The Senior Executive Service PMS is established in accordance with the following authorities:

A. Performance Appraisal - 5 U.S.C. chapter 43, subchapter II (Performance Appraisal in the Senior Executive Service); 5 CFR Part 430, Subpart C (Managing Senior Executive Performance).

B. Performance Awards - 5 U.S.C. chapter 45 (Incentive Awards); 5 CFR Part 451, Subpart A (Agency Awards); 5 CFR 534, Subpart D (Performance Awards)

C. Records of Employee Performance - 5 CFR Part 293, Subpart D (Employee Performance File System Records).

2. **Policy.** The Department recognizes the importance of integrating its performance appraisal, pay, and award programs into the management of its human resources to promote efficient and effective attainment of its mission, program objectives, and strategic planning initiatives. The Department's PMS for SES members is a management tool to motivate high levels of achievement, and to hold senior executives accountable for their individual and organizational performance by:

A. Expecting excellence in senior executive performance;

B. Linking performance management with results-oriented goals of the Government Performance and Results Act (GPRA) of 1993;

C. Setting and communicating individual and organizational goals and expectations;

D. Systematically appraising senior executive performance using measures that balance organizational results with customer, employee, or other perspectives; and

E. Using performance results as a basis for pay, awards, development, retention, removal, and other personnel decisions.

3. **Coverage.** The plan applies to all SES employees covered by 5 U.S.C. chapter 31, subchapter II, with variation for the Department of Interior, Office of Inspector General (OIG). The OIG will follow OPM policy and guidance in awarding SES performance awards and pay rate increases utilizing its own Executive Resources Board/Performance Review Board. The OIG will have a separate SES bonus pool, and will not exceed the percentage established by OPM guidelines. The OIG will report all approved SES performance awards and pay rate increases to the Department's Office of Personnel Policy.

4. **Guidelines.**

A. The Department's SES Performance Management System requires that performance elements comprising individual performance plans are to be cascaded from the goals and commitments agreed upon by the Secretary, Assistant Secretaries, and Bureau Directors. The Department will include customers, stakeholders, and employees in performance management efforts to reach a balance between the needs and opinions of these groups and the achievement of the Department's mission. Performance information will be used as a basis for adjusting pay, granting rewards, assessing continuing development needs, removing senior executives, and making other personnel decisions.

(1) Individual performance plans must link mission outcomes and employee performance by establishing performance standards related to organizational strategic or annual performance goals through the Department's strategic planning process, in support of the Government Performance and Results Act (GPRA).

(2) Individual SES performance plans must contain sufficiently strong performance elements and standards to hold SES members accountable for achieving expectations and to clearly link pay with performance. Performance plans must take into account such factors as:

(a) Effectiveness, productivity, and performance of the employees for whom the senior executive is responsible and

(b) Meeting affirmative action, equal employment opportunity, and diversity goals and complying with merit system principles; and efforts to improve diversity and to prevent and remedy discrimination and harassment in compliance with the Department's policy of zero tolerance.

(3) Performance evaluations must use balanced measures that consider organizational results with customer satisfaction and employee perspectives.

- (4) Performance expectations must be clearly communicated to SES members.

B. Mandatory Departmental performance elements will be issued in conjunction with annual Departmental guidance on the establishment of SES performance plans. The Department's Performance Management System authorizes heads of Bureaus/Offices to define the Fully Successful performance standards for each performance element, including elements mandated by the Department. Mandatory performance standards may also be issued by the Department.

5. **Responsibilities.**

A. Assistant Secretaries/equivalent officials are responsible for:

- (1) Nominating SES members within their respective organizations to serve on Performance Review Boards (PRB's);
- (2) Determining the final written summary rating of record for SES members within their respective organizations; and
- (3) Recommending performance awards for SES members within their respective organizations to the Department's Executive Resources Board (ERB) for final determination.

B. Heads of Bureaus/Offices are responsible for:

- (1) Terminating the appraisal period (as required) for any SES member within their organization at any time after 90 days and directing that his/her performance be rated;
- (2) Mandating (as applicable) performance elements for SES members within their organization with the concurrence of the Assistant Secretary; and
- (3) Defining the Fully Successful performance requirement for performance elements mandated Department-wide with the concurrence of the Assistant Secretary.

C. The Rating Official (typically the immediate supervisor) is responsible for:

- (1) Developing a senior executive performance plan, developed cooperatively between the rating official and the executive being appraised, for each SES employee supervised;
- (2) Informing the SES employee of the performance elements of his or her position;

(3) Establishing performance requirements for those elements, in compliance with Department guidelines;

(4) Appraising performance;

(5) Assigning the initial summary rating;

(6) Ensuring that copies of the following appraisal documents are provided to the SES employee at the time they are prepared:

(a) the initial summary rating and award recommendation;

(b) any comments and recommended changes to the initial recommendation made by the optional high-level reviewer, the PRB, and/or the Assistant Secretary/equivalent official;

(c) final determination of the summary rating of record; and

(d) final determination of performance award, if any.

D. The Department's Office of Personnel Policy (PPM) is responsible for:

(1) Ensuring guidance is issued (annually) concerning the establishment of individual performance plans for all SES employees in each bureau/office;

(2) Ensuring guidance is issued (annually, near the end of the appraisal period) regarding appraisal procedures and projected bonus pools to the Assistant Secretaries and equivalent officials;

(3) Providing staff support to the PRB and the ERB for the SES appraisal process. PPM collects all appraisal and award recommendation documents, analyzes the documents to ensure they are complete and adequately documented, organizes the documents for PRB and ERB review, records PRB recommendations and ERB decisions, and forwards the documents to the appropriate servicing personnel offices for processing and distribution to the executives; and

(4) Reporting the ratings of record and performance awards to the Office of Personnel Management.

E. Servicing personnel officers are responsible for:

- (1) Maintaining all records related to the executive's annual performance appraisal for at least five years from the date the rating of record is issued.
- (2) Assisting the Rating Official with providing the documents referred in C (6) above; and
- (3) Reporting annually that performance plans have been established for all SES employees in their servicing area.

6. **Training and Program Evaluation.**

A. The Department, through the Office of Personnel Policy, will develop and provide appropriate training and written guidance to ensure that all employees involved in managing the SES performance appraisal program, the executives subject to the system, and their supervisors have the necessary information to carry out the annual appraisal process in an effective, efficient manner which complies with applicable law, regulation, and Departmental policy.

B. The Department, through the Office of Personnel Policy and the Executive Resources Board, will periodically evaluate the SES performance appraisal program to determine its effectiveness. Improvements will be made to the system as necessary.

7. **Definitions.**

A. Annual Summary Rating: The overall rating level that an appointing authority assigns at the end of the appraisal period after considering a Performance Review Board's recommendations.

B. Appointing authority: The Secretary or his or her designee.

C. Appraisal period: The period of time established for which the executive's performance will be reviewed. The Department's appraisal period for SES members is from October 1 through September 30 of the following year.

D. Balanced measures: A balanced approach to performance measurement that draws from a suite of performance measures reflecting the multi-faceted reality of program and manager performance. These will be results-oriented measures that encompass mission goals, as well as customer interests and employee considerations to provide continuous input from a variety of perspectives.

E. Critical Element: A key component of an executive's work consisting of one or more duties and responsibilities that contributes to organizational goals and results and is so

important that unsatisfactory performance of the element would make the executive's overall performance unsatisfactory.

F. Higher Level Reviewing Official: The official who is responsible for providing a higher level review of an SES member's initial summary rating. The reviewer must be at a higher level than the rating official.

G. Rating of Record: An overall rating level the supervisor derives from appraising the senior executive's performance during the appraisal period and forwards to the Performance Review Board.

H. Interim Rating: An interim rating is utilized to appraise a senior executive's performance during details, or temporary reassignments of 90 days or longer. The gaining organization must set performance goals and requirements for the detail or temporary reassignment. The gaining organization must appraise the senior executive's performance in writing, and this appraisal must be factored into the initial summary rating.

I. Minimum Appraisal Period: The minimum amount of time in which a senior executive must have served in a position under written performance elements and requirements in order for an appraisal to be completed concerning such performance. The Department's minimum appraisal period is 90 days.

J. Performance: The accomplishment of the work described in the senior executive's performance plan.

K. Performance Appraisal: The review and evaluation of a senior executive's performance against performance elements and requirements.

L. Performance Management System: The framework of policies and practices established under 5 U.S.C. chapter 43, subchapter II, and 5 CFR Part 430, Subpart C, for planning, monitoring, developing, evaluating, and rewarding both individual and organizational performance and for using resulting performance information in making personnel decisions.

M. Performance Requirement: A statement of performance expected for a critical element. A performance requirement may include, but is not limited to, factors such as quality, quantity, timeliness, and manner of performance.

N. Progress Review: A review of the senior executive's progress in meeting the performance requirements. A progress review is not a performance rating. The Department requires at least one progress review during the appraisal period.

O. Rating Levels: The SES Performance Management System provides for three rating levels: Fully Successful, Minimally Satisfactory, and Unsatisfactory.

P. **Rating Official:** The individual who is responsible for informing the employee of the elements of his or her position, establishing performance requirements for those elements, appraising performance, and assigning the initial summary rating. Typically, this is the senior executive's immediate supervisor.

Q. **Senior Executive Performance Plan (Form DI-2011, Appendix A):** The written summary of work the senior executive is expected to accomplish during the appraisal period and the requirements against which performance will be evaluated. The plan addresses all critical elements and any other performance elements established for the senior executive.

8. **Appraisal Period.**

A. The appraisal period for all members of the SES begins October 1 and concludes September 30 of the following year.

B. The minimum period for performance appraisal is 90 days.

(1) At the end of the appraisal period, executives who have not served under an officially approved performance plan for at least 90 days will have their appraisal period extended for the time necessary to meet the 90-day requirement.

(2) If the appraisal period is extended, a rating of record will be prepared at the end of the extended performance period.

C. An executive's appraisal period may be terminated and his/her performance rated after the 90 day minimum appraisal period, provided that there is enough information on which to base a rating.

D. An appraisal and rating may not be made for Career SES members within 120 days after the beginning of a new Presidential administration.

9. **Senior Executive Performance Plan (Form DI-2011, Appendix A).**

A. An individual senior executive performance plan is established annually for each member of the SES.

(1) Senior executive performance plans are developed cooperatively between the rating official and the executives being appraised. However, final authority for establishing the senior executive performance plan rests with the rating official.

(2) Senior executive performance plans are developed and communicated to executives at, or before, the beginning of each appraisal period. Written performance plans are provided to the executives usually within 30 days of the beginning of the appraisal period. If delayed, reasons must be documented.

(3) Until new performance plans are established for the appraisal period, executives remain under the performance plan established for the previous year, unless they have changed positions.

B. The performance elements comprising individual senior executive performance plans are cascaded from the goals and commitments agreed upon by the Secretary, Assistant Secretary, and the Bureau Directors. To be most effective, elements of performance plans should be customized to the specific overall assignments of individual executives. Accomplishment of organizational objectives is reflected in individual senior executive performance plans by the incorporation of objectives, goals, program plans, work plans, or any similar means which will account for program results.

(1) In the Department, all performance elements in the performance plan are defined as critical elements. That is, each performance element included in an individual performance plan is considered of sufficient importance that unsatisfactory performance of an individual element results in unsatisfactory performance in the position.

(2) Assistant Secretaries or Heads of Bureaus/Offices, with the concurrence of the appropriate Assistant Secretary or equivalent official, will define the Fully Successful performance requirement for performance elements mandated Department-wide by the Secretary.

(3) Assistant Secretaries and Heads of Bureaus/Offices have authority to mandate performance elements for SES members within their organizations.

(4) As many performance elements as determined to be necessary may be included in individual performance plans.

10. **Progress Reviews.**

A. Rating officials must hold at least one progress review with subordinate executives during the performance year.

B. In the progress review, the rating official must:

(1) inform executives of their level of performance by comparing their accomplishments to the established performance requirements;

(2) identify any performance weaknesses and provide the executive the opportunity to improve; and

(3) ascertain whether the performance elements contained in the performance plan are current and applicable, or whether they should be revised to reflect changes since the beginning of the rating period in mission, goals, objectives, organization, budget, administration, or statutory requirements.

C. The rating official and executive must initial and date Part II of the SES Performance Plan (Form DI-2011, Appendix A) to document the completion of each progress review.

11. **Rating of Record.**

A. The rating official for the executive's position of record at the end of the appraisal period (September 30) is responsible for initiating the process to determine the executive's annual summary rating of record and any performance award.

(1) The rating official is usually the executive's immediate supervisor. However, the Head of the Bureau/Office may designate another official within the organization who ranks above the executive being appraised to serve as the rating official. This would generally occur when the immediate supervisor is unavailable.

(2) There is no minimum amount of time required for a rating official to have been designated prior to his/her initiating the performance rating process. Rating officials appointed near the end of the performance year will rely upon interim summary ratings (Section 16, Interim Summary Ratings) and other documentation of performance to determine their recommendations for annual summary ratings of record.

B. The Department's SES performance management system provides three rating levels for each performance element. The three levels are:

- FULLY SUCCESSFUL
Performance of the element fully met expectations.
- MINIMALLY SATISFACTORY
Performance of the element marginally met expectations.
- UNSATISFACTORY
Performance of the element failed to meet expectations.

C. At the end of the appraisal period, following discussion with the executive and review of any supportive documentation, the rating official assigns a rating to each of the performance elements in the executive's performance plan, unless the executive had insufficient opportunity to demonstrate performance in the element during the appraisal period.

(1) The rating official determines the rating for each performance element by comparing the executive's actual performance during the appraisal period to the established Fully Successful performance requirement.

(2) No documentation of performance of the element is required if the rating is Fully Successful.

(3) Adequate documentation of performance of the element is required if the rating is Minimally Satisfactory or Unsatisfactory.

D. Using the guidance contained in Appendix B of this issuance, the rating official assigns an initial summary rating of the executive's overall performance, based upon the ratings assigned to the individual elements. See Appendix C for guidance on assigning an initial summary rating of Minimally Satisfactory or Unsatisfactory.

E. The rating official completes, signs, and dates Part III of the SES Performance Plan (Form DI-2011, Appendix A) to document his/her determination of individual performance element ratings, and the initial summary rating, and recommendation of any performance award.

F. The rating official discusses the initial summary rating and award recommendations (for career appointees only) with the executive being appraised. The executive signs and dates PART III of the SES Performance Plan (Form DI-2011, Appendix A) to indicate that the rating official has discussed the appraisal with him/her.

G. The executive has the right to respond in writing to the initial summary rating.

H. The executive has the right to request a higher-level review of the initial summary rating before they are reviewed by the PRB (Section 12, Higher-level Review). Copies of the reviewer's comments and recommendations must be provided to the executive being appraised, the rating official, and the PRB.

12. **Higher-level Review.**

A. A higher-level review of the rating official's initial performance rating is optional, at the request of the executive being appraised.

B. The higher-level review of the initial rating and award recommendations is conducted by the next higher-level official above the rating official in the organization.

C. The reviewing official will accomplish the higher-level review by reviewing the rating official's initial recommendations for the performance rating and any award, all written documentation supporting the rating official's recommendations, and any written response to the initial recommendations by the executive being appraised. At his or her option, the reviewing official may meet with either or both the rating official, and the executive being appraised to discuss the appraisal. The rating official may respond to the executive's comments or concerns.

D. If the reviewing official disagrees with the rating official's initial rating or award recommendations, the reviewer attaches to the appraisal a statement making his/her own recommendations.

E. The reviewing official signs and dates Part III of the SES Performance Plan (Form DI-2011, Appendix A) to certify review of the initial performance rating and award recommendations.

13. **Performance Review Board.**

A. There is one Departmental Performance Review Board, appointed annually. The purpose of the PRB is to:

- (1) consider the initial rating and award recommendations;
- (2) review all documentation, including any written response by the executive being rated and any comments provided by a higher-level reviewer;
- (3) conduct whatever additional review it deems necessary; and
- (4) make written recommendations to the appropriate appointing authority regarding final performance ratings of record and the awarding of performance bonuses, Secretary's executive leadership awards, and performance-based pay rate adjustments.

B. Assistant Secretaries/equivalent officials nominate SES members in their organizations each year to serve on the PRB. The Executive Resources Board makes final selection of members. Appointment to the PRB is for a one year term, which is renewable.

C. Before the PRB can convene or conduct any business, the names of the PRB members must be published in the Federal Register.

D. The Office of Personnel Policy will provide PRB members training and written guidance to ensure objectivity and consistency of review and recommendations.

E. The PRB cannot conduct any business with less than three members present.

F. When the Board is reviewing the performance rating/performance award recommendations and supporting documentation for a Career appointee, more than one-half of the sitting members of the PRB must consist of Career SES appointees.

G. PRB members may not take part in deliberations regarding their own appraisals, or regarding the appraisals of immediate subordinates or superiors.

H. After the PRB reviews the appraisal and award recommendations and any documentation, the Chair of the PRB records the Board's rating and award recommendations, signs Part IV of the SES Performance Plan (Form DI-2011, Appendix A), and provides their recommendations to the appointing authority.

14. **Annual Summary Rating.**

A. Authority to determine the annual summary rating of record is delegated by the Secretary to the Assistant Secretaries or equivalent officials. Using the guidance contained in Appendix B of this issuance, after PRB recommendation, the designated official assigns the annual summary rating of: Fully Successful, Minimally Satisfactory, or Unsatisfactory.

B. The Assistant Secretary or equivalent official documents the annual summary rating by completing, signing, and dating Part V of the SES Performance Plan (Form DI-2011, Appendix A).

C. If the Assistant Secretary or equivalent official disagrees with the PRB's recommendation, he/she will document the rationale for the annual summary rating in an attachment to the SES Performance Plan.

15. **Performance Awards.**

A. Under the law, the Department has the option, but is not obligated, to grant special recognition, awards, and incentive payments to SES members to recognize, reward, and motivate highly competent executives. In the Department, these payments and forms of recognition include: performance awards (bonuses), Secretary's Executive Leadership Award, or pay rate increases.

B. To recommend an executive for any of these types of awards, the rating official completes an SES Performance Award Recommendation Form (Form DI-2012, Appendix D) and attaches it to the original of the executive's completed SES Performance Plan document (Form DI-2011, Appendix A).

(1) The documentation on the SES Performance Award Recommendation form should highlight the executive's outstanding accomplishments in the performance elements mandated by the Department as well as program-specific performance elements.

(2) The documentation for the award recommendations should provide a brief general discussion of the executive's achievements, rather than a lengthy justification addressing each performance element.

C. The rating official also documents recommendations for a performance award by completing the "Recommended Award" section of Part III of the SES Performance Plan (Form DI-2011, Appendix A), and signing and dating the form.

D. Initial recommendations for SES performance awards are reviewed by the Department's PRB. The PRB makes its own recommendations regarding performance awards to the cognizant Assistant Secretaries/equivalent officials, who in turn make recommendations for performance awards to the ERB for final determination. The Chair of the ERB documents the Board's final decisions regarding performance awards by recording the decision, signing and dating in Part IV of the SES Performance Plan form (Form DI-2011, Appendix A).

E. SES Performance Bonuses

(1) The law allows the amount of an SES performance bonus to vary between a minimum of 5% and a maximum of 20% of the executive's basic pay. Basic pay does not include locality rate adjustments.

(2) The ERB will give unsuccessful Presidential Rank Award nominees priority consideration for performance bonuses.

(3) Each Assistant Secretary's bonus pool may equal up to 10 percent of the aggregate basic pay of Career SES members within his/her organization as of September 30 (the last day of the fiscal year). The actual percentage is established annually by the Department's Executive Resources Board. Basic pay does not include locality rate adjustments.

(4) Only Career executives receiving a final rating of Fully Successful are eligible to receive a performance bonus.

(5) The ERB will approve bonuses only for those Career executives recommended by their Assistant Secretaries/equivalent officials. The ERB reserves the right to raise or lower bonus amounts, or to disapprove the bonus, based upon its determination of the executive's degree of accomplishment of the performance elements.

(6) Usually the ERB will not approve bonuses for executives who have not yet completed their one-year probationary period.

(7) Special Act or Special Service Awards are not to be used as a substitute for SES performance bonuses. Special Act and Special Service Awards are to recognize non-recurring contributions either within or outside of job responsibilities, a scientific achievement, or an act of heroism.

(8) Secretary's Executive Leadership Award

(a) The Department ERB created this category of SES performance award to recognize superior accomplishment of performance objectives and excellence in leadership. The award includes the following three levels:

- [1] Gold - 17% of basic pay
- [2] Silver - 14% of basic pay
- [3] Bronze - 12% of basic pay

(b) Criteria:

[1] Extraordinary accomplishment of the performance elements comprising the SES member's annual performance plan.

[2] Demonstration of excellence in the 5 Executive Core Qualifications (ECQ's). Benchmarks of excellence in the 5 ECQ's include:

[a] Leading Change: Displayed the highest level of creativity, initiative, flexibility and innovation to produce results critical to the mission of the Department.

[b] Results Driven: Has an exceptional record of achieving important program results.

[c] Leading People: Demonstrated unusual success in building and maintaining a workforce that is diverse, well-trained, highly motivated, and productive.

[d] Business Acumen: Managed the programs' human, fiscal, material, and information resources in a manner which instilled the utmost trust by higher management and advanced the Department's mission.

[e] Building Coalitions/Communication: Showed an unusual level of cooperative effort with others, including those in other Federal agencies, state/local governments, and private and non-profit sectors.

F. SES Pay Rate Adjustments

(1) Career, Noncareer, and Limited appointees to the SES are eligible for pay rate adjustments.

(2) Pay adjustments may be made only once in a 12-month period. Setting pay upon initial appointment to the SES is considered a pay adjustment.

(3) With the approval of the ERB, upward pay rate adjustments of one or more levels may be made for SES members with a final summary rating of Fully Successful.

(4) With the approval of the ERB, a downward pay rate adjustment of one level may be made for executives receiving a final summary rating of Minimally Satisfactory or Unsatisfactory.

16. **Interim Summary Rating.**

A. Upon reassignment or transfer to another position during the appraisal period, executives are entitled to an interim summary rating if they have served the minimum appraisal period of 90 days under an officially established performance plan.

(1) The rating official for the position from which the executive is being reassigned/transferred provides the interim summary rating by following the procedures in appraising performance (Section 11).

B. When an executive is detailed or temporarily reassigned within the Department for 90 days or more, the gaining supervisor will provide a written performance plan covering the duties of the position. At the end of the detail/temporary reassignment, the supervisor of the detail/temporary reassignment will provide an interim summary rating which the rating official will consider in determining his/her recommendation for a rating of record and any performance award.

C. When executives are detailed outside the Department, the rating official for the executive's position of record must make a reasonable effort to obtain appraisal information from the outside agency and consider that information in determining the initial summary rating and award recommendations.

(1) If the executive detailed outside the Department has already served the minimum 90 days under an officially approved performance plan, then the rating official must provide a recommended rating of record.

(2) If the executive detailed outside the Department did not complete the minimum 90 days under the performance plan for his/her position of record, but does serve the minimum appraisal period in the borrowing agency, then the rating official must make a reasonable effort to provide a recommended rating of record, using appraisal information obtained from the borrowing agency.

D. In the event supervisors of SES members leave their positions during the rating year, they should provide an interim summary rating to each subordinate executive who has served the minimum 90 days under a written performance plan .

17. **Distribution of Ratings.** The Department's SES performance appraisal policy prohibits any prescribed distribution of rating levels for executives.

18. **Appeals.**

A. An executive may not appeal either the final summary rating or the lack (or amount) of a performance award.

B. Executives have the right to respond in writing to the initial performance appraisal and award recommendations made by the rating official. This response becomes a part of the appraisal document and is reviewed by the optional reviewing official, the PRB, the Assistant Secretary/equivalent official, and the ERB, as appropriate.

C. A Career SES appointee may file a complaint with the Office of Special Counsel regarding any aspect of the rating process which he/she believes to involve a prohibited personnel practice.

D. A Career SES appointee who is removed from the SES as a result of performance ratings may request an informal hearing before the Merit Systems Protection Board on the removal.



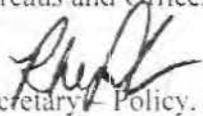
United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

NOV 21 2012

Memorandum

To: _____ Heads of Bureaus and Offices

From: Rhea S. Suh 
Assistant Secretary - Policy, Management and Budget

Subject: Non-Monetary Awards Policy

The purpose of this memorandum is to clarify and communicate changes to the Department's awards policy found in 370 DM 451.5 as it pertains to non-monetary awards. Non-monetary recognition awards are granted to employees to recognize their contributions to the Department that may include superior accomplishment of regularly assigned duties, exceptional achievements of project goals, noteworthy accomplishments over a sustained period, or specific contributions to an organization's mission.

The President's Executive Order *Promoting Efficient Spending* has caused us to re-evaluate policies on the use of non-monetary recognition. We have worked with the human resources, budget and finance communities within the Department and evaluated the practices in place in other agencies in order to develop these revised policies on non-monetary awards.

Effective immediately the following changes apply to the policy found in 370 DM 451.5 concerning non-monetary awards. We urge managers to recognize and reward employees for noteworthy accomplishments. There continue to be many ways to do this in compliance with this new guidance.

- Approving officials should exercise care in selecting an appropriate item for non-monetary recognition to avoid potential appearance of misuse of government funds. The approving official should consider whether this is an appropriate use of public funds and exercise fiscal prudence in the use of non-monetary awards. Bureaus and offices should carefully review spending on non-monetary awards to ensure items purchased are cost effective. If there is some level of discomfort or concern, the supervisor should always check with the servicing human resources office for guidance.
- The upper limit for non-monetary recognition within the Department of the Interior is \$50 cash value annually per employee. Items that exceed \$50 cash value may not be provided as a non-monetary award.

- Please consider using letters or certificates of appreciation to recognize achievements. Items that can be provided as non-monetary awards include those that can be used in an office setting such as business card holders, portfolios, lapel pins, pens, paperweights, pen and pencil sets. Where appropriate, a non-monetary award item should contain the bureau or Departmental name, logo, award title, and/or mission.
- Gift cards or other items that can be easily converted to cash (i.e., gift certificates, gift cards, U.S. Savings Bonds, tickets, or similar items) may not be used for this purpose. Consistent with Executive Order 13589, *Promoting Efficient Spending*, and DOI policy, *Restriction on the Purchase of Promotional Items*, March 29, 2012, promotional items may not be used for this purpose, including for example, watches, fruit baskets, balloons, coffee cups, key chains, jackets, caps, T-shirts, clocks, plaques or similar items.

A revised Departmental Manual chapter, 370 DM 451.5 will be issued. Bureaus must establish guidelines and controls for granting informal recognition and awards consistent with these changes in policy.

If you have any questions, please consult your Servicing Personnel Office or Darrell Hoffman at 202-208-6754 or darrell_r_hoffman@ios.doi.gov.

Copy to:

Bureau and Office Human Capital Officers
Bureau and Office Human Resources Officers
Bureau and Office Chief Financial Officers

SES, SL and ST AWARDS DATA

Nature of Action Code	FY 2007		FY 2008		FY 2009		FY 2011		Count
	Hours	Count	Hours	Count	Hours	Count	Hours	Count	
Cash Award Non-Rating Based	36,082	7	503,112	130	211,000	51	51	823,124	34
Cash Award - Rating Based	650,891	143	345,992	58	328,119	69	69	495,924	65
Presidential Rank Award	569,273	16	623,326	21	350,046	10	7	97,850	2
SES Performance Award	1,641,787	132	1,863,398	144	2,254,988	177	178	1,984,334	192
Total	2,898,033	298	3,335,828	353	3,144,153	307	305	3,401,232	293
Average	9,726		9,450		10,241			11,608	
Percent of Population w/Awards		87%		101%		85%		85%	80%
Quality Step Increase		7		20		3		1	1
Time Off Award	1,306	35	2,673	208	680	21	26	2,340	41
Average	37		13		32		57		
Percent of Population w/Awards		10%		59%		6%		7%	11%
Total Employees		340		351		360		360	363
Payroll	52,137,446		55,015,301		58,021,124			58,736,809	
Percentage of Awards to Annual Payroll		0.056%		0.061%		0.054%		0.052%	0.058%

NON-SES AWARDS DATA

Nature of Action Code	FY 2007		FY 2008		FY 2009		FY 2011		Count
	Hours	Count	Hours	Count	Hours	Count	Count	Hours	Count
Cash Award Non-Rating Based	53,290,164	44,728	35,305,479	35,059	33,399,674	33,642	36,656	30,696,826	29,795
Cash Award - Rating Based	11,663,515	8,614	39,011,814	23,171	48,292,313	24,783	30,290	60,559,048	32,123
Suggestion/Invention Award	15,711	26	7,022	23	18,350	15	13	8,436	4
Total	64,969,390	53,368	74,324,315	58,253	81,710,337	58,440	66,959	91,264,310	61,922
Average	11,217		1,275		1,398			1,473	
Percent of Population w/Awards		73%		80%		77%		86%	81%
Quality Step Increase		1,473		1,908		1,964		1,909	2,023
Time Off Award	463,277	15,279	212,070	11,760	305,674	15,547	15,708	324,053	15,599
Average	29		18		19			21	
Percent of Population w/Awards		20%		16%		21%		20%	20%
Total Employees	72,660		72,607		75,432			75,961	
Payroll	4,298,260,789		4,429,713,658		4,736,005,698			4,941,632,771	
Percentage of Awards to Annual Payroll		0.015%		0.017%		0.017%		0.019%	0.018%

Number of Honor Awards Given	2007	2008	2009	2010	2011
Convocation Awards (Signed by the Secretary)					
Distinguished Service Award	16	20	14	0	0
Valor Award	11	9	16	16	19
Citizen's Award for Bravery	2	5	7	14	9
Occupational Health and Safety Award of Excellence	0	2	0	10	4
Signed by the Secretary, not an award presented at the Convocation					
Partners in Conservation Award	1	0	1	0	0
Outstanding Service Award (Political Appointee Award)	0	0	0	4	11
Secretary's Diversity Award	0	0	0	0	0
Exemplary Act Award	17	5	2	1	0
Historic Preservation Award	9	2	0	12	23
Announced at Convocation (Signed by the Assistant Secretaries)					
Meritorious Service Award	56	44	33	85	63
Honor Awards Signed by Bureau Heads					
Superior Service Award	140	114	39	0	0
Unit Award for Excellence of Service	9	6	1	43	167
Citizen's Award for Exceptional Service Award	1	1	0	0	6
Signed by AS-PMB					
Environmental Achievement Award	0	2	0	188	0

Department of the Interior Departmental Manual

Effective Date: 10/4/04

Series: Personnel Management

Part 370: Departmental Personnel Program

Chapter 430: Performance Management System

Originating Office: Office of Human Resources

370 DM 430

1.1 **Purpose.** This chapter establishes the policy, procedures, and authority/responsibility for performance management within the Department of the Interior (Department), and implements a 5-level Performance Management System, consisting of the following levels of performance: Exceptional (Level 5), Superior (Level 4), Fully Successful (Level 3), Minimally Successful (Level 2), and Unsatisfactory (Level 1).

1.2 **Authority.** Chapter 43 of Title 5, United States Code and Part 430 of Title 5, Code of Federal Regulation.

1.3 Coverage.

A. This system applies to all bureaus and offices of the Department. Bureaus/offices will not issue supplemental performance management policy, except where otherwise prescribed in this policy. Bureaus may issue supplemental implementing guidance at their discretion.

B. The provisions of this system apply to all employees except:

(1) Presidential appointees, Senior Executive Service (SES) members, Senior Level and Scientific or Professional (SL/ST) employees;

(2) Temporary and/or service employees whose employment is not expected to exceed 120 days in a consecutive 12-month period;

(3) Employees outside the United States who are paid in accordance with local prevailing wage rates, administrative law judges appointed under 5 U.S.C. 3105, Board of Contract Appeals judges appointed under 41 U.S.C. 607, and employees occupying positions excluded by Office of Personnel Management regulations.

1.4 Definitions.

A. **Appraisal.** The process of reviewing and evaluating work, and assessing achievement of established objectives.

B. Appraisal Period. Also called the appraisal or rating cycle, this is the established 12-month period of time during which performance is reviewed and a rating of record prepared. The DOI appraisal period will coincide with the fiscal year unless approval for variation is granted.

C. Benchmark/Generic Standards. Generically defined performance standards at each of the 5 levels, which may be used in combination with individually developed performance standards. The benchmark standards are applied to each critical job element.

D. Critical Element. A work assignment or responsibility of such importance that unsatisfactory performance on the element would result in a determination that an employee's overall performance is unsatisfactory.

E. Employee Performance Appraisal Plan (EPAP). A written plan consisting of identified critical elements and the performance standards that identify levels of performance.

F. Human Capital Performance Fund (HCPF). A fund administered by the Office of Personnel Management to be used by federal agencies to give performance-based salary increases to their highest-performing employees.

G. Interim Appraisal. A written appraisal that includes a summary rating, prepared when an employee, who has been under an EPAP for at least 90 days, changes position or when the rating official leaves the supervisory position prior to the end of the appraisal period.

H. Minimum Appraisal Period. The length of time, 90 calendar days, that the employee must be performing in a position supervised by the rating official and under an approved performance plan in order to be eligible for an interim or annual appraisal.

I. Performance. The manner in which the employee accomplishes work assignments or responsibilities.

J. Performance Award. A Quality Step Increase, performance-based cash award, or time-off award based on an employee's rating of record.

K. Performance Element. A primary function or work assignment/responsibility, which is results-oriented, represents a significant amount of the employee's time, and successful performance of which is essential to overall success in the position. At least one, and not more than five (5) performance elements, all of which must be critical elements, will be identified in the performance plan. (There are no non-critical elements).

L. Performance Improvement Plan (PIP). A written plan that identifies the critical element(s) in which the employee is failing, addresses what is needed to bring performance up to an acceptable level, identifies assistance that will be provided, and the consequences of failing to improve during the specific period of time provided.

M. Performance Plan. A written plan consisting of identified performance elements and the performance standards that identify levels of performance.

N. Performance Rating. The written appraisal of performance compared to the performance standard(s) for each critical element for which there has been an opportunity to perform during the minimum rating period. It includes a rating for each performance element, as well as a summary rating which will be used as a rating of record. Also referred to as a summary rating.

O. Performance Standard. The expression of the performance threshold(s), requirement(s), or expectation(s) that must be met to be appraised on a critical element at a particular level of performance.

P. Progress Review. Discussion with the employee at least once during the appraisal period to review the employee's progress and communicate performance on the identified elements as compared to the standards established; to make any recommended revisions to critical elements/performance standards; and to consider/identify any developmental needs or performance improvements required. The results of the progress review must be documented on the EPAP.

Q. Rating Official. The supervising official, ordinarily the employee's immediate supervisor, who evaluates the employee's performance and assigns the rating of record.

R. Rating of Record. The performance rating prepared at the end of an appraisal period for overall performance over the entire period and the assignment of a summary rating as specified in section 430.208(d) of Title 5, Code of Federal Regulations. The Rating of Record, also called a summary rating, will be one of the five available ratings (i.e., Exceptional, Superior, Fully Successful, Minimally Successful, or Unsatisfactory).

S. Reviewing Official. The individual, generally the second-level supervisor, with authority to review and approve ratings at the Exceptional, Minimally Successful, and Unsatisfactory levels.

1.5 Responsibilities.

A. Heads of Bureaus and Offices are Responsible for:

(1) Implementing, supporting and communicating information to employees about the Departmental performance management program;

(2) Establishing a method for an employee not covered by a collective bargaining agreement to request reconsideration of a performance appraisal decision; and

(3) Establishing any additional roles and responsibilities for reviewing officials within the bureau/office other than those outlined in this policy.

B. Director, Office of Human Resources is Responsible for:

(1) Developing Departmental performance management policy; and issuing guidance in the Performance Appraisal Handbook at <http://www.doi.gov/hrm/guidance/370dm430hndbk.pdf>.

(2) Monitoring, evaluating and revising the performance management program as necessary;

(3) Providing advice and assistance to bureaus/offices in administering the program; and

(4) Evaluating the Departmental performance management program.

C. Servicing Human Resources Offices (HRO) are Responsible for:

(1) Providing assistance to supervisors and employees in identifying critical elements and developing performance standards;

(2) Providing guidance to supervisors so they can effectively carry out their responsibilities for managing performance;

(3) Providing information to employees to ensure they understand the provisions of the performance management system;

(4) Providing assistance to supervisors/managers in dealing with the reconsideration process; and

(5) Providing assistance to supervisors on procedures for dealing with performance that falls below the Fully Successful level.

D. Reviewing Officials are Responsible for:

(1) Reviewing and approving ratings of 'Exceptional,' 'Minimally Successful,' and 'Unsatisfactory;' and

(2) Carrying out any other responsibilities as outlined by the Bureau/Office Head.

E. Rating Officials are Responsible for:

(1) Engaging the employee in the process of determining critical elements and performance standards, documenting the elements and performance standards in a performance plan within 60 days of the beginning of the appraisal period, the employee's entrance on duty, the assignment of an employee to a detail or temporary promotion scheduled to exceed 120 days, the assignment of an employee to a new position, or their assignment to a new or different supervisory position;

(2) Ensuring that each employee's performance plan has at least one critical element that is linked to strategic goal(s) of the organization. Rating officials should determine which appropriate Government Performance Results Act (GPRA)/mission strategic goal(s), end outcome goal(s), end outcome performance measure(s), strategies, or strategy performance measure(s) to utilize for developing the critical element and standards in each employee's performance plan.

(3) Monitoring employee performance during the appraisal period and communicating with employees on an ongoing basis about the status of their performance as compared to the performance standards;

(4) Conducting at least one progress review for each employee at approximately the midpoint of the rating period to assess progress and communicate performance;

(5) As appropriate, obtaining and utilizing feedback from internal and external customers, team members, coworkers, suppliers, or other appropriate individuals, concerning the employee's performance;

(6) Assisting the employee throughout the appraisal period in improving aspects of performance identified as needing improvement;

(7) Preparing interim ratings, as necessary;

(8) Preparing the rating of record and meeting with the employee to discuss the rating and employee developmental needs;

(9) Recognizing employees who demonstrate noteworthy performance and ensuring equity and consistency in consideration for awards within their organization;

(10) Advising the Reviewing Official and seeking advice from the servicing human resources office when an employee's performance is Minimally Successful or Unsatisfactory (i.e., Minimally Successful results in denial of within-grade increase, Unsatisfactory initiates Performance Improvement Plan and opportunity period); and

(11) Initiating prompt action when Minimally Successful or Unsatisfactory performance does not improve to the Fully Successful level.

F. Employees are Responsible for:

(1) Participating with their rating official in determining critical elements;

(2) Assuring that they have a clear understanding of their rating official's expectations, and of how the critical elements relate to the mission of the organization; and requesting clarification if necessary;

(3) Signing for receipt of the performance standards and completed performance appraisal (signature indicates receipt only, not necessarily agreement);

(4) Managing their performance to achieve at least fully successful performance on critical elements, and bringing to their rating official's attention circumstances that may affect achievement of fully successful performance;

(5) Seeking performance feedback from their rating official and internal and external customers as appropriate;

(6) Participating in discussions of their performance;

(7) Taking action to improve aspects of performance identified as needing improvement; and

1.6 Policy.

A. General. It is Department of the Interior policy that the objective of performance management is to articulate the expectations of individual and organizational performance, to provide a meaningful process by which employees can be rewarded for noteworthy contributions to the organization and its mission, and provide a mechanism to improve individual/organizational performance as necessary. In accomplishing these objectives, individual and organizational goals will be communicated to employees, such that the individual understands how his/her job responsibilities and requirements support the overall strategic mission and GPRA goals of the Department, bureau/office, and/or work unit. The individual's responsibility for accomplishing organizational goals will be identified, performance will be monitored and evaluated, and the results of the performance rating will be used as a basis for appropriate personnel actions, including rewarding noteworthy performance and taking action to improve poor performance.

B. Development of Employee Performance Appraisal Plans (EPAP).

(1) Employee Participation. Rating officials should encourage employees to participate in establishing the critical elements and performance standards for their positions in order to give them a clearer understanding of their performance expectations, as well as the role their positions play in meeting the mission, goals and objectives of their organization. However, the final decision regarding critical elements and standards always rests with the management official.

(2) Timing. Employee performance appraisal plans should be established and put in place within 60 days of the beginning of the appraisal period, the employee's entrance on duty, the assignment of an employee to a detail or temporary promotion scheduled to exceed 120 days, the assignment of an employee to a new position, or their assignment to a new or different supervisory position.

(3) Number of Elements. At least one and not more than five (5) critical elements will be identified in the performance plan.

(4) Mandatory Elements.

(a) Supervisors/Managers: Performance plans for all supervisors and managers shall include the following critical element (one of the maximum of 5 elements): **Management Excellence**: *Performance of supervisory/managerial duties will be carried out in accordance with regulatory requirements governing the following areas:*

- (i) *Diversity/EEO Obligations;*
- (ii) *Internal management controls;*
- (iii) *Merit Systems Principles;*
- (iv) *Safety and Occupational Health obligations;*
- (v) *Effective performance management; and*
- (vi) *Effective management of ethics, conduct & discipline issues.*

(b) Strategic Mission Goals: Performance plans shall have at least one performance element that is linked to strategic goal(s) of the organization. Critical element(s) and standard(s) will be developed based on the appropriate GPRA/mission strategic goal(s), end outcome goal(s), end outcome performance measure(s), strategies, or strategy performance measure(s) as they relate to the job responsibilities of the individual employee.

(c) Other: Some positions, because of the unique nature of their job responsibilities, have specific mandates for critical elements to be included in the performance plan (i.e., FISMA). Supervisors should be aware of those regulatory requirements and ensure that the mandatory criterion is adequately addressed as a critical element in the employee's performance plan.

(d) Standards: Performance standards must be focused on results and must include credible measures such as quality, quantity, timeliness, cost effectiveness, etc. Benchmark standards for each of the 5 possible levels of performance are described in detail in the DOI Performance Appraisal Handbook. These benchmark standards can be applied to every position, but should be augmented with specific standards that describe the results expected at the various levels of performance for each element. If specific standards are developed in addition to or in lieu of the benchmark standards, regulation requires description at the Fully Successful level, at a minimum. However, supervisors are strongly encouraged to develop standards at additional levels so employees clearly understand their performance expectations.

(e) Review and Approval: Critical elements and performance standards are established and approved by the employee's rating official, and no higher level review is required. Bureaus/offices may establish second-level review/approval procedures at their discretion.

C. Appraisal Period. The appraisal period is 12 months in length and based on the Fiscal Year - October 1 to September 30. Bureaus/offices must request approval from the

Department's Office of Human Resources if a different appraisal period is required. The appraisal period may be extended up to 90 days past the normal end date for an employee if, on the normal end date of the appraisal period, the employee has not been under standards for at least 90 days, or is on a Performance Improvement Plan that will end within 90 days of the end of the normal period.

D. Progress Reviews. While it is expected that Rating Officials will provide employees with continuous informal feedback on their performance as compared to the expectations set forth in the performance plan, at least one mid-year performance review discussion is required as defined in section 1.4P. This review should be completed at approximately the mid point of the appraisal year, but no later than 90 days prior to its end, and must be documented as provided on Part B of the EPAP. More frequent progress reviews may be required by specific policy (i.e., FISMA)

E. Basis for Appraisal. A performance appraisal will be based on individual employee performance for the 12-month period of the rating cycle, including any details over 120 days. The rating official may seek input from all appropriate sources to assist in determining the appropriate rating to assign the employee. The rating official should make a reasonable effort to obtain written input for details/temporary assignments over 120 days.

F. Minimum Rating Period. The minimum length of time that an employee must be in a position supervised by the rating official and under signed performance standards in order to receive a performance rating is 90 calendar days.

G. Ratings.

(1) Numerical Levels for Critical Elements: A numerical rating level is required for each critical element. Only one numerical rating level is assigned for each critical element, regardless of the number of sub-elements described. The rating assigned reflects the level of the employee's performance as compared to the standards established. The ratings assigned for each level are as follows:

<i>Rating Level</i>	<i>Standard</i>	<i>Points Assigned</i>
Exceptional	Particularly excellent performance in all aspects of the position that is of such high quality that organizational goals have been achieved that would not have been otherwise. (Refer to the Performance Appraisal Handbook for additional criteria.)	5 points
Superior	Unusually good performance that exceeds expectations in critical areas and exhibits a sustained support of organizational goals. (Refer to the Performance Appraisal Handbook for additional criteria.)	4 points
Fully Successful	Good, sound performance that meets organizational goals. Employee effectively applies technical skills and organizational knowledge to get the job done. (Refer to the Performance Appraisal Handbook for additional criteria.)	3 points

Minimally Successful	Performance shows serious deficiencies that require correction. Work is marginal and only meets the minimum requirements with close supervision. (Refer to the Performance Appraisal Handbook for additional criteria.)	2 points
Unsatisfactory	Quality and quantity of work are not adequate for the position. Work products do not meet the minimum requirements expected. (Refer to the Performance Appraisal Handbook for additional criteria.)	0 points

(2) Annual Summary Ratings:

(a) Numerical ratings for each critical element will be added together, and the total will be divided by the number of critical elements to get an average score. The summary rating will then be assigned based on the following:

<i>Summary Rating Points</i>	<i>Summary Rating</i>
4.6 – 5.00 AND No critical element rated lower than ‘Superior’	Exceptional
3.6 – 4.59 AND No critical element rated lower than ‘Fully Successful’	Superior
3.0 – 3.59 AND No critical element rated lower than ‘Fully Successful’	Fully Successful
2.0 – 2.99 AND No critical element rated lower than ‘Minimally Successful’	Minimally Successful
One or more critical elements rated ‘Unsatisfactory’	Unsatisfactory

(b) Each eligible employee on board as of the end of the rating cycle each year will receive an annual summary rating which will become the official rating of record for personnel decisions.

(c) The annual summary rating will be derived from an average of the ratings from each of the critical elements making up the performance plan.

(d) If an employee is on detail or temporary assignment of less than 90 days at the time the annual rating is due, the rating official shall be the employee’s permanent supervisor of record. In the absence of that official, the reviewing official will prepare the summary rating.

(e) Within 30 days following completion of the appraisal period (including extensions, if applicable), the rating official **MUST** review the performance of each employee based on previously communicated critical elements and performance standards and prepare the annual summary rating.

(f) Rating officials shall not assign employee ratings under any pre-determined distribution system (such as bell curve). This is contrary to the intent of the appraisal system and would interfere with assigning ratings based on actual performance.

(g) If the rating official does not place an employee under standards for at least 90 days during a rating period, the employee will not be eligible for a rating. A presumptive rating may not be assigned. (5 CFR § 430.208(a)(2)).

(h) If the supervisor of record leaves in the final 90 days of the rating period, and the employee otherwise meets the criteria for rating, the departing supervisor will prepare a summary rating for his/her employees, which will serve as the rating of record for that rating period.

(i) If an employee has not been supervised by the rating official for 90 days, the second-level supervisor may perform the rating.

(3) Due Date of Annual Summary Ratings: Annual summary ratings are to be completed and presented to the employee no later than 30 days after the completion of the annual appraisal period, or upon completion of the 90-day rating extension period. The original ratings will be submitted to the servicing HRO within 60 days following the end of the rating period.

(4) Eligibility for Ratings: All permanent full-time and permanent part-time employees who for the last 90 days have been under established standards, and all temporary employees who have worked more than 120 days during the annual appraisal period ending on September 30 and for the last 90 days have been supervised by the same supervisor and covered by a performance plan are eligible for ratings. The annual appraisal period may be extended for up to a maximum of 90 days past the end of the appraisal period to allow for rating of employees who have not been in the same position, under the same supervisor, or under written performance plan for the full 90 days at the end of the appraisal year.

(5) Interim Appraisals:

(a) Interim appraisals are assigned when an employee completes a detail or temporary promotion over 120 days or when an employee has served 90 days under a performance plan and changes positions during the annual appraisal period. Interim appraisals are also completed when the employee has been under the performance plan for at least 90 days and the supervisor leaves his/her supervisory position during the annual appraisal period.

(b) Interim appraisals are also used to document a level of competence determination for within-grade-increase purposes when the employee's most recent rating of record is not consistent with the level of competence determination. A rating for this purpose becomes the rating of record.

(c) A copy of the interim appraisal must be provided to the employee and, if applicable, to the new supervisor. Any interim appraisals are then used by the new supervisor in assigning an official annual summary rating. The weight given to interim appraisals in deriving the annual summary rating shall be proportional to their share of the appraisal period. If an employee does not have an opportunity to perform a critical element, no rating will be assigned and the words 'Not Rated' should be written on the rating form.

(6) Narrative Summaries: A narrative summary must be written for each critical element assigned a rating of Exceptional, Minimally Successful, or Unsatisfactory, and are encouraged for ratings at all levels. This summary should contain examples of the employee's performance that substantiate and explain how the employee's performance falls within the levels assigned. The narrative summaries are recorded on the Employee Performance Appraisal Plan (EPAP).

(7) Discussion with Employee:

(a) After the rating is completed and approved/signed by the reviewing official, as required for Exceptional, Minimally Successful and Unsatisfactory ratings, the summary rating and narratives shall be discussed with the employee. A copy of the completed and signed appraisal will be provided to the employee and the original shall be forwarded to the servicing Human Resources Office (HRO) to be filed in the Employee Performance Folder (EPF).

(b) If the employee refuses to sign the rating, the supervisor documents the refusal on the rating form. The supervisor retains a copy of the rating and forwards the original to the servicing HRO for filing in the EPF.

(c) An employee may submit written comments to the overall rating of record, the element ratings and/or the narrative comments if they desire. This may occur if an employee wishes to provide specific information on noteworthy accomplishments that the rating official did not mention, or if they have other comments that they wish to include as part of the performance appraisal plan, if they disagree with a given element rating that would not affect the outcome of the rating of record, etc. This process may be utilized **ONLY WHEN THE EMPLOYEE IS NOT CONTESTING THE RATING RECEIVED ON A GIVEN ELEMENT THAT, IF CHANGED, WOULD AFFECT THE OUTCOME OF THE OVERALL RATING OF RECORD**. These comments must be submitted within 30 days of receipt of the rating, and will be filed with the completed performance appraisal in the EPF. They will not change the rating of record as determined by the rating official

(8) Reconsideration of Summary Rating: When employees have a concern about the rating given on a particular element that, if changed, will affect the outcome of the rating of record, they are entitled to request reconsideration of this rating through their bureaus/offices reconsideration process. Employees covered by a Collective Bargaining Agreement that includes a reconsideration procedure will be governed by that procedure as the exclusive method

to request reconsideration. Additional information regarding the reconsideration process is contained in the Performance Appraisal Handbook.

(9) Disposition of Records: Performance appraisals that document ratings of record will be maintained in the EPF, in accordance with 5 CFR § 293.405. The performance appraisals will be retained for 4 years. When an employee transfers to another agency, the employee's performance appraisals for the last 4 years will be transferred to the gaining agency.

1.7 **Link to Other Personnel Actions.**

A. Awards. An employee must be rated at Level 4 (Superior) or Level 5 (Exceptional) to be eligible for a Special Achievement Cash Award for sustained superior performance. Employees rated at Level 5 (Exceptional) must be considered for an award and are eligible for a Quality Step Increase, a cash award for sustained superior performance, an increase in base pay from the Human Capital Performance Fund, a time-off award, or other appropriate recognition. Employees rated at Level 4 (Superior) are eligible for a cash award for sustained superior performance, a time-off award, or other appropriate recognition.

B. Career-Ladder Promotions. An employee must be rated at Level 3 (Fully Successful) or higher to receive a noncompetitive promotion to the next level in the career ladder.

C. Within-Grade Increases. An employee's rating of record must be no lower than Level 3 (Fully Successful) for an employee to receive a within-grade increase (WGI). This may require a supervisor to prepare a new rating of record before the end of the appraisal period to document the appropriate level of performance at the time the WGI is due. Assistance must be requested from the servicing HRO.

D. Probationary/Trial Periods. New employees must be carefully observed during the probationary/trial period to determine whether they have the qualities needed to become satisfactory career employees. Proper use of periodic progress reviews to determine progress during the probationary/trial period can do much to assure that these employees have adequately demonstrated their qualifications and fitness. However, an employee may be removed at any time during the probationary/trial period if his/her performance is less than 'Fully Successful' on any critical element.

E. Performance That is Less Than Fully Successful.

(1) Whenever supervisors observe employee performance that is 'Unsatisfactory' on any critical element after the minimum appraisal period, they must promptly initiate special efforts to bring about improvements. Action must not be postponed until the end of the annual rating period. The supervisor must initiate and document frank discussions with the employee to identify the problems and to assist the employee in correcting deficiencies. Additionally, supervisors are encouraged to make efforts to help employees with 'Minimally Successful' performance raise their performance to a 'Fully Successful' level.

(2) During these discussions, the performance plan should be reviewed and the employee specifically informed of how he/she failed to meet the established standards. These discussions should outline specific efforts that both the supervisor and the employee will take to assist the employee in overcoming problems. In all instances of 'Minimally Successful' or 'Unsatisfactory' performance, supervisors and managers must seek the advice and assistance of their servicing HRO.

F. Unsatisfactory Performance. In order to initiate demotion or removal action for 'Unsatisfactory' performance under 5 CFR Part 432, the employee must first be afforded a reasonable opportunity to demonstrate at least 'Minimally Successful' performance in the form of a PIP. A performance evaluation is conducted again at the end of the PIP period, and if the employee's performance is again evaluated as 'Unsatisfactory,' appropriate action must be initiated. In accordance with 5 U.S.C. § 4302(b)(6), appropriate actions for employees who continue to perform unsatisfactorily after a PIP include reduction in grade, removal or reassignment. In addition, supervisors may deal with 'Unsatisfactory' performance using adverse action procedures under 5 CFR Part 752 for such cause as will promote the efficiency of the service. (5 CFR §§ 752.403 and 432.101) In all cases of 'Unsatisfactory' performance, immediate contact with the servicing HRO must be made.

G. Reduction-In-Force. An employee's performance rating of record is used to determine the employee's assignment rights during a Reduction-in-Force (RIF). An employee is given performance credit for RIF retention when the performance meets certain criteria. Credit is given by adjusting an employee's service date for RIF purposes. Employees will receive service credit in accordance with 5 CFR Part 351.

10/4/04 #3657

Replaces 11/1/95 FPM-418



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

Memorandum

OCT 10 2006

To: Solicitor
Inspector General
Assistant Secretaries
Heads of Bureaus and Offices

From: R. Thomas Weirner *R. Thomas Weirner*
Assistant Secretary -- Policy, Management and Budget

Subject: 2007 Guidance on Establishing Employee Performance Appraisal Plans for
General Workforce Employees

On September 30, 2006, the Department of the Interior marked the end of the second performance appraisal cycle under the 5-level Performance Management System for the general workforce. This memorandum provides guidance for establishing performance plans for the FY 2007 appraisal year, and specifically addresses the criteria established by the Office of Personnel Management (OPM) for determining adequacy of Employee Performance Appraisal Plans (EPAPs).

In order to meet OPM's criteria for adequacy, performance plans must display the following characteristics:

- *Strategic Alignment:* Employee performance plans should align and support organizational goals and targets that are established in an organization's annual performance plan and/or that have been included in the Senior Executive Service (SES) members' performance plans. Alignment should be clear so that employees can see how their performance plans support achievement of organizational goals. Where possible, the same specific organizational goals and objectives should cascade throughout the chain of authority (i.e., SES members, to managers, to supervisors) to the front-line employee. In cases where cascading the same goal does not make sense, linkage to a different goal will suffice. Merely including a generic statement in performance plans that employees' performance requirements support organizational goals is not adequate for communicating alignment. Similarly, simply restating organizational goals without also including the metrics for determining performance against those goals is not adequate. A copy of FY 2007 draft GPRA Performance Measures is provided as Attachment 1 and should be used as a guide in determining appropriate strategic linkage.
- *Results-focused:* Critical elements and standards should be written in terms of expected results. While it may be desirable to include critical elements that focus on competencies such as teamwork or customer service, at least one critical element must hold an

such as teamwork or customer service, at least one critical element must hold an employee accountable for **achieving a result that directly supports organizational goal achievement.**

- ***Credible Measures:*** Employee performance plans should include credible measures of performance. General measures of performance include quality, quantity, timeliness, and or cost effectiveness, and are described in the generic benchmark standards that have been developed for supervisory and non-supervisory employees. However, specific measures of quality, quantity, timeliness, and or cost effectiveness **must be identified at least at the Fully-Successful level** so that employees understand how their performance is going to be evaluated. Further, these measures must be appropriate to the employee's level of responsibility within the organization, and must provide for distinguishing between rating levels.

Examples of performance elements and standards that meet the criteria outlined above are provided as Attachment 2.

OPM has also prescribed additional requirements that apply to supervisors. The supervisory EPAP and benchmark standards have been revised to include the requirement for supervisors to take into consideration employee and customer perspectives. The supervisory benchmark standards have also been revised to include more specific criteria relative to effective performance management. The newly revised supervisory EPAP, which includes the mandatory supervisory critical element, and the revised supervisory benchmark standards are located at <http://www.doi.gov/hrm/guidance/di-3100s.pdf>, and are provided as Attachment 3. They **must be used for all supervisory employees, and should be used without modification to ensure consistency.** (Note: OPM does NOT require development of measurable standards for the supervisory element, so no augmentation of the supervisory benchmarks is required.)

If you or your staff have questions or need assistance regarding the FY 2007 guidance on establishing performance plans for general workforce employees, please contact Nancy Miller in the Office of Human Resources, at (202) 208-6754, or via email at Nancy_Miller@ios.doi.gov.

Attachments

cc:

Deputy Secretary

Chief of Staff

Bureau/Equivalent Offices Assistant Directors for Administration

Bureau/ Equivalent Offices Performance Program Managers

Bureau/Equivalent Offices Human Resources Officers

Memorandum

To: Solicitor
Inspector General
Assistant Secretaries
Heads of Bureaus and Offices
Human Resources Officers

From: Kathleen J. H. Wheeler //signed October 1, 2008//
Deputy Chief Human Capital Officer

Subject: Guidance on Closing out FY 2008 and Establishing FY2009 Performance Plans for
General Workforce Employees

This memorandum provides guidance for accomplishing the close-out of FY 2008 performance appraisals at the Department for all employees whose appraisal year ended September 30, 2008, as well as guidance on establishing new performance plans for FY2009.

Closing out FY 2008 Performance: Supervisors must evaluate each employee's performance against the criteria established in the Employee Performance Appraisal Plan (EPAP), assign a numerical rating for each critical element, and take the average numerical score to determine the overall rating of record. The rating is to be accomplished by October 31, 2008.

The General Workforce performance management system requires that there be a clear link between individual performance and organizational results. Therefore, organizational performance should be used as one basis for determining the appropriate summary performance ratings and performance recognition for each employee. Supervisors should consider the organizational achievements that they have reported to their bureau/office chain-of-command when rating their employees. It is possible for an individual employee's performance to be rated higher or lower than the organization's performance on a particular performance indicator. However, as a whole, the average ratings of the employees in any particular organizational unit on the elements that link to the organizational and GPRA goals should be consistent with the overall assessment of the unit's performance on those goals.

Performance awards are intended to reward employee achievements, and should be granted in a manner that differentiates between levels of performance. In other words, higher performers should receive higher time-off awards and higher cash (in terms of percentage of pay) awards than their peers who receive lower ratings. Only employees who receive level 4 or 5 ratings can receive a performance award (cash or time-off), and an employee must receive a level 5 rating to get a Quality Step Increase (QSI). Although employees rated Fully Successful (Level 3) are not

eligible for performance awards, they were eligible for incentive (STAR) awards throughout the year based on specific accomplishments.

Ratings of record should be input into FPPS no later than November 30, 2008, and must be input prior to processing of performance awards. When the rating is input, care must be taken to record the rating pattern as "H", as this is the only approved rating pattern for General Workforce throughout the Department.

All performance awards should be input into FPPS no later than December 31, 2008, and always must be input **after the performance rating of record has been input**. Performance cash awards are processed into FPPS using Nature of Action Code 840, Cash Award RB (Rating Based). Time-off awards that are given as performance awards are processed into FPPS using Nature of Action code 846, with award type A2. QSI should be processed no later than December 31, 2008, or 90 days after the end of the performance cycle. However, when situations preclude timely processing, the QSI can be delayed past the 90 days, but cannot be delayed past the end of the next performance year. Whenever processing of the QSI is delayed for more than 90 days, a request for exception, signed by the rater and reviewer, should be submitted through the Bureau or Office Director, the servicing Human Resources Office and the Bureau Headquarters HR Office to this office for approval. Requests should be in the form of a memorandum and include an explanation as to why it was not possible to process the rating and the QSI within 90 days.

Corrective action should be immediately initiated for all supervisors who receive a rating of less than fully successful on the supervisory critical element. Appropriate corrective action may include providing training relevant to the specific deficiency, denial of a within-grade-increase, initiating formal performance-based action, or in the case of a supervisor during the supervisory probationary period, initiation of action to remove the individual from the supervisory job.

Establishing FY2009 Performance Plans. Performance plans for FY2009 must be established by November 30, 2009, which is 60 days from the beginning of the new performance cycle. The most recent version of the Employee Performance Appraisal Plan (EPAP) must be used, and can be found at <http://www.doi.gov/hrm/guidance/di-3100S.doc> (supervisory) and <http://www.doi.gov/hrm/guidance/di-3100.doc> (non-supervisory). Performance plans must display the following characteristics:

- Strategic Alignment:*** At least one critical element, and preferably all elements, should align with and support organizational goals and targets that are established in an organization's annual performance/strategic plan and/or that have been included in the Senior Executive Service (SES) members' performance plans. Alignment should be clear so that employees can see how their performance plans support achievement of organizational goals. Merely including a generic statement in performance plans that employees' performance requirements support organizational goals is not adequate for communicating alignment. Similarly, simply restating organizational goals without also including the metrics for determining performance against those goals is not adequate. A copy of the section on goals and measures from the GPRA Strategic Plan for FY2007 – 2012 is provided as Attachment 1 and should be used as a guide in determining

appropriate strategic linkage. The complete Strategic Plan can be accessed on the DOI webpage.

- Results-focused: Critical elements and standards should be written in terms of expected results. While it may be desirable to include critical elements that focus on competencies such as teamwork or customer service, at least one critical element must hold an employee accountable for **achieving a result that directly supports organizational goal achievement.**
- Credible Measures: Employee performance plans should include credible measures of performance. General measures of performance related to quality, quantity, timeliness, and/or cost effectiveness have been described in the generic benchmark standards for non-supervisory employees. Those benchmark standards can be used, but must be augmented with specific measurable criteria for quality, quantity, timeliness, and/or cost effectiveness **at least at the Fully-Successful level for each critical element** so that employees understand how their performance will be evaluated. Further, these measures must be appropriate to the employee's level of responsibility within the organization, and must provide for distinguishing between rating levels.
- Supervisory Standards: Separate benchmark standards apply for the mandatory supervisory element. The supervisory EPAP was revised in 2007 and is provided at Attachment 2, or online at <http://www.doi.gov/hrm/guidance/di-3100S.doc> . It must be used for all supervisory employees, and the only modification allowed is augmentation of the standards with measurable criteria. (Note: OPM does NOT require development of measurable standards for the supervisory element.)
- Mandatory Training: All supervisors and employees must be provided training in performance management. The training tool that is attached to each EPAP accomplishes that goal, and should be delivered to each employee when plans are established. The employee must sign the EPAP form indicating the training information was provided. (Current EPAP templates for supervisor and non-supervisor are provided as Attachments 2 & 3)
- Employee Involvement: Employees must be engaged in the process of determining critical elements and performance standards. The EPAP requires supervisors and employees to sign verifying employee involvement was solicited.

If you or your staff have questions or need assistance regarding this guidance, please contact Nancy Miller, Office of Human Resources, at (202) 208-6754, or via e-mail at Nancy_Miller@ios.doi.gov.

Attachments

cc:

Bureau/Equivalent Offices Assistant Directors for Administration
Bureau/ Equivalent Offices Performance Program Managers



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

Memorandum

To: Solicitor
Inspector General
Assistant Secretaries
Heads of Bureaus and Offices
Human Resources Officers

From: *Sharlyn A. Grigsby*
Sharlyn A. Grigsby
Director, Office of Human Resources

OCT 07 2009

Subject: Guidance on Closing out FY 2009 and Establishing FY 2010 Performance Plans for General Workforce Employees

This memorandum provides guidance for accomplishing the close-out of FY 2009 performance appraisals at the Department of the Interior (DOI) for all employees whose appraisal year ended September 30, 2009, as well as general guidance on establishing new performance plans for FY2010.

Closing out FY 2009 Performance: Supervisors must evaluate each employee's performance against the criteria established in the Employee Performance Appraisal Plan (EPAP), assign a numerical rating for each critical element, and take the average numerical score to determine the overall rating of record. The rating is to be accomplished by October 31, 2009.

The General Workforce performance management system requires that there be a clear link between individual performance and organizational results. Therefore, organizational performance should be used as one basis for determining the appropriate summary performance ratings and performance recognition for each employee. Supervisors should consider the organizational achievements that they have reported to their bureau/office chain-of-command when rating their employees. It is possible for an individual employee's performance to be rated higher or lower than the organization's performance on a particular performance indicator. However, as a whole, the average ratings of the employees in any particular organizational unit on the elements that link to the organizational and the Government Performance Results Act (GPRA) goals should be consistent with the overall assessment of the unit's performance on those goals.

Performance awards are intended to reward employee achievements, and should be granted in a manner that differentiates between levels of performance. In other words, higher performers should receive higher time-off awards and higher cash (in terms of percentage of pay) awards than their peers who receive lower ratings. Only employees who receive level 4 or 5 ratings can receive a performance award (cash or time-off), and an employee must receive a level 5 rating to

get a Quality Step Increase (QSI). Although employees rated Fully Successful (Level 3) are not eligible for performance awards, they were eligible for incentive (STAR) awards throughout the year based on specific accomplishments.

Ratings of record should be input into FPPS no later than November 30, 2009, and must be input prior to processing of performance awards. When the rating is input, care must be taken to record the rating pattern as "H", as this is the only approved rating pattern for General Workforce throughout the Department.

All performance awards should be input into FPPS no later than December 31, 2009, and always must be input **after the performance rating of record has been input**. Performance cash awards are processed into FPPS using Nature of Action Code 840, Cash Award RB (Rating Based). Time-off awards that are given as performance awards are processed into FPPS using Nature of Action code 846, with award type A2. QSI's should be processed no later than December 31, 2009, or 90 days after the end of the performance cycle. However, when situations preclude timely processing, the QSI can be delayed past the 90 days, but cannot be delayed past the end of the next performance year. Whenever processing of the QSI is delayed for more than 90 days, a request for exception, signed by the rater and reviewer, should be submitted through the Bureau or Office Director, the servicing Human Resources Office and the Bureau Headquarters HR Office to this office for approval. Requests should be in the form of a memorandum and include an explanation as to why it was not possible to process the rating and the QSI within 90 days.

Corrective action should be immediately initiated for all supervisors who receive a rating of less than fully successful on the supervisory critical element. Appropriate corrective action may include providing training relevant to the specific deficiency, denial of a within-grade-increase, initiating formal performance-based action, or in the case of a supervisor during the supervisory probationary period, initiation of action to remove the individual from the supervisory job.

Establishing FY 2010 Performance Plans. Performance plans for FY 2010 must be established by November 30, 2009, which is 60 days from the beginning of the new performance cycle. The most recent version of the Employee Performance Appraisal Plan (EPAP) must be used, and can be found at in the near future at <http://www.doi.gov/hrm/guidance/di-3100s.doc> (supervisory) and <http://www.doi.gov/hrm/guidance/di-3100.doc> (non-supervisory). The FY 2010 EPAP for employees has been modified in FY 2009 based on recent findings from the Merit Systems Protection Board (MSPB). Performance plans must display the following characteristics:

- ***Strategic Alignment:*** At least one critical element, and preferably all elements, should align with and support organizational goals and targets that are established in an organization's annual performance/strategic plan and/or that have been included in the Senior Executive Service (SES) members' performance plans. Alignment should be clear so that employees can see how their performance plans support achievement of organizational goals. Merely including a generic statement in performance plans that employees' performance requirements support organizational goals is not adequate for communicating alignment. Similarly, simply restating organizational goals without also including the metrics for determining performance against those goals is not adequate.

A copy of the section on goals and measures from the GPRA Strategic Plan for FY 2007 – 2012 should be used as a guide in determining appropriate strategic linkage. The complete Strategic Plan can be accessed on the DOI webpage. Each employee is required to have at least one (1) GPRA measure on their performance plan.

- **Results-focused:** Critical elements and standards should be written in terms of expected results. While it may be desirable to include critical elements that focus on competencies such as teamwork or customer service, at least one critical element must hold an employee accountable for **achieving a result that directly supports organizational goal achievement.**
- **Credible Measures:** Employee performance plans should include credible measures of performance. General measures of performance related to quality, quantity, timeliness, and/or cost effectiveness have been described in the generic benchmark standards for non-supervisory employees. Those benchmark standards can be used, **but must be augmented with specific measurable criteria for quality, quantity, timeliness, and/or cost effectiveness at least to the Fully-Successful level for each critical element** so that employees understand how their performance will be evaluated. Further, these measures must be appropriate to the employee's level of responsibility within the organization, and must provide for distinguishing between rating levels. Where benchmark standards are not provided, standards specifically developed, when appropriate must be utilized for individual positions.
- **Supervisory Standards:** Separate benchmark standards apply for the mandatory supervisory element. The supervisory EPAP was revised in 2009 and may be accessed at the previously mentioned link. It must be used for all supervisory employees, and the only modification allowed is augmentation of the standards with measurable criteria. (Note: OPM does NOT require development of measurable standards for the supervisory element.)
- **Mandatory Training:** All supervisors and employees must be provided training in performance management. The training tool that is attached to each EPAP accomplishes that goal, and should be delivered to each employee when plans are established. The employee must sign the EPAP form indicating the training information was provided. (Current EPAP templates for supervisor and non-supervisor are provided as Attachments 2 & 3)
- **Employee Involvement:** Employees must be engaged in the process of determining critical elements and performance standards. The EPAP requires supervisors and employees to sign verifying employee involvement was solicited.

Please be advised that there were minor modifications to the Performance Appraisal Handbook and 370 DM 430 to implement findings from recent MSPB decisions concerning Minimally Successful Benchmark Standards. These updates will be communicated via Personnel Bulletins pending the finalization of the Departmental Manual Revisions.

If you or your staff have questions or need assistance regarding this guidance, please contact Darrell R. Hoffman, SPHR, Office of Human Resources, at (202) 208-6754, or via e-mail at Darrell_r_hoffman@ios.doi.gov.

cc:

Bureau/Equivalent Offices Assistant Directors for Administration

Bureau/ Equivalent Offices Performance Program Managers



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 23 2010

Memorandum

To: Solicitor
Inspector General
Assistant Secretaries
Heads of Bureaus and Offices
Human Resources Officers

From: Lin Cord *Lin Cord*
Director, Office of Human Resources (Acting)

Subject: Guidance on Closing out FY 2010 and Establishing FY 2011 Performance Plans for General Workforce Employees

This memorandum provides guidance for accomplishing the close-out of FY 2010 performance appraisals at the Department of the Interior (DOI) for all employees whose appraisal year ended September 30, 2010, as well as general guidance on establishing new performance plans for FY 2011.

Closing out FY 2010 Performance: Supervisors must evaluate each employee's performance against the criteria established in the Employee Performance Appraisal Plan (EPAP), assign a numerical rating for each critical element, and take the average numerical score to determine the overall rating of record. The rating is to be accomplished by October 31, 2010.

The General Workforce performance management system requires that there be a clear link between individual performance and organizational results. Therefore, organizational performance should be used as one basis for determining the appropriate summary performance ratings and performance recognition for each employee. Supervisors should consider the organizational achievements that they have reported to their bureau/office chain-of-command when rating their employees. It is possible for an individual employee's performance to be rated higher or lower than the organization's performance on a particular performance indicator. However, as a whole, the average ratings of the employees in any particular organizational unit on the elements that link to the organizational and the Government Performance Results Act (GPRA) goals should be consistent with the overall assessment of the unit's performance on those goals.

Performance awards are intended to reward employee achievements, and should be granted in a manner that differentiates between levels of performance. In other words, higher performers should receive higher time-off awards and higher cash (in terms of percentage of pay) awards than their peers who receive lower ratings. Only employees who receive level 4 or 5 ratings can receive a performance award (cash or time-off), and an employee must receive a level 5 rating to

get a Quality Step Increase (QSI). Although employees rated Fully Successful (level 3) are not eligible for performance awards, they may be or could have been eligible for incentive (STAR) awards throughout the year based on specific accomplishments.

Ratings of record should be entered into the Federal Personnel Performance System (FPPS) no later than November 30, 2010, and must be entered prior to processing performance awards. When the rating is entered, care must be taken to record the rating pattern as "H", as this is the only approved rating pattern for General Workforce throughout the Department.

All performance awards should be completed in FPPS no later than December 31, 2010, and always must be entered **after the performance rating of record entered**. Performance cash awards are processed into FPPS using Nature of Action Code 840, Cash Award RB (Rating Based). Time-off awards that are given as performance awards are processed into FPPS using Nature of Action code 846, with award type A2. QSI's should be processed no later than December 31, 2010, or 90 days after the end of the performance cycle. However, when situations preclude timely processing, the QSI can be delayed past the 90 days, but cannot be delayed past the end of the next performance year. Whenever processing of the QSI is delayed for more than 90 days, a request for exception, signed by the rater and reviewer, should be submitted through the Bureau or Office Director, the servicing Human Resources Office and the Bureau Headquarters HR Office to this office for approval. Requests should be in the form of a memorandum and should include an explanation as to why it was not possible to process the rating and the QSI within 90 days.

Corrective action should be immediately initiated for all supervisors who receive a rating of less than fully successful on the supervisory critical element. Appropriate corrective action may include providing training relevant to the specific deficiency, denial of a within-grade-increase, initiating formal performance-based action, or in the case of a supervisor during the supervisory probationary period, initiation of action to remove the individual from the supervisory job.

Establishing FY 2011 Performance Plans. Performance plans for FY 2011 must be established by November 30, 2010, which is 60 days from the beginning of the new performance cycle. The most recent version of the EPAP must be used, and can be found at <http://www.doi.gov/hrm/guidance/di-3100s2011.doc> (supervisory) and <http://www.doi.gov/hrm/guidance/di-3100.doc> (non-supervisory). The FY 2011 EPAP for Supervisors has been modified for FY 2011 to include President Obama's Hiring Reform initiative. Performance plans must display the following characteristics:

- Strategic Alignment: At least one critical element, and preferably all elements, should align with and support organizational goals and targets that are established in an organization's annual performance/strategic plan and/or have been included in the Senior Executive Service (SES) members' performance plans. Alignment should be clear so that employees can see how their performance plans support achievement of organizational goals. Merely including a generic statement in performance plans that employees' performance requirements support organizational goals is not adequate for communicating alignment. Similarly, simply restating organizational goals without also including the metrics for determining performance against those goals is not adequate.

- **Results-focused:** Critical elements and standards should be written in terms of expected results. While it may be desirable to include critical elements that focus on competencies such as teamwork or customer service, at least one critical element must hold an employee accountable for **achieving a result that directly supports organizational goal achievement.**
- **Credible Measures:** Employee performance plans should include credible measures of performance. General measures of performance related to quality, quantity, timeliness, and cost effectiveness have been described in the generic benchmark standards for non-supervisory employees. Those benchmark standards can be used, **but must be augmented with specific measurable criteria for quality, quantity, timeliness, and/or cost effectiveness at least to the Fully-Successful level for each critical element** so that employees understand how their performance will be evaluated. Further, these measures must be appropriate to the employee's level of responsibility within the organization, and must provide for distinguishing between rating level where benchmark standards are not provided; standards must be specifically developed and utilized for each individual position. It is recommended that each standard be defined to meet expectations.
- **Supervisory Standards:** Separate benchmark standards apply for the mandatory supervisory element. The supervisory EPAP was revised in 2010 and may be accessed at the previously mentioned link. It must be used for all supervisory employees, and the only modification allowed is augmentation of the standards with measurable criteria. (Note: OPM does NOT require development of measurable standards for the supervisory element.)
- **Mandatory Training:** All supervisors and employees must be provided training in performance management. The training tool that is attached to each EPAP is meant to accomplish this requirement, and should be delivered to each employee when plans are established. The employee must sign the EPAP form indicating the training information was provided.
- **Employee Involvement:** Employees must be engaged in the process of determining critical elements and performance standards. The EPAP requires supervisors and employees to sign verifying employee involvement was solicited.

Government Performance and Results Act (GPRA). A copy of the section on goals and measures from the GPRA Strategic Plan for FY2007 – 2012 should be used as a guide in determining appropriate strategic linkage. The complete Strategic Plan can be accessed on the DOI webpage. Each employee is **required** to have at least one (1) GPRA measure on their performance plan.

Please be reminded that there were minor modifications to the Supervisory Employee DI-3100S for performance cycle 2010-2011 and the Performance Appraisal Handbook to explain the addition of the Hiring Reform element for supervisors/managers.

If you or your staff have questions or need assistance regarding this guidance, please contact Darrell R. Hoffman, SPHR, Office of Human Resources, at (202) 208-6754, or via e-mail at Darrell_R_Hoffman@ios.doi.gov.

cc:

Bureau/Equivalent Offices Assistant Directors for Administration



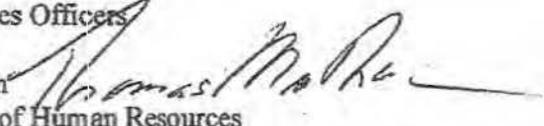
United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 27 2011

Memorandum

To: Human Resources Officers

From: Thomas Mulhern 
Director, Office of Human Resources

Subject: Guidance on Closing-out FY 2011 and Establishing FY 2012 Performance Plans for General Workforce Employees

This memorandum provides guidance for accomplishing the close-out of FY 2011 performance appraisals at the Department of the Interior (DOI) for all general workforce employees whose appraisal year ended September 30, 2011, as well as general guidance on establishing new performance plans for FY 2012.

Closing-out FY 2011 Performance. Supervisors must evaluate each employee's performance against the criteria established in the Employee Performance Appraisal Plan (EPAP), assign a numerical rating for each critical element, and take the average numerical score to determine the overall rating of record. The rating is to be accomplished by October 31, 2011.

The General Workforce performance management system requires that there be a clear link between individual performance and organizational results. Therefore, organizational performance should be used as one basis for determining the appropriate summary performance ratings and performance recognition for each employee. Supervisors should consider the organizational achievements that they have reported to their bureau/office chain-of-command when rating their employees.

Performance awards are intended to reward employee achievements, and should be granted in a manner that differentiates between levels of performance. In other words, higher performers should receive larger time-off awards and higher cash (in terms of percentage of pay) awards than their peers who receive lower ratings. Only employees who receive level 4 or 5 ratings can receive a performance award (cash or time-off), and an employee must receive a level 5 rating to be eligible for a Quality Step Increase (QSI). Although employees rated Fully Successful (Level 3) are not eligible for performance awards, they may be or could have been eligible for incentive (STAR) awards throughout the year based on specific accomplishments.

OPM and OMB imposed certain restrictions on performance awards and individual contribution awards (such as special act awards, STAR awards etc.) for managers, management officials, supervisors and non-bargaining unit employees starting October 1, 2011. Restrictions require the total of all individual awards to be capped at 1% of the aggregate salary base of each individual Bureau/Office. Each Bureau or Office will be responsible to ensure that they meet this guideline. Other awards and incentives are frozen at 2010 spending levels.

Ratings of record should be input into the Federal Personnel Performance System (FPPS) no later than November 30, 2011, and must be entered prior to the processing of performance awards. When the rating is entered, care must be taken to record the rating pattern as "H", as this is the only approved rating pattern for General Workforce throughout the Department.

All performance awards should be completed in FPPS no later than December 31, 2011, and always must be entered **after the performance rating of record has been entered**. Performance cash awards are processed into FPPS using Nature of Action Code 840, Cash Award RB (Rating Based). Time-off awards that are given as performance awards are processed into FPPS using Nature of Action code 846, with award type A2. QSI's should be processed no later than December 31, 2011, or 90 days after the end of the performance cycle. However, when situations preclude timely processing, the QSI can be delayed past the 90 days, but cannot be delayed past the end of the next performance year. Whenever processing of the QSI is delayed for more than 90 days, a request for exception should be submitted to the respective Bureau or Office head, through the servicing Human Resources Office and the Bureau Headquarters Human Resources Office for approval. Requests should be in the form of a memorandum and include an explanation as to why it was not possible to process the rating and the QSI within 90 days.

Corrective action should be immediately initiated for all supervisors who receive a rating of less than fully successful on the supervisory critical element. Appropriate corrective action may include providing training relevant to the specific deficiency; denial of a within-grade-increase; initiating formal performance-based action; or in the case of a supervisor during the supervisory probationary period, initiation of action to remove the individual from their supervisory job.

Establishing FY 2012 Performance Plans. Performance plans for FY 2012 must be established by November 30, 2011, which is within 60 days from the beginning of the new performance cycle. There have been no changes to the most recent version of the supervisory and non-supervisory Employee Performance Appraisal Plan (EPAP) which must be used. They can be found at <http://www.doi.gov/hrm/guidance/di-3100s%202011.doc> (supervisory) and <http://www.doi.gov/hrm/guidance/di-3100.doc> (non-supervisory). Performance plans must display the following characteristics:

- ***Strategic Alignment:*** At least one critical element, and preferably all elements, should align with and support organizational goals and targets that are established in an organization's annual performance/strategic plan and/or that have been included in the Senior Executive Service (SES) members' performance plans. Alignment should be clear so that employees can see how their performance plans support achievement of organizational goals. Merely including a generic statement in performance plans that employees' performance requirements support organizational goals is not adequate for communicating alignment. Similarly, simply restating organizational goals without also including the metrics for determining performance against those goals is not adequate.
- ***Results-focused:*** Critical elements and standards should be written in terms of expected results. While it may be desirable to include critical elements that focus on competencies

such as teamwork or customer service, at least one critical element must hold an employee accountable for achieving a result that directly supports organizational goal achievement.

- **Credible Measures:** Employee performance plans should include credible measures of performance. General measures of performance related to quality, quantity, timeliness, and/or cost effectiveness have been described in the generic benchmark standards for non-supervisory employees. Those benchmark standards can be used, **but must be augmented with specific measurable criteria for quality, quantity, timeliness, and/or cost effectiveness at least to the Fully-Successful level for each critical element** so that employees understand how their performance will be evaluated. It is recommended that each standard be defined to meet expectations.
- **Supervisory Standards:** Separate benchmark standards apply for the mandatory supervisory element. The supervisory EPAP was revised in 2010 and may be accessed at the previously mentioned link. It must be used for all supervisory employees, and the only modification allowed is augmentation of the standards with measurable criteria. (Note: OPM does NOT require development of measurable standards for the supervisory element.)
- **Mandatory Training:** All supervisors and employees must be provided training in performance management. The training tool that is attached to each EPAP is meant to accomplish this requirement, and should be delivered to each employee when plans are established. The employee must sign the EPAP form indicating the training information was provided.
- **Employee Involvement:** Employees must be engaged in the process of determining critical elements and performance standards. The EPAP requires supervisors and employees to sign verifying employee involvement was solicited.

Government Performance and Results Act (GPRA). The DOI Strategic Plan for FY 2011-2016 should be used as a guide in determining appropriate strategic linkage. The complete Strategic Plan can be accessed on the DOI webpage. Each employee is required to have at least one (1) measure on their performance plan that relates to GPRA goals.

If you or your staff have questions or need assistance regarding this guidance, please contact Darrell R. Hoffman, SPHR, Office of Human Resources, at (202) 208-6754, or via e-mail at Darrell_R_hoffman@ios.doi.gov.



THE ASSOCIATE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON

SEP 28 2007

Memorandum:

To: Solicitor
Assistant Secretaries
Special Trustee for American Indians
Bureau Directors and Office Heads

From: James E. Cason
Associate Deputy Secretary *James E. Cason*

Subject: FY 2007 Performance Appraisals and Performance Recognition Recommendations for Senior Executive Service Employees (SES)

This memorandum provides guidance on completing FY 2007 performance appraisals and recommending performance-based pay increases and awards for Senior Executive Service (SES) members. Performance appraisals should be submitted to the Executive Resources Division, Office of Human Resources no later than **November 13, 2007**. It is critical that this deadline be met since Performance Review Boards (PRBs) will convene in November in Washington, D.C., and some members must travel from various locations. The Executive Resources Board (ERB) must complete all rating and recognition decisions quickly to allow for pay adjustments to be effected on January 6, 2008. The following timeline will ensure that the ERB is able to meet that schedule.

Timeline

September 30, 2007

Appraisal period ends. Executives complete performance accomplishment templates and submit them to their rating officer. Rating officers begin completing the performance appraisal packages.

October 9, 2007

Deputy Chief Human Capital Officer distributes copies of the Department-wide and Bureau/Office Organizational Assessments to the ERB and Bureau and Equivalent Office Heads. Rating officials finalize performance appraisal packages using the guidance provided in Attachment 1, meet with their executives, and communicate the initial summary rating level. Recommendations for pay changes/bonuses/awards must be recorded on the Excel spreadsheet, but must not be communicated to executives. Attachment 2 provides guidance for performance recognition.

October 31, 2007

Rating officers forward completed, signed performance appraisal packages (signed SES performance plan, progress review, completed accomplishments template) and Excel spreadsheet summarizing the ratings and recommended pay adjustments and/or recognitions for each SES employee to Bureau/Equivalent Office Heads for review.

November 13, 2007

Bureau Head forwards completed performance appraisal packages and completed, signed Excel spreadsheet to the Executive Resources Division (room 5021, MIB) for preparation and submission to the Performance Review Board (PRB) panels.

November 19 – November 30, 2007

PRB panels convene to receive training and review SES performance appraisal documents and organizational assessments. PRB recommendations for summary ratings and any pay adjustments or bonus/award recommendations will then be recorded on the Excel spreadsheet. If the PRB recommendation differs from that of the rating official, the PRB will provide a written explanation to justify the change in rating and/or recognition.

By December 4, 2007

PRB panels return all performance appraisal documents, including the signed Excel spreadsheets, to the Executive Resources Division (room 5021, MIB).

December 10, 2007

PRB recommendations are forwarded to the Assistant Secretaries or Equivalent Officials for review. Based on their review of the PRB recommendations and the performance appraisal package, the Assistant Secretaries or Equivalent Officials recommend final summary ratings and recognition.

December 17, 2007

Assistant Secretaries/Equivalent Officials return signed Excel spreadsheets, showing performance ratings and recognition for each executive within their organization to the Executive Resources Division.

December 19-28, 2007

The ERB meets individually with each Assistant Secretary/Equivalent Official to review performance appraisal packages and discuss the recommended summary ratings and recognition for their executives. Following these meetings, the ERB will determine final summary ratings and recognition for all executives. This information will be communicated to each Assistant Secretary/Equivalent Official.

January 6, 2007: Effective date of ERB decisions.

If you or your staff have any questions or need assistance, please contact Jonathan Mack at Jonathan_Mack@ios.doi.gov (telephone 202-208-5590) or Jenny Mallios at Jenny_H_Mallios@ios.doi.gov (telephone 202-513-0874).

Attachments:

- 1) SES Performance Management Desk Guide
- 2) Sample Performance Closeout Excel Spreadsheet
- 3) FY-2007 SES Performance Recognition Guidance

cc: Bureau/Equivalent Offices Associate Directors for Human Capital or equivalent positions
Bureau/Equivalent Human Resources Officers
Bureau/ Equivalent Offices Executive Resources Program Managers



**Department of the Interior
Senior Executive Service
Performance Management
Desk Guide**



**REVISED
October 2006**

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SES Performance Management System

1. Authorities, Purpose and Goals

Authorities

The Senior Executive Service (SES) Performance Management system is established in accordance with the following authorities:

- Performance Management - 5 U.S.C. Chapter 43, (Performance Appraisal in the Senior Executive Service); 5 CFR Part 430, Subparts C and D
- SES Pay and Performance Awards - 5 U.S.C. Chapter 45 (Incentive Awards); 5 CFR Part 451, Subpart A (Agency Awards); 5 CFR 534, Subpart D (Pay and Performance Awards)
- Records of Employee Performance - 5 CFR Part 293, Subpart D (Employee Performance File System Records)
- Removal from the Senior Executive Service – 5 CFR Part 359

Coverage

This system applies to all Senior Executive Service (SES) employees: Career, Limited Term, Limited Emergency, Noncareer Appointees, and Presidential Appointees with Senate confirmation who were appointed directly from a Career SES appointment and who elected to retain SES benefits under 5 U.S.C. 3392(c). The system also applies, with variation, to the DOI Office of Inspector General (OIG). The OIG will follow Departmental policy and guidance in determining ratings and recognition. However, to maintain statutory independence, the Inspector General is delegated the authority by the Secretary to oversee and administer the DOI SES Performance Management system for the OIG, using its own Performance Review Board and approval process.

Setting Organizational Goals and Objectives

The Secretary establishes goals and priorities to direct the Department by providing a framework for mission accomplishment. These priorities are translated into strategic goals. Generally, the Executive Resources Board (ERB) has specified measurement criteria for SES objectives by developing mandatory performance requirements that must be included in all executives' performance plans. Assistant Secretaries and Bureau/Office Directors must cascade organizational goals and priorities to subordinate executives for inclusion in individual performance plans.

Using the Department's Strategic Plan, rating officials and SES members collaborate to determine the appropriate Government Performance and Results Act (GPRA) goals for inclusion in the individual SES performance plans. Executives are also held

accountable for strategic goals and objectives derived from organizational policies and program guidance, annual performance plans, and budget priorities. The Department's Strategic Plan and information about GPRA goals and measures can be found on the internet at <http://www.doi.gov>.

2. Performance Plans

Establishing SES Performance Plans

Each SES member must have an individual performance plan that outlines goals and expectations for the appraisal period. The SES members and their rating officials (usually their immediate supervisors) collaboratively develop the performance plans. All critical performance elements and requirements mandated for the performance appraisal period by the ERB must be included in the individual performance plan unless an exception is requested and approved. Rating officials must communicate the plan and performance expectations to the executives at the beginning of the appraisal period.

Requirement for Establishing SES Performance Plans

Written performance plans must be provided to SES employees within 30 days of the beginning of the appraisal period or within 30 days of an appointment, reassignment, or other action that requires development of a new plan. (See 5 CFR 430.305.)

Modifying SES Performance Plans

Rating officials may modify SES performance plans whenever a change in assigned individual and/or organizational responsibilities and goals are so significant that the established performance objectives are no longer adequate. The rating official documents modifications on the performance plan and communicates them to the SES employee. Modifications to performance plans that involve changing a mandated performance requirement require the approval of the bureau/office head and should be communicated to the Assistant Secretary – Policy, Management and Budget through the Department's Office of Human Resources, Executive Resources Division.

Completing the SES Performance Plan and GPRA Performance Template

The SES performance plan is organized around four mandatory performance elements. They are Achieving Strategic Goals, including Government Performance and Results Acts (GPRA) Goals; Managing for Excellence; Building Collaboration and Partnerships; and Meeting Other Management Objectives. Appendix A contains the template for the SES performance plan. The template contains all of the mandatory performance measures along with the performance level definitions.

Each individual performance plan should be tailored to the specific job of the executive to which it applies. The performance plan should include the measures from the template that apply to the executive's position. Mandatory measures can be modified or substitutes provided so that the measure accurately reflects the executive's responsibilities relative to the measure. Additional measures should be added where necessary to capture the full scope of the executive's position.

A Fully Successful performance level definition(s) should be included for any substitute measure(s) included in the plan.

As part of the requirements for certification of the Department's SES performance appraisal system, all plans need to align to strategic and organizational goals. To make this alignment clear, the relative performance measure codes must be used with the respective performance measure in the performance plan.

Mandatory Performance Element I, *Achieving Strategic Goals, Including Government Performance and Results Act (GPRA) Goals*: This element should include measures that capture an individual executive's contribution to the accomplishment of the Department's overall mission and/or bureau/office-specific goals. All SES performance plans are required to link to the organization's mission, GPRA strategic goals, program and policy objectives, and/or annual performance plans and budget priorities.

Appendix B is the template used to define an executive's responsibilities under the Government Performance and Results Act (GPRA). There are two measures pertaining to GPRA:

- one for executives whose responsibilities included accomplishment of specific GPRA performance targets, and
- one for executives whose responsibilities contribute to the broader accomplishment of GPRA goals, but do not contribute to meeting specific performance targets.

A listing of the Department's FY 2007 GPRA goals and measures, arranged by organization and by major program or functional area, is found in Appendix C. When including measures under this performance element, the corresponding measure code must be included with the performance measure on the GPRA template.

To the extent that the performance target level changes, the rating official will update the executive's performance plan to reflect the final target level. Any changes to GPRA target levels should be documented and put in place during an interim performance review.

Mandatory Performance Element II, *Managing for Excellence*: All SES plans must include performance measures that support the President's Management Agenda (PMA) and other management responsibilities. Performance Element II includes mandatory requirements that may apply to all executives, as well as measures that are mandatory only for specific positions. Where the measures included in the template do not fit an individual executive's responsibilities, other more appropriate measures should be substituted. Additionally, other bureau/office-specific management responsibilities can be specified under Performance Element II. This allows for additional tailoring of management goals to specific duties of executives.

Bureau/office directors may assign overall accountability for their President's Management Agenda Scorecard results to one official, and hold other executives accountable for contributing to the results. For example, the deputy director's performance plan may include responsibility for ensuring that the organization's results improve by a designated amount. The performance plans for the other executives in the organization should include key performance requirements

that are linked to specific management improvement areas. When selecting measures under this performance element, a corresponding performance code must be included with the performance measure, if applicable.

Mandatory Performance Element III, Building Collaboration and Partnerships: All SES performance plans must incorporate the Department's vision - *Communication, Consultation and Cooperation, all in the service of Conservation* -- and address a commitment to these principles through inclusion of mandatory performance criteria. This element includes two mandatory criteria and measures developed in consultation with the Department's Partners and Cooperation Team and the Office of Collaborative Action and Dispute Resolution. Rating officials may propose substitute measure(s) to more accurately capture the executive's responsibilities

Mandatory Performance Element IV, Meeting Other Management Objectives: All SES performance plans must include other management objectives specific to the executive's responsibilities or the organization's mission requirements. This section can be used to include any responsibilities that have not been addressed elsewhere in the template. In addition, Performance Element IV includes a mandatory performance measure addressing Departmental requirements relative to records management for all executives, and a separate mandatory measure for executives with Indian fiduciary trust records responsibilities. When completing measures under this performance element, the corresponding measure code must be included, if applicable.

Certifying the Performance Plan

The SES member and the rating official sign and date the performance plan in Section II to certify that performance requirements have been established for the FY 2007 performance appraisal period. The SES member's signature certifies that he or she participated in the development of the performance plan. It does not mean that the SES member concurs with the performance elements or requirements. There is a third signature line in Section II for "Other Official Signature." This line may be used, at bureau/office option, for concurrence by a reviewing official in the organization between the rating official and the bureau/office head. Section II also provides space for the bureau/office head to concur that the performance plan requirements are consistent with those of other executives in similar positions in the organization and accurately reflect the SES member's individual responsibility for accomplishing mission goals. **Please note: Beginning in FY 2007, the performance plan is officially established on the date of the bureau/office head concurrence.**

Communicating Performance Requirements

Rating officials and SES members should collaborate to develop performance plans that have clear performance expectations, measurable results, and a clear link between agency results and individual accountability. Ongoing communication between the rating official and the SES member regarding progress toward meeting performance requirements is essential. Rating officials will conduct at least one formal progress review with the SES member to discuss progress toward achieving targets or completing requirements. The progress reviews are to be documented in Part III of the SES performance plan template. More frequent assessments should be made for probationers and individuals whose performance needs improvement.

In the progress review, rating officials will identify, communicate, and document progress toward meeting performance objectives to the SES member being evaluated. Where performance is

deficient, the rating official will take appropriate action to assist the executive in improving performance. Throughout the performance cycle, the rating official and the executive should discuss and document any changes to performance requirements or measures as necessary.

3. Appraising Performance

SES Performance Appraisal Period

The SES performance appraisal process covers performance during the period October 1 through September 30, annually, and has three principal phases: (1) developing performance plans; (2) monitoring progress and adjusting performance requirements when necessary; and (3) assessing annual performance and assigning the summary rating. Each executive should receive a performance appraisal at least annually.

Minimum Appraisal Period

The minimum appraisal period is the least amount of time that an executive must have served under an approved performance plan to receive an annual summary rating. The *minimum* appraisal period for DOI executives is 90 days.

Requirement for Progress Reviews

At a minimum, one progress review is required and should be documented on the performance plan. However, communication about program objectives and an executive's progress toward achieving performance goals in the attainment of those objectives should be an ongoing process between supervisors and subordinate executives.

Extending the Appraisal Period

At the end of the annual appraisal period, executives who have not served under an officially approved performance plan for at least 90 days will have their appraisal period extended to meet the minimum appraisal period.

If an executive is not performing at the Fully Successful level, his or her appraisal period may be terminated and his/her performance rated after the 90-day minimum appraisal period, provided there is enough information on which to base a rating.

Moratorium on Performance Ratings

Career appointees may not be given performance ratings within 120 days after the beginning of a new Presidential Administration.

4. Rating Levels

Individual Critical Element Rating Levels

There are *four rating levels for individual critical performance elements*:

Commendable: Generally exceeds the criteria specified for Fully Successful performance. Achievements relative to goals identified in the performance plan exceed targets. Performance has been achieved while responding to challenging situations; with changing or difficult circumstances; or by making notable and lasting improvements in key processes or systems.

Performance is superior and demonstrates innovation, creativity and leadership that produces significant benefits well beyond what would be expected at the fully successful level.

Fully Successful: Effectively meets goals identified in the performance plan. Performance is of high quality and demonstrates efficiency, effectiveness, integrity, and production of significant benefits

Minimally Successful: Performance is marginally acceptable, but needs significant improvement to meet the written standard for Fully Successful Performance.

Unsatisfactory: Performance fails to meet the written standard for Fully Successful Performance.

At a minimum, individual critical elements will be defined in the performance plan at the Fully Successful level.

Summary Rating Levels and Definitions

There are five summary rating levels: Exceptional, Superior, Fully Successful, Minimally Successful and Unsatisfactory.

In addition to the definitions for each summary rating level, each level is further described with sample indicators. These indicators are illustrations only, and are not inclusive.

Level 5 – Exceptional: During the rating period, overall performance was consistently Commendable and significantly exceeded requirements of the Fully Successful performance standard.

In addition to all critical performance elements being rated as Commendable, the Exceptional summary level of performance reflects achievements that are characterized by performance outcomes and results of the executive's leadership that served as models of executive excellence.

This is a level of rare, high-quality performance. At this level, the executive is an outstanding performer who consistently delivered on assignments and commitments, displayed outstanding executive leadership in promoting the organization's strategic goals and initiatives; and demonstrated the highest level of integrity and accountability in achieving program and management goals. The executive's contributions had impact beyond his or her immediate purview. The executive exerted a major positive influence on management practices, operating procedures or program implementation, which contributed substantially to organizational change, growth and recognition. This executive's expertise, advice and opinions are sought and respected by peers.

Indicators of performance at the Exceptional level include:

- measurable improvements in program performance that exceed defined goals;
- taking positive actions to create and sustain a work environment that results in significant increases in employee morale and productivity;
- leading efforts that exemplify ideal customer and employee satisfaction levels;

- demonstrating flexibility and adaptability in effectively overcoming significant organizational challenges such as changing priorities, unanticipated resource shortages or externally driven deadlines;
- accomplishments requiring extraordinary skill, initiative and innovation;
- demonstrating unusual initiative in achieving results critical to the organization's success and strategic goals; and/or
- effectively dealing with issues and/or resolving problems that were particularly difficult, highly sensitive, controversial, or intense resistance was encountered.

Level 4 – Superior: During the rating period, overall performance consistently exceeded expectations of the Fully Successful performance standards.

In addition to a majority of the critical performance elements being rated as Commendable, the Superior summary level of performance was evidenced by performance outcomes and results of the executive's leadership that consistently surpassed expectations of the position by exceeding the majority of performance requirements.

At this level, the quality or degree of accomplishments should have consistently met the threshold for Commendable performance. Effectiveness and contributions may have had an impact beyond the executive's purview and performance is well beyond what is expected or required for the position. The executive consistently demonstrated the highest level of integrity and accountability in achieving program and management goals. Executive served as a source of leadership and motivation for peers and subordinates.

Indicators of overall performance at the Superior level include:

- measurable improvements in program performance that always met and sometimes exceeded defined goals;
- increasing staff productivity; improving customer and employee satisfaction;
- designing strategies leading to enhanced customer and employee satisfaction;
- readjusted strategies and tactics to overcome significant organizational challenges such as coordination with external stakeholders, resource shortfalls, changing priorities;
- dealing productively and strategically with others in non-routine, complex and or sensitive matters;
- seizing opportunities to effect significant improvements in organizational results by effectively using performance information; and/or
- fostering remedies to serious problems; identifying barriers and redundancies and taking actions to remove them.

Level 3 - Fully Successful: During the rating period, overall performance expectations were consistently met with solid dependable performance.

In addition to all performance elements being rated at least Fully Successful, performance at this level reflects notable achievements. The executive regularly demonstrated the ability to meet the difficult and complex performance requirements inherent in SES positions, while consistently demonstrating the highest level of integrity and accountability in achieving all program objectives and management goals.

Indicators of overall performance at the Fully Successful level include:

- employee satisfaction data that indicates a positive organizational climate;
- customer satisfaction with program results;
- successful resolution of operational challenges without the requirement for higher level intervention;
- positive follow-up actions based on available performance information; and/or
- identification of improvement opportunities to achieve organizational results and improve employee and customer perspectives.

Level 2 - Minimally Successful: During the rating period, overall performance was marginally acceptable and occasionally less than the Fully Successful level.

At least one or more performance elements are rated as Minimally Successful and the executive had difficulties in meeting performance expectations. At this level, actions taken by the executive were sometimes inappropriate or marginally effective. Immediate improvement in performance is essential.

Indicators of performance at the Minimally Successful level may include:

- actions that did not significantly contribute to any positive results achieved;
- employee satisfaction data that indicates a need for improvements in the organizational climate;
- inappropriate or inadequate actions taken to address employee productivity and morale;
- inappropriate or inadequate actions taken to address organizational effectiveness and customer satisfaction;
- action or inaction that occasionally resulted in negative consequences;
- incomplete products or services in key outcomes;
- inconsistent achievement of desired outcomes for success; and/or
- limited understanding and practice of executive competencies.

Level 1 – Unsatisfactory: During the rating period, overall performance was undeniably unacceptable and the executive failed to meet satisfactory performance standards and/or outcome goals.

At least one or more performance elements rated as unsatisfactory and the executive failed to meet expectations. At this level, the executive's work and outcomes often resulted in negative consequences and were an impediment to organizational success. Performance is grounds for reassigning or removing the executive from the SES.

Indicators of performance at the Unsatisfactory level may include:

- repeated instances of negative consequences in achieving key outcomes (e.g., quality, timeliness, business results, customer satisfaction, morale, etc.);
- failure to meet program performance requirements;

- egregious failure to take actions to maintain an organizational environment free from harassment and discrimination;
- harm to the organization, resources, citizens or employees caused by the executive's failure to take appropriate and timely action;
- considerable efforts on the part of others to resolve the situations under the executive's purview; and/or
- demonstrated gaps in executive core competencies.

SES Performance Accomplishments Template

Appendix D is the SES Performance Accomplishments template to be completed by the executive and the rating official. The template provides a format for documenting performance requirements and accomplishments of executives. The template includes a section for the rating official's justification for each recommended performance element rating. The executive provides a summary of accomplishments for the appropriate measure(s) that corresponds to the four performance elements. The rating official completes the performance element ratings with the justification for each performance element. Additionally, the rating official completes the recommended performance summary rating and includes the justification for this rating. He/she signs and dates the document.

Completing the SES Performance Accomplishments Template

A completed template must accompany each SES member's appraisal, so that the Performance Review Board and the Executive Resources Board may assess the degree to which each executive has accomplished his/her performance requirements and determine whether the recommended summary rating and performance recognition are warranted.

5. Determining Ratings

Initial Summary Rating Recommendations

At the end of the appraisal period, the rating official assigns a rating to each of the critical performance elements in the executive's performance plan and derives an initial summary rating recommendation. Rating officials meet with their executives and communicate the initial summary rating. The executive being appraised has the right to respond in writing to the initial summary rating and has the right to request a higher-level review of the initial summary rating recommendation before it is reviewed by the Performance Review Board (PRB). Copies of the reviewer's comments and recommendations must be provided to the executive being appraised, the rating official, and the PRB.

In making the initial summary rating recommendation, the rating official will consider, at a minimum:

- Comparison of actual performance with the written performance requirements in the performance plan
- The agency's overall performance as assessed by the Secretary's designee
- Balanced measures
- Performance of subordinate employees
- Relative performance

- Interim summary rating, if applicable

Additionally, see Summary Rating Methodology Matrix in Appendix F.

Final Annual Summary Rating Determinations

The Department's SES performance management system provides for a multi-level review process to ensure that performance ratings accurately reflect the executive's level of performance and are not given arbitrarily or on a rotational basis.

The SES performance management system policy contains the following provisions for the review of the performance appraisal documentation for each executive being rated:

- (1) After the rating official makes the initial summary rating recommendation, the executive being rated may request review by a higher-level official within the organization.
- (2) After the optional higher-level review, the bureau/office head reviews the rating official's initial recommendation and all appraisal documentation and either concurs or does not concur with the rating official's initial recommendation. If the bureau/office head does not concur with the rating official's recommendation, then he or she prepares a separate recommendation and justification which becomes part of the performance appraisal documentation.
- (3) The performance appraisal documentation may then be reviewed by the Assistant Secretary or Equivalent Official.
- (4) The next step in the review process is a review of all performance appraisal documentation by the PRB. Based upon this review, the PRB makes its own recommendation for the summary rating.
- (5) The PRB's recommendation and all appraisal documentation is provided to the appropriate Assistant Secretary/Equivalent Official, who reviews all appraisal documentation and recommendations, and then in consultation with the bureau/office head makes a recommendation regarding the annual summary performance rating and any performance recognition to the ERB for final decision.
- (6) The ERB makes the final determination regarding final summary performance ratings and performance recognition after reviewing all appraisal documentation, including the recommendations of the rating official, higher-level reviewing official (if applicable), the bureau/office head, the PRB, and the Assistant Secretary/Equivalent Official. Also, the ERB ensures that executives are rated and recognized in accordance with Departmental policy established in 370 DM Chapter 430, Subpart C.

Performance Review Board (PRB)

The Performance Review Boards are made up of senior executives who have been nominated by their Bureaus/Offices through the respective Assistant Secretaries to the ERB. The ERB appoints the PRB to serve for one year.

Responsibilities of the PRB

PRBs are responsible for reviewing performance plans and appraisals for equity and consistency, as well as general adherence to the Secretary's guidance and recommending to the ERB performance ratings and recognition for SES employees.

Distribution of Rating Levels

DOI officials may not prescribe a distribution of rating levels for employees covered by this plan. However, the Secretary or ERB may review standards and ratings for difficulty and strictness of application to ensure that ratings and recognition are in compliance with Departmental policy. Further, the ERB may establish limits on the numbers of awards or the value of awards.

6. Position Changes

Rating New SES member

New SES members who have not served under an SES performance plan for at least 90 days as of the end of the appraisal period must be rated. The rating period must be extended until he/she has had an opportunity to serve under the plan for at least 90 days. After the completion of the extended appraisal period, the rating official should make the initial summary performance rating recommendation. This recommendation then must go through the PRB and ERB review process. The ERB will make the final determination on ratings and recognition.

Change of Position

When an executive changes position by reassignment or by transfer to another organization or agency and has served under an SES performance plan in the previous position for at least 90 days, a written interim summary rating must be prepared by the rating official. The gaining organization, agency, or supervisor must consider the interim summary rating in deriving the executive's next summary rating of record.

Detail or Temporary Assignment

When an executive is *detailed within the DOI for 120 days* or more, performance elements and requirements must be established for the assignment. Performance against those requirements must be considered in deriving the next summary rating of record.

When an executive is *detailed outside of the DOI*, the rating official must make a reasonable effort to obtain appraisal information from the outside organization if the executive has been detailed for a period of 120 days or longer. Rating officials shall take into consideration appraisal information obtained from the outside organization.

If an executive has not served under a performance plan for the established minimum appraisal period, but has served for the minimum appraisal period outside the DOI, the DOI rating official must make a reasonable effort to prepare a rating using appraisal information obtained from the outside organization.

Transfer to Another Agency

When an executive leaves DOI, all appropriate performance-related documents 5 years old or less, including the current SES performance plan and an interim rating, shall be forwarded in the Employee Performance File along with the executive's Official Personnel File (OPF) to the executive's new agency.

7. Pay and Recognition Determinations

Approval of Pay Adjustments and Recognition

The ERB will consider the recommendations of the rating officials, bureau/office heads, the PRB, and Assistant Secretaries/Equivalent Officials for SES pay adjustments and performance-based awards. Determinations will be based on their assessment of the executive's overall contributions to the accomplishment of mission goals.

For Office of the Inspector General SES members, this authority has been delegated to the Inspector General.

Pay Adjustments

- Executives rated Fully Successful or higher are eligible to receive a pay increase.
- A pay decrease of no greater than 10% may be made for executives receiving a final summary rating of Minimally Successful or Unsatisfactory.
- Career, Noncareer, and Limited Term/Limited Emergency SES appointees are eligible for pay adjustments.
- Executives must have served at least 12 months in their current pay rate before being eligible for an increase (for exceptions see 5 CFR 534.404). The 12-month rule also applies to a decrease in pay.
- Executives who are rated Exceptional must be considered for a pay increase.
- There is no cap on the number of executives who may be recommended for and receive pay adjustments.

Awards

- Executives rated Fully Successful or higher are eligible for performance recognition.
- Executives who are rated Exceptional must be considered for performance recognition.
- Career executives who receive a summary rating of Exceptional or Superior are eligible to receive a *Performance Bonus*. The ERB will determine if the executive will receive a bonus and the amount of the bonus, based on its view of the executive's degree of accomplishment of the performance elements. The ERB will also take into account the

results of the organizational assessment. (The bonus pool is capped at 10% of the aggregate base pay of career SES members on board as of September 30.)

- *Secretary's Executive Leadership Award* (SELA) is a performance bonus that recognizes career executives for extraordinary accomplishment of performance objectives and excellence in leadership. There are three categories: Gold SELA (17% of basic pay); Silver SELA (14% of basic pay); and Bronze SELA (12% of basic pay). (The Department-wide cap on the number of SELA awards is 30. There is no limit on the number of SELA awards in each category.)
- *STAR Awards* recognize special acts during the appraisal period.

The ERB has the flexibility to recognize executives using any of the following pay adjustments and awards (or a combination):

Exceptional – eligible for

- Pay increase up to 10%
- Time Off Award
- STAR Award
- SES Performance Bonus
- Bronze SELA (12%)
- Silver SELA (14%)
- Gold SELA (17%)

Superior – eligible for

- Pay increase up to 6%
- Time Off Award
- STAR Award
- SES Performance Bonus
- Bronze SELA (12%)
- Silver SELA (14%)

Fully Successful – eligible for

- Pay increase up to 4%
- Time Off Award
- STAR Award

Aggregate Limitation on Pay

Regulations for limiting an employee's aggregate annual compensation are found in 5 CFR 530.201. Included in aggregate compensation are such things as: basic pay, incentive awards, performance awards, recruitment, retention and relocation incentives. The limit on aggregate annual compensation is set at Executive Level I. However, agencies with certified SES performance appraisal systems have a higher limit on aggregate annual compensation, which is equivalent to the annual compensation payable to the Vice President.

Amounts in excess of the limitations are paid in a lump sum at the beginning of the following calendar year. Any 'carryover' amount is considered part of the employee's aggregate compensation for the new calendar year.

Recognition for Noncareer SES

Noncareer SES employees are eligible to receive pay increases, STAR Awards, and Time Off Awards. There is a statutory prohibition on granting awards to noncareer SES employees during a Presidential election period (June 1 of Presidential election year to January 20 of the following year).

8. Presidential Rank Awards

Presidential Rank Award

Each year, the President recognizes a small group of career Senior Executives with the Presidential Rank Award for exceptional long-term accomplishments. Rank Award recipients are outstanding leaders who consistently demonstrate strength, integrity, industry, and a relentless commitment to public service. There are two categories of Rank Awards for SES: Distinguished and Meritorious.

The Distinguished Executive rank is awarded to leaders who achieve extraordinary results. Awardees receive a lump-sum payment of 35 percent of their basic pay, a gold pin, and a framed certificate signed by the President. The Meritorious Executive rank is awarded to leaders for sustained accomplishments. Awardees receive a lump-sum payment of 20 percent of their basic pay, a silver pin and a framed certificate signed by the President.

The Office of Personnel Management (OPM) administers the Presidential Rank Awards Program. OPM develops the criteria for agencies to use, makes final determinations of the eligibility of nominees, and convenes meeting of Presidential Rank Award Boards that are made up of private citizens who evaluate and rate the nominations. The OPM Director then recommends potential winners to the President, who makes the final selections.

Eligibility

Nominees must hold a career appointment in the SES, be an employee of the nominating agency and have at least 3 years of career or career-type Federal civilian service at the SES level. Service does not have to be continuous. Qualifying service does not include appointments that are noncareer, limited term, or limited emergency. An executive may not receive the same award more than once in any five-year period. Nominees must meet eligibility criteria by the nomination deadline.

Employees in Executive Schedule positions who were appointed by the President with Senate confirmation (PAS) may not receive incentive awards, including Rank Awards. However, PAS employees who have elected to retain their career SES pay and benefits are eligible for Rank Awards.

Nomination Period

Nominations are requested by DOI at the end of the calendar year and are due to OPM by the end of January. All nominations must be cleared through the appropriate Assistant Secretary and must be approved by the ERB.

9. Actions Required for Less than Fully Satisfactory Performance

Actions Required for Minimally Successful Performance

During the rating period, if a rating official determines an executive's performance to be Minimally Successful under one or more performance elements, the rating official must conduct a progress review, document the minimally successful performance in writing and provide a copy of that document to the executive. The rating official and executive must discuss activities such as formal training, on-the-job training, counseling and/or closer supervision to improve performance on any element rated minimally successful. If performance does not improve by the end of the appraisal period and the executive is given an annual summary rating of Minimally Successful, consideration should be given to reassigning the executive.

If an executive whose performance was found to be Fully Successful or higher at the time of the annual progress review is then rated Minimally Successful on the annual summary rating, the rating official must document the minimally successful performance on the appraisal form and discuss with the executive those activities (formal training, on-the-job training, counseling and/or closer supervision) that will improve performance on any element rated minimally successful. The rating official will document in writing the activities that will improve performance and provide a copy of that document to the executive.

An executive who receives less than a Fully Successful annual summary rating twice in any 3-year period must be removed from the SES.

Actions Required for Unsatisfactory Performance

At the end of the appraisal period, if performance on one or more elements is determined to be Unsatisfactory, that determination must be documented in writing and the executive must be reassigned or transferred within the SES or removed from the SES.

An executive who receives an Unsatisfactory annual summary rating must be reassigned or transferred within the SES to another position or removed from the SES.

An executive who receives two Unsatisfactory annual summary ratings in any 5-year period must be removed from the SES.

Other Actions that May Be Taken

Performance may indicate other personnel actions that may be appropriate including pay reduction, reassignment, development, and continual learning.

Appeal Rights of Final Rating or Lack of Pay Increase or Performance Recognition

An executive may not appeal either the final summary rating or the lack (or amount) of a pay increase or performance recognition. Executives have the right to respond in writing to the

initial summary rating made by the rating official. This response becomes a part of the appraisal document and is reviewed by the optional reviewing official, the PRB, the bureau/office head, the Assistant Secretary/Equivalent Official, and the ERB.

A career SES appointee may file a complaint with the Office of Special Counsel regarding any aspect of the rating process which he/she believes to involve a prohibited personnel practice.

10. Retention Period for Performance Records

Performance records for SES appointees are retained for five consecutive years. When an executive transfers to another agency, all appropriate performance related documents five years old or less shall be forwarded in the Employee Performance File along with the executive's OPF.

When a Career SES appointee accepts a Presidential appointment, the executive's performance file shall be retained as long as the executive remains employed under that Presidential appointment. If the individual does not return to the SES when the appointment ends, the Employee Performance File shall be destroyed in accordance with DOI procedures.

Where any performance-related document is needed in connection with ongoing, quasi-judicial, or judicial proceeding, it may be retained for as long as necessary beyond the established retention schedule.

SES Member	Salary	2005 Award History		Rating Process Step	FY 2006 Rating	Number of Commendables	Raise to EX-II Cup Mark X	FY 2006 Pay Recommendations			FY 2006 Award Recommendations					Total Compensation	
		Rating	Award					Salary % Increase	Salary Increase	New Salary	Bonus %	Bonus Amount	SELA %	SELA Amount	STAR Award		Time Off Award
Name	\$152,000	Not Rated		Initial Rating	Fully Successful	0		4.60%	\$6,080	\$158,080		\$0		\$0		0	\$158,080
				PRB													
				AS/EO													
				ERB													
Name	\$162,421	Exceptional	10% pay increase + \$7,000 STAR Award	Initial Rating	Exceptional	4	X	3.44%	\$5,579	\$168,000		\$0		\$0	\$0	0	\$168,000
				PRB													
				AS/EO													
				ERB													
Name	\$165,200	Exceptional	1.91% pay increase + \$7,000 Star Award	Initial Rating	Exceptional	4	X	1.69%	\$2,800	\$168,000		\$0		\$0	\$7,000	40 hours	\$175,000
				PRB													
				AS/EO													
				ERB													
Name	\$141,025	Not Rated		Initial Rating	Superior	2		5.00%	\$7,051	\$148,076		\$0		\$0	\$0		\$148,076
				PRB													
				AS/EO													
				ERB													
Name	\$149,223	Superior	6% pay increase + \$2,000 Star Award	Initial Rating	Exceptional	4		7.00%	\$9,746	\$148,969		\$0		\$0	\$0	0	\$148,969
				PRB													
				AS/EO													
				ERB													

Approved _____ Date: _____

FY 2007 SES Performance Recognition Guidance

The pay range for SES is \$111,676 to \$168,000 (EX-II), subject to change by the President in January 2008. The following table describes the possible recognition associated with each performance rating level:

Summary Performance Rating	Possible Pay Increase	Possible Performance Awards
Exceptional	<ul style="list-style-type: none"> 0% to 10% Maximum pay level \$168,000 (EX-II) 	<ul style="list-style-type: none"> Time Off Award STAR Award (\$1,000 - \$7,000) SES Performance Bonus: 5% to 10% of pay Bronze Secretary's Executive Leadership Award (SELA) (12% of pay) Silver SELA (14% of pay) Gold SELA (17% of pay)
Superior	<ul style="list-style-type: none"> 0% to 6% Maximum pay level \$168,000 (EX-II) 	<ul style="list-style-type: none"> Time Off Award STAR Award (\$1,000 - \$5,000) SES Performance Bonus: 5% to 8% of pay Bronze SELA (12% of pay) Silver SELA (14% of pay)
Fully Successful	<ul style="list-style-type: none"> 0% to 4% Maximum pay level \$168,000 (EX-II) 	<ul style="list-style-type: none"> Time Off Award STAR Award (\$1,000 - \$5,000) SES Performance Bonus: None

Pay Increases

- There is no cap on the number of executives who may be recommended for and receive pay increases.
- Career, Noncareer, and Limited Term/Emergency SES appointees who receive summary ratings of fully successful or higher are eligible for pay increases.

FY 2007 SES Performance Bonuses

Career SES appointees who receive a summary rating of Superior or Exceptional are eligible to receive an SES performance bonus. The ERB determines whether an executive will receive a performance bonus and the amount of the bonus. This determination is based upon its view of the executive's degree of accomplishment of the performance elements while taking into consideration the organizational assessment results.

The bonus pool for the organization(s) under each Assistant Secretary or Equivalent Official is capped at ten percent of the aggregate basic pay of Career SES appointees on board as of September 30, 2007.

Secretary's Executive Leadership Award (SELA)

The ERB has created this category of SES performance award to recognize extraordinary accomplishment of performance objectives and excellence in leadership. The SELA may be awarded only to Career SES appointees. The three categories of SELA recognition are:

- Gold: 17% of basic pay
- Silver: 14% of basic pay
- Bronze: 12% of basic pay

Only Career SES appointees who achieve a summary rating of Exceptional are eligible to receive a Gold SELA. Career SES appointees who achieve a summary rating of Superior are eligible to receive either a Silver or Bronze SELA. For the FY 2007 SES appraisal period, the ERB has determined the total number of SELAs that may be awarded is capped at 30. There is no specific cap for the number of SELAs that may be awarded under each of the three categories, but the total SELAs departmentwide cannot exceed 30.

STAR Awards

STAR Awards may be recommended to recognize special acts during the 2007 appraisal period. STAR Award nominations submitted in conjunction with the FY 2007 SES appraisal closeout can range from \$1,000 to \$7,000 depending upon the level of rating.

FY 2007 SES Performance Bonus Pool Cap

The following chart shows the dollar amount caps for each organization for performance bonuses. Bureaus/Offices absorb all costs for their SES performance bonuses.

FY 2007 SES PERFORMANCE BONUS POOL (as of September 30, 2007)	Bonus Pool Cap (10% of Aggregate Career SES Pay)
Bureau of Indian Affairs	272,501
Bureau of Indian Education	12,928
Fish & Wildlife Service	301,133
National Park Service	355,656
Bureau of Land Management	316,613
Minerals Management Service	172,642
Office of Surface Mining	79,426
Bureau of Reclamation	201,628
U.S. Geological Survey	410,063
Office of the Solicitor	420,993
Secretary's Immediate Office (including A/S IA; A/S WS; A/S LMM; A/S FWP)	274,796
Office of Special Trustee for American Indians	164,126
Assistant Secretary for Policy, Management and Budget	529,092



THE ASSOCIATE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON

OCT 12 2007

Memorandum

To: Solicitor
Assistant Secretaries
Heads of Bureaus and Equivalent Offices

From: James E. Cason
Associate Deputy Secretary *James E. Cason*

Subject: FY 2007 Performance Appraisals and Performance Recognition
Recommendations for Senior-Level and Scientific and Professional Employees

This memorandum provides guidance on completing FY 2007 performance appraisals and recommending performance-based pay increases and recognition for Senior-Level (SL) and Scientific and Professional (ST) employees. All SL/ST performance appraisals should be submitted to the Executive Resources Division, Office of Human Resources, no later than **November 13, 2007**. It is critical that this deadline be met since Performance Review Boards (PRBs) will convene in November in Washington, DC, and some members must travel from various locations.

Timeline

September 30, 2007

Appraisal period ends. SL/ST employees complete performance accomplishment templates and submit them to their rating officials.

October 19, 2007

Rating officials complete performance appraisal packages consistent with the guidance provided in Attachment 1, meet with their SL/ST employees, and communicate the initial summary rating level. Recommendations for pay adjustments and recognition should be recorded on the Excel Rating and Recognition spreadsheet, Attachment 2, but must not be communicated to SL/ST employees. Attachment 3 provides guidance for performance recognition.

By October 31, 2007

Rating officials forward completed, signed performance appraisal packages (signed SL/ST performance plan, progress review, completed accomplishments template) and Excel spreadsheet summarizing the ratings and recommended pay adjustments and/or recognitions for each SL/ST employee to Bureau/Equivalent Office Heads for review.

November 13, 2007

Bureau Head forwards completed performance appraisal packages and completed, signed Excel Rating and Recognition spreadsheet to the Executive Resources Division (room 5021, MIB) for preparation and submission to the Performance Review Board (PRB) panels.

November 19 – November 30, 2007

PRB panels convene to receive mandatory training and review SL/ST performance appraisal documents. PRB recommendations for summary ratings and any pay adjustments or recognition are recorded on the Excel Rating and Recognition spreadsheet. If the PRB recommendation differs from that of the rating official, the PRB will provide a written explanation to justify the change in rating and/or recognition.

By December 4, 2007

PRB panels return all performance appraisal documents, including the signed Excel spreadsheets, to the Executive Resources Division (room 5021, MIB).

December 10, 2007

PRB recommendations are forwarded to the Assistant Secretaries or Equivalent Officials for review. After consideration of the PRB recommendations and the performance appraisal package, the Assistant Secretaries or Equivalent Officials recommend their final summary ratings and recognition.

December 17, 2007

Assistant Secretaries/Equivalent Officials return signed Excel spreadsheets showing performance ratings and recognition for each SL/ST employee within their organization to the Executive Resources Division (room 5021, MIB).

December 19-28, 2007

The ERB meets individually with each Assistant Secretary/Equivalent Official to review performance appraisal packages and discuss the recommended summary ratings and recognition for their SL/ST employees. Following these meetings, the ERB will determine final summary ratings and recognition for all SL/ST employees. This information will be communicated to each Assistant Secretary/Equivalent Official.

January 6, 2008

Effective date of ERB decisions.

If you or your staff have any questions or need assistance, please contact Jonathan Mack at Jonathan_Mack@ios.doi.gov (telephone 202-208-5590) or Jenny Mallios at Jenny_H_Mallios@ios.doi.gov (telephone 202-513-0874).



U.S. Department of the Interior
Office of Human Resources
Executive Resources Division

October 12, 2007

Staff Note

To: James E. Cason
Associate Deputy Secretary

Through: Kathleen J.H. Wheeler *Kathleen J.H. Wheeler*
Deputy Chief Human Capital Officer

From: Sharlyn A. Grigsby *Sharlyn A. Grigsby*
Director, Office of Human Resources

Subject: 2007 Performance Appraisal and Performance Recognition Guidance for Senior-Level Scientific Professional Employees

Enclosed is close-out guidance for FY-2007 Senior-Level (SL) and Scientific and Professional (ST) performance appraisals. This package tracks the timeline approved by the ERB for the Senior Executive Service which you signed on September 28, 2007.

The guidance is consistent with last year's guidance with the exception of performance recognition. We are proposing the following changes:

	FY 2006	Proposed FY 2007
Performance Award:		
Exceptional	Cash Award for Sustained Superior Performance up to 10% of basic pay	Cash Award for Sustained Superior Performance up to \$10,000
Superior	Cash Award for Sustained Superior Performance up to 8% of basic pay	Cash Award for Sustained Superior Performance up to \$8,000
Fully Successful	No Performance Award	No Performance Award <i>(no change)</i>
STAR Award:		
Exceptional	STAR Award <i>(without specification of dollar amount)</i>	\$1,000 - \$7,000 <i>(consistent with SES at this level)</i>
Superior	STAR Award <i>(without specification of dollar amount)</i>	\$1,000 - \$5,000 <i>(consistent with SES at this level)</i>
Fully Successful	STAR Award <i>(without specification of dollar amount)</i>	\$1,000 - \$5,000 <i>(consistent with SES at this level)</i>

This change makes our policy consistent with OPM requirements that performance-based cash awards exceeding \$10,000 receive prior approval from OPM (see 5 CFR 451.107). Since the majority of our SL and ST have salaries between about \$145,000 and the cap of \$154,600, any performance awards above about 6% would have to be approved in advance by OPM. To maximize the amount that SL/ST employees can be given to recognize sustained performance, we recommend setting the limit at the \$10,000 that can be granted without prior OPM approval.

To distinguish between sustained performance at the superior or exceptional level and special act accomplishments and to limit some of the confusion between the SES and SL/ST recognition, we recommend setting the STAR award levels consistent with those of the SES.

There is a distinction between performance-based cash awards for SL/ST employees and bonuses for SES. Bonuses for SES by law are to be between 5% and 20% and can be approved by the Head of the Agency. The Head of the Agency may approve performance-based cash awards up to \$10,000 for SL/ST employees but not bonuses similar to the SES.

Please contact Jenny Mallios on 202-513-0874 if you have any questions or when the memorandum has been signed.

ATTACHMENT 1

Department of the Interior

Senior-Level and Scientific

and

Professional Employee

Performance Management

Desk Guide



October 2006

Performance Management System

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SL/ST Performance Management System

1. Authorities

The Senior-Level (SL) and Scientific and Professional (ST) employees Performance Management system is established in accordance with the following authorities:

- Performance Management - 5 U.S.C. Chapter 43, (Performance Appraisal); 5 CFR Part 430
- SL/ST Pay and Performance Awards - 5 U.S.C. Chapter 45 (Incentive Awards); 5 CFR Part 451, Subpart A; 5 CFR 534, Subpart E (Pay for Senior-Level and Scientific and Professional Positions)
- Records of Employee Performance - 5 CFR Part 293, Subpart D (Employee Performance File System Records)
- Removal from the SL and ST Positions – 5 U.S.C Chapter 43, Subchapter 1, Section 4303 (Actions Based on Unacceptable Performance); 5 CFR Part 432 (Performance Based Reduction in Grade and Removal Actions)

Coverage

This system applies to all Senior-Level (SL) and Scientific and Professional (ST) employees. The system also applies, with variation, to the DOI Office of the Inspector General (OIG). The OIG will follow Departmental policy and guidance in determining ratings and recognition. However, to maintain statutory independence, the Inspector General is delegated the authority by the Secretary to oversee and administer the DOI SL Performance Management system for the OIG, using its own Performance Review Board and approval process.

Setting Organizational Goals and Objectives

The Secretary establishes goals and priorities to direct the Department by providing a framework for mission accomplishment. These priorities are translated into strategic goals. Generally, the Executive Resources Board (ERB) has specified measurement criteria for SL/ST objectives by developing mandatory performance requirements that must be included in all SL/ST performance plans. Assistant Secretaries and Bureau/Office Directors must further cascade organizational goals and priorities to subordinate senior employees for inclusion in individual performance plans.

Using the Department's Strategic Plan, rating officials and SL/ST employees collaborate to determine the appropriate Government Performance and Results Act (GPRA) goals for inclusion in the individual SL/ST performance plans. SL and ST employees are also held accountable for strategic goals and objectives derived from organizational policies and program

guidance, annual performance plans, and budget priorities. The Department's Strategic Plan and information about GPRA goals and measures can be found on the internet at <http://www.doi.gov>

2. Performance Plans

Establishing SL/ST Performance Plans

Each SL/ST employee must have an individual performance plan that outlines goals and expectations for the appraisal period. SL/ST employees and their rating officials (usually their immediate supervisors) collaboratively develop the performance plans. All critical performance elements and requirements mandated for the performance appraisal period by the ERB must be included in the individual performance plan unless an exception is requested and approved by the Bureau/Equivalent Office Head. Rating officials must communicate the plan and performance expectations to the SL/ST employee at the beginning of the appraisal period.

Timeframe for Completing SL/ST Performance Plans

Written performance plans should be provided to SL/ST employees within 30 days of the beginning of the appraisal period or within 30 days of an appointment, reassignment, or other action that requires development of a new plan.

Completing SL/ST Performance Plan and GPRA Performance Measure Template

The SL/ST performance plan is organized around four mandatory performance elements. They are Achieving Strategic Goals, including Government Performance and Results Acts (GPRA); Strategic Management of Human Capital; Building Collaboration and Partnerships; and Program and Position-Specific Objectives that Characterize the Employee's Major Responsibilities.

Each individual performance plan should be tailored to the specific job of the SL/ST employee to which it applies. The performance plan should include the measures from the template that apply to the SL/ST employee's position. Mandatory measures can be modified or substitutes provided so that the measure accurately reflects the SL/ST employee's responsibilities relative to the measure. Additional measures should be added where necessary to capture the full scope of the SL/ST employee's position. A Fully Successful performance level definition(s) should be included for any substitute measure(s) included in the plan.

As part of the requirements for certification of the Department's SL/ST performance appraisal system, all plans should align to strategic and organizational goals. To make this alignment clear, the relative performance measure codes must be used with the respective performance measure in the performance plan.

Mandatory Performance Element I. Achieving Strategic Goals, Including Government Performance and Results Act (GPRA): This element should include measures that capture an individual SL/ST employee's contributions to the accomplishment of the Department's mission and/or bureau/office-specific goals. All SL/ST performance plans are required to link to the organization's mission, GPRA strategic goals, program and policy objectives, and/or annual performance plans and budget priorities.

There are two measures pertaining to the Government Performance and Results Act (GPRA):

- one for SL/ST employees whose responsibilities included accomplishment of *specific* GPRA performance targets; and
- one for SL/ST employees whose responsibilities contribute to the broader accomplishment of GPRA goals, but do not *contribute to* meeting specific performance targets.

The GPRA template is used if the SL/ST employee has specific responsibilities under GPRA.

A listing of the Department's FY 2007 GPRA goals and measures can be found at <http://www.doi.gov>. When including measures under this performance element, the corresponding performance measure code must be included with the performance measure on the GPRA template.

To the extent that the performance target level changes, the rating official will update the SL/ST employee's performance plan to reflect the final target level. Any changes to GPRA target levels should be documented and put in place during an interim performance review.

Mandatory Performance Element II. *Strategic Management of Human Capital:* This performance element includes a mandatory performance measure that applies to all SL/ST employees with supervisory responsibilities. If the measure included in the template does not fit an individual SL/ST employee's supervisory responsibilities, other more appropriate measures should be substituted.

Mandatory Element III. *Building Collaboration and Partnerships:* This element includes two mandatory criteria and measures developed in consultation with the Department's Partners and Cooperation Team and the Office of Collaborative Action and Dispute Resolution. Rating officials may propose substitute measure(s) to more accurately capture the SL/ST employee's responsibilities.

Mandatory Performance Element IV: *Program and Position-Specific Objectives that Characterize the Employee's Major Responsibilities:* All SL/ST performance plans must include other objectives specific to the employee's responsibilities or the organization's mission requirements. This section can be used to include any responsibilities that have not been addressed elsewhere in the template.

Modifying SL/ST Performance Plans

Rating officials may modify SL/ST performance plans whenever a change in assigned individual and/or organizational responsibilities and goals are so significant that the established performance objectives are no longer adequate. The rating official documents modifications on the performance plan and communicates them to the SL/ST employee. Modifications to performance plans that involve changing a mandated performance requirement require the approval of the bureau/office head and should be communicated to the Assistant Secretary – Policy, Management and Budget through the Department's Office of Human Resources, Executive Resources Division.

Certifying the Performance Plan

The SL/ST employee and the rating official sign and date the performance plan in Section II to certify that performance requirements have been duly established for the FY 2007 performance appraisal period. The SL/ST employee's signature certifies that he or she participated in the development of the performance plan. It does not mean that the SL/ST employee concurs with the performance elements or requirements. There is a third signature line in Section II for "Other Official Signature." This line may be used, at bureau/office option, for concurrence by a reviewing official in the organization that is between the rating official and the bureau/office head. Section II also provides space for the bureau/office head to concur that the performance plan requirements are consistent with those of other SL/ST employees in similar positions in the organization and accurately reflect the SL/ST employee's individual responsibility for accomplishing mission goals.

Please note: Beginning in FY 2007, the performance plan is officially established on the date of the bureau/equivalent office head's concurrence.

Communicating Performance Requirements

Rating officials and SL/ST employees should collaborate to develop performance plans that have clear performance expectations, measurable results, and a clear link between agency results and individual accountability. Ongoing communication between the rating official and the SL/ST employee regarding progress toward meeting performance requirements is essential. The rating official will conduct at least one formal progress review with the SL/ST employee to discuss progress toward achieving targets or completing requirements. The progress reviews are to be documented in Part III of the SL/ST employee's performance plan template. More frequent assessments should be made for probationers and individuals whose performance needs improvement.

In the progress review, rating officials will identify, communicate, and document progress toward meeting performance objectives to the SL/ST employee being evaluated. Where performance is deficient, the rating official will take appropriate action to assist the SL/ST employee in improving performance. Throughout the performance cycle, the rating official and the SL/ST employee should discuss and document any changes to performance requirements or measures as necessary.

3. Appraising Performance

Performance Appraisal Period

The SL/ST performance appraisal process covers performance during the period October 1 through September 30, annually, and has three principal phases: (1) developing performance plans; (2) monitoring progress and adjusting performance requirements when necessary; and (3) assessing annual performance and assigning the summary rating. Each SL/ST employee should receive a performance appraisal at least annually.

Minimum Appraisal Period

The minimum appraisal period is the least amount of time that a SL/ST employee must have served under an approved performance plan to receive an annual summary rating. The *minimum* appraisal period for SL/ST employees is 90 days.

Requirement for Progress Reviews

At a minimum, one progress review is required and should be documented on the performance plan. However, communication about program objectives and a SL/ST employee's progress toward achieving performance goals should be an ongoing process between the supervisor and the SL/ST employee.

Extending the Appraisal Period

At the end of the annual appraisal period, SL/ST employees who have not served under an officially approved performance plan for at least 90 days will have their appraisal period extended to meet the minimum appraisal period.

If a SL/ST employee is not performing at the Fully Successful level, his/her appraisal period may be terminated and his/her performance rated after the 90-day minimum appraisal period, provided there is enough information on which to base a rating.

4. Rating Levels

Individual Critical Element Rating Levels

There are four rating levels for individual critical performance elements:

Commendable: Generally exceeds the criteria specified for Fully Successful performance. Achievements relative to goals identified in the performance plan exceed targets. Performance has been achieved while responding to challenging situations, with changing or difficult circumstances, or by making notable and lasting improvements in key processes or systems. Performance is superior and demonstrates innovation, and creativity that produces significant benefits well beyond what would be expected at the Fully Successful level.

Fully Successful: Effectively meets goals identified in the performance plan. Performance is of high quality and demonstrates efficiency, effectiveness, integrity, and production of significant benefits.

Minimally Successful: Performance is marginally acceptable, but needs significant improvement to meet the written standard for Fully Successful performance.

Unsatisfactory: Performance fails to meet the written standard for Fully Successful performance.

Summary Rating Levels and Definitions

There are five summary rating levels: Exceptional, Superior, Fully Successful, Minimally Successful and Unsatisfactory.

Level 5 – Exceptional: During the rating period, overall performance was consistently Commendable and significantly exceeded requirements of the Fully Successful performance standard.

In addition to all critical performance elements being rated as Commendable, the Exceptional summary level of performance reflects achievements that are characterized by performance outcomes and results; the SL/ST employee's accomplishments served as models of excellence.

This is a level of rare, high-quality performance. At this level, the SL/ST employee is an outstanding performer who consistently delivered on assignments and commitments, displayed outstanding guidance in promoting the organization's strategic goals and initiatives, and demonstrated the highest level of integrity and accountability in achieving program and management goals. The SL/ST employee's contributions had impact beyond his/her immediate purview. The SL/ST employee exerted a major positive influence on management practices, operating procedures or program implementation, which contributed substantially to organizational change, growth and recognition. This SL/ST employee's expertise, advice and opinions are sought and respected by peers.

Level 4 – Superior: During the rating period, overall performance consistently exceeded expectations of the Fully Successful performance standards.

In addition to a majority of the critical performance elements being rated as Commendable, the Superior summary level of performance was evidenced by performance outcomes and results that consistently surpassed expectations of the position by exceeding the majority of performance requirements.

At this level, the quality or degree of accomplishments should have consistently met the threshold for Commendable performance. Effectiveness and contributions may have had an impact beyond the SL/ST employee's purview and performance is well beyond what is expected or required for the position. The SL/ST employee consistently demonstrated the highest level of integrity and accountability in achieving program and management goals.

Level 3 - Fully Successful: During the rating period, overall performance expectations were consistently met with solid dependable performance.

In addition to all performance elements being rated as at least Fully Successful, performance at this level reflects notable achievements. The SL/ST employee regularly demonstrated the ability to meet the difficult and complex performance requirements inherent in SL/ST positions, while consistently demonstrating the highest level of integrity and accountability in achieving all program objectives and management goals.

Level 2 - Minimally Successful: During the rating period, overall performance was marginally acceptable and occasionally less than the Fully Successful level.

At least one or more performance elements are rated as Minimally Successful and the SL/ST employee had difficulty in meeting performance expectations. At this level, actions taken by the SL/ST employee were sometimes inappropriate or marginally effective. Immediate improvement in performance is essential.

Level 1 – Unsatisfactory: During the rating period, overall performance was undeniably unacceptable and the SL/ST employee failed to meet satisfactory performance standards and/or outcome goals.

At least one or more performance elements rated as Unsatisfactory and the SL/ST employee failed to meet expectations. At this level, the SL/ST employee's work and outcomes often resulted in negative consequences and were an impediment to organizational success. Unsatisfactory performance is grounds for reassignment, reduction in grade or removal of the SL/ST employee.

SL/ST Performance Accomplishments Template

The SL/ST Performance Accomplishments template to be completed by the SL/ST employee and the rating official. The template provides a format for documenting performance requirements and accomplishments of the SL/ST employee. The SL/ST employee provides a summary of accomplishments for the appropriate measure(s) that correspond to the four performance elements. The rating official completes the performance element ratings with the justification for each performance element. Additionally, the rating official completes the recommended performance summary rating and includes the justification for this rating. He/she signs and dates the document.

A completed Accomplishments template must accompany each SL/ST employee's appraisal, so that the Performance Review Board and the Executive Resources Board may assess the degree to which each SL/ST employee has accomplished his/her performance requirements and determine whether the recommended summary rating and performance recognition are warranted.

5. Determining Ratings

Initial Summary Rating Recommendations

At the end of the appraisal period, the rating official assigns a rating to each of the critical performance elements in the SL/ST employee's performance plan and derives an initial summary rating recommendation. The SL/ST employee being appraised has the right to respond in writing to the initial summary rating and has the right to request a higher-level review of the initial summary rating recommendation before it is reviewed by the Performance Review Board (PRB). Copies of the reviewer's comments and recommendations must be provided to the SL/ST employee being appraised, the rating official, and the PRB.

In making the initial summary rating recommendation, the rating official will consider, at a minimum:

- Comparison of actual performance with the written performance requirements in the performance plan
- The agency's overall performance as assessed by the Secretary's designee
- Balanced measures
- Performance of subordinate employees
- Relative Performance
- Interim Summary Rating, if applicable

The Summary Rating Methodology Matrix is as follows:

Summary Rating Methodology Matrix						
Exceptional	Superior			Fully Successful		
At a minimum all performance elements are rated as Commendable	At a minimum, a majority of the critical performance elements are rated as Commendable and no critical performance elements were rated lower than Fully Successful			At a minimum, all performance elements are rated as at least Fully Successful, but criteria for Superior or Exceptional are not met.		
4	4	4	4	4	4	3
4	4	4	4	4	3	3
4	4	4	3	3	3	3
4	4	3	3	3	3	3

Note: The numerical ratings include all possible scenarios for four performance elements. An element of judgment may be applied to derive the overall summary rating level when performance in the individual critical elements falls in the first, second, fourth and fifth columns..

Final Annual Summary Rating Determinations

The Department's SL/ST performance management system provides for a multi-level review process to ensure that performance ratings accurately reflect the SL/ST employee's level of performance and are not given arbitrarily or on a rotational basis.

The SL/ST performance management system policy contains the following provisions for the review of the performance appraisal documentation for each SL/ST employee being rated:

- (1) After the rating official makes the initial summary rating recommendation, the SL/ST employee being rated may request review by a higher-level official within the organization.
- (2) After the optional higher-level review, the Bureau/Office head reviews the rating official's initial recommendation and all appraisal documentation and either concurs or does not concur with the rating official's initial recommendation. If the bureau/office head does not concur with the rating official's recommendation, then he/she prepares a separate recommendation and justification which becomes part of the performance appraisal documentation.

- (3) The performance appraisal documentation may be reviewed by the Assistant Secretary or Equivalent Official.
- (4) The next step in the review process is a review of all performance appraisal documentation by the PRB. Based upon this review, the PRB makes its own recommendation for the summary rating.
- (5) The PRB's recommendation and all appraisal documentation is provided to the appropriate Assistant Secretary/Equivalent Official for review, and then in consultation with the bureau/office head makes a recommendation regarding the annual summary performance rating and any performance recognition to the ERB for final decision.
- (6) The ERB makes the final determination regarding final summary performance ratings and performance recognition after reviewing all appraisal documentation, including the recommendations of the rating official, higher-level reviewing official (if applicable), the bureau/office head, the PRB, and the Assistant Secretary/Equivalent Official. Also, the ERB ensures that SL/ST employees are rated and recognized in accordance with Departmental policy established in 370 DM Chapter 430, Subpart B.

Performance Review Board (PRB)

The Performance Review Boards are made up of senior executives and SL or ST employees who have been nominated by their Bureaus/Offices through their respective Assistant Secretaries to the ERB. The ERB appoints the PRB to serve for one year.

Responsibilities of the PRB

The PRB's responsibilities are reviewing performance plans and appraisals for equity and consistency, as well as general adherence to the Secretary's guidance and recommending to the ERB performance ratings and recognition for SL/ST employees.

Distribution of Rating Levels

DOI officials may not prescribe a distribution of rating levels for employees covered by this plan. However, the Secretary or ERB may review standards and ratings for difficulty and strictness of application to ensure that ratings and recognition are in compliance with Departmental policy. Further, the ERB may establish limits on the numbers of awards or the value of awards.

6. Position Changes

Rating New SL/ST employees

New SL/ST employees who have not served under a SL/ST performance plan for at least 90 days as of the end of the appraisal period must be rated. The rating period must be extended until he/she has had an opportunity to serve under the plan for at least 90 days. After the completion of the extended appraisal period, the rating official should make the initial summary performance rating recommendation. This recommendation then must go through the PRB review and ERB approval processes for a final determination.

Change of Position

When a SL/ST employee changes position by reassignment or by transfer to another organization or agency and has served under a SL/ST performance plan in the previous position for at least 90 days, a written interim summary rating must be prepared by the rating official. The gaining organization, agency, or supervisor must consider the interim summary rating in deriving the SL/ST employee's next summary rating of record.

Detail or temporary assignment

When a SL/ST employee is *detailed within the DOI for 120 days* or more, performance elements and requirements must be established for the assignment. Performance against those requirements must be considered in deriving the next summary rating of record.

When a SL/ST employee is *detailed outside of the DOI*, the rating official must make a reasonable effort to obtain appraisal information from the outside organization if the SL/ST employee has been detailed for a period of 120 days or longer. Rating officials shall take into consideration appraisal information obtained from the outside organization.

If a SL/ST employee has not served under a performance plan for the established minimum appraisal period, but has served for the minimum appraisal period outside the DOI, the DOI rating official must make a reasonable effort to prepare a rating using appraisal information obtained from the outside organization.

Transfer to another Agency

When a SL/ST employee leaves DOI, all appropriate performance-related documents 5 years old or less, including the current SL/ST performance plan and an interim rating, shall be forwarded in the Employee Performance File along with the SL/ST employee's Official Personnel File (OPF) to the SL/ST employee's new agency.

7. Pay and Recognition Determinations**Approval of Pay and Recognition Determinations**

The ERB will consider the recommendations of the rating officials, the bureau/office heads, the PRB and the Assistant Secretaries/Equivalent Officials for SL/ST pay adjustments and performance-based awards. The ERB will make the final determinations for all SL/ST pay adjustments and performance recognition based upon their assessment of the SLST employee's overall contributions to the accomplishment of mission goals.

For Office of the Inspector General employees, this authority has been delegated to the Inspector General.

Pay Adjustments

- SL/ST employees rated Fully Successful or higher are eligible to receive a pay increase.
- A pay decrease of no greater than 10% may be made for SL/ST employees receiving a final summary rating of Minimally Successful or Unsatisfactory.
- Performance-based pay adjustments (increase/decrease) may be made only once in a 12-month period.
- SL/ST employees who are rated Exceptional must be considered for a pay increase.
- There is no cap on the number of SL/ST employees who may be recommended for and receive pay adjustments.

Awards

- SL/ST employees rated Fully Successful or higher are eligible for performance-based awards.
- SL/ST employees who are rated Exceptional must be considered for a performance-based award.
- *STAR Awards* recognize special acts during the appraisal period.

The ERB has the flexibility to recognize executives using any of the following pay adjustments and awards (or combination):

Exceptional – eligible for

- Pay increase up to 10%
- Cash Award for Sustained Superior Performance up to \$10,000*
- STAR Award between \$1,000-\$7,000
- Time Off Award

Superior – eligible for

- Pay increase up to 6%
- Cash Award for Sustained Superior Performance up to \$8,000
- STAR Award between \$1,000-\$5,000
- Time Off Award

Fully Successful – eligible for

- Pay increase up to 4%
- STAR Award between \$1,000-\$5,000
- Time Off Award

*Performance-based cash awards exceeding \$10,000 require the prior approval of the Office of Personnel Management (see 5 CFR 451.107).

Aggregate Limitation on Pay

Regulations for limiting an employee's aggregate annual compensation are found in 5 CFR 530.201. Included in aggregate compensation are such things as: basic pay; incentive awards; performance awards; recruitment; retention; and relocation incentives. The limit on aggregate annual compensation is set at Executive Level I. However, agencies with certified SES performance appraisal systems have a higher limit on aggregate annual compensation, which is equivalent to the annual compensation payable to the Vice President.

Amounts in excess of the limitations are paid in a lump sum at the beginning of the following calendar year. Any 'carryover' amount is considered part of the employee's aggregate compensation for the new calendar year.

8. Presidential Rank Awards

Presidential Rank Award

Each year, the President recognizes a small group of senior career employees with the Presidential Rank Award for a sustained record of exceptional professional, technical and/or scientific achievement that is recognized on a national or international level. There are two categories of Rank Awards for SL/ST employees: Distinguished Senior Professional and Meritorious Senior Professional.

The Distinguished Senior Professional rank is awarded for sustained extraordinary accomplishment. Awardees receive a lump-sum payment of 35 percent of their basic pay, a gold pin, and a framed certificate signed by the President. The Meritorious Senior Professional rank is awarded for sustained accomplishments. Awardees receive a lump-sum payment of 20 percent of their basic pay, a silver pin and a framed certificate signed by the President.

OPM administers the Presidential Rank Awards Program. OPM develops the criteria for agencies to use, makes final determinations of the eligibility of nominees, and convenes Presidential Rank Award Boards that are made up of private citizens who evaluate and rate the nominations. The OPM Director then recommends potential winners to the President, who makes the final selections.

Eligibility

Nominees must hold a career appointment in an OPM-allocated SL or ST position, be an employee of the nominating agency, and have at least 3 years of career or career-type Federal civilian service above the GS-15 level. Service does not have to be continuous. Qualifying service does not include appointments that are limited term or to positions excepted from the competitive service because of their confidential or policy-making character. An SL/ST employee may not receive the same award more than once in any five-year period. Nominees must meet eligibility criteria by the nomination deadline (end of January).

9. Actions Required for Less than Fully Satisfactory Performance

Actions Required for Minimally Successful Performance

During the rating period, if a rating official determines an SL/ST employee's performance to be Minimally Successful under one or more performance elements, the rating official must conduct a progress review, document the Minimally Successful performance in writing and provide a copy of that document to the employee. The rating official and the employee must discuss activities such as formal training, on-the-job training, counseling and/or closer supervision to improve performance on any element rated Minimally Successful. If performance does not improve by the end of the appraisal period and the employee is given an annual summary rating of Minimally Successful, consideration should be given to reassigning the employee.

If an SL/ST employee whose performance was found to be Fully Successful or higher at the time of the annual progress review is then rated Minimally Successful on the annual summary rating, the rating official must document the Minimally Successful performance on the appraisal form and discuss with the employee those activities (formal training, on-the-job training, counseling and/or closer supervision) that will improve performance on any element rated Minimally Successful. The rating official will document in writing the activities that will improve performance and provide a copy of the document to the employee.

Actions Required for Unsatisfactory Performance

During the rating period, if a rating official determines an SL/ST employee's performance to be Unsatisfactory under one or more performance elements, the rating official must conduct a progress review, document the Unsatisfactory performance in writing and provide a copy of that document to the employee. The rating official and the employee must discuss activities such as formal training, on-the-job training, counseling and/or closer supervision to improve performance on any element rated Unsatisfactory. If performance does not improve by the end of the appraisal period and the employee is given an annual summary rating of Unsatisfactory, consideration should be given to reducing in grade or removing the employee.

To initiate a reduction in grade or removal action for Unsatisfactory performance under 5 CFR Part 432, the employee must first have a reasonable opportunity to demonstrate at least Minimally Successful performance. Performance is rated again at the end of the opportunity period. If the employee's performance is again evaluated as Unsatisfactory, reducing in grade or removal action may be proposed. In addition, supervisors may deal with Unsatisfactory performance using adverse action procedures under 5 CFR Part 752.

10. Retention Period for Performance Records

Performance records for SL/ST appointees are retained for five consecutive years. When a SL/ST employee transfers to another agency, all appropriate performance related documents five years old or less shall be forwarded in the Employee Performance File along with the SL/ST employee's OPF.

Where any performance-related document is needed in connection with an ongoing, quasi-judicial or judicial proceeding, it may be retained for as long as necessary beyond the established retention schedule.

11. Training and Program Evaluation

The DOI, through the Office of Human Resources, will develop and provide appropriate training and written guidance to ensure that all employees involved in managing the SL/ST performance appraisal program, the SL/ST employees subject to the system, and their supervisors have the necessary information to carry out the annual appraisal process in an effective, efficient manner which complies with applicable law, regulation, and Departmental policy.

The Department will periodically evaluate the SL/ST performance appraisal program to determine its effectiveness. Improvements will be made to the system as necessary.

FY 2007 SL/ST Performance Recognition Guidance

The pay range for SES is \$111,676 to \$154,600 (EX-III), subject to change by the President in January 2008. The following table describes the possible recognition associated with each performance rating level:

Summary Performance Rating	Possible Pay Increase	Possible Performance Awards
Exceptional	<ul style="list-style-type: none"> 0% to 10% increase inclusive of locality adjustment and general pay increase Maximum total pay: \$154,600 (EX-III) 	<ul style="list-style-type: none"> Time Off Award STAR Award (\$1,000 - \$7,000) Cash Award for Sustained Superior Performance up to \$10,000*
Superior	<ul style="list-style-type: none"> 0% to 6% increase inclusive of locality adjustment and general pay increase Maximum total pay: \$154,600 (EX-III) 	<ul style="list-style-type: none"> Time Off Award STAR Award (\$1,000 - \$5,000) Cash Award for Sustained Superior Performance up to \$8,000
Fully Successful	<ul style="list-style-type: none"> 0% to 4% increase inclusive of locality adjustment and general pay increase Maximum total pay: \$154,600 (EX-III) 	<ul style="list-style-type: none"> Time Off Award STAR Award (\$1,000 - \$5,000)

Pay Increases

- There is no cap on the number of SL/ST employees who may be recommended for and receive pay increases.
- SL/ST employees must have served at least 12 months in their current pay rate before being eligible for a performance-based pay increase.
- SL/ST *basic* pay is limited to \$145,400 (EX-IV).

Awards

STAR Awards recognize special acts during the 2007 appraisal period and can range from \$1,000 to \$7,000 depending upon the level of rating.

*Performance-based cash awards exceeding \$10,000 require the prior approval of the Office of Personnel Management (see 5 CFR 451.107).



THE ASSOCIATE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON

Memorandum:

003 3 2008

To: Solicitor
Assistant Secretaries
Heads of Bureaus and Equivalent Offices

From: James E. Cason *James E Cason*
Associate Deputy Secretary

Subject: FY 2008 Performance Appraisal and Performance Recognition Recommendations for Senior Executive Service Employees and Senior Level and Scientific and Professional Employees

This memorandum provides guidance on completing FY 2008 performance appraisals and recommending performance-based pay increases and awards for Senior Executive Service members. Performance appraisals are due to the Executive Resources Division, Office of Human Resources no later than **October 31, 2008**. It is critical that this deadline be met, since Performance Review Boards will convene in November in Washington, D.C. The Executive Resources Board must complete all rating and recognition decisions quickly to allow for pay adjustments to be effected on January 4, 2009. The following timeline will ensure that the ERB is able to meet that schedule.

TIMELINE

October 1–October 31, 2008

Appraisal period ends on September 30. Executives complete performance accomplishments and submit to their Rating Officer. The Deputy Chief Human Capital Officer distributes copies of the Departmental Organizational Assessments to Bureau Directors/Equivalent Office Heads.

Rating officials finalize performance appraisals, meet with their executives, and communicate the initial summary rating level. Recommendations for pay changes, bonuses, and awards will be made by the Bureau Director/Equivalent Office Head and submitted with all completed appraisals to the Executive Resources Division by October 31, 2008.

November 6, 2008

Training for Performance Review Board members will be held. Completed appraisals will be distributed to PRB members.

November 7–November 19, 2008

PRB panels review performance appraisal documents.

November 24, 2008

PRB recommendations for summary ratings, pay adjustments, bonuses, and awards will be recorded and forwarded to the appropriate Assistant Secretary. If the PRB recommendation for a summary rating differs from that of the Rating Officer, the PRB will provide a written explanation for their recommendation to the appropriate Assistant Secretary with a copy to the Bureau Director/Equivalent Office Head.

November 24–December 5, 2008

Assistant Secretaries consult with Bureau Directors/Equivalent Office Heads regarding recommendations made by the PRB. All Special Act Awards (previously called “STAR” awards) and Time Off Awards must be fully documented on the attached awards form and signed by the Assistant Secretary/Equivalent Official as the nominating official. Completed forms must be submitted to the Executive Resources Division for ERB consideration no later than December 5.

December 8–December 15, 2008

The Executive Resources Division will review information for adherence to guidance and provide record of recommendations to the ERB for consideration.

December 16–December 17, 2008

The ERB will offer each Assistant Secretary/Equivalent Official an opportunity to discuss the recommended summary ratings and recognition for their executives. Following these meetings, the ERB will determine final summary ratings and recognition for all executives. This information will be communicated to each Assistant Secretary/Equivalent Official and Bureau Director/Equivalent Office Head.

December 19, 2008

Final decisions are provided to Bureau Executive Resources staff for processing.

January 4, 2009

Effective date of pay adjustments.

If you or your staff have any questions or need assistance, please contact Jenny Mallios at <Jenny_H_Mallios@ios.doi.gov> (telephone 202-513-0874); Jonathan Mack at <Jonathan_Mack@ios.doi.gov> (telephone 202-208-5590); or Grace Barnes-Hendricks at <Grace_Barnes-Hendricks@ios.doi.gov> (telephone 202-208-6943).

Attachments:

- 1) FY-2008 SES and SL/ST Recognition Guidance

cc: Bureau/Equivalent Office Associate Directors for Human Capital or equivalent positions
Bureau/Equivalent Human Resources Officers
Bureau/ Equivalent Offices Executive Resources Program Managers

FY 2008 SES Performance Recognition Guidance

The pay range for SES is \$114,468 to EX-II (currently \$172,200, subject to change by the President in January 2009). The following table describes the possible recognition associated with each performance rating level:

Summary Performance Rating	Possible Pay Increase	Possible Other Recognition
Exceptional	<ul style="list-style-type: none"> • 0% to 10% • Maximum pay level (EX-II) 	<p>Broad based cash award (one only):</p> <ul style="list-style-type: none"> • Gold Secretary's Executive Leadership Award (SELA) (17% of pay) • Silver SELA (14% of pay) • Bronze SELA (12% of pay) • SES Performance Bonus: 5% to 10% of pay based on performance appraisal accomplishments <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> • Special Act Cash Award (\$1,000 - \$10,000) based on an ERB-approved nomination for a special act* <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Superior	<ul style="list-style-type: none"> • 0% to 6% • Maximum pay level (EX-II) 	<p>Broad based cash award (one only):</p> <ul style="list-style-type: none"> • Silver SELA (14% of pay) • Bronze SELA (12% of pay) • SES Performance Bonus: 5% to 8% of pay based on performance appraisal accomplishments <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> • Special Act Cash Award (\$1,000 - \$7,500) based on an ERB-approved nomination for a special act* <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Fully Successful	<ul style="list-style-type: none"> • 0% to 4% • Maximum pay level (EX-II) 	<p>Broad based cash award (one only):</p> <ul style="list-style-type: none"> • Special Act Cash Award (\$1,000 - \$5,000) based on an ERB-approved nomination for a special act* <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*

*Special Act Cash awards and Time Off awards require completion of the Special Act Incentive Award form (attached). Special Act Cash awards given throughout the year do not prohibit recognition of a cash award (Performance Bonus or SELA) at the end of the appraisal year.

Pay Increases

Career, Noncareer, and Limited Term/Emergency SES employees who receive summary ratings of fully successful or higher are eligible for pay increases.

FY 2008 SES Performance Awards and Secretary's Executive Leadership Awards (SELA)

1) Career SES appointees who receive a summary rating of Superior or Exceptional are eligible to receive an SES performance award. The ERB determines whether an executive will receive a performance award and the amount of the award, based upon the final summary rating, the executive's degree of accomplishment of the performance elements, the organizational assessment results, and other related factors. Standard performance awards range from 5% to 10% as shown in the chart above, depending upon the level of performance appraisal.

2) The ERB created a special category of SES performance award to recognize extraordinary accomplishment of performance objectives and excellence in leadership—the Secretary's Executive Leadership Award, or SELA. Because the SELA and the SES performance award both are "performance awards" it is inappropriate to recommend an individual for both. The SELA may be awarded only to Career SES appointees. The three categories of SELA recognition are:

- Gold: 17% of basic pay (summary rating of Exceptional required)
- Silver: 14% of basic pay (summary rating of at least Superior required)
- Bronze: 12% of basic pay (summary rating of at least Superior required)

For the FY 2008 SES appraisal period, the ERB has determined that a maximum of 30 SELAs may be awarded. There is no specific cap for the number of SELAs that may be awarded under each of the three categories, but the total SELAs departmentwide cannot exceed 30.

The performance award pool for the organization(s) under each Assistant Secretary or Equivalent Official is capped at ten percent of the aggregate basic pay of Career SES appointees on board as of September 30, 2008.

Incentive Time Off or Special Act Awards

Incentive awards—either cash or time off—may be used to recognize special acts that occurred during the 2008 appraisal period. Time off awards may not exceed 80 hours. Cash awards can range from \$1,000 to \$10,000 as shown in the chart above. The special act being recognized must be justified using the attached form. In all cases, the amount of the award must be commensurate with the special act or achievement being recognized.

Under 5 USC 4508 an awards moratorium began June 1, 2008 and ends January 20, 2009 for Non-career SES, Limited Term SES and Limited Emergency SES. Incentive awards to these individuals during this period are prohibited.

FY 2008 SL/ST Performance Recognition Guidance

The pay range for SL/ST is \$114,468 to EX-III (currently \$158,500, subject to change by the President in January 2009). The following table describes the possible recognition associated with each performance rating level:

Summary Performance Rating	Possible Pay Increase	Possible Other Recognition
Exceptional	<ul style="list-style-type: none"> • 0% to 10% inclusive of locality adjustment and general pay increase • Maximum pay level (EX-III) 	Broad based cash award (one only): <ul style="list-style-type: none"> • Sustained Superior Performance Award (\$1,000 - \$10,000) <li style="text-align: center;">AND/OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum* <li style="text-align: center;">AND/OR • Special Act Cash Award (\$1,000 - \$10,000) based on an ERB-approved nomination for a special act*
Superior	<ul style="list-style-type: none"> • 0% to 6% • Maximum pay level (EX-III) 	Broad based cash award (one only): <ul style="list-style-type: none"> • Sustained Superior Performance Award (\$1,000 - \$7,500) <li style="text-align: center;">AND/OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum* <li style="text-align: center;">AND/OR • Special Act Cash Award (\$1,000 - \$7,500) based on an ERB-approved nomination for a special act*
Fully Successful	<ul style="list-style-type: none"> • 0% to 4% • Maximum pay level (EX-III) 	Broad based cash award (one only): <ul style="list-style-type: none"> • Sustained Superior Performance Award (\$1,000 - \$5,000) <li style="text-align: center;">AND/OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum* <li style="text-align: center;">AND/OR • Special Act Cash Award (\$1,000 - \$5,000) based on an ERB-approved nomination for a special act*

The Sustained Superior Performance Award is based on the annual performance appraisal, and no nomination form is required.

*Special Act Cash awards and Time Off awards require completion of the Special Act Incentive Award form.

SES/SL/ST SPECIAL ACT AWARD FORM

Name (print or type)	Position Title	Agency/ Bureau
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Special Act Cash Award: Enter the amount of recommended award in the appropriate space below.

Up to \$10,000 \$ _____ recognizes special act commensurate with exceptional performance

Up to \$7,500 \$ _____ recognizes special act commensurate with superior performance

Up to \$5,000 \$ _____ recognizes special act commensurate with fully successful performance

Time Off Award _____ not-to-exceed 80 hours; at least fully successful rating required

Describe the specific special act, with justification to show that amount recommended is commensurate with executive's achievement:

Recommending Official, Print Name and Title	Signature	Date
Approving Official Signature		Date
For the Executive Resources Board		



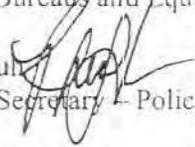
United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

Memorandum:

OCT 27 2009

To: Solicitor
Assistant Secretaries
Heads of Bureaus and Equivalent Offices

From: Rhea S. Suh 
Assistant Secretary - Policy, Management and Budget

Subject: FY 2009 Performance Appraisal and Performance Recognition Recommendations
for Senior Executive Service Employees

This memorandum provides guidance on completing FY 2009 performance appraisals and recommending performance-based pay increases and awards for Senior Executive Service members. Performance appraisals are due to the Executive Resources Division, Office of Human Resources no later than **November 2, 2009**. It is critical that this deadline be met, since Performance Review Boards will convene in early November in Washington, D.C. and the Executive Resources Board must complete all rating and recognition decisions to effect them on January 3, 2010. The following timeline will ensure that the ERB is able to meet that schedule.

TIMELINE

October 1–November 2, 2009

Appraisal period ends on September 30. Executives complete performance accomplishments and submit to their Rating Officer. The Departmental Organizational Assessments will be distributed to Bureau Directors/Equivalent Office Heads.

Rating officials finalize performance appraisals, meet with their executives, and communicate the initial summary rating level.

Recommendations for pay changes, bonuses, and awards will be made by the Bureau Director/Equivalent Office Head and submitted with all completed appraisals to the Executive Resources Division by November 2, 2009. These recommendations could change and therefore are not to be communicated to the executive.

November 10, 2009

Training for Performance Review Board members will be held. Completed appraisals will be distributed to PRB members.

November 10–November 18, 2008

PRB panels review performance appraisal documents.

November 18 – November 25, 2009

PRB recommendations for summary ratings, pay adjustments, bonuses, and awards will be recorded and forwarded to the appropriate Assistant Secretary. If the PRB recommendation for a summary rating differs from that of the Rating Officer, the PRB will provide a written explanation for their recommendation to the appropriate Assistant Secretary.

November 25–December 4, 2009

Assistant Secretaries consult with Bureau Directors/Equivalent Office Heads regarding recommendations made by the PRB. All Special Act Awards and Time Off Awards must be fully documented on the attached awards form and signed by the Assistant Secretary/Equivalent Official as the nominating official. Completed forms must be submitted to the Executive Resources Division for ERB consideration no later than December 4.

December 4–December 14, 2009

The Executive Resources Division will review information for adherence to guidance and provide record of recommendations to the ERB for consideration. Any Assistant Secretary/Equivalent Official who wishes to discuss the recommended summary ratings and recognition for their executives with the ERB will be given the opportunity to do so. Following these meetings, the ERB will determine final summary ratings and recognition for all executives.

December 22–December 23, 2009

Final summary ratings and recognition for all executives will be communicated to each Assistant Secretary/Equivalent Official and Bureau Director/Equivalent Office Head. Final decisions are provided to Bureau Executive Resources staff for processing.

January 3, 2010

Effective date of pay adjustments.

If you or your staff have any questions or need assistance, please contact Jenny Mallios at <Jenny_H_Mallios@ios.doi.gov> (telephone 202-513-0874); Jonathan Mack at <Jonathan_Mack@ios.doi.gov> (telephone 202-208-5590); or Grace Barnes-Hendricks at <Grace_Barnes-Hendricks@ios.doi.gov> (telephone 202-208-6943).

Attachment:

FY-2009 SES Recognition Guidance

cc: Bureau/Equivalent Office Associate Directors for Human Capital
Bureau/Equivalent Human Resources Officers and Executive Resources Managers

FY 2009 SES Performance Recognition Guidance

The pay range for SES is \$117,787 to EX-II (currently \$177,000, subject to change by the President in January 2010). The following table describes the possible recognition associated with each performance rating level:

Summary Performance Rating	Possible Pay Increase	Possible Awards
Exceptional	<ul style="list-style-type: none"> • 0% to 10% • Maximum pay level (EX-II) 	<ul style="list-style-type: none"> • Secretary's Executive Leadership Award*** (Gold-17%; Silver-14%; Bronze-12%) OR • Performance Award: 5% to 10% of pay based on performance accomplishments OR • Special Act Cash Award based on an ERB-approved nomination for a special act* • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Superior	<ul style="list-style-type: none"> • 0% to 6% • Maximum pay level (EX-II) 	<ul style="list-style-type: none"> • Secretary's Executive Leadership Award*** (Bronze-12%) OR • Performance Award: 5% to 8% of pay based on performance accomplishments OR • Special Act Cash Award based on an ERB-approved nomination for a special act* • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Fully Successful	<ul style="list-style-type: none"> • 0% to 4% • Maximum pay level (EX-II) 	<ul style="list-style-type: none"> • Special Act Cash Award based on an ERB-approved nomination for a special act • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*

*Special Act Cash and Time Off awards require the attached Special Act Incentive Award form be completed.

Pay Increases: Career, Noncareer, and Limited Term/Emergency SES employees who receive summary ratings of fully successful or higher are eligible for pay increases.

SES Performance Awards: Career SES appointees who receive a summary rating of Superior or Exceptional are eligible to receive an SES performance award. The ERB makes the final determinations as to whether an executive will receive a performance award (or a SELA, which also is a performance award) and the amount of that award, based upon the final summary rating, the executive's degree of accomplishment of the performance elements, the organizational assessment results, and other related factors. Minimum and maximum performance award amounts are shown in the chart above.

*****New for 2010:** Recommendations for SELAs must be accompanied by a written justification of no more than two brief paragraphs which explains the extraordinary accomplishments of the executive on the Mandatory Department-wide element and at least one other programmatic element related to the executive's duties. This information can be redacted from the appraisal form, DI-2011.

Incentive Time Off or Special Act Awards: Incentive awards—either cash or time off—may be used to recognize special acts that occurred during the 2009 appraisal period. Time off awards may not exceed 80 hours. The maximum cash award is \$10,000. The special act being recognized must be justified using the attached form. In all cases, the amount of the award must be commensurate with the special act or achievement being recognized.

FY 2009 SL/ST Performance Recognition Guidance

The pay range for SL/ST is \$117,468 to EX-III (currently \$162,900, subject to change by the President in January 2010). The following table describes the possible recognition associated with each performance rating level:

Summary Performance Rating	Possible Pay Increase	Possible Other Recognition
Exceptional	<ul style="list-style-type: none"> • 0% to 10% inclusive of any general pay increase • Maximum pay level (EX-III) 	<ul style="list-style-type: none"> • Sustained Superior Performance Award (\$1,000 - \$10,000) • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum* • Special Act Cash Award based on an ERB-approved nomination for a special act*
Superior	<ul style="list-style-type: none"> • 0% to 6% inclusive of any general pay increase • Maximum pay level (EX-III) 	<ul style="list-style-type: none"> • Sustained Superior Performance Award (\$1,000 - \$7,500) • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum* • Special Act Cash Award based on an ERB-approved nomination for a special act*
Fully Successful	<ul style="list-style-type: none"> • 0% to 4% inclusive of any general pay increase • Maximum pay level (EX-III) 	<ul style="list-style-type: none"> • Special Act Cash Award based on ERB-approved nomination for a special act* • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*

The Sustained Superior Performance Award is based on the annual performance appraisal and no nomination form is required.

*Special Act Cash awards (maximum \$10,000) and Time Off awards (maximum 80 hours) require completion of the attached Special Act Incentive Award form.



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

031 12

Memorandum:

To: Solicitor
Assistant Secretaries
Heads of Bureaus and Equivalent Offices

From: Rhea S. Suh
Assistant Secretary – Policy, Management and Budget

Subject: FY 2010 Performance Appraisal and Performance Recognition Recommendations for Senior Executive Service (SES), Senior Level (SL) and Scientific and Professional (ST) Employees

This memorandum provides guidance on completing FY 2010 performance appraisals and recommending performance-based pay increases and awards for SES, SL and ST employees. Performance appraisals are due to the Executive Resources Division, Office of Human Resources no later than **November 3, 2010**. It is critical that this deadline be met, since Performance Review Boards will convene in early November in Washington, D.C. and the Executive Resources Board must complete all rating and recognition decisions to effect them on January 2, 2011. The following timeline will ensure that the ERB is able to meet that schedule.

TIMELINE

October 1–November 3, 2010

Appraisal period ends on September 30. Executives complete performance accomplishments and submit to their Rating Officer. The Departmental Organizational Assessments will be distributed to Bureau Directors/Equivalent Office Heads.

Rating officials finalize performance appraisals, meet with their executives, and communicate the initial summary rating level.

Recommendations for pay changes, bonuses, and awards will be made by the Bureau Director/Equivalent Office head (in consultation with the appropriate Assistant Secretary) and submitted with all completed appraisals to the Executive Resources Division by November 3, 2010. These recommendations could change and therefore are not to be communicated to the executive.

November 5, 2010

Training for Performance Review Board members will be held. Completed appraisals will be distributed to PRB members.

November 8–November 19, 2010

PRB panels review performance appraisal documents.

November 19 – November 26, 2010

PRB recommendations for summary ratings, pay adjustments, bonuses, and awards will be recorded and forwarded to the appropriate Assistant Secretary. If the PRB recommendation for a summary rating differs from that of the Rating Officer, the PRB will provide a written explanation for their recommendation.

November 26–December 3, 2010

Assistant Secretaries consult with Bureau Directors/Equivalent Office Heads regarding recommendations made by the PRB. All Special Act Awards and Time Off Awards must be fully documented on the attached awards form and signed by the Assistant Secretary/Equivalent Official as the nominating official. Completed forms must be submitted to the Executive Resources Division for ERB consideration no later than December 3.

December 3–December 15, 2010

The Executive Resources Division will review information for adherence to guidance and provide record of recommendations to the ERB for consideration. Any Assistant Secretary/Equivalent Official who wishes to discuss the PRB recommendations for their executives with the ERB may request the opportunity to do so. Following these meetings, the ERB will determine final summary ratings and recognition for all executives.

December 15–December 20, 2010

Final summary ratings and recognition for all executives will be communicated to each Assistant Secretary/Equivalent Official and Bureau Director/Equivalent Office Head. Final decisions are provided to Bureau Executive Resources staff for processing.

January 2, 2011

Effective date of pay adjustments.

If you or your staff have any questions or need assistance, please contact Jenny Mallios at <Jenny_H_Mallios@ios.doi.gov> (telephone 202-513-0874); Jonathan Mack at <Jonathan_Mack@ios.doi.gov> (telephone 202-208-5590); or Grace Barnes-Hendricks at <Grace_Barnes-Hendricks@ios.doi.gov> (telephone 202-208-6943).

Attachments:

1. FY-2010 SES Recognition Guidance
2. FY-2010 SL/ST Recognition Guidance
3. Special Act Award Form

cc: Bureau/Equivalent Office Associate Directors for Human Capital
Bureau/Equivalent Human Resources Officers and Executive Resources Managers

FY 2010 SES Performance Recognition Guidance

The pay range for SES is \$119,554 to EX-II (currently \$179,700, subject to change by the President in January 2011). The following table describes the possible recognition associated with each performance rating level:

Summary Performance Rating	Possible Pay Increase	Possible Awards
Exceptional	<ul style="list-style-type: none"> • 0% to 5% • Maximum pay level (EX-II) 	<ul style="list-style-type: none"> • Performance Award: 8% of pay based on performance accomplishments OR • Special Act Cash Award based on an ERB-approved nomination for a special act* OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Superior	<ul style="list-style-type: none"> • 0% to 3.5% • Maximum pay level (EX-II) 	<ul style="list-style-type: none"> • Performance Award: 5% of pay based on performance accomplishments OR • Special Act Cash Award based on an ERB-approved nomination for a special act* OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Fully Successful	<ul style="list-style-type: none"> • 0% to 2% • Maximum pay level (EX-II) 	<ul style="list-style-type: none"> • Special Act Cash Award based on an ERB-approved nomination for a special act OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*

*Special Act Cash and Time Off awards require the attached Special Act Incentive Award form be completed.

Pay Increases: Career, Noncareer, and Limited Term/Emergency SES employees who receive summary ratings of fully successful or higher are eligible for pay increases.

SES Performance Awards: Career SES appointees who receive a summary rating of Superior or Exceptional are eligible to receive an SES performance award. The ERB makes the final determinations as to whether an executive will receive a performance award and the amount of that award, based upon the final summary rating, the executive's degree of accomplishment of the performance elements, the organizational assessment results, and other related factors. Minimum and maximum performance award amounts are shown in the chart above.

Incentive Time Off or Special Act Awards: Incentive awards—either cash or time off—may be used to recognize special acts that occurred during the 2009 appraisal period. Time off awards may not exceed 80 hours. The maximum cash award is \$10,000. The special act being recognized must be justified using the attached form. In all cases, the amount of the award must be commensurate with the special act or achievement being recognized.

NonCareer SES Employees: On August 3, 2010 President Obama froze discretionary awards for all political employees, including NonCareer SES, through September 30, 2011. Guidance issued by OPM permits only non-monetary awards, time-off awards and basic pay increases for NonCareer SES employees.

FY 2010 SL/ST Performance Recognition Guidance

The pay range for SL/ST is \$119,554 to EX-III (currently \$165,300, subject to change by the President in January 2011). The following table describes the possible recognition associated with each performance rating level:

Summary Performance Rating	Possible Pay Increase	Possible Other Recognition
Exceptional	<ul style="list-style-type: none"> 0% to 5% Maximum pay level (EX-III) 	<ul style="list-style-type: none"> Sustained Superior Performance Award (\$1,000 - \$10,000) OR Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum* OR Special Act Cash Award based on an ERB-approved nomination for a special act*
Superior	<ul style="list-style-type: none"> 0% to 3.5% Maximum pay level (EX-III) 	<ul style="list-style-type: none"> Sustained Superior Performance Award (\$1,000 - \$7,500) OR Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum* OR Special Act Cash Award based on an ERB-approved nomination for a special act*
Fully Successful	<ul style="list-style-type: none"> 0% to 2% Maximum pay level (EX-III) 	<ul style="list-style-type: none"> Special Act Cash Award based on ERB-approved nomination for a special act* OR Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*

The Sustained Superior Performance Award is based on the annual performance appraisal and no nomination form is required.

*Special Act Cash awards (maximum \$10,000) and Time Off awards (maximum 80 hours) require completion of the attached Special Act Incentive Award form.

SES/SL/ST SPECIAL ACT AWARD FORM

Name (print or type)	Position Title	Agency/ Bureau
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Special Act Cash Award: Enter the amount of recommended award in the appropriate space below.

\$ _____ Cash award for a special act. Recommended amount must be commensurate with the achievement being recognized. Regulatory maximum award is \$10,000. A rating of "fully successful" or higher is required.

_____ Hours time off (80 hours maximum); A rating of "fully successful" or higher is required.

Describe the specific special act, with a justification, to show that amount recommended is commensurate with executive's achievement:

Recommending Official, Print Name and Title	Signature	Date
Approving Official Signature		Date
For the Executive Resources Board		



United States Department of the Interior

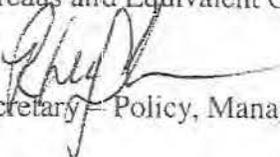
OFFICE OF THE SECRETARY

Washington, DC 20240

Memorandum:

SEP 29 2011

To: Solicitor
Assistant Secretaries
Heads of Bureaus and Equivalent Offices

From: Rhea S. Suh 
Assistant Secretary - Policy, Management and Budget

Subject: FY 2011 Performance Appraisal and Performance Recognition Recommendations for Senior Executive Service (SES), Senior Level (SL) and Scientific and Professional (ST) Employees

This memorandum provides guidance on completing FY 2011 performance appraisals and recommending performance-based pay increases and awards for SES, SL and ST employees. Performance appraisals are due to the Executive Resources Division, Office of Human Resources no later than **November 1, 2011**. It is critical that this deadline be met, since Performance Review Boards will convene in early November in Washington, D.C. and the Executive Resources Board must complete all rating and recognition decisions promptly so that they may be effected early in 2012. The following timeline will ensure that the ERB is able to meet that schedule.

TIMELINE

September 30 – October 31, 2011

Appraisal period ends on September 30. Executives complete performance accomplishments and submit to their Rating Officer. The Departmental Organizational Assessments will be distributed to Bureau Directors/Equivalent Office Heads.

Rating officials finalize performance appraisals, meet with their executives, and communicate the initial summary rating level.

Recommendations for performance awards will be made by the Bureau Director/Equivalent Office head (in consultation with the appropriate Assistant Secretary) and submitted with all completed appraisals to the Executive Resources Division by November 1, 2011. These recommendations could change and therefore *are not to be communicated to the executive*.

November 4, 2011

Training for Performance Review Board members will be held. Completed appraisals will be distributed to PRB members.

November 4–November 18, 2011

PRB panels review performance appraisal documents.

November 18 – November 24, 2011

PRB recommendations for summary ratings and awards will be recorded and forwarded to the appropriate Assistant Secretary. If the PRB recommendation for a summary rating differs from that of the Rating Officer, the PRB will provide a written explanation for their recommendation.

November 24–December 2, 2011

Assistant Secretaries consult with Bureau Directors/Equivalent Office Heads regarding recommendations made by the PRB. All Time Off Awards must be fully justified and documented on the attached awards form and signed by the Assistant Secretary/Equivalent Official as the nominating official. Completed forms must be submitted to the Executive Resources Division for ERB consideration no later than December 2.

December 2–December 15, 2011

The Executive Resources Division will review information for adherence to guidance and provide record of recommendations to the ERB for consideration. Any Assistant Secretary/Equivalent Official who wishes to discuss the PRB recommendations for their executives with the ERB may request the opportunity to do so. Following these meetings, the ERB will determine final summary ratings and recognition for all executives.

December 15–December 20, 2011

Final summary ratings and recognition for all executives will be communicated to each Assistant Secretary/Equivalent Official and Bureau Director/Equivalent Office Head. Final decisions are provided to Bureau Executive Resources staff for immediate processing.

If you or your staff have any questions or need assistance, please contact Jenny Mallios at <Jenny_H_Mallios@ios.doi.gov> (telephone 202-513-0874); Jonathan Mack at <Jonathan_Mack@ios.doi.gov> (telephone 202-208-5590); or Grace Barnes-Hendricks at <Grace_Barnes-Hendricks@ios.doi.gov> (telephone 202-208-6943).

Attachments:

1. FY-2011 SES Recognition Guidance
2. FY-2011 SL/ST Recognition Guidance
3. Special Act Award Form

cc: Bureau/Equivalent Office Associate Directors for Human Capital
Bureau/Equivalent Human Resources Officers and Executive Resources Managers

FY 2011 SES Performance Recognition Guidance

Summary Performance Rating	Possible Pay Increase	Possible Awards
Exceptional	Salary Increase Freeze in Effect for 1/1/11-12/31/12	<ul style="list-style-type: none"> • Performance Award: 5% up to 8% of pay based on performance accomplishments OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Superior	Salary Increase Freeze in Effect for 1/1/11 – 12/31/12	<ul style="list-style-type: none"> • Performance Award: 5% of pay based on performance accomplishments OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Fully Successful	Salary Increase Freeze in Effect for 1/1/11 – 12/31/12	<ul style="list-style-type: none"> • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*

*Time Off awards require the attached Special Act Incentive Award form be completed.

SES Performance Awards: Career SES appointees who receive a summary rating of Superior or Exceptional are eligible to receive an SES performance award. The ERB makes the final determination as to whether an executive will receive a performance award and the amount of that award, based on: the final summary rating, the executive's degree of accomplishment of the performance elements, the organizational assessment results, and other related factors. Performance award limitations are shown in the chart above.

Incentive Time Off Awards: Time off awards may be used to recognize special acts that occurred during the 2011 appraisal period. Time off awards may not exceed 80 hours. The special act being recognized must be justified using the attached form. In all cases, the number of hours suggested must be commensurate with the special act or achievement being recognized.

NonCareer SES Employees: On August 3, 2010, President Obama froze discretionary awards for all political employees, including NonCareer SES, through September 30, 2011. OPM guidance instructs agencies to continue that freeze through the end of FY 2012. OPM guidance permits only non-monetary awards or time-off awards for NonCareer SES and Limited Term SES employees.

FY 2011 SL-ST Performance Recognition Guidance

Summary Performance Rating	Possible Pay Increase	Possible Awards
Exceptional	Salary Increase Freeze in Effect for 1/1/11 – 12/31/12	<ul style="list-style-type: none"> • Sustained Superior Performance Award (\$1,000 - \$10,000) OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Superior	Salary Increase Freeze in Effect for 1/1/11 – 12/31/12	<ul style="list-style-type: none"> • Sustained Superior Performance Award (\$1,000 - \$7,500) OR • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*
Fully Successful	Salary Increase Freeze in Effect for 1/1/11 – 12/31/12	<ul style="list-style-type: none"> • Time Off Award based on an ERB-approved nomination for a special act, 80 hours maximum*

*Time Off awards require the attached Award form be completed.

The Sustained Superior Performance Award is based on the annual performance appraisal, therefore, no nomination form is required.

SES/SL/ST SPECIAL ACT AWARD FORM

Name (print or type)	Position Title	Agency/ Bureau
----------------------	----------------	----------------

Special Act Cash Award: Enter the amount of recommended award in the appropriate space below.

\$ _____ Cash award for a special act. Recommended amount must be commensurate with the achievement being recognized. Regulatory maximum award is \$10,000. A rating of "fully successful" or higher is required.

_____ Hours time off (80 hours maximum); A rating of "fully successful" or higher is required.

Describe the specific special act, with a justification, to show that amount recommended is commensurate with executive's achievement:

Recommending Official, Print Name and Title	Signature	Date
Approving Official Signature		Date
For the Executive Resources Board		



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 30 2011

Memorandum

To: Bureau and Office Heads

From: Pamela R. Malam *Pamela R. Malam*
Deputy Assistant Secretary – Human Capital and Diversity

Subject: Aggregate Salaries/Basic Pay and Award Amounts by Bureau and Office

In Assistant Secretary Suh's memorandum of July 29, 2011, Subject: Office of Personnel Management (OPM) and Office of Management and Budget (OMB) Imposed Performance Award Limits, you were advised of the 1% cap on performance awards and individual contribution awards for managers, management officials, supervisors and non-bargaining unit employees effective October 1, 2011.

There have been several questions concerning how Bureaus/Offices can calculate the aggregate salaries used as the base for limits. Guidance issued by OPM and OMB on June 10, 2011 indicates you should use the aggregate salaries at the end of the previous fiscal year as the basis for calculating the limits. Additionally, instructions are provided in regulations at 5 CFR 534.405(b)(2) for identifying which salaries are used. Based on questions received, a reporting methodology has been developed providing guidance on your 2010 expenditure limitation requirements which identifies aggregate salaries, award amounts and award percentages for FY 2010. All Bureaus/Offices will utilize this formula for consistency to determine your aggregate salaries that will be used to establish the overall award amount that can be used for all awards issued in the coming fiscal year. The formula is attached and reflects information specific to each Bureau/Office.

As we move forward into FY 2012, I would like to reiterate that starting October 1, 2011, performance awards and individual contribution awards will be capped at 1% of the aggregate salary based on each individual Bureau/Office; and your responsibility to ensure you meet this guideline. As you review your statistics for FY 2010, you will note that in many Bureaus/Offices significant reductions will be necessary to reach the 1% cap. Because of the overall spending reduction imposed by this cap, awards such as quality step increases and other group and individual awards will need to be monitored to achieve spending reductions necessary to meet specific targets.

OPM uses data from agencies' usual reporting procedures to confirm agency awards spending (Central Personnel Data Files/Enterprise Human Resources Initiative using specific nature of action codes). We will utilize this same data to monitor adherence to budget limits. We realize that budget constraints make it difficult to manage our programs cost-effectively and successfully motivate strong employee performance. However, your continued effort to

successfully accomplish responsibilities during these times of budgetary constraint is commendable.

Attachment

Non-SES Aggregate Salary and Award Amounts Reporting Methodology

DOI Aggregate Non-SES Salaries Computation:

- Query using FPPS/Datamart Combined History File (standard joined Data Model)
 - Employee History Non EEO View table
 - Pay and Leave History Facts table
 - Pay Period table
 - Duty Station History table
 - Organization History table

- Run query with following limits
 - Pay Period = 201021 (spans October 1, 2010)
 - Dept = IN
 - Bureau = ignore (for all)
 - Sub Bureau = ignore (for all)
 - Org = ignore (for all)
 - Employee Status History Type = ignore (returns all employees regardless of status who were paid a salary in the previous 26 pay periods)
 - Pay Plan <> ES,SL,ST,EX
 - Date Separation >= 10/01/09

- Use the following fields/columns from the results section to build pivot report with totals for export to Excel
 - Bureau Description
 - Salary or Pay Rate

Bureau Description	Aggregate Salary FY 10	
BUREAU OF INDIAN AFFAIRS	\$583,164,164.00	
BUREAU OF LAND MANAGEMENT	\$823,569,984.00	
BUREAU OF OCEAN ENERGY MANAGEMENT, REGUL	\$112,907,338.00	
BUREAU OF RECLAMATION	\$433,552,874.28	
FISH AND WILDLIFE SERVICE	\$736,724,588.00	
GEOLOGICAL SURVEY	\$759,912,241.00	
NATIONAL PARK SERVICE	\$1,669,843,362.00	(NPS plus YCC- NPS) \$1,669,999,680.00
OFC OF SURFACE MINING, RECLAMATION & ENF	\$48,348,456.00	
OFFICE OF THE INSPECTOR GENERAL	\$32,044,080.00	
OFFICE OF THE SECRETARY	\$330,950,235.00	
OFFICE OF THE SOLICITOR	\$47,117,166.00	
YCC - NATIONAL PARK SERVICE	\$156,318.00	
Total	\$5,578,290,806.28	

- Use the aggregate salaries from the report above to compute award percentages for non-SES employees per bureau/office using the query/report below

DOI Non-SES Award Amounts Computation (this will NOT include NOAC 879 - SES Performance Awards):

- Query using FPPS/Datamart Transaction File (standard Data Model)
 - Transaction Non EEO View table

- Run query with following limits
 - Dept = IN
 - Bureau = ignore (for all)
 - Sub Bureau = ignore (for all)
 - Org = ignore (for all)
 - Date Effective = between 10/01/09 and 09/30/10
 - Personnel Transaction Status = A,C,F
 - NOA 1 = 002
 - NOA Table ID = 32-0
 - NOA Rule Nbr 1 = 4,5
 - NOA 2 = 840, 841, 842, 843, 844, 845, 846, 847, 849, 872, 873, 874, 875, 876, 877, 878, 885, 886, 887, 889, 892
 - NOA 12 = 840, 841, 842, 843, 844, 845, 846, 847, 849, 872, 873, 874, 875, 876, 877, 878, 885, 886, 887, 889, 892

- Use the following fields/columns from the results section to build pivot report with totals for export to Excel file
 - Bureau (code)
 - Bureau Description
 - NOA (code)
 - NOA Description
 - Amount Award

Non-SES	FY 10 Award Amounts	FY 10 Award Pct
OFC OF THE SECRETARY	\$6,018,556	1.82%
BUREAU OF LAND MGMT	\$12,943,065	1.57%
INDIAN AFFAIRS	\$8,138,238	1.40%
BUREAU OF RECLAMATION	\$9,863,009	2.27%
US GEOLOGICAL SURVEY	\$13,472,681	1.77%
NATIONAL PARK SERVICE	\$17,801,162	1.07%
FISH & WILDLIFE SERVICE	\$15,515,174	2.11%
OFFICE OF THE SOLICITOR	\$956,191	2.03%
OFC OF SURFACE MINING	\$747,199	1.55%
BUR OF OCEAN ENERGY MGT	\$2,000	
MINERALS MANAGEMENT SVC	\$2,484,335	
MMS/BOEMRE Sub-total	\$2,486,335	2.20%
OFC OF INSPECTOR GENERL	\$627,441	1.96%



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

JUL 29 2011

To: Bureau Heads

From: Rhea Suh 
Assistant Secretary – Policy, Management and Budget

Subject: Office of Personnel Management (OPM) and Office of Management and Budget (OMB) Imposed Performance Award Limits

As you are all aware, the fiscal environment is very challenging for many Americans. We, as employees of the Department of the Interior, (DOI) provide critical services to the American taxpayer and we should all be very proud of our work and roles to meet this important mission. However, with the uncertainty of the upcoming budget/s, all federal government agencies have been asked to do their part to reduce spending. To accomplish this tasking the Office of Personnel Management (OPM) and the Office of Management and Budget (OMB) have released “guidance for federal agencies” that reduces the spending for awards funded after Oct. 1, 2011.

Starting October 1, 2011, performance awards and individual contribution awards (such as special act awards, STAR awards etc.) for managers, management officials, supervisors and non-bargaining unit employees will be capped at 1% of the aggregate salary base of each individual Bureau/Office. Each Bureau or Office will be responsible to ensure that they meet this guideline. There will be no deviation based on other factors, which may include non-appropriated funds, alternative payment sources etc. There will be a reduction in the cost of recruitment, retention and relocation incentives awarded to employees. We are also evaluating the number of quality step increases and employee suggestion program awards and determining if we will be issuing limitations.

With that being said, we want all bureaus and offices to be mindful that expenditure limits for all other awards are capped at the 2010 spending level. Individual bureaus or offices Human Resource Officer will be notified of their 2010 expenditure limitation requirement. In addition, we are monitoring FY 2011 Quarter 4 awards actions and ask that you ensure that increases in STAR, time-off, and other monetary awards not increase in anticipation of the FY2012 constraints.

Guidance concerning the Senior Executive, Senior Level, or Senior Technician cap will be issued at the end of the performance year along with other performance close-out guidance.

Any changes made to DOI policies that affect bargaining unit employees may require negotiations with each individual bargaining unit that has collective bargaining rights over the subject. Bureaus and offices are urged to review each collective bargaining agreement on a case by case basis.

We know this is not pleasant news to hear, but it is the reality that we and other federal agencies are facing in the current economic times. It's more important now than ever that we remain focused on meeting the important mission of the DOI and accomplishing our budgetary obligations. We all play a role in the success of the DOI and we are all proud of your loyalty and commitment to meet this responsibility.

Congress of the United States
Washington, DC 20510

April 4, 2011

The Honorable Ken Salazar, Secretary
U.S. Department of Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary Salazar:

On January 31, 2011, we wrote jointly to urge you to work with the Office of Management and Budget to ensure that final regulations governing Off-Road Vehicle (ORV) use on Cape Hatteras National Seashore will maximize public access to the extent permissible under the law. The impacts of these regulations will be felt throughout the local economy, and we remain concerned that the ongoing rulemaking process does not reflect the input of local residents and businesses.

With this in mind, we write to share with you the attached correspondence, and to urge you to meet with representatives of the local community to discuss these potential impacts.

Should you or your staff need any further information, please contact Margaret Brooks in Senator Burr's office, Joshua Bowlen in Congressman Jones's office, and Perrin Cooke in Senator Hagan's office.

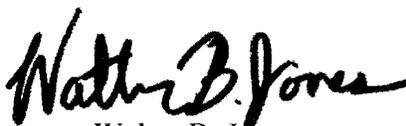
Thank you,



Richard Burr
U.S. Senator



Kay R. Hagan
U.S. Senator



Walter B. Jones
Member of Congress

1107
2011 APR 07 1107
RECEIVED

**American Sportfishing Association
Cape Hatteras Anglers Club
Dare County Board of Commissioners
North Carolina Beach Buggy Association
Outer Banks Preservation Association
Red Drum Tackle Shop**

April 4, 2011

The Honorable Ken Salazar, Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Salazar,

As government and community leaders residing in and around Cape Hatteras National Seashore Recreational Area, we are requesting a meeting with you regarding our concerns with the process to develop an off-road vehicle (ORV) management plan for the seashore. While we strongly believe resource protection measures for the wildlife in the seashore are necessary, the ongoing process to develop the management plan has resulted in a proposal that unduly burdens visitors, local residents and economy, with potential precedent setting implications for public access to public lands. An opportunity to discuss our concerns would be greatly appreciated.

Cape Hatteras National Seashore Recreation Area is a premier location along the east coast for many recreational activities, including surf fishing, kite boarding, kayaking, and bird watching, attracting visitors from across the country and supporting much of the local economy. Many of these activities require use of off-road vehicles to access areas of the seashore.

Visitors, residents and businesses in and around Cape Hatteras, North Carolina have been working with the National Park Service on an off-road vehicle management plan since the 1970s, with the most activity occurring over the past five years, including a Negotiated Rulemaking Committee process to assist in development of a fair and reasonable management plan. Unfortunately, the communities now understand that the process was used as a means in which to draft overly-restrictive management measures that will severely impair the visitor experience and cripple a local economy that depends on tourism and reasonable access. This outcome is reflected in the December 20, 2010 Final Environmental Impact Statement issued by the National Park Service, which includes a preferred alternative that is the most restrictive management option to date.

Mr. Secretary, please be assured that the communities understand and fully support the importance of healthy natural resources within in the seashore. It is not our intent to skirt those legal and moral responsibilities. Our desire is for the Department of the Interior to fully

The Honorable Ken Salazar
4/4/11
Page 2

understand the contribution local communities make to neighboring national parks and in the case of Cape Hatteras National Seashore Recreational Area the importance of striking a better balance between resource protection and reasonable public access to public lands and resources.

Thank you for your consideration of this request. We appreciate the full suite of challenges you currently face and we do not make this request lightly but the Hatteras community is facing economic challenges, and the visiting public is facing recreational access challenges that need the immediate attention of your office.

Sincerely,

John Couch, President
Outer Banks Preservation Association

Bob Eakes, Owner
Red Drum Tackle Shop

Larry Hardham, President
Cape Hatteras Anglers Club

David Joyner, President
North Carolina Beach Buggy Association

Warren Judge, Chairman
Dare County Board of Commissioners

Gordon Robertson, Vice President
American Sportfishing Association

United States Senate

WASHINGTON, DC 20510

February 2, 2011

The Honorable Steven Chu
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

The Honorable Ken Salazar
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Chu and Secretary Salazar,

I am concerned by the recent announcement that the Department of Energy's Solar Decathlon will not be held on the National Mall in 2011 or any future year. This sudden change in location may have a negative impact on the event.

Students from around the country, including Appalachian State University in my state, have worked tirelessly to prepare their projects for this particular venue. With only eight months left in this eighteen month competition, this sudden decision will cost these teams time, effort and money.

The National Mall is the only sensible venue to host the Solar Decathlon. The first four successful events were held on the Mall from 2002-2009 and the event grew in popularity each year. As a tourist attraction, it has provided the perfect venue for thousands to learn about solar energy and energy efficiency.

I respectfully request that you reconsider this sudden change and allow the Solar Decathlon to remain on the National Mall.

Thank you for your consideration.

Sincerely,



Richard Burr
United States Senator

RECEIVED
U.S. SENATE
FEB 2 2011

FEB 2 2011 12:22 PM

508864



THE SECRETARY OF THE INTERIOR
WASHINGTON

MAR 03 2011

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your letter regarding the location of the Department of Energy's Solar Decathlon.

On February 23, 2011, Secretary Steven Chu and I announced that this year's Decathlon will be held at the National Mall's West Potomac Park. This location is in close proximity to a number of popular attractions and will provide an excellent stage to highlight clean energy solutions. It will also allow the National Park Service to do what is best for the long term health of the National Mall, America's "Front Yard," as it strives to make it one of the best parks in the Nation.

Solar energy is a key component of President Obama's vision for a new energy future and the Solar Decathlon is important to realizing that future. I am pleased that we have been able to find a strong alternate location for the Solar Decathlon and I am looking forward to a successful event.

I hope you will enjoy visiting the solar homes on display during the event and support your local university students in their quest to develop homes that are attractive, easy to live in, affordable, and highly energy-efficient.

Thank you for interest in this important event.

Sincerely,

Ken Salazar

Enclosure



UNITED STATES SENATOR ★ NORTH CAROLINA

RICHARD BURR

201 North Front Street ♦ Suite 809 ♦ Wilmington, NC 28401 ♦ Telephone (910) 251-1058 ♦ Fax (910) 251-7975

FASCIMILE TRANSMISSION

TO: Christopher Mansour (202) 208-5533

ORGANIZATION/AGENCY: Congressional Liaison, Dept. of Interior

DATE/TIME: 2/16/11

SUBJECT: (b)(6)

NUMBER OF PAGES (including cover): 4

498264

2011 FEB 17 PM 3:05

RECEIVED

SENT BY:

- Eric Wilson
- Rebecca Heppel
- Judy Shaffner
- Jason Soper

Comments: Please advise the Wilmington Office. Thanks.

NOTE: Another member of our staff originally contacted USDA, but was told that DOI was the appropriate agency to address this issue. I do not have many details on this case yet, but will forward them as soon as I receive them.

PLEASE NOTE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient or if you have received this facsimile message in error, please notify us immediately by telephone and return the original facsimile to us by U.S. Mail. Any dissemination, distribution or copy of this facsimile is strictly prohibited.

RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510-3308
(202) 224-3154 FAX (202) 228-2981

February 16, 2011

Mr. Christopher Mansour
Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, District of Columbia 20240-0002

Dear Mr. Mansour:

Enclosed is a copy of correspondence I have received from my constituent, (b)(6) (b)(6) concerning the status of his request for the release of a mineral rights claim on his land. I believe that you will find this letter to be self-explanatory.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:ew

Enclosure

Winston-Salem Office
2000 West First Street
Suite 508
Winston-Salem, NC 27104
Phone (336) 671-5125
Fax (336) 725-4493
Toll Free (800) 685-5916

Wilmington Office
201 N. Front Street
Suite 809
Wilmington, NC 28401
Phone (910) 751-1088
Fax (910) 251-7975
Toll Free (888) 848-1833

Rocky Mount Office
100 Coast Line Street
Suite 210
Rocky Mount, NC 27804
Phone (252) 977-9522
Fax (252) 977-7902
Toll Free (877) 703-2057

Asheville Office
151 Patton Avenue
Suite 204
Asheville, NC 28801
Phone (828) 350-2427
Fax (828) 350-2139

Gastonia Office
181 South Street
Suite 222
Gastonia, NC 28052
Phone (704) 833-0854
Fax (704) 833-1467

RSP: Yes.

Date received: 9/21/2009 2:00:28 PM

Topic/Subject

Desc: Casework

Hello, have a long thread of emails detailing my request for the Federal Government to release a 3/4 mineral rights claim to land I and my family own in a deed dated 1945. The state FSA officials have determined that they do not have the authority to release these claims even though they have inherited the programs of the agency who drafted the 1945 quit-claim. If you will provide an email address I will be glad to forward the thread to you for review to see if you can assist me in obtaining a release from the Federal Government. I will be glad to sign whatever paperwork you need to be able to assist in this.

Regards,

(b)(6)

(b)(6)

RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510-3308
(202) 224-3154 FAX: (202) 228-2981

~~REDACTED~~

2-08-10

Mr. Randall Gore
State Director
USDA Rural Development
4405 Bland Road, Suite 260
Raleigh, North Carolina 27609

Dear Mr. Gore:

Enclosed is a copy of correspondence I have received from my constituent, (b)(6) (b)(6) concerning a quit-claim deed on his family farm. I believe that you will find this letter to be self-explanatory.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:ec

Enclosure

Winston-Salem Office
2000 West First Street
Suite 508
Winston-Salem, NC 27105
Phone (336) 631-5125
Fax (336) 725-1495
Toll Free (800) 385-8916

Wilmington Office
201 N. Front Street
Suite 809
Wilmington, NC 28401
Phone (910) 251-1058
Fax (910) 251-7975
Toll Free (888) 848-1833

Rocky Mount Office
100 Coast Line Street
Suite 210
Rocky Mount, NC 27804
Phone (252) 977-2522
Fax (252) 977-7902
Toll Free (877) 703-2087

Asheville Office
151 Patton Avenue
Suite 204
Asheville, NC 28801
Phone (828) 350-2437
Fax (828) 350-2439

Gastonia Office
181 South Street
Suite 222
Gastonia, NC 28052
Phone (704) 833-0854
Fax (704) 833-1467



UNITED STATES SENATOR ★ NORTH CAROLINA

ESO

RICHARD BURR

25885

201 North Front Street ♦ Suite 809 ♦ Wilmington, NC 28401 ♦ Telephone (910) 251-1058 ♦ Fax (910) 251-7975

FASCIMILE TRANSMISSION

TO: Christopher Mansour (202) 208-5533

ORGANIZATION/AGENCY: Dept. of Interior, Congressional Liaison

DATE/TIME: 2/17/11

SUBJECT: (b)(6)

NUMBER OF PAGES (including cover): 11

SENT BY:

- Eric Wilson
- Rebecca Heppel
- Judy Shaffner
- Jason Soper

Comments: Attached is the additional information that I mentioned in the faxed inquiry to your office on 2-16-11. Please attach the following to the original inquiry. Thanks.

PLEASE NOTE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient or if you have received this facsimile message in error, please notify us immediately by telephone and return the original facsimile to us by **68585** Mail. Any dissemination, distribution or copy of this facsimile is strictly prohibited.

RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510-3308
(202) 224-3154 FAX: (202) 228-2981

February 16, 2011

Mr. Christopher Mansour
Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, District of Columbia 20240-0002

Dear Mr. Mansour:

Enclosed is a copy of correspondence I have received from my constituent, (b)(6) (b)(6) concerning the status of his request for the release of a mineral rights claim on his land. I believe that you will find this letter to be self-explanatory.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:ew

Enclosure

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Fax (252) 977-7907
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Asheville, NC 28801
Phone (828) 350-2457
Fax (828) 350-2459

Gastonia Office
181 South Street
Suite 222
Gastonia, NC 28052
Phone (704) 833-0854
Fax (704) 833-1467



UNITED STATES SENATOR ★ NORTH CAROLINA

RICHARD BURR

201 North Front Street ♦ Suite 809 ♦ Wilmington, NC 28401 ♦ Telephone (910) 251-1058
♦ Fax (910) 251-7975

PRIVACY ACT RELEASE FORM

The provisions of Public Law 93-579 (Privacy Act of 1974) prohibit the disclosure of information of a personal nature from the files of an individual without their expressed consent. Accordingly, I authorize Senator Richard Burr or any authorized member of his staff to access any and all of my records that relate to the problem stated below.

FEDERAL AGENCY OR DEPARTMENT: Please specify the name of the Federal Agency or Department involved in the space provided below:

USDA, others DOI

PLEASE PRINT ALL INFORMATION CLEARLY:

Circle Preferred Title: Mr. Ms. Mrs.

Dr. Other:

Name: (b)(6) Date of Birth: (b)(6)

Address: (b)(6) County:

City: Dunn State: Nc. Zip: 28334

Home Phone: (b)(6) Work Phone: (b)(6)

Mobile Phone: (b)(6) Fax: N/A

Email Address: (b)(6)

Social Security Number: N/A Claim Number: N/A

SIGNATURE: (b)(6) DATE:

Please list other individuals with whom you authorize the release of information on your case:

Name: (b)(6)	Relationship: (b)(6)
Name: (b)(6)	Relationship: (b)(6)

NATURE OF PROBLEM: Please provide a complete statement on the reverse side of this form regarding the nature of the problem and the assistance needed from the office of Senator Richard Burr. Please attach copies of any additional pertinent documents.

Please return form to:

Please see emails, etc.

Wilson, Eric (Burr)

From: (b)(6)
Sent: Wednesday, February 16, 2011 3:49 PM
To: Wilson, Eric (Burr)
Subject: Fwd: FW: Federal Government Quit-Claim Request
Attachments: 1945-02-16 Deed conveying land from USA to (b)(6).pdf, 1937-07-29 Deed conveying land from NC Joint Stock Land Bank of Durham to USA.pdf

Mr. Wilson,

In response to your request for further information, please reference the chain of emails below. These emails provide the details of my correspondence with a variety of individuals in the USDA and other related agencies.

I have attached two pdf's to this email. One contains the federal government's quit-claim deed conveying the land to the (b)(6) but retaining a portion of the mineral rights. The second contains an earlier deed which appears to be conveying the same land from the Durham Land Bank to the federal government. My title search attempts beyond the 1937 deed have not met with further success at this point. But that probably has little bearing upon the present consideration.

Please do not hesitate to contact me if you require further information. I have previously submitted a signed release form to Sen. Burr's office.

Regards,

(b)(6)

NOTICE: The information contained in this electronic mail message is intended only for the use of the intended recipient, and may also be protected by the Electronic Communications Privacy Act, 18 USC Sections 2510-2521. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please reply to the sender, and delete the original message. Thank you.

----- Forwarded message -----

From: (b)(6)
Date: Mon, Sep 21, 2009 at 5:18 PM
Subject: Re: FW: Federal Government Quit-Claim Request
To: "Brown, Michael - Clinton, NC" <Michael.S.Brown@nc.usda.gov>
Cc: "Burnette, Garland - Smithfield, NC" <Garland.Burnette@nc.usda.gov>

Mr. Brown,

Thank-you for your and Mr. Burnette's assistance with this. Per your suggestion, I've taken the matter up with Senator Richard Burr. We

will see how things proceed there.

Kind Regards,

(b)(6)

On Mon, Sep 21, 2009 at 1:49 PM, Brown, Michael - Clinton, NC
<Michael.S.Brown@nc.usda.gov> wrote:

> (b)(6)

> The Office of General Counsel has advised us that we do not have the authority to release the 3/4's mineral rights that were reserved in the Quit Claim Deed dated (b)(6). In discussions with the attorney, it is not clear to our State Office that there is any other option available to you. Our only suggestions would be to contact the Department of the Interior or your Congressional representative.

> Michael Brown, FLM
> Sampson County FSA

> -----Original Message-----

> From: (b)(6)

> Sent: Saturday, September 05, 2009 7:54 PM
> To: Brown, Michael - Clinton, NC
> Cc: Burnette, Garland - Smithfield, NC
> Subject: Re: Federal Government Quit-Claim Request

> Hello Mr. Brown,

> I am wondering if you can update me on the status of my request.

> Thank-you
> (b)(6)

> On Tue, Jul 28, 2009 at 9:28 AM, Brown, Michael - Clinton,

> NC<Michael.S.Brown@nc.usda.gov> wrote:

>> Mr. (b)(6)

>> I have forwarded your request for release to our state office in Raleigh. We
>> are referring your request on to the regional attorney for guidance on how
>> to proceed with the release. As soon as I get a reply I will let you know.

>> Thanks

>> Michael Brown
>> Farm Loan Manager
>> Sampson County FSA Office

>> From: Burnette, Garland - Smithfield, NC

>> Sent: Thursday, July 23, 2009 8:05 AM
>> To: Brown, Michael - Clinton, NC
>> Subject: FW: FW: Federal Government Quit-Claim Request

>> Mike,

>> (b)(6) has forwarded additional information regarding the property
>> in Hamett County he was making inquiry, although I'm not sure it will be of
>> any real benefit to the request.

>> Thank you,

>> D. Garland Burnette
>> Area Director
>> USDA Rural Development
>> 2736 NC Hwy. 210
>> Smithfield, N.C.
>> (919) 934-7156
>> (919) 306-0524 (cell)
>> (919) 934-0378 (fax)

>> From: (b)(6)
>> Sent: Wednesday, July 22, 2009 9:32 PM
>> To: Burnette, Garland - Smithfield, NC
>> Subject: Re: FW: Federal Government Quit-Claim Request

>> As a point of interest, I have attached the deed prior to the previous one I
>> sent. It appears that this land was repossessed sometime before July 1937 by
>> the North Carolina Joint Stock Land Bank of Durham (created under the
>> Federal Farm Loan Act) and then sold to the federal government. I am still
>> searching for the owner(s) from whom it was seized.

>> Kind Regards,

> (b)(6)

>> On Wed, Jul 22, 2009 at 11:02 AM, Burnette, Garland - Smithfield, NC
>> <Garland.Burnette@nc.usda.gov> wrote:

>>> Mike,

>>> I received this e-mail from (b)(6) regarding an old Quitclaim
>>> Deed from the Farm Security Administration to (b)(6)
>>> (b)(6) Apparently the land described in the enclosed Quitclaim Deed,
>>> consisting of (b)(6) was deeded subject to 3/4 of all the oil, gas,
>>> coal, and mineral rights associated with the land. Even as old as I am, I
>>> was not working at the time of the Quitclaim Deed in 1945, but I assume this
>>> went back to an old Farm Loan.

>>> Would you be able to check into this matter and determine whether FSA

>>> might be in a position to execute a release associated with this property as requested by (b)(6) Feel free to give me a call if needed.

>>> Thank you,

>>> D. Garland Burnette
>>> Area Director
>>> USDA Rural Development
>>> 2736 NC Hwy. 210
>>> Smithfield, N.C.
>>> (919) 934-7156
>>> (919) 306-0524 (cell)
>>> (919) 934-0378 (fax)

>>> From: (b)(6)

>>> Sent: Sunday, July 19, 2009 4:22 PM
>>> To: Burnette, Garland - Smithfield, NC
>>> Subject: Federal Government Quit-Claim Request

>>> Hello,

>>> I am looking for the proper contact to secure a quit-claim from the federal government for mineral rights it reserved to itself in a quit-claim deed 16 February 1945 for land in Harnett County. A non-official copy of the deed is attached as extracted from the Harnett County Office of Deeds online public resources website. The entirety of this land was held by the Farm Security Administration which subsequently became the Farmers Home Administration and then, I believe, was passed off to the USDA Rural Development Program. The land as described in the attached deed changed hands once after this deed. (b)(6)

>>> (b)(6)

>>> (b)(6) All parties presently involved are interested in securing a quit-claim from the federal government quitting all claims and interestes the government has in this land. You can review these claims in the third full paragraph of the attached deed.

>>> Any assistance or information you could provide would be greatly appreciated.

>>> Regards,
>>> (b)(6)

>>> (b)(6)

>> (b)(6)

>>>-----

>>> NOTICE: The information contained in this electronic mail message is
>>> intended only for the use of the intended recipient, and may also be
>>> protected by the Electronic Communications Privacy Act, 18 USC Sections
>>> 2510-2521. If the reader of this message is not the intended recipient, you
>>> are hereby notified that any dissemination, distribution or copying of this
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>>> communication in error, please reply to the sender, and delete the original
>>> message. Thank you.

>>
>>
>

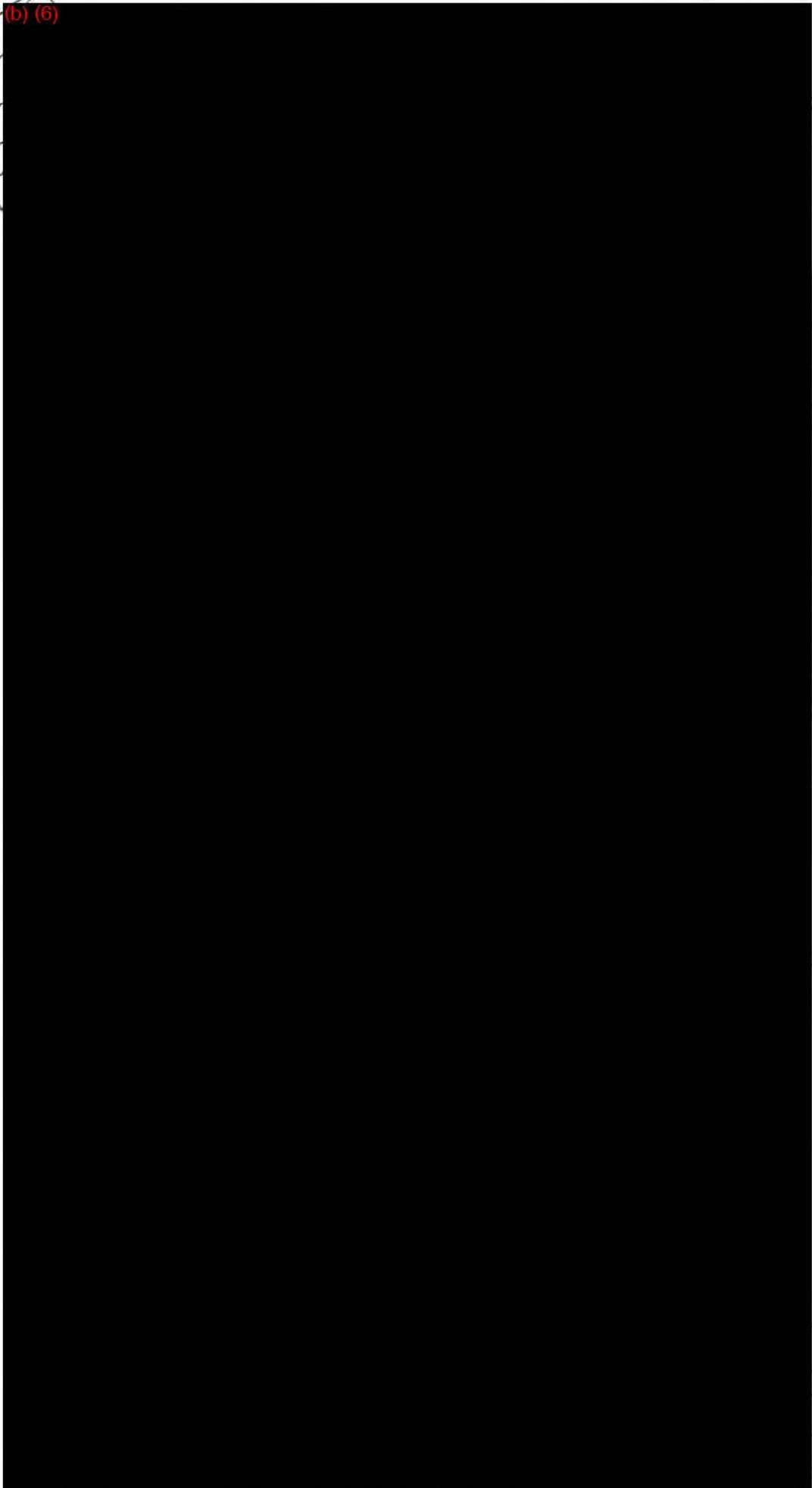
(b) (6)

CONFIDENTIAL

(b) (6)

Public Document

(b) (6)





United States Department of the Interior



Bureau of Land Management

Eastern States
7450 Boston Boulevard
Springfield, Virginia 22153
<http://www.es.blm.gov>

MAR 22 2011

IN REPLY REFER TO:
2000 (910) (912)

The Honorable Richard Burr
United States Senate
201 N. Front St. Suite 809
Wilmington, NC 28401

Dear Senator Burr:

This is in reply to your inquiry of February 16, 2011, addressed to Mr. Christopher Mansour, Department of Interior, who referred your correspondence to the Bureau of Land Management-Eastern States for reply. Your constituent, (b)(6) has requested your assistance in securing a quit-claim deed for mineral rights where the surface acres are in private ownership.

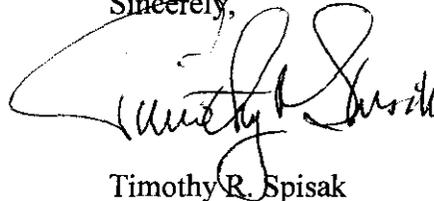
Under Section 209 of the Federal Land Policy and Management Act (FLPMA) of 1976, the Secretary of the Interior may convey mineral interests owned by the United States where the surface is or will be in non-Federal ownership, if one of the following conditions is met:

1. No mineral value is known to exist.
2. The mineral reservation interferes with non-mineral development which may be of more beneficial use than mineral development.

(b)(6) may file a Section 209 application, (see the Enclosure titled, "Lands and Realty – Mineral Conveyance to Private Owners.").

I hope this information is helpful. If you have additional questions regarding this matter, feel free to contact me at 703-440-1708, or your staff may contact Steven Wells, Deputy State Director for Natural Resources, at (703) 440-1535.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy R. Spisak". The signature is fluid and cursive, with a large initial "T" and "S".

Timothy R. Spisak
Acting State Director



Lands and Realty – Mineral Conveyance to Private Owners

Conveyance of Federally Owned Mineral Interest (209)

The following is general information on the Conveyance of Federally Owned Mineral Interest as covered by Section 209(b) of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1719(b).

Background:

Section 209(b) of FLPMA, authorizes the Secretary of the Interior to convey mineral interests owned by the United States where the surface is, or will be, in non-Federal ownership. The objective behind Section 209(b) is to allow the consolidation of surface and subsurface or mineral ownership where there are no known mineral value; or in those instances where the reservation interferes with or precludes appropriate non-mineral development and such development is a more beneficial use of the land than the mineral development.

How do I get the mineral rights to my property?

1. No specific application form is required.
2. A \$50 non-refundable filing fee must be paid at the time of filing.
3. Provide the name, address and telephone number of the applicant.
4. Show proof of ownership of the surface. A certified copy of any patent, deed, purchase contract or other document conveying land title to the applicant and a precise legal description of the property must also be provided;
5. Provide complete a statement as possible concerning:
 - a. *The nature of federally-reserved or owned mineral value in the land, if known;*
 - b. *The existing and proposed uses of the land;*
 - c. *Why the U.S. reservation of mineral interest is interfering with the proposed use of the land;*
 - d. *Why the present/proposed use of the land would be more beneficial than mineral development; and*
 - e. *A showing that the present or proposed use of the land complies with local zoning and planning requirements;*
6. A deposit of \$2,500.00 for administrative costs is required by Section 209(b) of FLPMA. The fees are used for the formal determination of the Fair Market Value of the Mineral Estate. If the costs are less than the deposit, a refund will be authorized. The processing costs may substantially exceed the amount of this initial deposit, particularly if it is determined that minerals are present which require further evaluation; and
7. When an exploratory program is found necessary, a second, much larger deposit will be required to cover the costs of conducting the program.
 - a. *The applicant would then have the option/alternative of requesting consent to conduct the exploratory program;*
 - b. *If this request is approved, the applicant would be required to submit a deposit to cover the estimated administrative costs associated with the Bureau of Land Management's evaluation of the data obtained from the exploratory program and other available data.*

Please note that fees in no way insure favorable action on an application. In addition, Section 209 of FLPMA requires the applicant to pay the fair market value (FMV) of the mineral estate prior to the conveyance of the mineral rights.

Processing Time:

The average length of time to process a Section 209 application is 6 months. This time includes the 60 days for the applicant to submit proof of surface ownership, processing costs and fair market value payment.



THE SECRETARY OF THE INTERIOR
WASHINGTON

MAR 24 2011

The Honorable Richard Burr
United States Senate
Washington, DC 20510

Dear Senator Burr:

Thank you for your letter of February 1, 2011, regarding the pending proposed rule for off-road vehicle (ORV) management at Cape Hatteras National Seashore. We are pleased to respond to your concerns.

As described in the December 20, 2010, Record of Decision (ROD), the National Park Service has chosen its Selected Action for managing ORV use at the Seashore. The NPS must now amend its special regulation for the Seashore in order to implement portions of the ROD, including the designation of routes where ORVs may be used. We believe that the Selected Action best meets the NPS's legal and regulatory requirements for managing park resources and ORVs as summarized in Chapter 1 of the Final Plan/EIS. The decision was informed and guided by the wide body of scientific knowledge regarding the effects of human disturbance, such as ORV use, on protected species, as well as by public and agency comments received during the planning process.

The NPS believes that the Final Plan/EIS reflects the input of local residents and businesses, as well as many other stakeholders. During the comment period for the Draft Plan/EIS, the NPS received more than 15,000 pieces of correspondence, including comments from local stakeholders. The NPS carefully considered all comments and made careful judgments as to how to address and incorporate those comments to create an effective overall ORV management strategy while still complying with all applicable legal authorities. Additional parking, additional pedestrian access, new ramps, and ORV routes between sand dunes were included in the Selected Action to improve access for Seashore users.

I share your concern for protecting the enormous recreational and economic value of the Seashore for the local communities and the public. I appreciate your support for the NPS's mission to conserve the Seashore's resources unimpaired for the enjoyment of future generations while providing for a diverse range of visitor experiences and opportunities. Development of the special regulation and implementation of the Final Plan/EIS are critical steps toward these ends.

Sincerely,

Ken Salazar

CR



UNITED STATES SENATOR ★ NORTH CAROLINA

ESD
23221

RICHARD BURR

201 North Front Street ♦ Suite 809 ♦ Wilmington, NC 28401 ♦ Telephone (910) 251-1058 ♦ Fax (910) 251-7975

FASCIMILE TRANSMISSION

TO: Christopher Mansour (202) 208-5533

ORGANIZATION/AGENCY: Department of the Interior, Legislative Affairs

DATE/TIME: 12/17/10

SUBJECT: (b)(6)

NUMBER OF PAGES (including cover): 6

SENT BY:

- Eric Wilson
- Rebecca Heppel
- Judy Shaffner
- Jason Soper

Comments: Please advise the Wilmington Office. Thanks.

498282

RECEIVED
2010 DEC 27 AM 11:38

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RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510-3308
(202) 224-3154 FAX: (202) 228-2981

December 17, 2010

Mr. Christopher Mansour
Director, Congressional & Legislative Affairs
U. S. Department of Interior
Mail Stop 6242
1849 C Street, NW
Washington, District of Columbia 20240-0001

Dear Mr. Mansour:

Enclosed is a copy of correspondence I have received from my constituent, (b)(6) (b)(6) concerning a complaint about an incident that occurred at Hoover Dam. I believe that you will find this letter to be self-explanatory.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:ew

Enclosure

Winston-Salem Office
2000 West First Street
Suite 508
Winston-Salem, NC 27104
Phone (336) 631-3125
Fax (336) 725-4993
Toll Free (800) 685-8916

Wilmington Office
201 N. Front Street
Suite 809
Wilmington, NC 28401
Phone (910) 251-1058
Fax (910) 251-7975
Toll Free (888) 848-1533

Rocky Mount Office
100 Coast Line Street
Suite 210
Rocky Mount, NC 27804
Phone (252) 977-9522
Fax (252) 977-7902
Toll Free (877) 703-2087

Asheville Office
151 Patton Avenue
Suite 204
Asheville, NC 28801
Phone (828) 250-2437
Fax (828) 750-2439

Gastonia Office
181 South Street
Suite 222
Gastonia, NC 28052
Phone (704) 833-0854
Fax (704) 833-1467



UNITED STATES SENATOR ★ NORTH CAROLINA

RICHARD BURR

201 North Front Street ♦ Suite 809 ♦ Wilmington, NC 28401 ♦ Telephone (910) 251-1058 ♦ Fax (910) 251-7975

PRIVACY ACT RELEASE FORM

The provisions of Public Law 93-579 (Privacy Act of 1974) prohibit the disclosure of information of a personal nature from the files of an individual without their expressed consent. Accordingly, I authorize Senator Richard Burr or any authorized member of his staff to access any and all of my records that relate to the problem stated below.

FEDERAL AGENCY OR DEPARTMENT: Please specify the name of the Federal Agency or Department involved in the space provided below:

DEPT OF INTERIOR

PLEASE PRINT ALL INFORMATION CLEARLY:

Circle Preferred Title: (b)(6)

Name:

(b)(6)

Date of Birth:

(b)(6)

County: (b)(6)

(b)(6)

City:

State:

Zip:

(b)(6)

Home Phone:

Work Phone:

Mobile Phone:

Fax:

Email Address:

(b)(6)

Social Security Number:

Claim Number:

(b)(6)

SIGNATURE:

(b)(6)

DATE:

16 NOV 10

Please list other individuals with whom you authorize the release of information on your case:

Name:

(b)(6)

Relationship:

(b)(6)

Name:

Relationship:

NATURE OF PROBLEM: Please provide a complete statement on the reverse side of this form regarding the nature of the problem and the assistance needed from the office of Senator Richard Burr. Please attach copies of any additional pertinent documents.

Please return form to:
Senator Richard Burr
201 North Front Street, Suite 809
Wilmington, NC 28401

RECEIVED
Senate
NOV 18 2010
Richard Burr
Wilmington, NC

EW

(b)(6)

RECEIVED

RECEIVED
OCT 27 2010

October 15, 2010

OCT 22 REC'D
Richard Burr, M.C.
Washington, DC

RECEIVED
U.S. Senate

Senator Richard Burr
217 Russell Senate Office
Washington, DC 20510

NOV 1 2010

Richard Burr
Wilmington, NC

Subject: Abusive Behavior by Federal Agent (b)(6)

Honorable Richard Burr:

On a recent cross country trip with my wife, (b)(6) traveling in our great nation for two months to take in its spectacular venues in as many states as we could. On September 22, 2010 we were crossing Hoover Dam when an incident occurred. We have a table between the seats in our travel van where we keep our current receipts, check book, maps, etc. In the center of the highway across the dam we simultaneously opened the vehicle windows when a sudden gust of wind blew our receipt book, check book, maps, etc. out of the left window and onto the roadway.

I proceeded to the Arizona side parking area approximately one-half mile from this incident site. (b)(6) center of the dam to try to recover these items. My wife in a panicked state proceeded from the parking area to the area of the dam where this incident occurred, recovering as many of these items as she could. In this process she did enter an area with a chain across it marked "Authorized Personnel Only", after searching this area she was exiting it when she was approached by Federal Security Agent (b)(6) at the scene.

I have a tremendous respect for our agents and staff that protect and look out for our National interests having encountered many in my career in the Military, both overseas and domestically. But, in this particular incident I have to protest the behavior of this agent. While he was clearly carrying out his duties, he acted in an astonishingly unprofessional manner toward (b)(6) in a panicked state.

When my wife was detained for questioning she answered his questions politely and immediately, but on occasion she could not hear him over the noise of construction taking place and traffic on the dam. At this point officer (b)(6) became brutally arrogant with

(b)(6)
(b)(6)

As it is not practical or possible for us to appear before a Federal Judge this summons has been paid. I am not protesting this, but I am questioning the procedures that these Federal agents are trained to handle, or if this is the

action of a lone agent. During this incident an Arizona Patrolman was standing by and did give my wife a ride to the visitor center with an apologetic attitude for the behavior of Federal Agent (b)(6). I would certainly hope that the action of officer (b)(6) would be investigated and he receive further training in common sense before there is a possibly embarrassing incident of a diplomatic matter or worse.

Sincerely,

(b)(6)

CC: copy to file

Violation Notice

Violation Number BR0013794	Officer Name (Print)	Officer No.
--------------------------------------	----------------------	-------------

BR0013794

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

Date and Time of Offense (mm/dd/yyyy)	Offense Charged: <input type="checkbox"/> CFR <input type="checkbox"/> USC <input type="checkbox"/> State Code
Place of Offense	
Offense Description	

DEFENDANT INFORMATION		
Last Name	First Name	MI

A IF BOX A IS CHECKED, YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).

B IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).

\$ _____ Forfeiture Amount
 + \$25 Processing Fee
 \$ _____ Total Collateral Due

PAY THIS AMOUNT →

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address	Date (mm/dd/yyyy)
	Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

A Defendant Signature _____
 Defendant Copy For Your Records (Yellow)

Congress of the United States
Washington, DC 20515

June 18, 2010

The Honorable Kenneth Salazar
Secretary of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Salazar:

We need your immediate support and assistance in moving forward with the replacement of the aging Herbert C. Bonner Bridge in Dare County, North Carolina. It is the "lifeline" to the people of Hatteras Island and provides the only vehicular access to its communities. It is essential to businesses, recreation and for safe evacuation of the island during natural disasters. We must begin construction of a suitable replacement now.

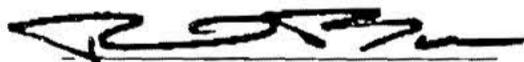
The North Carolina Department of Transportation (NCDOT) and the Federal Highway Administration (FHWA) have been studying how to replace Bonner Bridge for over 20 years. On May 14, 2010 NCDOT and FHWA released an Environmental Assessment (EA) for your agency's comments. The EA identifies a preferred alternative: Parallel Bridge Corridor with NC 12 Management Plan.

This alternative is a variation of the Parallel Bridge Corridor alternatives assessed in the Final Environmental Impact Statement (FEIS). It calls for Phase I (Oregon Inlet Bridge) to be built immediately, followed by construction of later phases whose details would be determined, reevaluated, and documented through interagency collaboration as project area conditions warrant. We believe this to be consistent with guidance from your predecessor given in July of 2006. A full range of alternatives for NC 12 have been studied extensively. The current preferred alternative is financially viable due to its ability to be constructed in phases. It allows NCDOT, as well as the Department of the Interior, to make better decisions on future phases because they will be based on actual shoreline conditions rather than models of future conditions.

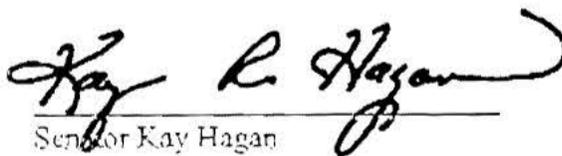
It is our understanding that NCDOT has partnered with the Department of the Interior for many years to ensure that the planning process complies with all applicable environmental laws and regulations, including the National Wildlife Refuge System Improvement Act of 1997, and has worked diligently with the National Park Service and U.S. Fish and Wildlife Service under the National Environmental Policy Act.

We need your support of the preferred alternative "Parallel Bridge Corridor with NC 12 Management Plan" so that replacement of the Bonner Bridge can begin. The time to move forward is long overdue.

Sincerely,



Senator Richard Burr



Senator Kay Hagan

Walter B. Jones
Representative Walter B. Jones

G.K. Butterfield
Representative G.K. Butterfield

Howard Coble
Representative Howard Coble



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

AUG 05 2010

The Honorable Richard Burr
United States Senate
Washington D.C. 20515

Dear Senator Burr:

Thank you for your letter of June 18, 2010, co-signed with four of your colleagues regarding the replacement of the Herbert C. Bonner Bridge in Dare County, North Carolina. The U.S. Fish and Wildlife Service has worked diligently on this issue for many years and remains committed to finding a workable solution to this complex and important project.

Enclosed are the Department of the Interior's most recent comments dated June 28, 2010, on the Environmental Assessment. The new plan put forth by the North Carolina Department of Transportation and the Federal Highway Administration does not address unresolved environmental and statutory issues associated with this project. There are many challenges with this project and we do not believe the planning, analysis, and decision-making on the most significant challenges should be deferred to an undetermined future date and without a defined process.

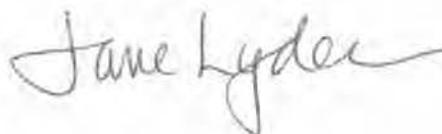
I agree that a resolution must be reached; however, before this can occur, NCDOT is statutorily required to obtain approvals from the Service for any work associated with this project that may affect Pea Island National Wildlife Refuge. The Service has advised NCDOT on several occasions of the information needed to process the request. To date, NCDOT has not provided the necessary information.

Additionally, the Service has had discussions with NCDOT over the last two years regarding information needed to process a new permit request to retain the terminal groin at the north end of Pea Island National Wildlife Refuge. Collaborative efforts to obtain this information have been unsuccessful. In the interest of expeditiously resolving this issue, the Service has initiated an ongoing analysis to gather the necessary information.

We remain committed to working with the interested parties to find a solution that is environmentally sustainable, and in full compliance with the applicable laws, regulations, and policies.

The Secretary appreciates your interest in this project and we would be pleased to provide you with a briefing at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Jane Lyden".Handwritten initials "fn" in cursive script.

Thomas L. Strickland
Assistant Secretary for Fish and Wildlife and Parks

Enclosure

Congress of the United States
Washington, DC 20510

October 15, 2009

Secretary Ken Salazar
Department of the Interior
1849 C Street
Washington, DC 20240

Dear Secretary Salazar,

We write to bring your attention to ongoing efforts undertaken by the National Park Service (NPS) to establish final regulations regarding Off-Road Vehicle (ORV) use at Cape Hatteras National Seashore in Dare County, North Carolina, and to request your assistance in ensuring that this process is completed as soon as possible.

As you know, Cape Hatteras National Seashore was authorized as the nation's first national seashore in 1937, and has been managed by the National Park Service since 1953. Throughout the intervening decades, the Seashore has remained an enduring element of North Carolina's coastal economy and a favorite destination for beachgoers in North Carolina and throughout the country.

The beaches of Hatteras Island have been included among the nation's best beaches in numerous publications precisely because they offer an opportunity for visitors to enjoy a natural landscape largely untouched by human development. To do so, however, many park visitors have traditionally utilized ORVs to access the most remote recreational areas of the island. Recognizing the impact of OVR usage on federally managed lands, President Nixon in 1972 issued Executive Order 11644, requiring federal agencies permitting ORV use on agency lands to publish regulations to manage this use responsibly.

As you know, acting under this direction, the NPS has worked in recent years to develop the first ORV management plan for Cape Hatteras National Seashore. Consistent with standing Executive directives, this plan must address resource protection, visitor safety, and potential conflicts among various park users. In particular, any final plan is required to ensure the protection of various threatened and protected native species, including the piping plover and sea turtles that nest on Hatteras beaches.

In October 2007, interested stakeholders challenged an Interim Management Plan (IMP) then regulating ORV usage on Hatteras Island. As a result of this challenge, a U.S. District Court Judge in April 2008 approved a temporary consent decree providing for wildlife protection regulations while the NPS promulgated final rules to guide OVR management activities. This consent decree effectively closes many of the most popular areas of the Seashore during the summer months traditionally preferred by beachgoers.

This consent decree requires the NPS to draft and approve a final ORV management plan by December 31, 2010. Additional special regulations corresponding to this final plan must be instituted no later than April 11, 2011. With these deadlines in place, the NPS has initiated and completed a negotiated rulemaking process, and continues to work to enact a final ORV management plan for the seashore and accompanying National Environmental Policy Act (NEPA) analysis. However, it is our understanding that this process is not scheduled to be completed prior to the fall of 2010.

In the interim, with park access restricted during the most popular summer months, many families and businesses in Dare County are suffering. With fewer fishermen able to access preferred locations, bait and tackle shops may be forced to close their doors. Likewise, with fewer swimming areas available to beachgoers, fewer families are traveling to the island, threatening an already weakened hospitality industry. The Hatteras community has now experienced two summers with heightened beach access restrictions, and many local businesses may not survive a third.

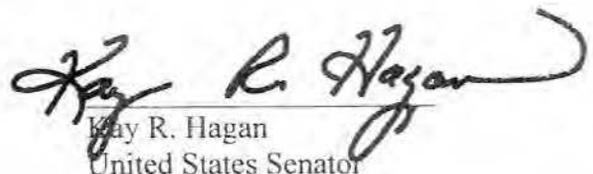
With this in mind, we ask that you work to ensure that the NPS complete its final review and analysis of a Cape Hatteras National Seashore OVR Management Plan as quickly as possible to ensure reasonable access to Hatteras beaches during the 2010 summer season. While we recognize the essential necessity to protect North Carolina's environmental and ecological resources, it is important that the Hatteras Island and Dare County community have resolution as quickly as possible.

We look forward to working with you, and appreciate your attention to this important matter. Should you have any questions or concerns, please feel free to have your staff contact Kara Weishaar (Sen. Burr) at (202) 228-2964, Perrin Cooke (Sen. Hagan) at (202) 224-9025, or Joshua Bowlen (Rep. Jones) at (202) 225-3415.

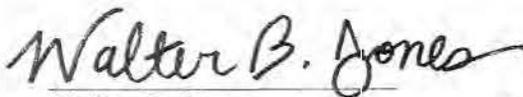
Sincerely,



Richard Burr
United States Senator



Kay R. Hagan
United States Senator



Walter B. Jones
Member of Congress

2009 OCT 2

414894



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

DEC 02 2009

The Honorable Richard Burr
United States Senate
Washington, DC 20510

Dear Senator Burr:

Thank you for your letter of October 15, 2009, to Secretary Salazar regarding the development of final regulations for off-road vehicle (ORV) use at the Cape Hatteras National Seashore in Dare County, North Carolina. I have been asked to respond.

In April 2008, a court approved settlement agreement (consent decree) was issued that requires the National Park Service (NPS) to complete an ORV management plan by December 31, 2010, and a special regulation by April 1, 2011. In November 2008, the NPS released draft ORV management alternatives to the Negotiated Rulemaking Advisory Committee. The NPS is currently using the input from the Committee discussions, materials, and final report to create an additional action alternative (though not a "consensus alternative") for an impact analysis in the draft Environmental Impact Statement (DEIS). Because careful consideration of alternatives and their impacts, and our desire to fully engage the public are critical components of the NEPA analysis, the NPS will likely require the full amount of time allotted to complete the ORV management plan.

The NPS is working diligently with Dare County and interested stake holders to complete the final management plan. I appreciate your interest and involvement in this important process, and am confident that we will complete the DEIS within the established timelines.

If you have any additional questions on this matter, please feel free to contact the NPS Director, Jon Jarvis, at (202) 208-4621.

Sincerely,

Will Shafroth
Principal Deputy Assistant Secretary
for Fish and Wildlife and Parks

United States Senate

WASHINGTON, DC 20510

September 23, 2009

The Honorable Ken Salazar
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Mr. Secretary:

It has come to our attention that the National Park Service (NPS) is intent on banning the use and sale of lead ammunition, shot, and sinkers in our national parks. We are writing to express our deep concern over the process the Park Service is using to ban lead in hunting and fishing products. This decision appears to be arbitrary and not based on a full and rigorous scientific analysis of exactly what—if any—hazards lead bullets, shot and sinkers may pose to wildlife populations, the environment, as well as hunters and anglers.

On March 10, 2009, Acting NPS Director Daniel Wenk issued an internal directive that the agency would outlaw the use of lead in ammunition and fishing tackle in national parks by “December 31, 2010 or sooner.” On March 18th, the NPS issued a “clarification” of the March 10th directive that states: “In the future, we will look at the potential for transitioning to non-lead ammunition and non-lead fishing tackle for recreational use by working with our policy office and appropriate stakeholders/groups.”

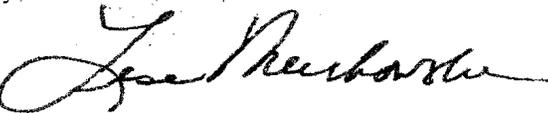
At this time, the motives behind NPS actions addressing lead issues are very unclear. Especially in these difficult economic times, this action will discourage people from hunting and fishing and decrease revenue into the Pittman-Robertson fund that funds state conservation efforts. We are concerned that the NPS’s actions will keep our citizens out of the parks, when we all agree our common goal is to open opportunities for people to experience our national parks in all their beauty. The opportunity to recreate in our national parks should not be cost-prohibitive.

This issue has broad impact on hunters, anglers, conservation groups and manufacturers throughout the country. We urge you to go back and work with those representing these constituencies and develop a transparent, scientific process to scrutinize this issue. In addition, we also request that NPS cease all actions to prohibit the use of these lead products on NPS lands by private citizens and NPS personnel. We hope to have some clarity before Mr. Jonathan Jarvis is confirmed by the Senate as Director of the National Park Service.

Secretary Salazar, we appreciate your time and attention to this matter. We look forward to your expeditious response.

Sincerely,


JOHN BARRASSO, M.D.
United States Senator


LISA MURKOWSKI
United States Senator

JAMES E. RISCH
United States Senator

JIM BUNNING
United States Senator

ROGER F. WICKER
United States Senator

RICHARD BURR
United States Senator

MICHAEL B. ENZI
United States Senator

ROBERT F. BENNETT
United States Senator

JOHN THUNE
United States Senator

JIM DEMINT
United States Senator

MIKE JOHANNS
United States Senator

TOM COBURN, M.D.
United States Senator

DAVID VITTER
United States Senator

2009 03 12 10 00 00

467285



THE SECRETARY OF THE INTERIOR
WASHINGTON

OCT 27 2009

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your letter of September 23, 2009, regarding the potential restrictions on the use of lead in hunting and fishing activities in units of the National Park System. As stewards of public lands and resources for the American people, the National Park Service is increasingly aware of the impacts from lead in our environment to both humans and wildlife.

In March 2009, the National Park Service issued a memorandum regarding its intention to remove lead from a variety of in-house natural resource-related activities. To that end, the National Park Service is working towards cessation of lead use for those activities by implementing non-lead use on wildlife culling operations, dispatching sick or wounded wildlife in parks with non-lead ammunition where carcasses are left in the field for scavengers, and continuing to clean up firing ranges within park boundaries. None of these actions are related to visitor activities at this time. Visitors can still use the same type of equipment for both fishing and hunting in units of the National Park System, as they have used in the past.

The National Park Service recognizes that hunting and fishing are important traditional, recreational, and subsistence activities and that any change to the rules that govern how the public uses lead in these activities will involve an open and public process of civic engagement.

Sincerely,

Ken Salazar



THE SECRETARY OF THE INTERIOR
WASHINGTON

OCT 01 2009

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your letter of September 18, 2009, co-signed by your colleagues, expressing support for the Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program for 2010-2015. The Department of the Interior received your letter on September 30, 2009.

I sincerely appreciate your interest in this matter and you will receive a more detailed response in the near future.

Sincerely,

Ken Salazar

United States Senate

WASHINGTON, DC 20510

September 18, 2009

The Honorable Ken Salazar
Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Mr. Secretary:

We are writing to convey our strong support for the Draft Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program (DPP) proposed by the U.S. Minerals Management Service (MMS). By opening up new offshore areas for natural gas and oil leasing and development and also allowing for the development of renewable energy as proposed in the DPP, the Department of the Interior can provide the United States with an opportunity to responsibly produce our own energy. This development will bolster our nation's economy, create new jobs and decrease our dependence on foreign sources of energy.

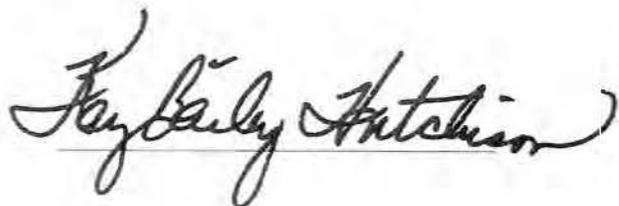
It is more important than ever that the federal government allow for development of domestic offshore energy supplies made available in the DPP. By offering new leasing opportunities, the DPP is appropriately expansive and provides the Department with maximum flexibility to properly utilize our nation's domestic resources.

Now is the appropriate time to promote long-term policies that responsibly encourage job creation while growing the economy. Important offshore areas, like those in Alaska, offer tremendous natural gas and oil resources. By some estimates, the Chukchi Sea alone off Alaska's coast contains as much natural gas and oil as the country has produced in the Gulf of Mexico since 1942.

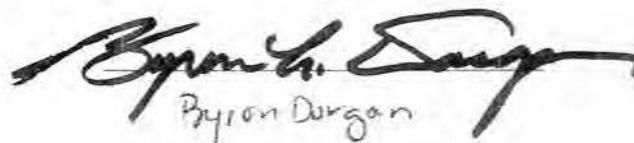
Additionally, we urge MMS to move forward with the 2007-2012 Leasing Program while working to approve and finalize the new DPP. Implementing a sensible, forward-thinking energy policy will allow for responsible leasing and development of America's energy resources and will help industries and businesses here at home that rely heavily on natural gas and crude oil. It will also further our national security and energy security interests and, of course, spur jobs and economic growth as we open new areas to leasing and development.

In conclusion, we are pleased to see that the MMS has included new leasing areas in the DPP and has acknowledged the need for the United States to begin responsibly developing the abundant energy resources located off our coasts. We believe that the DPP is an important step in creating a robust, diverse, national energy policy which will help secure our energy future. We urge you to move forward on the DPP as you work to finalize a new five-year OCS plan. Thank you for your attention to this important matter. Please do not hesitate to contact us if we can be of assistance to you.

Sincerely,



Kay Bailey Hutchison



Byron L. Dorgan

September 18, 2009

Page Three

Dil Vitt

Pat Roberts

Chris Bennett

Tom Cole

Sam Brownback

Lyndie Weicker

Lamar Alexander

Mark Royce

George V. Voinovich

John G. Hatch

Chuck Grassley

John Barrasso

Jim Bunning

Mark Begich

Ben Rayson

SEP 23 2009 10:53 AM

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September 18, 2009

Page Two

Lee Neubauer

Jeff Bond

Michael B. Inji

Richard Shelby

John McCain

Jan Brindley

John Thune

Gregg

John Cornyn

Blanche L. Lincoln

Tommy

Joni DeMont

Jeff Sessions

Sally Chaudhry

Joni Love

Milo Johanna

Paul Cook

Ben Carson



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

OCT 21 2009



The Honorable Kay Bailey Hutchison
United States Senate
Washington, D.C. 20510

Dear Senator Hutchison:

Thank you for your letter dated September 18, 2009, to Secretary Ken Salazar expressing your strong support for the 2010–2015 Outer Continental Shelf (OCS) Draft Proposed Program (DPP). Secretary Salazar asked me to respond. A similar letter is being sent to each signer of your letter.

The comment period on the DPP closed on September 21, 2009. The Minerals Management Service (MMS) received over 530,000 comments on the DPP. The MMS will summarize and analyze those comments as quickly as possible in order to move expeditiously to the next steps in the process, which include scoping of the draft Environmental Impact Statement (EIS) and publication of the Proposed Program and draft EIS. Your comments will be considered carefully in that endeavor.

On July 28, 2009, the U.S. Court of Appeals clarified that its ruling on the 2007–2012 Program delays only those sales in the Chukchi, Beaufort, and Bering Seas. However, it will be necessary to re-balance all sales in the 2007–2012 plan once the revised environmental sensitivity analysis is complete.

Thank you for your interest in the OCS program. Secretary Salazar and I look forward to working with you to move forward in developing a comprehensive Federal offshore energy plan for the benefit of the Nation. If you have any questions you may contact me or Ms. S. Elizabeth Birnbaum, Director, MMS, at (202) 208-3500.

Sincerely,

~~Wilma A. Lewis~~

Adm

Assistant Secretary
Land and Minerals Management

Similar letter being sent to:

The Honorable Byron L. Dorgan
The Honorable Lamar Alexander
The Honorable John Barrasso
The Honorable Mark Begich
The Honorable Robert F. Bennett
The Honorable Christopher Bond
The Honorable Sam Brownback
The Honorable Jim Bunning
The Honorable Richard Burr
The Honorable Saxby Chambliss
The Honorable Thad Cochran
The Honorable John Cornyn
The Honorable Bob Corker
The Honorable Tom Corbin
The Honorable Jim DeMint
The Honorable Michael B. Enzi
The Honorable Charles E. Grassley
The Honorable Orrin G. Hatch
The Honorable James Inhofe
The Honorable James Isakson
The Honorable Mike Johanns
The Honorable Blanche L. Lincoln
The Honorable John McCain
The Honorable Lisa Murkowski
The Honorable Ben Nelson
The Honorable Mark Pryor
The Honorable James E. Risch
The Honorable Pat Roberts
The Honorable Jeff Sessions
The Honorable Richard Shelby
The Honorable John Thune
The Honorable David Vitter
The Honorable George Voinovich
The Honorable Roger Wicker



THE SECRETARY OF THE INTERIOR
WASHINGTON

DEC 30 2010

The Honorable Richard Burr
Ranking Minority Member
Subcommittee on National Parks
Committee on Energy and National Resources
United States Senate
Washington, DC 20510

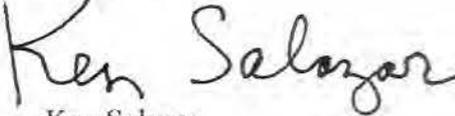
Dear Senator Burr:

The Fiscal Year 2010 Appropriations Act funding the Department of the Interior, enacted as Public Law (P.L.) 111-88, provides \$25 million for Save America's Treasures grants for priority historic preservation projects. Save America's Treasures grants support preservation or conservation work on nationally significant intellectual and cultural artifacts and historic structures and sites. Intellectual and cultural artifacts include artifacts, collections, documents, sculpture, and works of art. Historic structures and sites include historic districts, sites, buildings, structures, and objects. The National Park Service administers these grants in partnership with the President's Committee on the Arts and Humanities, the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum and Library Services. Eligible applicants include state, tribal, and local governments, nonprofit organizations, and educational institutions.

P.L. 111-88 provided \$25 million for Save America's Treasures grants. Congress specified \$10.2 million for 52 projects in the joint explanatory statement of the managers accompanying the Act. In early 2010, NPS solicited applications to award the remaining funds competitively. A total of 338 applications were received requesting over \$90.4 million. A national selection panel comprised of senior staff with expertise in the appropriate disciplines and representing noncompeting Federal agencies evaluated the applications and recommended funding for 61 projects in 23 states and the District of Columbia totaling \$14,301,000. Since 1999, including the attached FY 2010 proposed projects, 1,245 grants totaling \$318.2 million will have been awarded to preserve historic properties and collections.

The attached enclosure provides a listing of the grants that the NPS will award for the competitive round of FY 2010 Save America's Treasures projects.

Sincerely,


Ken Salazar

Enclosure



THE SECRETARY OF THE INTERIOR
WASHINGTON

AUG 20 2010

The Honorable Richard Burr
Ranking Minority Member
Subcommittee on National Parks
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20515

Dear Senator Burr:

The Fiscal Year 2010 Appropriations Act funding the Department of the Interior, enacted as Public Law 111-88, provides \$4.6 million for Preserve America grants for priority historic preservation projects. Preserve America grants support planning, development, implementation, or enhancement of innovative activities and programs in heritage tourism, including interpretation/education, planning, promotion, training, and research and documentation of cultural resources. Successful projects involve public-private partnerships and serve as models to communities nationwide for heritage tourism, historic preservation, education, and economic development. The National Park Service administers these grants in partnership with the Advisory Council on Historic Preservation and typically awards them in two application rounds in each fiscal year. In the first application round for FY 2010, the NPS awarded 31 grants totaling \$2,891,128.

The NPS solicited applications for the second round of FY 2010 grants in early 2010. A total of 102 applications were received requesting over \$8.5 million. A national selection panel comprised of senior staff with expertise in the appropriate disciplines and representing noncompeting Federal agencies evaluated the applications and recommended funding for 22 projects in 16 states totaling \$1,308,022. Over the 8 grant rounds since 2006, including the attached FY 2010 Round 2 proposed projects, 280 grants in 49 states totaling \$21,242,661 will have been awarded to enhance local preservation efforts.

Eligible applicants include designated Preserve America Communities, designated Preserve America Neighborhoods, Certified Local Governments in the process of applying for or having received Preserve America Community designation, State Historic Preservation Officers, and Tribal Historic Preservation Officers. Preserve America Communities and Preserve America Neighborhoods located within a federally designated National Heritage Area (NHA) are eligible to receive funding provided that they are not currently receiving Federal funds from the NHA management entity.

The attached enclosure provides a listing of the grants that the NPS will award for the second round of FY 2010 projects.

Sincerely,

Ken Salazar

Enclosure



THE SECRETARY OF THE INTERIOR
WASHINGTON

SEP 10 2014

The Honorable Richard Burr
United States Senate
Washington, DC 20510

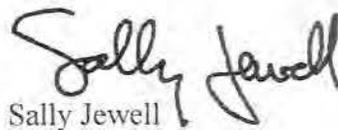
Dear Senator Burr:

Thank you for your letter dated August 7, 2014, providing comments on the development of the Outer Continental Shelf (OCS) Oil and Gas Leasing Program (Five Year Program) for 2017-2022.

Section 18 of the OCS Lands Act (43 U.S.C. §1344) prescribes the major steps involved in developing the Five Year Program, including extensive opportunities for public comment. The Bureau of Ocean Energy Management (BOEM) seeks a wide array of input during development of a Five Year Program, including information on the economic, social, and environmental values of all OCS resources. The BOEM also seeks input on the potential impact of oil and gas exploration and development on other resource values of the OCS and the marine, coastal, and human environments.

We appreciate your comments very much and will consider them closely as we move forward with developing the Five Year Program. Thank you for your interest in this issue. A similar letter is being sent to each co-signer of your letter.

Sincerely,


Sally Jewell

1077900

United States Senate

WASHINGTON, DC 20510

February 29, 2012

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We write to express our concern about the rising cost of gasoline and your Administration's failure to take concrete actions to address this serious problem. The average U.S. price of a gallon of regular gasoline has more than doubled since the week of your inauguration in January 2009, from \$1.84 to \$3.72. Furthermore, according to the Associated Press, the typical U.S. household spent \$4,155 filling up at the pump in 2011, an all-time high, and 8.4 percent of the median household income—the highest percentage spent for gasoline since 1981, when oil prices had soared due to crisis in the Middle East.

Last week you stated, "With or without this Congress, I'll continue to do whatever I can to develop every source of American energy, so that our future isn't controlled by events on the other side of the world." Indeed, the fact remains there are concrete actions within your power that can help ease fears of oil supply disruptions and skyrocketing gasoline prices. As you acknowledged in your March 2011 energy security speech, "producing more oil in America can help lower oil prices, create jobs, and enhance our energy security." However, several policies of your Administration are in direct conflict with this stated goal, and are contributing to the economic burden felt by families and businesses facing rising prices.

Expanding access to federal onshore and offshore lands, and eliminating permit delays for leases, could help lower prices and strengthen our energy security while creating jobs and boosting tax revenues. Unfortunately, your Administration's proposed offshore oil and natural gas leasing plan for 2012 to 2017 eliminates 50 percent of lease sales provided for in the previous plan, opens less than three percent of offshore areas to energy production, and imposes a moratorium on developing energy from 14 billion barrels of oil and 55 trillion cubic feet of natural gas in the Atlantic and Pacific oceans. The moratorium on exploration in the Gulf of Mexico, and persistent delays for permits in shallow and deep water leases, could result in a 19 percent decrease in production in 2012 compared to 2010, according to an Energy Information Administration projection.

Alleviating burdensome regulations would also help lower energy costs. For example, even as gasoline prices near \$4.00 a gallon, next month, the Environmental Protection Agency (EPA) plans to propose its "Tier 3" rule to cut air emissions from fuels and light-duty vehicles.

including requiring refiners to drastically cut sulfur in gasoline. A recent study concluded the rule could increase the cost of manufacturing gasoline by 12 to 25 cents per gallon. It could raise the refining industry's operating costs by \$5 billion to \$13 billion annually, lead to a 7 to 14 percent reduction in gasoline supplies from U.S. refiners, and force as many as seven U.S. refineries to shut down. Combined with proposed greenhouse gas emissions rules (which will serve as an energy tax on every consumer), new source performance standards, and the boiler "maximum achievable control technology" rule, these could put more U.S. refiners out of business, leading to even higher gasoline prices at the pump. The combined regulatory onslaught should be weighed against the impact on families and employers across the country.

Finally, reconsidering your denial of the Keystone XL pipeline would also secure future additional supplies of oil, bringing more than 700,000 barrels per day in additional Canadian crude oil. Rather than asking Saudi Arabia and other OPEC countries to produce more oil, we should work closely with our Canadian neighbors to reduce our dependency on oil from OPEC. Canada is a reliable and geographically secure trading partner whose oil exports are insulated from potential supply disruptions threatened by geopolitical turmoil found in the Middle East and the impulses of OPEC, including Iran, Libya, and Venezuela.

All of these actions are within your Administration's purview, and would signal to markets that America is serious about reducing its vulnerability to geopolitical oil shocks around the world. The actions you take will help determine how long our pain at the pump continues.

Sincerely,

John Conyers

Paul Vitter

Joe Biden
Ron Johnson

Jeff Sessions
Pat Romney

Tom Barr

William J. E.

Jim DeMint

Mark

Richard A. Lugar

Chuck Grassley

Mike Crapo

Dan Coats

Kyrsten

Sally Clarkin

OS

Jim Coakley

Jimmy

John Barrasso

Dean Heller

Kay Bailey Hutchison

John S. Hatch

Pat Roberts

John John

Mike Johnson

John Johnson

John Boozman

Roy Blunt

Richard Shelby

Tommy

Mike Enzi

EX-100
OFFICE OF THE
CLERK OF THE SENATE

2012 MAR 23 PM 3:06

RECEIVED

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32 Signers

Signatures (from left to right):

John Cornyn, United States Senator
Jeff Sessions, United States Senator
David Vitter, United States Senator
Patrick J. Toomey, United States Senator
James E. Risch, United States Senator
Tom Coburn, United States Senator
Ron Johnson, United States Senator
Mike Lee, United States Senator

(Page Three)

Jim DeMint, United States Senator
Marco Rubio, United States Senator
Richard G. Lugar, United States Senator
Chuck Grassley, United States Senator
Mike Crapo, United States Senator
Daniel Coats, United States Senator
Roger F. Wicker, United States Senator
Saxby Chambliss, United States Senator
Richard Burr, United States Senator
James M. Inhofe, United States Senator
Johnny Isakson, United States Senator
John Barrasso, United States Senator
Dean Heller, United States Senator
Kay Bailey Hutchison, United States Senator
Orrin G. Hatch, United States Senator
Pat Roberts, United States Senator

(Page Four)

John Thune, United States Senator
Mike Johanns, United States Senator
John Hoeven, United States Senator
John Boozman, United States Senator
Roy Blunt, United States Senator
Richard C. Shelby, United States Senator
Jon Kyl, United States Senator
Michael B. Enzi, United States Senator



THE SECRETARY OF THE INTERIOR
WASHINGTON

MAY 14 2012

The Honorable Richard Burr
United States Senate
Washington, DC 20510

Dear Senator Burr:

Thank you for your letter of February 29, 2012, to President Barack Obama regarding strategies you would recommend to reduce gasoline prices. President Obama has asked me to respond. A similar response is being sent to the cosigners of your letter.

This Administration is advancing safe and responsible domestic oil and gas production as part of an “all of the above” energy strategy that provides for increased domestic energy production, including oil and gas, as well as development and implementation of efficiency measures and alternative energy sources. In the President’s words, it is time to “use less and produce more right here in the United States of America.”

In 2011, U.S. crude oil production reached its highest level since 2003, increasing by an estimated 90,000 barrels per day (bbl/day) over 2010 levels to 5.57 million bbl/day. Overall, oil imports have been falling since 2008, and net imports as a share of total consumption declined from 57 percent in 2008 to 45 percent in 2011—the lowest level since 1995. America’s natural gas production grew by an estimated 7.4 percent in 2011—the largest year-over-year volumetric increase, easily eclipsing the previous all time production record set in 1973. Natural gas prices are their lowest in many years. The Department of Energy recently announced that for the first time since 1949, the United States exported more gasoline, heating oil, and diesel fuel last year than it imported.

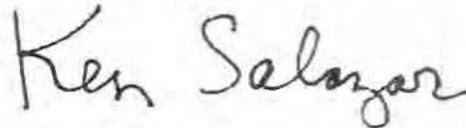
I would like to supplement the information I provided in my response dated February 29, 2012, regarding energy resources on public lands. We are taking steps that will open to leasing areas containing 75 percent of our untapped offshore oil and gas resources. Regarding your point about oil shale, we have continued to offer opportunities for companies to explore and develop technologies to help them determine whether they are viable on a commercial scale. In addition, in response to your interest in Gulf of Mexico energy production, I will note that industry has moved quickly to meet the new safety standards we set after the tragic *Deepwater Horizon* disaster, and we have seen a sharp rebound in Gulf exploration and permitting; there is no moratorium, de facto or otherwise, in the Gulf of Mexico.

We have tremendous faith in Americans’ ability to innovate, to bring new technologies online, and to effectively meet the energy challenges this Nation faces today and in the future. We are presiding over, and helping to stimulate, growing investment in our Nation’s domestic energy sources, from offshore oil, gas, and wind, to onshore conventional sources and renewables.

including solar, geothermal, and wind. Moreover, we are pushing for technological advancement that will make the cars we drive twice as efficient, encourage alternative energy sources from biofuels to electricity, and bring energy jobs and dollars back home.

We recognize the importance of domestic oil and gas production, both now and for the future, to help supply energy, drive economic prosperity, and generate revenue. We will continue to manage this Nation's oil and gas resources responsibly and in a manner that meets our Nation's needs.

Sincerely,

A handwritten signature in black ink that reads "Ken Salazar". The signature is written in a cursive, flowing style.

Ken Salazar

United States Senate

WASHINGTON, DC 20510

1074755

January 25, 2012

The Honorable Barack Obama
President of United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama:

We write to convey our concern with the management of our nation's abundant energy resources, particularly those located on federal lands and waters.

There is a growing threat to consumers and our economy from the potential disruption in energy supplies stemming from the instability in the Middle East, particularly Iran. We believe the federal government should take commonsense steps here at home to safeguard Americans by removing the unnecessary obstacles placed in the way of energy development on lands and waters owned by taxpayers. Especially during a time of increasing volatility overseas and rising fuel prices, the single greatest impact the federal government can have on our nation's energy security is to expand access to its vast energy resources—both traditional and alternative—available on federal lands and waters. While proven reserves have increased dramatically in recent years due to improvements in technology, *energy production from federal resources has fallen.*

According to the U.S. Energy Information Administration (EIA), the United States relies on foreign countries for almost half of our petroleum resources, with a significant portion of that coming from unstable regimes. Additional analysis shows our economy will rely on fossil fuels for nearly 70 percent of its energy needs through 2035. While these facts are not disputed, the course of action to address it often is. Seeking to develop alternative energy technologies is a necessary goal in the long-term, but it is not sufficient for our nation's current and foreseeable needs.

Fortunately, our country holds within its borders extensive traditional energy resources that could sustain our energy needs for decades to come. According to a recent Congressional Research Service report, the United States' combined recoverable oil, natural gas, and coal resources is the largest in the world. However, much of this is restricted from exploration and production. Hundreds of thousands of jobs and trillions of dollars in economic activity may be foregone if current policies remain in place.

The 1.76 billion acre endowment of our Outer Continental Shelf (OCS) is a good example. Of those 1.76 billion acres, only 38 million acres are actually leased to energy companies, meaning the federal government has provided access to a mere 2.16 percent of our

total potential resources. Yet, while the federal government has provided financing for other countries, such as Brazil, to develop offshore resources, it has consistently restricted companies from doing the same within U.S. waters.

Moreover, as a result of the 2010 moratorium and uncertainty about future permitting, 11 drilling rigs representing 14 projects have left the Gulf of Mexico since April 2010. These rigs have gone to countries such as Brazil, Egypt and Angola with some rigs later relocating to the North Sea—taking a cumulative \$21.4 billion of associated lost U.S. capital and operating investment with them.¹ In addition, the EIA projects that Gulf oil production will be down more than 12 percent in 2012 over 2010.

In 2007, the EIA projected total 2010 U.S. oil production on federal lands to be 850 million barrels. Today's actual production on federal lands is 714 million barrels, a 16 percent decline from what was projected. Arbitrary federal land restrictions now serve as a primary roadblock to domestic energy production. Federal land designations now exceed the total amount of developed lands in the United States. Wilderness areas, the most restrictive of land designations, total over 100 million acres. In many cases, wilderness areas are now used for purposes beyond their original intent on lands clearly unsuitable for the designation rather than maintaining the integrity of our most sensitive public lands. These restrictions, which are rich in resources, prevent the responsible development of natural resources.

Information developed by the Western Energy Alliance shows an unfortunate regression in federal policy, specifically at the Department of Interior. Their analysis shows that the ratio of revenue returned per dollar spent by the federal government has fallen from \$46.07 to \$40.12 for onshore energy production, and an unprecedented falloff of \$118.54 to \$30.08 for offshore energy production over the last three years.

This is in sharp contrast to production occurring on non-federal lands. For example, since 2005 oil production in North Dakota has been growing at a rate of 26 percent a year. Thus it is increasingly clear our nation is reliant on foreign sources of oil, largely because we do not first access our own. Utilizing our nation's natural resources located on federal lands could create American jobs, produce American energy resources, reduce our foreign imports and trade deficit, keep more of our nation's wealth at home, and protect our national security interests.

Needless to say, reducing restrictions to access our federally managed lands would allow American industry the freedom to develop abundant traditional energy reserves. Additionally, it would provide a more realistic economic environment for emerging alternative energy technologies, allowing them to be developed according to true market conditions. This approach could weed out faltering technologies and spare taxpayers the risk of subsidizing wasteful projects, as we experienced with Solyndra.

Finally, let us be clear in our disappointment in the recent decision to not approve the Keystone XL pipeline project, which is clearly in our national interest. Considering the potential for supply disruptions in the coming year, the federal government could well be facing price constraints that are a result of international conflicts, for example, in the Strait of Hormuz. It

¹ http://www.api.org/policy/exploration/upload/Quest_2011_December_29_Final.pdf

would be unfortunate if the only tool available to calm markets is further sales from our strategic reserves. Providing more access to both onshore and offshore resources and construction of a strategic pipeline from Canada are clear ways forward. We urge you to re-consider this decision and provide a clear path forward for increasing domestic production and transporting new energy supplies.

Sincerely,

Bill Allen

Tom Colan

Jeri DeMart

Ray Bend

John McAni

[Signature]

David Paul

Ran Johnson

Jim [Signature]

Dean Heller

[Signature]

Sayby Chaublin

William G. E. [Signature]

Erin G. Hatch

Mr. R
Richard Shelby
John Stuenkel
John Cornyn
Kay Bailey Hutchison
Lloyd H. Austin
Paul Cohen
Tommy K. Kirk

Cc: Secretary Clinton, Secretary Salazar, Secretary Chu

David Vitter (LA)

Tom Coburn (OK)

Jim DeMint (SC)

Roy Blunt (MO)

John McCain (AZ)

Richard Burr (NC)

Rand Paul (KY)

Ron Johnson (WI)

James Inhofe (OK)

Dean Heller (NV)

Jeff Sessions (AL)

Saxby Chambliss (GA)

Michael S. Lee (UT)

Orrin G. Hatch (UT)

Marco Rubio (FL)

Kay Bailey Hutchison (TX)

Richard Shelby (AL)

Roger F. Wicker (MS)

John Thune (SD)

Thad Cochran (MS)

John Cornyn (TX)

Jon Kyl (AZ)

United States Senate

WASHINGTON, DC 20510

1053632

April 6, 2011

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

As rising gasoline prices threaten our nation's economic recovery, we welcome your acknowledgement of the positive impact which increased domestic supplies of oil and gas will have for American families and businesses. In your speech on March 30, you stated, "producing more oil in America can help lower oil prices, create jobs, and enhance our energy security."

We agree, and we also share the goal of reducing our dependence on foreign oil. It is an achievable goal, as we know we have the resources to control our energy future. A recent report from the Congressional Research Service detailed our vast energy resources, showing America's recoverable resources are far larger than those of Saudi Arabia, China, and Canada combined. America's combined recoverable oil, natural gas, and coal endowment is the largest on Earth – and this is without including America's immense oil shale and methane hydrates deposits.

However, it is not just rhetoric that is keeping us from achieving the goals you outlined of lowering energy prices, creating jobs, and reducing our reliance on foreign energy. Rather, we are concerned that these goals are in direct conflict with certain ongoing actions of your Administration. In particular, the policies being carried out by the Environmental Protection Agency (EPA) and the Department of the Interior (DOI) directly and negatively impact oil and gas production and prices, as well as electricity prices for businesses and consumers. These policies hang heavy over the economy, with the promise of making our existing energy resources more expensive for Americans, and serve to inhibit future growth.

With consumers again facing \$4.00/gallon gasoline, the EPA is pursuing job-killing greenhouse gas regulations that, like the failed cap-and-trade legislation, will serve as an energy tax on every consumer. The Affordable Power Alliance recently studied the impacts of this action and found that the price of gasoline and electricity could increase as much as 50 percent. To make matters worse, the EPA acknowledges that unilateral action by the United States will have no impact on the world's climate, as China and India dramatically increase their emissions.

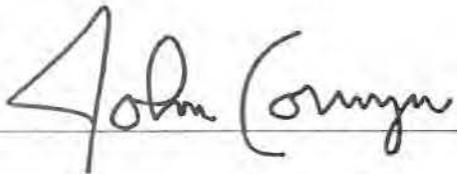
You also referenced efforts within the Administration to encourage domestic oil and gas production, yet since taking office, DOI has done exactly the opposite. In 2009, 77 oil and gas leases in Utah were cancelled, and the following year 61 additional leases were suspended in Montana. In December 2010, your Administration announced that its 2012-2017 lease plan would not include new areas in the eastern Gulf of Mexico or off the Atlantic coast – though these two areas hold commercial oil reserves of 28 billion barrels and up to 142 trillion cubic feet of natural gas. Delaying access to these areas not only hinders the production of domestic energy, but also means the loss of up to \$24 billion in federal revenue. In Alaska, the EPA has failed to issue valid air quality permits for offshore exploration after over 5 years of bureaucratic

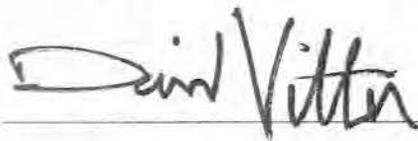
wrangling, although no human health risk is at issue and over 25 billion barrels of oil may be discovered. EPA has also contributed to the continuing delay of production from the National Petroleum Reserve-Alaska – an area specifically designated by Congress for oil and gas development.

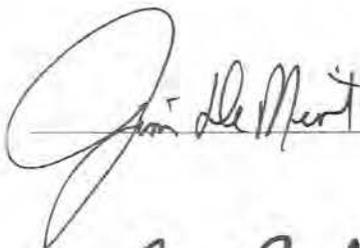
Last year, American oil production reached its highest level since 2003. The Energy Information Administrator (EIA) Richard Newell recently pointed out that the 2010 production numbers are likely the result of new leases issued during the previous administration that are just recently beginning to produce oil. Unfortunately, in the Gulf of Mexico, offshore energy production is expected to decrease by 13 percent in 2011. This decrease is cited as the result of the moratorium and the slow pace of permitting. EIA's most recent short-term energy outlook projects that domestic crude oil and liquid fuels production is expected to fall by 110,000 bbl/d in 2011, and by a further 130,000 bbl/d in 2012. To date, only 8 deepwater permits have been issued during the past 12 months, and most of these operations were started before the Macondo well blowout.

At your State of the Union Address, you called for a review of job-killing regulations within your Administration. We believe the Administration hereby has the keys to unlock our domestic energy potential today. As this review is underway, and with recognition of the toll higher energy prices are taking on Americans, we respectfully encourage you to examine the damage these current policies are having on the economy, and to work to reconcile these contradictions.

Respectfully,



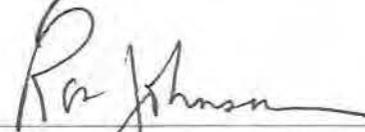














Jeff Sessions

Paul Corkran

Richard Shelby

Clare Kim

John Bunn

John Hill

John Boozman

Ray Bennett

John Kasich

Kevin Hatch

Laura Kelly

Tommy Blanton

Phad Cortina

Jerry Moran

Kay Bailey Hutchison

Markwayne Mullins

[Handwritten signature]

Michael B. Eiji

Sagey Chaulkin

[Handwritten signature]

Pat Roberts

The Honorable Barack H. Obama
Page Five

Signers in order of signature (left to right):

John Cornyn, United States Senator
James Inhofe, United States Senator
David Vitter, United States Senator
John Thune, United States Senator
Jim DeMint, United States Senator
Ron Johnson, United States Senator
Rand Paul, United States Senator
Kelly Ayotte, United States Senator
Jeff Sessions, United States Senator
James E. Risch, United States Senator
Thad Cochran, United States Senator
Orrin Hatch, United States Senator
Richard Shelby, United States Senator
Jon Kyl, United States Senator
Mark Kirk, United States Senator
Richard Burr, United States Senator
John Barrasso, United States Senator
(duplicate)
Lindsey Graham, United States Senator
Jerry Moran, United States Senator
John Boozman, United States Senator
Kay Bailey Hutchison, United States Senator
Roy Blunt, United States Senator
Marco Rubio, United States Senator
Johnny Isakson, United States Senator
Mike Enzi, United States Senator
Saxby Chambliss, United States Senator
Roger Wicker, United States Senator
Pat Roberts, United States Senator

DEPARTMENT OF ENERGY
ATTN: EXECUTIVE SECRETARIAT
ROOM 7E054
1000 INDEPENDENCE AVENUE, SW
WASHINGTON, DC 20585



MAILED FROM ZIP CODE 20585



THE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON

SEP 13 2011

The Honorable Richard Burr
United States Senate
Washington, DC 20510

Dear Senator Burr:

Thank you for your letter of April 6, 2011, to President Barack Obama on domestic oil and gas energy regulatory concerns. The White House has referred your letter to the Department of the Interior and the U.S. Environmental Protection Agency for review, and I am pleased to respond. The EPA will respond under separate cover.

The DOI remains committed to facilitating the safe and responsible development of our Nation's oil and gas resources, as part of President Obama's comprehensive energy strategy aimed at protecting consumers and reducing our dependence on foreign oil. As your letter acknowledges, President Obama has set an ambitious but achievable goal of cutting our oil imports by two-thirds by 2025 in part to alleviate the rising gas prices that continue to put added strain on American families. The DOI is committed to working toward securing our Nation's energy future and continues to identify additional ways, such as legislative reforms, that can help create jobs and enhance our energy security.

The tragic Deepwater Horizon explosion and oil spill – which killed 11 men, is estimated to have spilled close to 5 million barrels of oil into the Gulf of Mexico, and caused unprecedented environmental and economic damage to Gulf Coast communities – reminds us that we have a responsibility to ensure that development of Federal energy resources is done in the right way and in the right places. Sustainable energy development is only possible if we hold the industry and ourselves as regulators to effective standards of safety and environmental responsibility. Over the course of the past year, DOI has devoted considerable effort to implementing those needed standards and creating a new oversight regime that will help minimize the possibility that a tragedy similar to the Deepwater Horizon explosion and oil spill will be repeated.

Throughout this offshore reform effort and despite claims to the contrary, the Department has continued to facilitate domestic production by issuing permits. We have continued to issue shallow water permits in every case where the application complies with our reasonable standards for shallow water operations – standards that protect not only the environment, but the communities who live closest to these operations. As of September 12, 2011, 74 new shallow water wells have been permitted since the implementation of new safety and environmental standards on June 8, 2010.

With respect to deepwater development, following the Deepwater Horizon oil spill, we took the responsible step of requiring that all developers demonstrate that they are capable of containing large spills. Since mid-February 2011, when the first applicant successfully demonstrated

containment capabilities under our new safety regulations, we have approved 129 permits for 40 unique wells as of September 12, 2011.

The DOI has implemented important and much needed reforms and is now moving forward to facilitate responsible offshore development. For example, the Western and Central Gulf lease sales that were postponed following the Deepwater Horizon oil spill last year are on track to take place by December 2011 and mid-2012, respectively. We have extended deepwater drilling leases in the Gulf of Mexico that were affected by the temporary deepwater moratorium, as well as certain leases off the coast of Alaska, allowing companies more time to meet the standards that we have set in place for safe and responsible exploration and development. In the mid- and south Atlantic, we are taking steps to ensure that any conventional development that takes place in those areas is in the right places by speeding up our evaluation of available resources through seismic surveys.

In addition to the many efforts to facilitate domestic oil and gas production offshore, we are also taking a number of steps to ensure the safe and responsible development of our Nation's conventional energy resources onshore. We have initiated oil and gas leasing reforms to improve certainty and order in the onshore leasing process. These reforms include providing more opportunities for public participation in identifying locations for potential development and more thorough up-front environmental reviews to help reduce the conflicts that can lead to costly and time-consuming protests and litigation. The consequence of not instituting these reforms in the past has been an exponential increase in significant protests and litigation, with associated judicial restraints on development, job loss, and diminished access to energy resources.

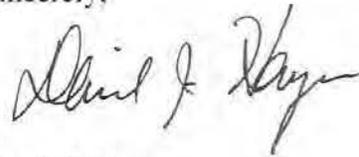
Our efforts are already starting to bear fruit. Current and future lease sales are benefitting from much-needed reforms that the BLM put in place in May of 2010. With the reforms put in place, the number of protests of parcels offered in lease auctions has declined dramatically from 1,475 of 3,127 parcels offered in fiscal year 2009 to 101 of 841 parcels offered so far in calendar year 2011. This marks a drop from over 47 percent of parcels protested in 2009 to approximately 12 percent this year. Furthermore, revenues from lease sales have increased from approximately \$165 million dollars in Fiscal Year 2009 to nearly \$235 million dollars so far in FY 2011. A recent oil and gas lease sale in Montana that incorporated our new reforms resulted in over \$66 million in receipts with over 32,000 acres offered for lease, and not a single protest filed. Another sale in Wyoming resulted in over \$49 million in receipts with over 83,000 acres offered for sale. Sixteen more oil and gas lease sales are scheduled for the remainder of the year, which will offer thousands more acres for potential development across the Country. Each day, Bureau of Land Management staff are working diligently to process thousands of applications for permits to drill on already-leased lands.

For both onshore and offshore development, we are also identifying ways to facilitate development on the tens of millions of acres of unused leased areas. Today, more than 70 percent of offshore acres under lease are inactive, including almost 24 million inactive leased acres in the Gulf of Mexico, where an estimated 11 billion barrels of oil and 59 trillion cubic feet of natural gas are going unused. Onshore, as of June 2011, about 50 percent of leased acres – over 18 million acres in total – are neither being explored nor developed. These resources belong to the American people, who expect those supplies to be developed in a timely and responsible manner with a fair

return to taxpayers. As we continue to offer new areas onshore and offshore for leasing, as we have done over the last 2 years, we are also exploring ways to provide incentives to companies to bring production online quickly and safely. The incentives we have identified include a number of legislative proposals, such as requiring prompt investment in domestic oil and gas development by issuing leases with shorter terms, as well as providing incentives to encourage companies to get their offshore leases into production in a timely manner through reformed royalty and fee structures.

We look forward to continuing to work with all members of Congress to ensure that our Nation meets the gold standard for safe and environmentally responsible oil and gas development. A similar response has been sent to the cosigners of your letter.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Hayes". The signature is written in a cursive, flowing style with a prominent initial "D".

David J. Hayes

Congress of the United States
Washington, DC 20510

February 1, 2011

The Honorable Ken Salazar, Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

The Honorable Jacob Lew, Director
Office of Management and Budget
1650 Pennsylvania Ave., NW
Washington, DC 20503

Dear Secretary Salazar and Director Lew:

We write regarding pending federal regulations to guide the management of Off-Road Vehicle (ORV) use at Cape Hatteras National Seashore, in Dare County, North Carolina. Given the expected impact of these regulations on the Dare County economy and communities throughout North Carolina's Outer Banks, we ask that you ensure that any final management strategy will maximize public access to the extent permissible under law.

Cape Hatteras National Seashore was authorized as the nation's first national seashore in 1937, and has been managed by the National Park Service (NPS) since 1953. The beaches of Cape Hatteras are among the nation's best because they offer an opportunity for visitors to enjoy a natural landscape largely untouched by human development. To do so, park visitors use motorized vehicles to access many of the seashore's recreational areas.

Pursuant to Executive Orders 11644 and 11989, the NPS has worked in recent years to develop a rule to govern ORV use at Cape Hatteras. Most recently, the NPS concluded an environmental review of proposed alternatives, and has selected a preferred approach to comply with resource protection requirements (FR Doc. 2010-32549). We are concerned that this environmental impact analysis does not appear to reflect the input of local residents and businesses. However, this analysis will now serve as the basis for a management plan to implement the NPS findings.

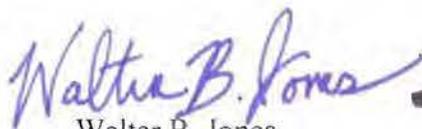
An overly restrictive ORV management plan will further imperil the economic vitality of Dare County families and businesses already struggling under current management practices. North Carolina's coastal communities have long fought to maintain the natural landscape of our beaches, and have resisted the extensive development that is seen elsewhere in the country.

These good intentions may be punished, however, should ORV regulations impose undue restrictions on beach access at Cape Hatteras. With this in mind, and with the NPS working with the Office of Management and Budget (OMB) to draft and review this rule, we urge you to provide as much public access to all Cape Hatteras Beaches as possible.

In particular, we ask that you provide additional access through the inclusion of ORV corridors that will allow access to all recreational areas open to ORV usage. Because Hatteras Island has an average width of only 1,500 feet, restrictions proposed by the NPS effectively close many areas in which there are no environmental concerns. For this reason, providing a means for the public to navigate through or around otherwise restricted areas to reach prime recreational opportunities will help to maximize responsible motorized access throughout the Seashore.

While we understand the unique challenges associated with managing ORV use at Cape Hatteras, we firmly believe the federal government is capable of providing a more appropriate balance between reasonable public access and environmental stewardship than what is contemplated under the Park Service analysis. We thank you for your efforts to strike this balance. Should you need any further information, please contact Perrin Cooke in Senator Hagan's office, Margaret Brooks in Senator Burr's office, and Joshua Bowlen in Congressman Jones's office.

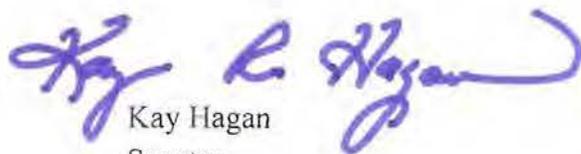
Sincerely,



Walter B. Jones
Member of Congress



Richard Burr
Senator



Kay Hagan
Senator

RECEIVED
2011 FEB 11 12

497843



Congress of the United States
House of Representatives
Washington, DC 20515-3305

July 3, 2001

The Honorable Gale A. Norton
Secretary of the Interior
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Norton:

The North Carolina Department of Cultural Resources has recently applied for federal matching funds from the Heritage Preservation Services - Save America's Treasures. I am writing in support of this request. The grant money will be used to fund the *Queen Anne's Revenge* Shipwreck Project, which promotes the conservation of artifacts already recovered from the shipwrecked flagship of the pirate Blackbeard.

The site and the artifacts of the *Queen Anne's Revenge* are threatened by hurricanes, storm-related damage, and strong ocean currents. Project archaeologists have focused excavation in the threatened area and several thousand artifacts have been necessarily recovered before project conservation facilities were ready to process them. This project will address the conservation of these artifacts. It will also fund sediment research to determine if mitigation and recovery strategies have neutralized the threat and will prepare to conserve additional artifacts if research demonstrates a need for their immediate recovery. In addition to these conservation efforts, the educational opportunities offered by this site will continue to be developed, including a conservation field school, conference presentations, and the beginning stages of a web-based museum and virtual reality shipwreck site.

Thank you for your consideration of their request. If you have any additional questions, please call Susanne Streb in my office at (202) 225-2071.

Sincerely,

Richard Burr
Member of Congress

RB:srs

EXECUTIVE SECRETARIAT
OFFICE OF THE

RESPOND TO
01 JUL 10 AM 10:55

WINSTON-SALEM OFFICE:
2000 WEST FIRST STREET, SUITE 508
WINSTON-SALEM, NC 27101
(336) 631-5125
FAX: (336) 725-4493
IN NC: 1 (800) 685-8916

PRINTED ON RECYCLED PAPER

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1526 LONGWORTH HOUSE OFFICE BUILDING
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(202) 225-2071
FAX: (202) 225-2995
DC INFO LINE: (202) 226-0320

GRAHAM OFFICE:
124 WEST ELM STREET
GRAHAM, NC 27253
(336) 229-0159
FAX: (336) 228-7974

549049

JUL 27 2001

2001-01515

H30(2255)

History

Honorable Richard Burr
House of Representatives
Washington, D.C. 20515-3305

Dear Mr. Burr:

Thank you for your letter of July 3, 2001, to this Department supporting the application from the Committee to Save the Queen Anne's Revenge for a Federal Save America's Treasures grant to conserve artifacts recovered from the *Queen Anne's Revenge* shipwreck.

The National Park Service administers these grants in collaboration with the National Endowment for the Arts. A national selection panel, which is comprised of senior staff with expertise in the appropriate disciplines and representing non-competing Federal agencies, met in June to evaluate applications and make recommendations for funding to the Secretary of the Interior. By law, the Secretary must consult with the House and Senate Committees on Appropriations prior to commitment of grant funds. Grants will be announced in August.

Thank you for your interest in the Save America's Treasures grants.

Sincerely,

John Robbins

Katherine H. Stevenson
Associate Director, Cultural Resource
Stewardship and Partnerships

bcc: 0001-Reading File 2250-Robbins
0120-Lowery 2605-A.P.C.
2200-Reading File 2255-Wallis, Shiffer, Spriggs

FNP:JWalls,jw.202-343-9564;7/24/01.M:\Shared Data\Millennium-Congressional's\Basic Letter\Burr, Queen
Anne's Revenge # 2001-01515
BASIC FILE RETAINED IN 2255

345205



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



DEC 20 2005

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your November 30, 2005, letter to the Secretary of the Interior Gale A. Norton concerning the application for entry assurances by **Non-Responsive** to the Micronesia Shipping Commission. The Department received your letter on December 12, 2005.

We sincerely appreciate your interest in this matter, and I am referring your letter to the appropriate member of our staff for response. You will hear from us again in the near future.

Please let me know whenever I can be of further assistance.

Sincerely,

Matt Eames
Director, Office of Congressional
and Legislative Affairs

United States Senate

WASHINGTON, DC 20510-3308

RECEIVED
05 DEC 13 PM 2:15

844085

November 30, 2005 OFFICE OF THE
EXECUTIVE SECRETARIAT

2005 DEC 12 PM 4:01

DEPT OF THE INTERIOR
OFFICE OF PROFESSIONAL
AFFAIRS

The Honorable Gale A. Norton
Secretary of the Interior
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Norton:

I am contacting you to bring to your attention a matter of concern relating to the Republic of Palau, the Federated States of Micronesia (FSM) and the Republic of Marshall Islands (RMI). In particular, the consideration of application for entry assurances by **Non-Responsive** to the Micronesia Shipping Commission.

Non-Responsive

Entry assurance is approved and granted by the Micronesian Shipping Commission (Commission), which is comprised of senior government officials from the three government entities of the Republic of Palau, FSM and the RMI.

Non-Responsive

Recent developments, specifically the withdrawal of one of the carriers providing the West Coast of the United States to Caroline Islands service leaves only one remaining carrier providing such services to the Western Caroline's (i.e. Palau and Yap Islands, FSM). This would appear to remove any rationale for denying **Non-Responsive** entry assurance on commercial grounds. Moreover, with the recent announcement that a major feeder carrier to the islands would cease business to the region, service is further limited.

Non-Responsive

Winston-Salem Office
2000 West First Street
Suite 508
Winston-Salem, NC 27104
(336) 631-5125
Fax: (336) 725-4493
Toll Free in NC: (800) 685-8916

Wilmington Office
201 North Front Street
Suite 809
Wilmington, NC 28401
(910) 251-1058
Fax: (910) 251-7975
Toll Free in NC: (888) 848-1833

Asheville Office
151 Patton Avenue
Suite 204
Asheville, NC 28801
(828) 350-2437
Fax: (828) 350-2439

Gastonia Office
181 South Street
Suite 222
Gastonia, NC 28502
(704) 833-0854
Fax: (704) 833-1467

Rocky Mount Office
100 Coast Line Street
Suite 210
Rocky Mount, NC 27804
(252) 977-9522
Fax: (252) 977-7902

Non-Responsive**Non-Responsive**

I have attached a copy of this letter for

your review.

Given that the governments comprising the Republic of Palau, FSM and RMI receive substantial United States foreign aid through Compact of Free Association agreements, I am concerned that US taxpayer dollars are being used to fund government activities that are maintaining an anti-competitive environment that is hindering the ability of United States companies to provide services in the region. At a minimum it would appear that the action of the Commission, intended or not, is favoring the perpetuation of a monopoly on the United States West Coast to the Caroline Islands service.

In accordance with all appropriate laws and regulations, I respectfully request that you communicate directly to the governments of the Caroline Islands a concern that United States taxpayer dollars are being used to subsidize anti-competitive policies that are harming both United States businesses and businesses in the region and that you express the Department's support for [REDACTED] application for entry assurance.

I thank you in advance for your consideration of this request and if I can provide any additional information, please do not hesitate to contact me.

Sincerely,



Richard Burr
United States Senator

RB:bv

cc: Mr. David Cohen,
Deputy Assistant Secretary, Insular Affairs
Department of the Interior

Enclosure

#345285



THE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON

DEC 31 2005

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510-3308

Dear Senator Burr:

Thank you for your letter of November 30, 2005, addressed to Secretary Gale A. Norton, concerning the rejection by the Micronesian Shipping Commission (MSC) of the application of **Non-Responsive** for entry assurance for its ships to service the Marshall Islands and Caroline Islands. The Secretary asked that I investigate and respond on her behalf.

As you know, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau are sovereign nations. As you point out, however, these nations receive a large amount of financial assistance from the U.S. Government. In order to elicit information concerning the **Non-Responsive** application, I have asked our Deputy Assistant Secretary for Insular Affairs, Mr. David B. Cohen, to write the chairman of the Micronesian Shipping Commission.

As soon as we have more information, I will correspond with you again.

Sincerely,

P. Lynn Scarlett

United States Senate

WASHINGTON, DC 20510-3308

848633

March 14, 2006

RECEIVED

06 MAR 24 PM 12:57

OFFICE OF THE
EXECUTIVE SECRETARIAT

Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, D.C. 20240

Dear Sir:

Enclosed is a copy of correspondence I have received from my constituent, **Non-Responsive** **Non-Responsive** regarding expenses accrued by **Non-Responsive** that **Non-Responsive** claims were never reimbursed by the Department of Interior. I believe that you will find this letter to be self-explanatory.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:sh

Enclosure

2006 MAR 24 AM 11:37
DEPARTMENT OF THE INTERIOR
OFFICE OF CONGRESSIONAL AFFAIRS

Winston-Salem Office
2000 West First Street
Suite 508
Winston-Salem, NC 27104
(336) 631-5125
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Wilmington Office
201 North Front Street
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Wilmington, NC 28401
(910) 251-1058
Fax: (910) 251-7975
Toll Free in NC: (888) 848-1833

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Fax: (704) 833-1467

Rocky Mount Office
100 Coast Line Street
Suite 210
Rocky Mount, NC 27804
(252) 977-9522
Fax: (252) 977-7902



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

National Business Center
Denver Federal Center, Building 50
P.O. Box 25047
Denver, Colorado 80225-0047

In Reply Refer To:
1781 (BC) 1382 (600)

April 12, 2006

The Honorable Richard Burr
2000 West First Street, Suite 508
Winston-Salem, NC 27104

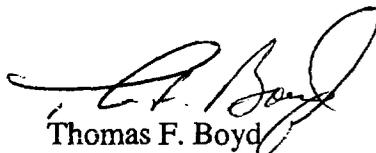
Dear Senator Burr:

This letter is in response to a request from your constituent, **Non-Responsive** As stated in your letter, **Non-Responsive** has requested your assistance with obtaining reimbursement from the Department of the Interior (DOI), Bureau of Land Management (BLM) for travel expenses and sick leave that were allegedly unpaid while she was employed by BLM.

Non-Responsive

If you have any additional questions, please contact Candace Thatcher, Division Chief, Accounting Operations Division at (303) 236-6369.

Sincerely,



Thomas F. Boyd
Director, National Business Center

Enclosures 3

- 1 – General Services Administration Board of Contract Appeals (GSBCA) Case (3 pp)
- 2 – 5 CFR Sections 630.407 and 630.502 (2 pp)
- 3 – CSRS Retirement Facts Brochure (11 pp)

cc: Candace Thatcher, BC-620
Correspondence, WO-615
Records Administration, HR-200



-FAX-

OFFICE OF THE EXECUTIVE SECRETARY

2006 OCT 31 PM 5:10

RECEIVED

GORDON H. SMITH

U.S. Senator for Oregon

TO: INTERIOR

OFFICE: Leg Affairs

FAX No.: () 208-6956

FROM: MATT HILL

PHONE: (202) 224-3753

DATE: 10/30/06

PAGES (including cover sheet): 3

NOTE: Hard copy in the mail

2006 OCT 31 PM 2:50

PRIOR SERIAL NUMBERS

United States Senate

WASHINGTON, DC 20510

October 30, 2006

The Honorable Dirk Kempthorne
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Kempthorne:

We write to ask for your assistance in meeting this nation's pressing natural resource challenges through the Fiscal Year 2008 budget request for the U.S. Geological Survey's Cooperative Fish and Wildlife Research Units (CFWRU). As you help to lead the President's Cooperative Conservation effort, we urge you to make greater use of this important research and training partnership, which already brings together state fish and wildlife agencies, state universities, and federal agencies around a local, applied research agenda.

Each of the 40 Cooperative Fish and Wildlife Research Units in 38 states is a true federal-state-university-private partnership among the U.S. Geological Survey, a State natural resource agency, a host university, and the Wildlife Management Institute. The CFWRUs build on these partner contributions to leverage more than three dollars for every dollar appropriated to the program by Congress.

The 40 CFWRUs across the country are crucial to successfully addressing the natural resource management challenges posed by energy development needs, invasive species, infectious diseases, wildfire, and increased demand for limited water resources. Solving these problems and others requires the CFWRU's management-oriented, community-based approach to research, which relies on interdisciplinary efforts and fosters collaboration and accountability. The challenges also include replacing the unprecedented number of natural resource professionals who will be retiring over the next 10 years. The CFWRUs are well positioned to meet this need with an established record of educating new natural resource professionals who are management-oriented, well-versed in science, grounded in state and federal agency experience, and able to assist private landowners and other members of the public.

To begin meeting these high priority research and training needs in Fiscal Year 2008, we ask that you establish a competitive, matching fund program within existing CFWRU legislative authority that would make available up to \$20 million annually in new funds beyond base operational costs. These new funds would support future cooperative research efforts in key areas and essential training of new natural resource professionals to replace the large number who will retire within the next 10 years.

The Fiscal Year 2008 Interior Department budget also should request approximately \$5 million more than the FY 2007 funding level for the CFWRUs to fill current scientist vacancies, restore seriously eroded operational funds for each CFWRU, and enhance national program coordination. This funding would restore necessary capacity in the CFWRU program for it to meet the nation's research and training needs, and it would ensure that the Interior Department

provides the federal scientist staffing agreed to with partners so that the return on their continuing investment in the CFWRUs is realized and fully leveraged. Without an infusion of funds, nearly a quarter of all CFWRU scientist positions (24) will need to be vacant by the end of Fiscal Year 2007 to remain within allowable spending levels.

We thank you for consideration of our request. With your assistance, the Cooperative Fish and Wildlife Research Units can become even more effective in using science and collaboration to address the natural resources challenges facing the Interior Department and other federal, state, and local agencies.

Sincerely,



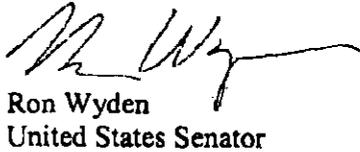
Gordon H. Smith
United States Senator



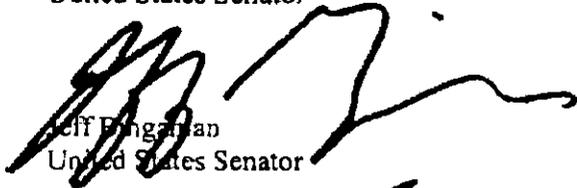
Ben Nelson
United States Senator



Max Baucus
United States Senator



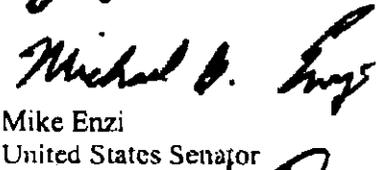
Ron Wyden
United States Senator



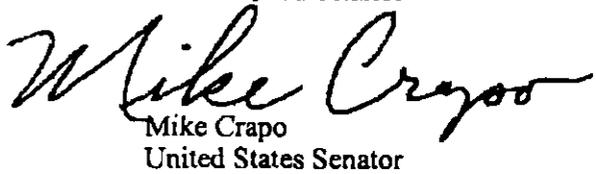
Jeff Bingaman
United States Senator



Craig Thomas
United States Senator



Mike Enzi
United States Senator



Mike Crapo
United States Senator



Daniel Akaka
United States Senator



Richard Burr
United States Senator



Ken Salazar
United States Senator



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

NOV 07 2006



The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your October 30, 2006, letter to Secretary of the Interior Dirk Kempthorne concerning funding for Cooperative Fish and Wildlife Research Units. The Department received your letter on October 31, 2006.

We sincerely appreciate your interest in this matter, and I am referring your letter to the appropriate member of our staff for response. You will hear from us again in the near future.

Please let me know whenever I can be of further assistance.

Sincerely,

Matt Eames

Director, Office of Congressional
and Legislative Affairs

RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510

August 3, 2007

The Honorable Dirk Kempthorne
Department of the Interior
1849 C Street, NW
Washington, DC
20240

Dear Secretary Kempthorne:

In light of the recent bridge collapse tragedy in Minneapolis, bridge safety remains a priority of mine. I am writing to you today out of my deep concern over the slow pace of the replacement of the Herbert C. Bonner Bridge in Dare County, North Carolina. As you are aware, Bonner Bridge is the only link between Hatteras Island and the rest of the Outer Banks. This bridge also allows residents and visitors essential access to the Pea Island Wildlife Refuge.

I have greatly appreciated your willingness to work with me and other North Carolina officials previously on this issue and I supported your proposal for the replacement of Bonner Bridge as outlined in your July 5, 2006 letter. As you know, the extent of the Bonner Bridge deterioration is so extensive that the National Bridge Inventory Standards gave it a sufficiency rating of a four, meaning the bridge is structurally deficient. This unacceptable safety situation is compounded by the fact that Bonner Bridge is the only evacuation route for the residents and visitors to Hatteras Island. This region of the east coast is prone to hurricanes, making a viable evacuation route a necessity.

In the year since your announcement of a proposal for replacing the bridge, the relevant state and federal agencies have been working to plan the replacement bridge between Bodie Island and the Pea Island Wildlife Refuge. The progress, however, has yet to result in a final agreement that will allow the replacement of the bridge to move forward. I urge you, and your department, to work with North Carolina to quickly finalize any remaining decisions, such as those surrounding Highway 12, that remain a barrier to replacing Bonner Bridge.

Thank you for your assistance on this issue in the past and I look forward to hearing from you.

Sincerely,



Richard Burr
United States Senator



United States Senator · North Carolina

RICHARD BURR

217 Russell Senate Office Bldg. • Washington, D.C. 20510-3308
202-224-3154 • FAX 202-228-2981

To: Robert Howarth
Fax: (202) 208-5533
From: J.P. Pierpan
Phone: (202) 228-2964
Re: Letter to Secretary Kempthorne
Date: August 3, 2007
Pages (including cover page): two (2)

022694

RECEIVED

2007 AUG - 6 PM 12: 01

OFFICE OF THE
EXECUTIVE SECRETARY

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#361709



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer to:
FWS/R4/ANRS/032506/361709

AUG 31 2007

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510-3308

Dear Senator Burr:

Thank you for your letter of August 3, 2007, to Secretary Kempthorne, regarding the replacement of the Herbert C. Bonner Bridge over Oregon Inlet in Dare County, North Carolina. The Department of the Interior shares your concern regarding the need to expeditiously replace the bridge in a way that meets public safety, environmental, and fiscal needs. As indicated in your letter, Secretary Kempthorne has agreed that replacement of the bridge itself can be accomplished in a way that is compatible with the National Wildlife Refuge System Improvement Act of 1997 (Refuge Improvement Act). The bridge must also be constructed within the same alignment or with minor realignment to meet applicable safety standards.

The U.S. Fish and Wildlife Service (Service) is part of an interagency "merger" team working to develop a plan to replace the Bonner Bridge in a way that meets State and Federal requirements. The team is led by the North Carolina Department of Transportation (NCDOT), the Federal Highway Administration, and the Army Corps of Engineers. These agencies establish the schedule for project-related work activities and meetings. The Service has provided all necessary and appropriate support and input to the process in a timely manner, and has exercised all available flexibility within our legal mandates, including the Refuge Improvement Act.

Please note that throughout the merger process, the Service has also requested additional information from these agencies to allow us to fully evaluate the compatibility of NCDOT's preferred alternative with the specific purposes for which Pea Island National Wildlife Refuge (Refuge) was established, as required under the Refuge Improvement Act. To date, however, the Service has not received this information. The NCDOT's preferred alternative would replace the existing road with a series of bridges, and would be built in four phases; the first phase being the bridge across Oregon Inlet, with remaining phases being constructed as necessitated by shoreline erosion.

While the intent is to construct these new bridges within the existing road's right-of-way, we believe this alternative would require continued maintenance outside of the existing road's right-of-way through the Refuge until each subsequent phase of bridge construction along NC 12 is completed. Current information also indicates that all 4 phases would require at least 13 years of actual construction over a 28-year timeframe. Based on the information that the Service currently has, it is unlikely that we could find this alternative to be compatible with the purposes for which the Refuge was established, as required under the Refuge Improvement Act.

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Approximately 3 years ago, all of the agencies involved in this important project reached consensus on the Pamlico Sound alternative. While circumstances have changed since then, I assure you the Service and the Secretary remain committed to finding a solution that meets important public safety needs and is consistent with the Federal natural resource laws we are charged with administering.

Thank you for your continued interest in this important issue. Should you have any questions or require further assistance, please contact me or Sam Hamilton, the Service's Southeast Regional Director, at (404) 679-4000.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Brent H. Stevens". The signature is written in a cursive style with a large, prominent initial "E".

Acting Deputy DIRECTOR

RICHARD BURR
NORTH CAROLINA



United States Senate

WASHINGTON, DC 20510-3308

August 23, 2007

025031

RECEIVED

2007 OCT -4 PM 12: 18

OFFICE OF THE
EXECUTIVE SECRETARIAT

Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, D.C. 20240

Dear Sirs:

I am writing in reference to a letter I sent to your office dated July 23, 2007, regarding **Non-Responsive** concerns for the closing of several beaches in Hatteras, North Carolina.

Since it has been some time since I sent my original letter, I would like to take this opportunity to verify that your office received the letter, and to offer my assistance in resolving this matter. I would appreciate any information you can provide me with regard to the status of my inquiry.

Thank you for your prompt attention to this matter. I look forward to hearing from you soon.

Sincerely,

Richard Burr
United States Senator

RB:laa

Enclosure

Winston-Salem Office
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United States Senate

WASHINGTON, DC 20510-3308

July 23, 2007

North Carolina Division
Congressional Liaison
U. S. Department of Interior
Post Office Box 33726
Raleigh, North Carolina 27636-3726

Dear Sirs:

Enclosed is a copy of correspondence I have received from my constituent, **Non-Response** **Non-Response** concerning the closing of several beaches in Hatteras, North Carolina. I believe that you will find this letter to be self-explanatory.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter

Sincerely,



Richard Burr
United States Senator

RB:laa

Enclosure

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IN REPLY REFER TO:
A3821 (CAHA)

United States Department of the Interior

NATIONAL PARK SERVICE

Southeast Regional Office
Atlanta Federal Center
1924 Building
100 Alabama St., S.W.
Atlanta, Georgia 30303



OCT 31 2007

The Honorable Richard Burr
United States Senate
Washington, DC 20510-3308

363606
Ex-Sec

Dear Senator Burr:

Thank you for your inquiry of August 23, 2007, to the Department of the Interior's Office of Congressional & Legislative Affairs on behalf of your constituent, **Non-Responsive** regarding management of off-road vehicles (ORV) at Cape Hatteras National Seashore (Seashore). On behalf of the Department, I have been asked to reply.

We understand and appreciate your concerns. Off-road vehicle use at the Seashore is a long-standing and emotionally charged issue for both ORV users and those who oppose ORVs on the beaches. One of the reasons for this is ORV use has increased significantly in recent years.

On July 17, 2007, U.S. District Court Judge Terrence W. Boyle, Eastern District of North Carolina, issued an order indicating that the National Park Service (NPS) is not in compliance with legal requirements to authorize and manage ORV use at the Seashore. The order confirmed information that the NPS was already aware of and has been working diligently to address. The order did not enjoin NPS from allowing continued ORV use while it works toward fulfilling the legal requirements. For the time being, the Seashore continues to operate under an Interim Strategy; some beaches remain open to ORV use, and some are closed for resource protection, safety reasons, or because of annual seasonal village closures.

As background, ORV use on Outer Banks beaches predates the 1937 authorization of the Seashore. Prior to paving NC Highway 12 in 1954, island residents and visitors routinely used the beaches and interdunal areas as a transportation route. The completion of the Bonner Bridge across Oregon Inlet in 1963 made access to Hatteras Island much easier, resulting in increased vehicle use of beaches for recreational purposes; and that use has continued to increase. Off-road vehicles are currently used to access the beaches for many forms of recreational activities including swimming, sunbathing, surf fishing, bird watching, surfing, shell hunting and scenic driving.

Executive Order 11644 (1972), amended by Executive Order 11989 (1977), required certain Federal agencies permitting ORV use on agency lands to publish regulations designating specific trails and areas for this use. Title 36 of the Code of Federal Regulations, Section 4.10, requires

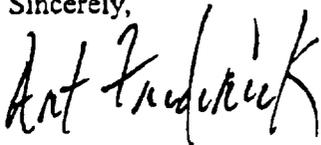
**TAKE PRIDE
IN AMERICA** 

units of the National Park System allowing ORV use to designate use areas and routes by special regulation. Despite previous efforts since the late 1970's, the NPS has yet to develop an ORV management plan or regulation to provide the necessary structure to supervise ORV use at the Seashore. Since January 2006, NPS staff at the Seashore have taken the following steps to address the ORV issues: (1) The NPS issued an Interim Strategy Protected Species Management Strategy (Interim Strategy) for the Seashore to guide protected species management practices for approximately 3 years until a long-term ORV management plan and regulation can be developed. A final decision document and Finding of No Significant Impact (FONSI) for the Interim Strategy was approved on July 13, 2007, by the Southeast Regional Director; (2) On December 11, 2006, NPS announced in the Federal Register the intent to develop an ORV management plan and environmental impact statement. The initial public scoping was completed in March 2007 for that planning process; and (3) Finally, on June 28, 2007, the NPS published in the Federal Register a Notice of Intent to establish a negotiated rulemaking committee (NEGREG) to help the NPS develop the required ORV regulation. The public comment period for the Notice of Intent ended on July 30, 2007. The NEGREG committee is now meeting on a regular basis.

More information about these planning processes can be obtained at the Cape Hatteras National Seashore Off-Road Vehicle Negotiated Rulemaking and Management Plan project website at <http://parkplanning.nps.gov/caha>. If your constituent wishes to receive electronic information regarding the ORV issue at the Seashore, including updates on which areas are currently open or closed to ORV access, he may do so by calling Cyndy Holda at 252-473-2111, ext. 148, or sending an email to cyndy_holda@nps.gov and request to be added to the mailing list.

We hope that this information is helpful and appreciate your interest in Cape Hatteras National Seashore.

Sincerely,



Art Frederick
Acting Regional Director
Southeast Region



UNITED STATES SENATOR ★ NORTH CAROLINA

RICHARD BURR



FASCIMILE TRANSMISSION 202-202-5533

TO: Dept. of Interior

ORGANIZATION/AGENCY:

DATE/TIME: 11-14-07

SUBJECT: Non-Responsive

NUMBER OF PAGES (including cover): 4

SENT BY:

- Leslie Ann Andresen
- Rebecca Heppel
- Judy Shaffner
- Jason Soper

125632

Comments: Thank you for your assistance with this matter.

Sincerely,
leslie Ann

RECEIVED
2007 NOV 15 PM 3:45
OFFICE OF THE
EXECUTIVE SECRETARIAT

PLEASE NOTE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient or if you have received this facsimile message in error, please notify us immediately by telephone and return the original facsimile to us by U.S. Mail. Any dissemination, distribution or copy of this facsimile is strictly prohibited.

If you have trouble receiving this fax, please call (910) 251-1058

RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510-3308

November 14, 2007

Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, D.C. 20240

Dear Sirs:

Enclosed is a copy of correspondence I have received from my constituent, **Non-Responsive** concerning property **owns** in Avon, North Carolina. I believe that you will find this letter to be self-explanatory. In particular I would like to draw your attention to the last paragraph of **Non-Responsive** letter and the questions that **has** raised regarding this issue.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter

Sincerely,



Richard Burr
United States Senator

RB:laa

Enclosure

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#364799



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



DEC 28

In Reply Refer To:
FWS:AFHC 034042,364799

The Honorable Richard Burr
United States Senator
201 North Front Street, Suite 809
Wilmington, North Carolina 28401

Dear Senator Burr:

Thank you for your letter of November 14, 2007, to the Office of Congressional and Legislative Affairs of the U.S. Department of the Interior (Department), regarding Unit L03 of the John H. Chafee Coastal Barrier Resources System (CBRS). The Department has requested the U.S. Fish and Wildlife Service (Service) to respond directly to you, and we apologize for the delay.

You requested that we review correspondence from your constituent, **Non-Responsive** whose property is located within CBRS Unit L03, Hatteras Island, North Carolina, and provide you with any information that may be helpful to your constituent.

The CBRS was established by the Coastal Barrier Resources Act (CBRA) in 1982 and consists of geographic units along the Atlantic, Gulf of Mexico, and Great Lakes coasts, delineated by a series of maps. Congress enacted CBRA to minimize the loss of human life, wasteful Federal expenditures, and damage to natural resources on undeveloped coastal barriers. CBRA accomplishes these goals by prohibiting most Federal expenditures that promote development within the CBRS, including Federal flood insurance. CBRA does not prevent development; rather, it restricts Federal subsidies that encourage development within these hazard-prone and ecologically sensitive areas. Unit L03 was designated as a CBRS unit with the passage of CBRA in 1982.

The Department, through the Service, is responsible for administering CBRA. The Service maintains the official maps of the CBRS, determines whether properties are located within the CBRS, consults with Federal agencies that propose spending funds within the CBRS, and makes recommendations to Congress regarding whether certain areas were appropriately included in the CBRS. Aside from three minor exceptions, only new legislation enacted by Congress can modify the boundaries to add or remove land from the CBRS. These exceptions include: (1) the CBRA 5-year review requirement that solely considers changes by natural forces such as erosion and accretion; (2) voluntary additions to the CBRS; and (3) additions of excess Federal property to the CBRS.

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Because of the limitations of the mapping technology used when the CBRS maps were last updated, CBRS boundaries do not always align precisely with the geomorphic, cultural, or development features they were intended to follow. As a result, we have encountered some cases where properties intended to be eligible for Federal subsidies are not eligible, and vice-versa. In the past, when alleged mapping errors were brought to our attention, the Service worked with Congress and interested property owners to review potential mapping errors, correct errors using digital technology, and enact revised digital maps with new technical correction legislation. The Service currently has a large backlog of requests to conduct technical correction reviews of CBRS units. The Service was unable to review potential mapping errors or create any new digital maps in Fiscal Year (FY) due to the lack of resources for this effort.

The Coastal Barrier Resources Reauthorization Act of 2006 (P.L. 109-226) directs the Department to create draft digital maps for the entire CBRS, which would include Unit L03. To date, the Service has not been able to conduct a review or draft a revised map of Unit L03, or any other CBRS units as directed by P.L. 109-226. Per the omnibus appropriations legislation signed into law on December 26, 2007, the Service was appropriated approximately \$640,000 in FY08 to review and remap the CBRS per the directives of P.L. 109-226. However, given the large number of CBRS units that need to be reviewed and remapped, the Service is unable to address Unit L03 in FY08. Depending on available funds for CBRS digital mapping, it may be several years before we are able to review CBRS Unit L03 and produce a draft digital map for Congress's consideration.

Thank you for your interest in this matter. If you have any further questions, please contact me or Mr. David J. Stout, Chief, Division of Habitat and Resource Conservation, at (703) 358-2161.

Sincerely,

A handwritten signature in black ink, appearing to read "Everett Wilson". The signature is fluid and cursive, written in a professional style.

Acting Assistant Director for Fisheries and
Habitat Conservation

RECEIVED
United States Senate
227295 WASHINGTON, DC 20510-3308 2007 DEC -4 AM 11:46

December 3, 2007 OFFICE OF THE
EXECUTIVE SECRETARIAT

FAXED
12-3
2 pages

Ms. Cynthia Reed
Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, D.C. 20240

Dear Ms. Reed:

Enclosed is a copy of correspondence I have received from my constituents, **Non-Responsive** and **Non-Responsive** concerning their restaurant which was on the **Non-Responsive** in western North Carolina, and the problems they have encountered with the Bureau of Indian Affairs since **Non-Responsive**

I believe that you will find this letter to be self-explanatory.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:sh

Enclosure

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United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

DEC 20 2007

Dear Senator Burr:

Thank you for your letter of December 3, 2007, regarding an inquiry to you from your constituents, **Non-Responsive** and **Non-Responsive** concerning a restaurant operation in Franklin, North Carolina, on the **Non-Responsive**. Your letter has been directed to me for a personal reply.

Non-Responsive

Non-Responsive

If you have any further questions or concerns regarding this matter, please feel free to contact me directly or contact the **Non-Responsive**.

Sincerely,

Carl J. Artman
Assistant Secretary - Indian Affairs

United States Senate

WASHINGTON, DC 20510-3308

229104
January 11, 2008

RECEIVED

2008 JAN 17 PM 1:19

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

The Honorable Dirk Kempthorne
Secretary
U.S. Department of Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Kempthorne,

Recently, it has come to my attention that the Department of Interior (DOI) is reviewing proposals for inclusion on the new candidate list of future US World Heritage Site nominations. The candidate list will guide future US nominations to the United Nations Educational, Scientific and Cultural Organization's (UNESCO) World Heritage List for the next 10 years.

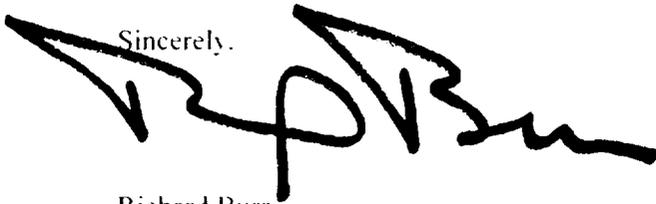
The deadline for submitting World Heritage Candidate sites for consideration by DOI passed in April of 2007. Among the 34 site submissions was an application by the Dayton Aviation National Historical Park. Additionally, the US National Commission for UNESCO made a recommendation that Dayton be included in the new list, but in a category for future consideration.

During the public comment period, one member of the National Commission's World Heritage subcommittee suggested that if Dayton is to be included in the tentative list before a future nomination is developed, it should be considered as a serial proposal along with the Wright Brothers National Memorial site in North Carolina (Kitty Hawk).

North Carolina has a rich history in flight and played an integral part in the Wright Brothers critical discovery. At the request of a constituent from Kitty Hawk, if Dayton Aviation is included on the new candidate list, I encourage you to consider adding Kitty Hawk as an additional component to an Ohio-North Carolina serial proposal before a nomination is submitted to UNESCO. I believe this could strengthen the Dayton application and better the United States chances of receiving one of these internationally recognized designations.

I look forward to hearing from you on this matter. Please feel free to contact me if you have any questions.

Sincerely,



Richard Burr
United States Senator

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United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

IN REPLY REFER TO:

FEB 07 2008

The Honorable Richard Burr
United States Senate
Washington, DC 20510 - 3308

Dear Senator Burr:

I thank you for your letter of January 11, 2008, to Secretary Kempthorne regarding the new U.S. World Heritage Tentative List (list of candidate sites). On behalf of the Secretary, I have been asked to reply. You indicate your support for the request of a constituent that the Wright Brothers National Memorial (Kitty Hawk, NC) be considered jointly along with the Dayton Aviation Sites at such time as the latter properties are considered for nomination by the United States to the World Heritage List.

As you are aware, the Wright Brothers National Memorial was nominated to the World Heritage List by the United States in 1981, but the nomination was withdrawn when the International Council on Monuments and Sites, the official advisor to the World Heritage Committee on cultural sites, recommended against its listing, primarily due to its judgment that the site has lost its historic integrity.

The Secretary has now included the Dayton Aviation Sites in the U.S. World Heritage Tentative List. The Tentative List entry (copy enclosed) for the Dayton Aviation Sites notes specifically that if and when a nomination of the Dayton Aviation Sites is considered, the Kitty Hawk site will be reexamined for its inclusion.

Your interest and that of your constituent in the World Heritage Program is appreciated and I hope that this response is of service to you. If you need further assistance, please feel free to contact Stephen A. Morris, Chief, Office of International Affairs, at 202-354-1803.

Sincerely,

Mary A. Bomar
Director

Enclosure

RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510-3308

February 29, 2008

FAXED
2-29
3 Pages

Ms. Cynthia Reed
Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, D.C. 20240

Dear Ms. Reed:

Enclosed is a copy of correspondence I have received from my constituent, **Non-Responsive** **Non-Responsive** concerning your letter dated December 20, 2007 regarding **Non-Responsive** their restaurant which was on the **Non-responsive** in western North Carolina.

I believe that you will find this letter to be self-explanatory.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:sh

Enclosure

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be Sec 6



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



APR 11 2008

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your letter dated February 29, 2008, directed to the Office of Congressional and Legislative Affairs concerning your constituents, **Non-Responsive** and **Non-Responsive** regarding a restaurant operation they held on the **Non-responsive**. Your letter has been sent to my office for a personal reply.

In my letter of December 20, 2007, I explained the position of the Bureau of Indian Affairs in this matter. We have not changed our position since then and we make no comment on the merits of your constituents' representations in their latest letter to you. If your constituents still believe that they have been aggrieved, they will have to pursue the matter with the **Non-Responsive**. **Non-Responsive** The BIA, **Non-Responsive** will be a party to this matter only if called upon by the **Non-Responsive** or if the Department's responsibilities to the Tribe are directly implicated. We regret that we cannot be of further assistance to you in this matter.

Thank you for your concern in this matter. We refer you to the **Non-Responsive** **Non-Responsive** for any further questions regarding this matter.

Sincerely,

Carl J. Artman
Assistant Secretary - Indian Affairs

United States Senate

WASHINGTON, DC 20510-3308

October 14, 2008

Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, D.C. 20240

Dear Sir or Madam:

My constituent, **Non-Responsive** recently contacted my office regarding a matter involving the Department of the Interior.

Non-Responsive originally contacted my office regarding the Department of Justice. The DOJ referred our correspondence to the DOI for further evaluation. I would appreciate any information you could provide to me that may help address my constituent's concerns.

I appreciate your prompt attention to this matter, and I look forward to hearing from you soon.

Sincerely,



Richard Burr
United States Senator

RB:rs

Enclosure

DEPT OF THE INTERIOR
OFFICE OF CONGRESSIONAL & LEGISLATIVE AFFAIRS

OFFICE OF THE EXECUTIVE SECRETARY

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NOV 30 11 27 AM '08

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United States Department of the Interior

COPY

OFFICE OF THE SECRETARY
Washington, D.C. 20240

NOV 18 2008

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your October 14, 2008, letter to the Office of Congressional and Legislative Affairs concerning your constituent, **Non-Responsive** and **Non-Responsive** or other Federal laws preventing discrimination by State or local programs that receive Federal financial assistance. The Department received your letter on November 4, 2008.

We sincerely appreciate your interest in this matter, and I am referring your letter to the appropriate member of our staff for response. You will hear from us again in the near future.

Please let me know whenever I can be of further assistance.

Sincerely,

Matt Eames
Director, Office of Congressional
and Legislative Affairs

3115092



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

The Honorable Richard Burr
United States Senator
200 West First Street, Suite 508
Winston-Salem, North Carolina 27104

DEC 30 2008

Dear Senator Burr:

Thank you for your letter of October 14, 2008, to the Office of Congressional and Legislative Affairs, regarding your constituent, **Non-Responsive** who contacted your office regarding a matter involving the Department of the Interior. On behalf of Matt Eames, Director of Congressional and Legislative Affairs, I have been asked to respond. I regret the delay in my response.

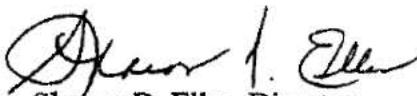
By way of background, the Office of Civil Rights is responsible for administering the Department's Public Civil Rights program, which includes processing discrimination complaints.

Non-Responsive filed a complaint concerning the issue in question on April 16, 2008, wherein **Non-Responsive** alleged the North Carolina Wildlife Resources Commission (NCWRC) subjected **Non-Responsive** to discrimination on the basis of **Non-Responsive**.

Non-Responsive The U.S. Fish and Wildlife Service was assigned this complaint for processing and is currently working with the parties to resolve the matter. A copy of the NCWRC letter responding to **Non-Responsive** allegation, as well as a copy of Fish and Wildlife's request to the NCWRC for further clarification, is enclosed for your review.

I hope this information is helpful in responding to your constituent. Please let me know if I can be of further assistance. I may be contacted at (202) 208-5693.

Sincerely,


Sharon D. Eller, Director
Office of Civil Rights

Enclosures



THE SECRETARY OF THE INTERIOR
WASHINGTON

DEC 31 2008

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510-3308

Dear Senator Burr:

As the time draws near to this Administration's end, I would like to say that I have enjoyed working with you and your staff.

I have appreciated your candor and support for many of the Administration's initiatives. While we have not always agreed on the outcome of these measures, I have always respected your passion on these matters. Together we have increased the funding for national parks, we have worked to restore healthy lands while helping to secure energy for our Nation, and we have helped stop the spread of crime in Indian Country and improved Indian education. As a former United States Senator, I know how hard Members of Congress work to achieve results to keep America moving forward.

In the years to come, I hope and trust we will be able to work together in whatever capacity our futures hold for us. Thank you for your service to the Nation.

Sincerely,

DIRK KEMPTHORNE

Thank you, Richard!



FAX TRANSMISSION FROM THE OFFICE OF

www.house.gov/burr

Richard Burr

Fifth District

1526 Longworth HOB Washington, DC. 20515

North Carolina

(p) 202.225.2071 (f) 202.225.2995

698567

TO: HONORABLE GALE NORTON

FAX: 208.5533

OF:

DATE: 19 DECEMBER 2003

TIME:

RE: Non-Responsive

NUMBER OF PAGES (cover included): 2

SENT BY:

- THE HONORABLE RICHARD BURR
- SUSAN BELL
- DREW ELLIOT
- KIMBERLY PENCILLE
- KIMREY RHINEHARDT
- JENNY HANSEN
- CHRIS JOYNER
- SAM WHITE
- BRIAN VANDERBLOEMEN
- RICKY WELBORN
- MANDY NELSON

RECEIVED
03 DEC 22 AM 8:39
OFFICE OF THE EXECUTIVE SECRETARY

COMMENTS:

HARD COPY TO FOLLOW IN THE MAIL.
HAPPY HOLIDAYS

03 DEC 19 04:04
OFFICE OF THE EXECUTIVE SECRETARY

DEPT OF JUSTICE

Notice: The information contained in this transmission is intended by the Office of The Honorable Richard Burr for the use of the named individual(s) or entity to whom it is addressed. Furthermore, this transmission may contain information that is confidential, privileged, and exempt from disclosure to third persons or parties. Any review, retention, dissemination, distribution, copying, or unauthorized disclosure and/or use of this transmission is strictly prohibited. If you have received this communication in error, please contact the sender at the above address.

RICHARD BURR
57th DISTRICT, NORTH CAROLINA

Richard.BurrNC05@mail.house.gov
http://www.house.gov/burr



COMMITTEE ON ENERGY AND COMMERCE
VICE CHAIRMAN

SELECT COMMITTEE ON
INTELLIGENCE

COMMITTEE ON
INTERNATIONAL RELATIONS

Congress of the United States
House of Representatives
Washington, DC 20515-3305

December 19, 2003

Mr. Paul Hoffman
Deputy Assistant Secretary
United States Department of the Interior
Division of Fish, Wildlife and Parks
1849 C Street, Northwest
Room 3156
Washington, D.C. 20240

Dear Mr. Hoffman:

I am writing to you concerning the recent press accounts of the United States Park Service's decision to place on leave, and terminate **Non-Responsive**

Non-Responsive

I appreciate your prompt attention to this matter as well as having your response faxed to my Washington, D.C. office no later than January 2, 2004.

Sincerely,


Richard Burr
Member of Congress

cc: The Honorable Gale Norton, Secretary of the Interior
The Honorable Charles Taylor, Chairman, House Committee on Appropriations, Subcommittee on the Interior and Related Agencies
The Honorable George Radonovich, Chairman House Committee on Resources, Subcommittee on National Parks, Recreation and Public Lands

WASHINGTON, DC OFFICE:
1526 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2071
FAX: (202) 225-2995
DC INFO LINE: (202) 226-0320

WINSTON-SALEM OFFICE:
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FAX: (336) 725-4493
IN NC: 1 (800) 685-8916

WILKESBORO OFFICE:
J.J. HAYES FEDERAL BUILDING
207 WEST MAIN STREET, ROOM 240
WILKESBORO, NC 28697
(336) 667-7418
FAX: (336) 667-7419

United States Senate

WASHINGTON, DC 20510-3308

January 22, 2009

DEPT OF THE INTERIOR
OFFICE OF LEGISLATIVE AFFAIRS
2009 JAN 33 PM 2: 27

Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, D.C. 20240

Dear Sir/Madam:

Enclosed is a copy of correspondence I have received from my constituent, Non-Responsive
Non-Responsive on behalf of the Blue Ridge Baptist Church Cemetery in Fleetwood, North
Carolina. I believe that you will find this letter to be self-explanatory.

Non-Responsive as well as other committee members, has requested my help in the acquisition
of a proposed easement (not ownership) to be conveyed to the Church's cemetery.

I would appreciate it if you would review the enclosed correspondence and provide me
with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:sh

Enclosure

OFFICE OF THE
EXECUTIVE SECRETARY

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Fax: (252) 977-7902

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2009 FEB 2 PM 4: 04
346079



United States Department of the Interior



NATIONAL PARK SERVICE
Southeast Regional Office
Atlanta Federal Center
1924 Building
100 Alabama St., S.W.
Atlanta, Georgia 30303

IN REPLY REFER TO:
SER-D

MAR 02 2009

The Honorable Richard Burr
United States Senate
2000 West First Street
Suite 508
Winston-Salem, NC 27104

Dear Senator Burr:

Thank you for your letter of January 22, 2009, to the Department of the Interior on behalf of your constituent, **Non-Responsive** regarding a proposed property easement involving the Blue Ridge Parkway. I have been asked to respond on behalf of the National Park Service (NPS) and we hope the following information is helpful to you.

To address your concerns, we asked Park Superintendent Phil Francis to investigate. The Blue Ridge Baptist Church is requesting an additional .485-acre easement be added to the church's deed reserved cemetery as the existing cemetery is rapidly approaching capacity. The church and cemetery are located entirely within the boundary of the Blue Ridge Parkway. It was deed reserved by the State of North Carolina in 1943 for the purpose "of maintaining a house for religious worship and a cemetery."

The Blue Ridge Baptist Church has been a good neighbor to the Blue Ridge Parkway for over sixty years. The people in the congregation are good-hearted and take great pride in their church. The building and grounds are always immaculately maintained, visually pleasing to Parkway visitors. The entire setting, the church building, cemetery, and grounds, is an attribute to the historic and cultural landscape of this rural, mountain community. However, as much as we appreciate the positive contribution this congregation has made to the Blue Ridge Parkway, the request to use federal land for non-park purposes is constrained by law and policy that take precedence.

First, there is no legal authority for the National Park Service (NPS) to sell, lease, or convey park land for the purpose of maintaining a cemetery. Second, the NPS, in its capacity as the legal owner of public lands, is required to formulate coherent and equitable policy as it relates to the many cemeteries encompassed within park lands. The NPS Management Policies Manual addresses the issue of family cemeteries at §8.6.10.2. It states:

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“The burial of family members in family cemeteries that have been acquired by the Park Service in the course of establishment of parks will be permitted to the extent practicable, pursuant to applicable regulations, until space allotted to the cemeteries has been filled.”

The NPS has examined the issue of cemetery expansion and found that policy dictates that internments should cease when available space has been filled. For these reasons, we are unable to grant the Blue Ridge Baptist Church’s request to expand the cemetery beyond the deed reserved easement.

Thank you again for contacting us on this matter and we hope this response adequately provides the information you need. If you need further information, please do not hesitate to call Realty Specialist Sheila Gasperson at 199 Hemphill Knob Road, Asheville, NC 28803 or at (828) 271-4779 ext. 218, or Park Superintendent Francis at (828) 271-4779, extension 202. We appreciate your interest in the National Park Service and the Blue Ridge Parkway.

Sincerely,



David Vela
Regional Director
Southeast Region

for

United States Senate

WASHINGTON, DC 20510-3308

February 23, 2009

Mr. Christopher Mansour
Congressional & Legislative Affairs
U. S. Department of Interior
Room 6256
1849 C Street, NW
Washington, D.C. 20240

Dear Mr. Mansour:

I am writing in reference to a letter I sent to your office dated January 22, 2009 regarding the Blue Ridge Baptist Church Cemetery in Fleetwood, North Carolina.

Since it has been some time since I sent my original letter, I would like to take this opportunity to verify that your office received the letter, and to offer my assistance in resolving this matter. I would appreciate any information you can provide me with regard to the status of my inquiry.

Thank you for your prompt attention to this matter. I look forward to hearing from you soon.

Sincerely,



Richard Burr
United States Senator

RB:sh

Enclosure

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Fax: (704) 833-1467

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Fax: (252) 977-7902

RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510-3308

March 25, 2009

Mr. Tom Wolfe
Legislative and Congressional Affairs
National Park Service
United States Department of the Interior
1849 C Street, Northwest
Room 7256
Washington, D.C. 20240

FAXED
3-25
8 Pages

Dear Mr. Wolfe:

I am writing in reference to a letter I sent to your office dated February 26, 2009 regarding **Non-Responsive** inquiry regarding a potential land exchange between the **Non-Responsive** and the **Non-Responsive**

Since it has been some time since I sent my original letter, I would like to take this opportunity to verify that your office received the letter, and to offer my assistance in resolving this matter.

I would appreciate any information you can provide me with regard to the status of my inquiry.

Thank you for your prompt attention to this matter. I look forward to hearing from you soon.

Sincerely,



Richard Burr
United States Senator

RB:sh

Enclosures

150079

RECEIVED
2009 MAR 26 PM 12:20

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Fax: (252) 977-7902

RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510-3308

February 27, 2009

Mr. Tom Wolfe
Legislative and Congressional Affairs
National Park Service
United States Department of the Interior
1849 C Street, Northwest
Room 7256
Washington, D.C. 20240

Dear Mr. Wolfe:

Enclosed is a copy of correspondence I have received from my constituent, **Non-Responsive** concerning a potential land exchange between the **Non-Responsive** and the **Non-Responsive**

As a follow-up to **Non-Responsive** letter dated December 22, 2008, **Non-Responsive** is requesting additional information regarding this possible transaction. I believe that you will find **Non-Responsive** letter to be self-explanatory.

I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:sh

Enclosure

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Fax: (704) 833-1467

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"Andresen, Leslie Ann (Burr)"
<LeslieAnn_Andresen@burr.senate.gov>

03/11/2009 01:59 PM

To: Eric Sanders/OCL/OS/DOI@DOI

cc

bcc

Subject: FW: Department of Interior potential property interest

Eric,

I was given your name and email as someone that may be able to assist me with this request from a group of Senator Burr's constituents.

These gentlemen have a piece of property located here in NC that may be of interest to the DOI. I think you will find their proposal self-explanatory.

Please let me know if I need to forward this information on to someone else or if you will be the person who can assist me with this matter.

I appreciate your assistance and look forward to hearing from you.

Sincerely,
Leslie Ann

Leslie Ann W. Andresen
Constituent Advocate/Staff Manager
United States Senator Richard Burr
201 N. Front Street, Suite 809
Wilmington, NC 28401
Phone: 910-251-1058
Fax: 910-251-7975

From: [Non-Responsive] [mailto:[Non-Responsive]]
Sent: Tuesday, March 10, 2009 4:10 PM
To: Andresen, Leslie Ann (Burr)
Cc: [Non-Responsive]
Subject: Department of Interior potential property interest

Ms. Andersen:

On behalf of [Non-Responsive] I am sending the attached zipped file containing a word document description of the property's assets and a map indicating the property's relevant location.

If you should need any further information or have any questions, please contact either [Non-Responsive] or myself. My cell number is [Non-Responsive]

Sincerely,

[Non-Responsive]

RECEIVED
MAR 11 PM 11:59

448794



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/R4/RF/ANRS/041224

JUL 06 2009

The Honorable Richard Burr
United States Senator
201 N. Front Street, Suite 809
Wilmington, North Carolina 28401

Dear Senator Burr:

Thank you for your letter of March 11, 2009, to Secretary of the Interior Salazar, regarding the **Non-Responsive** property located adjacent to Pocosin Lakes National Wildlife Refuge in North Carolina. The Secretary has asked the U.S. Fish and Wildlife Service (Service) to respond directly to you.

In order to expand a national wildlife refuge, an acquisition boundary must be established. Currently, Pocosin Lakes National Wildlife Refuge does not have an approved acquisition boundary, although refuge staff are developing the documents needed to initiate the required planning process. Once an acquisition boundary is established, the Service will seek to acquire land within that boundary from willing sellers, based on available funding.

Thank you for your continued support and interest in the National Wildlife Refuge System. If you have any further questions, please feel free to contact me or Mr. Sam Hamilton, the Service's Southeastern Regional Director, at (404) 679-4000.

Sincerely,


ACTING DEPUTY
DIRECTOR

Copy to your Washington Office

TAKE PRIDE
IN AMERICA 



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



AUG 04 2009

In Reply Refer To
FWS/AFIC/FARC/SEN003620

The Honorable Richard Burr
United States Senate
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your June 3, 2009, letter on behalf of **Non-Responsive** regarding the relocation of **Non-Responsive** position to the Arlington Virginia, headquarters of the U.S. Fish and Wildlife Service (Service). The decision to transfer the function of **Non-Responsive** **Non-Responsive** position back to Arlington was given considerable thought over an extended period of time. After careful deliberation, the Service believes this decision to be in the best interests of its **Non-Responsive** Program and the important **Non-Responsive** activities it undertakes.

The **Non-Responsive** position that increasingly requires regular meetings with partner agencies and organizations, most of which are headquartered in the Washington, DC Metro area. The fiscal climate dictates that all travel requests must be examined closely, and routine travel from **Non-Responsive** duty station in **Non-Responsive** North Carolina (NC) to the DC Metro area has become prohibitive. Additionally, budget formulation and execution deliverables, nearly all of which include an **Non-Responsive** component, are developed over a period of time through daily interactions, meetings, and dozens of conversations. However, many budget deliverables have very short turnaround times, and the breadth of knowledge required to accomplish these fast responses may only be obtained from daily, personal interaction with the Washington Office (WO) **Non-Responsive** staff. Also, administrative and contractual support for our **Non-Responsive** is available in the WO, where communication required to accomplish these complex functions is difficult over the phone or via email from the **Non-Responsive** North Carolina duty station.

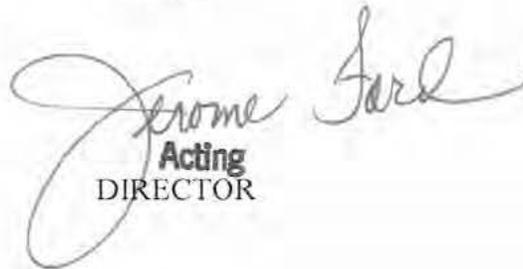
Non-Responsive was encouraged to relocate with the transfer of this position to the Service's Arlington Office as a part of this personnel action. As evidenced by **Non-Responsive** letter, **Non-Responsive** has determined that **Non-Responsive** is unable to relocate at this time or any time in the foreseeable future. While this is unfortunate, management within the **Non-Responsive** Program believes it is in the best interest of the Service and our partners to locate the **Non-Responsive** position within the Arlington Headquarters Office.

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The Service wishes **Non-Responsive** every success and hopes that **Non-Res** will be able to continue his Federal career should a position become available in proximity to **Non-Responsive** North Carolina. Managers within the **Non-Responsive** Program stand ready to provide letters of recommendation or any other assistance deemed appropriate as **Non-Responsive** pursues other employment opportunities.

If you should require further information please contact me or **Non-Responsive**
Non-Responsive

Sincerely,


Acting
DIRECTOR



UNITED STATES SENATOR ★ NORTH CAROLINA

urgent!

RICHARD BURR

100 Coast Line Street ♦ Room 210 ♦ Rocky Mount, NC 27804 ♦ Telephone (252) 977-9522 ♦ Fax (252) 977-7902

FASCIMILE TRANSMISSION

TO: *Christopher Mans* ~~FAX~~ # *202-208-5533*

ORGANIZATION/AGENCY: *U.S Dept of State*

DATE/TIME: *6/3*

SUBJECT: **Non-Responsive** - *job transfer or renewal*

NUMBER OF PAGES (including cover): *16*

SENT BY:

- Betty Jo Shephard
- Esther Clark
252-977-9522
- _____

Comments: *any information or help will be appreciated -
time sensitive*

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2009 JUN -4 PM 5:00

RICHARD BURR
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510-3308

June 3, 2009

Mr. Christopher Mansour
Director of Congressional Affairs
U.S. Dept. of the Interior
Mail Stop 6242
1849 C Street, N.W.
Washington, D.C. 20240-0001

Dear Mr. Mansour:

Enclosed is a copy of correspondence I have received from my constituent, [Redacted] concerning [Redacted] position as [Redacted] with the U.S. Fish and Wildlife Service located in [Redacted] NC. I believe that you will find this letter to be self-explanatory.

This position is being moved to the Washington, DC area and [Redacted] states that due to [Redacted] is unable to relocate. [Redacted] would like to remain in [Redacted] in this position or another position with the U.S. Fish and Wildlife Service. I would appreciate it if you would review the enclosed correspondence and provide me with any information that may be helpful to my constituent.

I am grateful for any assistance you may be able to provide in this matter.

Sincerely,



Richard Burr
United States Senator

RB:ec

Enclosure

Winston-Salem Office
2000 West First Street
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Congress of the United States

Washington, DC 20515

June 24, 2009

Secretary Ken Salazar
Department of the Interior
1849 C Street
Washington, DC 20240

Dear Secretary Salazar,

We write today to express our interest in the appointment of representatives from North Carolina to the Outer Continental Shelf (OCS) Policy Committee.

As you know, North Carolina has 64 million acres of OCS resources, the most of any state on the east coast and the fourth largest acreage in the country. While the state's OCS waters currently are non-energy producing, there has been historical interest in exploring and developing offshore energy resources of the North Carolina coast and throughout the Mid-Atlantic region. As these states continue to expand domestic production of traditional and alternative energy resources, North Carolina's coastal communities will be directly impacted by policies reviewed and approved by the OCS Policy Committee. In particular, the Committee is responsible for reviewing and commenting on all aspects of leasing, exploration, development, and protection of OCS resources and is intended to provide a forum to convey views representative of affected states and communities.

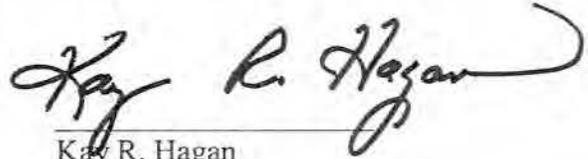
To this end, it is imperative that the Committee remain attentive to the status of national treasures throughout North Carolina's coast, including the Outer Banks and their adjacent estuaries (the largest lagoonal estuary complex in the world), and potential exploration of the state's OCS energy resources. In December 2008, former Governor Michael Easley indicated the state's interest in the OCS Policy Committee by nominating Mr. Jim Gregson and Dr. Jeffrey Warren to represent North Carolina throughout an initial three-year term of service. Under Mr. Gregson's leadership, the Division of Coastal Management is the lead State agency for OCS policy. Likewise, Dr. Warren was recently appointed to the state's Legislative Research Commission Advisory Subcommittee on Offshore Energy Exploration. With these nominations in mind, we respectfully ask that you give the appointment of North Carolina representatives to the OCS Policy Committee full and fair consideration, consistent with your statutory and regulatory responsibilities.

We look forward to working with you on issues that will guide the responsible stewardship of our nation's OCS resources. Should you have any questions or concerns, please feel free to contact Kara Weishaar (Senator Burr) at (202) 228-2964, Perrin Cooke (Senator Hagan) at (202) 224-9025, Jordan Moon (Representative Myrick) at (202) 225-1976 or Lee Lilley (Representative Butterfield) at (202) 225-3101.

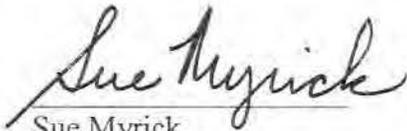
Thank you,



Richard Burr
United States Senator



Kay R. Hagan
United States Senator



Sue Myrick
Member of Congress



G. K. Butterfield
Member of Congress



THE SECRETARY OF THE INTERIOR
WASHINGTON

JUL 23 2009

The Honorable Richard Burr
United States Senate
Washington, D.C. 21510

Dear Senator Burr:

Thank you for your letter of June 24, 2009, cosigned by Senator Kay Hagan and Representatives G.K. Butterfield and Sue Myrick, expressing your interest in the appointment of representatives from North Carolina to the Outer Continental Shelf Policy Committee. The Department received your letter on July 7, 2009.

We sincerely appreciate your interest in this matter. Your nominees will be considered by the proper Department of the Interior office. They will be contacted if they are selected to serve on the Committee.

Please let me know whenever I can be of further assistance.

Sincerely,

Ken Salazar



THE SECRETARY OF THE INTERIOR
WASHINGTON

FEB 29 2012

The Honorable Richard Burr
United States Senate
Washington, DC 20510

Dear Senator Burr:

Thank you for your letter dated January 25, 2012, to President Barack Obama regarding management of our Nation's energy resources on Federal lands and waters. Your letter included discussion of Federal onshore and offshore acreage, both of which fall within the jurisdiction of the Department of the Interior (Department). President Obama has asked me to respond to your letter.

This Administration is advancing safe and responsible domestic oil and gas production as part of an "all of the above" energy strategy that is focused on improving our energy security and reducing dependence on foreign oil. When President Obama took office, the United States imported 11 million barrels of oil a day. President Obama put forward a plan to cut that by one-third by the Year 2025, and we are already making progress toward that goal. Since 2008, U.S. oil and natural gas production has *increased*, while imports of foreign oil have *decreased*.

In 2011, U.S. crude oil production reached its highest level since 2003, increasing by an estimated 90,000 barrels per day (bbl/day) over 2010 levels to 5.57 million bbl/day. America's natural gas production grew by an estimated 7.4 percent in 2011—the largest year-over-year volumetric increase, easily eclipsing the previous all time production record set in 1973. Overall, oil imports have been falling since 2008, and net imports as a share of total consumption declined from 57 percent in 2008 to 45 percent in 2011—the lowest level since 1995. The public lands and the Outer Continental Shelf (OCS) have contributed to this increase in domestic production.

Onshore

Last year, onshore oil production in the lower 48 states increased by 370,000 bbl/day over 2010 levels. Independent analysis shows that the number of onshore oil-directed drilling rigs increased from 777 at the beginning of 2011 to 1,193 on December 29, 2011. On public lands, the amount of oil produced in 2010 was the highest since 1997, and the amount of natural gas produced in 2011 from public lands was the second highest since 2004.

Industry has approximately 37 million acres under lease, and is actively producing from or exploring 16 million of those acres. The Energy Policy Act of 2005 authorized the Bureau of

Land Management (BLM) to retain the nonproducing lease rentals funds in the onshore oil and gas program. These important funds from rentals support seven pilot offices that contribute significantly in processing permits for industry in some of the most active offices. Companies have an inventory of approximately 7,000 applications for permits to drill that have been approved by BLM, but that have not yet been exercised. This figure represents leases where drilling operations are approved by the BLM and available to drill by industry. In both acres leased and permits issued but not yet acted upon, industry has a healthy inventory of opportunities to move ahead with energy production.

The BLM is offering onshore lease sales that continue to put even more lands under oil and gas leases, and industry response indicates that these are lands with significant potential. In 2011, the BLM held 32 oil and gas lease sales covering nearly 4.4 million acres and generating \$256 million in revenue for American taxpayers and shared disbursements to the states. This reflects a 20 percent increase in lease sale revenues from 2010. The largest sale in 2011 was the BLM's July 12 auction in Billings, Montana, where 111 parcels covering 32,180 acres of public land (19,392 acres in North Dakota; 12,788 acres in South Dakota) brought in more than \$66 million. Bonus bids in this sale were the second-highest received by the BLM since the Leasing Reform Act of 1987. The December 2011 sale in the National Petroleum Reserve-Alaska (NPR-A) attracted significantly more industry bids than the August 2010 sale. In the 2011 NPR-A sale, the BLM sold 17 tracts for \$3.6 million, as compared to the sale of five tracts for \$799,995 in the 2010 sale. Indicating the Department's commitment to responsibly expanding exploration and development activities on the public lands, this increased response in the NPR-A resulted partly from the Department's effort to resolve interagency issues with crossing the Colville River to serve development in the NPR-A.

The BLM continues to make new acres available for lease in 2012. Thus far, four lease sales have been held, and the BLM expects to hold an additional 32 lease sales over the course of the year.

Our leasing reforms have also allowed the Department to offer leases with fewer impediments to leasing as we fully address the issues that would otherwise lead to sale protests, appeals, and litigation as we clear parcels for the final sale list. In Wyoming, where 100 percent of lease sale parcels were protested in 2008, the BLM held a lease sale this month on which three protests were filed against seven of the 204 parcels in the sale. The sale went forward and produced nearly \$22 million in bonus bids, after all protests had been addressed. In 2009, nearly 50 percent of all new oil and gas parcels were being protested. Today, since the implementation of leasing reforms in early 2011, the number has declined to 36 percent.

We will continue to promote exploration and development of important domestic onshore resources with an approach that appropriately balances development with the Department's other responsibilities, as well as fair financial return to the U.S. citizens who own these precious resources under the Department's management. The BLM is implementing leasing reforms so that future lease sales will offer parcels in appropriate locations and reduce the contention and litigation that have characterized many development proposals in the past decade. Our goal is to work with local communities and address conflicts prior to lease sales, so that leasing activities—and the jobs that they generate—can move forward without being held up by protests or potential litigation.

Offshore

Offshore, the Administration is committed to making the areas with the most substantial resources available to companies, and to incentivizing diligent development of leases. The *Deepwater Horizon* uncontrolled blowout and oil spill made all too clear the tremendous human and environmental costs that can come from deepwater oil and gas drilling without proper safeguards. I am proud of the efforts the Department has taken to reform and strengthen our offshore drilling safety regime. I believe that the temporary pause in deepwater drilling activity following the oil spill was necessary to protect the human, marine, and coastal environments while we heightened standards, gained control of the Macondo well, and responded to the spill. The largest oil spill in American history demanded that strong action be taken. I am pleased that our reforms have increased safety and preparedness, including the development of readily available subsea containment systems, and restored public confidence in the industry and regulatory oversight. Offshore oil and gas exploration and development under these heightened standards is moving forward, and industry is continuing to invest in the Gulf of Mexico.

On December 14, the Department's Bureau of Ocean Energy Management (BOEM) held Western Gulf of Mexico Lease Sale 218, which attracted over 240 bids on 191 tracts, with nearly \$338 million in total high bonus bids—about \$100 million more than the average for Western Gulf sales over the previous decade. The Administration has announced that BOEM will hold Consolidated Central Gulf of Mexico Lease Sale 216/222 on June 20, 2012. The Lease Sale 216/222 will make available all unleased areas in the Central Gulf of Mexico, a region that BOEM estimates contains close to 31 billion barrels of oil and 134 trillion cubic feet of natural gas that are currently undiscovered and technically recoverable. The Central Gulf alone is estimated to hold about one-third of the OCS's undiscovered resources.

The Lease Sale 216/222 is the last remaining sale scheduled in the 2007–2012 OCS Oil and Natural Gas Leasing Program. As the President discussed in his State of the Union, we are finalizing the next Five Year Program for 2012-2017, which **will make more than 75 percent of estimated undiscovered technically recoverable oil and gas resources on the OCS available for development.** The Proposed 2012-2017 OCS Oil and Gas Leasing Program schedules 12 potential lease sales in the Gulf of Mexico, as well as three potential sales off the coast of Alaska.

In addition to holding lease sales, BOEM has implemented administrative reforms to ensure fair return to taxpayers and encourage diligent development. These include escalating rental rates to encourage prompt exploration and development of leases, as well as extensions built into the terms of the lease if the operator demonstrates a commitment to exploration by drilling a well during the base period. The length of lease terms is graduated by water depth to account for differences in operating at various water depths. The BOEM recently increased the minimum bid for deepwater to \$100 per acre, up from only \$37.50, to ensure that taxpayers receive fair market value for offshore resources and to provide leaseholders with additional impetus to invest in leases that they are more likely to develop. Rigorous analysis of the last 15 years of lease sales in the Gulf of Mexico showed that deepwater leases that received high bids of less than

\$100 per acre, adjusted for energy prices at the time of each sale, experienced virtually no exploration and development drilling.

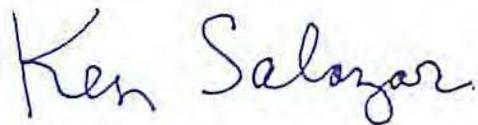
Regarding offshore rigs, the number of rigs that left the Gulf of Mexico after *Deepwater Horizon* has been more than offset by the number of new rigs being brought into the Gulf by companies eager to explore and develop its abundant oil and gas resources. The firm Baker Hughes reports that the total number of active offshore rigs in the U.S. was higher in January 2012 than any time since May 2010. Baker Hughes has published weekly averages of 42 to 45 rigs operating in the Gulf of Mexico in January through February 2012, comparable to the 41 to 46 rigs identified in their weekly averages for January through February 2010, prior to the oil spill.

With new rigs entering the Gulf of Mexico, the economy continuing to grow, and the industry complying with the strengthened safety and environmental standards, I am confident that the Gulf of Mexico remains an attractive place to work, with strong infrastructure to develop finds and bring resources to market efficiently.

The Department will continue to provide balanced, responsible leadership as we work with the states, stakeholders, and local communities on these important issues. Please be assured that this Department is moving forward, onshore and offshore, with policies and programs that will continue to bring important energy resources to market, with appropriate attention to safety and environmental protection. We know the importance of domestic oil and gas, now and for the future, for energy supply, economic prosperity, and revenue generation. We will continue to manage this Nation's oil and gas resources in the full interests of the American public.

Similar letters have been sent to the cosigners of your letter.

Sincerely,

A handwritten signature in black ink that reads "Ken Salazar". The signature is written in a cursive, slightly slanted style.

Ken Salazar