

FDA STAFF MANUAL GUIDES, VOLUME II - DELEGATIONS OF AUTHORITY

ADMINISTRATIVE - PERSONNEL

APPOINTING AUTHORITY

Effective Date: 11/12/2004

1. AUTHORITY DELEGATED.

To effect discretionary and nondiscretionary actions involving appointments, promotions, changes to lower grades and reassignments of personnel to positions in the competitive and excepted services, including experts, consultants, and committee members; and involuntary separations, pay changes and any other personnel actions authorized by law or regulation, and to make necessary legal, regulatory, and policy compliance determinations and effect them.

2. TO WHOM DELEGATED.

Deputy Commissioners; Associate Commissioners; Center Directors; Chief Counsel; Director, Office of Management, CDER; Director, Office of Management, CBER; Director, Office of Management Systems, CFSAN; Associate Director for Management and Systems, CDRH; Director, Office of Management, CVM; Deputy Center Director for Management, NCTR, and Associate Director, Office of Management Services, NCTR; Director, Office of Resource Management, ORA; Director, Office of Executive Operations, Office of Management (OM), Office of the Commissioner (OC); and Director, Office of Management Programs, OM, OC.

All previous delegations of authority inconsistent with the provisions of this delegation are superseded.

3. LIMITATIONS.

- A. This authority does not apply to the PHS Commissioned Corps.
- B. The Secretary retains authority to suspend or separate an employee, whether in a sensitive or non-sensitive position, on grounds of disloyalty or subversion, restore to duty any employee who has been suspended on such grounds, or reemploy any person who has been separated from any federal position on such grounds.

4. REDELEGATION AND CERTIFICATION.

In accordance with Department policy, personnel management authority and responsibility may be delegated to the lowest organizational level consistent with good management practices. Any redelegation must be in writing and specify the nature and extent of the authority redelegated. Delegates must be certified as knowledgeable about the legal, regulatory and policy requirements regarding the subject authority. A copy of the redelegation of this authority must be furnished to the Director, Office of Management Programs (HFA-400) and to the FDA Delegations Officer (HFA-340). Delegates are subject to compliance audits.

5. EFFECTIVE DATE.

This delegation was signed by Jeffrey M. Weber, Associate Commissioner for Management, on November 12, 2004.