

FDA STAFF MANUAL GUIDES, VOLUME II – DELEGATIONS OF AUTHORITY

ADMINISTRATIVE – PERSONNEL

SELECTING AUTHORITY

Effective Date: May 5, 2017

1. AUTHORITY DELEGATED AND TO WHOM DELEGATED.

- A. The following officials are authorized to make the management decision regarding the choice of a person to fill a position by any type of personnel action. This authority is not abridged by vesting appointment authority in another official.
- 1) Officials who report directly to the Commissioner, for employees for whom they are the immediate supervisors, except for those whose appointment or selection requires approval in the Office of the Secretary. The officials are as follows:
 - a. Chief of Staff, Office of the Commissioner (OC).
 - b. Chief Counsel, Office of Councilor to the Commissioner (OCC), OC.
 - c. Chief Scientist, Office of the Chief Scientist (OCS), OC.
 - d. Associate Commissioner for External Affairs, Office of External Affairs (OEA), OC.
 - e. Director, Office of the Executive Secretariat (OES), OC.
 - f. Director, Office of Laboratory Science and Safety (OLSS), OC.
 - g. Director, Office of Minority Health (OMH), OC.
 - h. Associate Commissioner for Women's Health, Office of Women's Health (OWH), OC.
 - i. Deputy Commissioner for Foods and Veterinary Medicine, Office of Foods and Veterinary Medicine (OFVM).
 - j. Deputy Commissioner for Global Regulatory Operations and Policy, Office of Global Regulatory Operations and Policy (OGROP).

- k. Deputy Commissioner for Medical Products and Tobacco, Office of Medical Products and Tobacco (OMPT).
 - l. Deputy Commissioner for Operations & Chief Operating Officer, Office of Operations (OO).
 - m. Deputy Commissioner for Policy, Planning, Legislation, and Analysis, Office of Policy, Planning, Legislation, and Analysis (OPPLA).
- 2) Program Directors, Program Offices, Office of Regulatory Activities (ORA), OGROP, may serve as selecting officials for members of their immediate staffs at General Schedule (GS) 14 grade level and below; however, the concurrence of the Associate Commissioner for Regulatory Affairs is required for the selection of Program Division Directors' staff members at the GS-14 grade level.
 - 3) First level supervisor over the employee or higher.
 - 4) A management official higher in the supervisory line than the selecting official may exercise selection authority in lieu of the designated selecting official at the discretion of the higher level official.
- B. The following officials are authorized to make the management decision regarding the hiring of external scientific and other experts when a hiring official is considering employing a person on a gratuitous or voluntary basis or when emergency situations are warranted to prevent, prepare for, protect against, respond to, or recover from a threat or hazard. The Secretary may also direct FDA to provide emergency support to maintain the safety, efficacy and security of FDA regulated products:
- 1) Chief Scientist, OCS, OC.
 - 2) Director and Deputy Director, National Center for Toxicological Research (NCTR), OCS, OC.
 - 3) Deputy Commissioner for Foods and Veterinary Medicine, OFVM.
 - 4) Director and Deputy Director, Center for Foods Safety and Applied Nutrition (CFSAN), OFVM.
 - 5) Director and Deputy Director, Center for Veterinary Medicine (CVM), OFVM.
 - 6) Deputy Commissioner for Global Regulatory Operations and Policy, OGROP.
 - 7) Associate Commissioner and Deputy Associate Commissioner, Office of Regulatory Affairs (ORA), OGROP.

- 8) Deputy Commissioner for Medical Products and Tobacco, OMPT.
- 9) Director and Deputy Director, Center for Biologics Evaluation and Research (CBER), OMPT.
- 10) Director and Deputy Director, Center for Drug Evaluation and Research (CDER), OMPT.
- 11) Director and Deputy Director, Center for Devices and Radiological Health (CDRH), OMPT.
- 12) Director and Deputy Director, Center for Tobacco Products (CTP), OMPT.

2. LIMITATIONS.

- A. The Commissioner retains selecting authority for the immediate staff at all grade levels, for members of public advisory committees, and for those employees whose appointment or selection requires approval in the Office of the Secretary.
- B. The Secretary retains the authority to nominate persons for appointment by the President or by the President and with the advice and consent of the Senate.

3. REDELGATION.

These officials may not further redelegate these authorities.

4. EFFECTIVE DATE.

The delegations become effective upon date of signature.

This delegation was signed by Stephen M. Ostroff, M.D., Acting Commissioner of Food and Drugs on May 5, 2017.

STATUS (I, R, C)	DATE APPROVED	LOCATION OF CHANGE HISTORY	CONTACT	APPROVING OFFICIAL
Initial	11/12/2004	N/a	OM/OMP	Jeffrey M. Weber, Associate Commissioner for Management
Revision	05/05/2017	N/a	OO/OHR/DPPER	Stephen M. Ostroff, M.D., Acting Commissioner of Food and Drugs

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