

¹Published @ 44 FR 31045, 5/30/1979

²Approved by the Secretary in Delegation of Authority Memorandum to the Assistant Secretary for Administration and Management, dated 10/11/2001

- ^aApproved by the Secretary in Memorandum to OPDIV/STAFFDIV Heads, titled “Strengthening the Department’s Regulatory Development Process,” dated 12/21/1994
- ^bApproved by the Secretary in Memorandum to OPDIV Heads and the Inspector General, titled “Delegation of Authority to Approved Reorganizations, dated 09/27/1995

³Approved by the President in Executive Order, titled “Executive Order on Succession at the Department of Health and Human Services,” dated 12/28/2001

SECTION AA.00 MISSION ^{1. 44 FR 31045,5/30/1979}

SECTION AA.10 ORGANIZATION ^{1. 44 FR 31045,5/30/1979}

SECTION AA.20 FUNCTIONS ^{1. 44 FR 31045,5/30/1979}

SECTION AA.30 RESERVATIONS OF AUTHORITY ^{2. Secretary memo, 10/11/2001}

SECTION AA.40 ORDER OF SUCCESSION ^{3. President EO, 12/28/2001}

Section AA.00 Mission ^{1. 44 FR 31045, 5/30/1979}. The Office of the Secretary provides staff assistance to the Secretary and otherwise assists the Secretary in administering and overseeing the organization, programs, and activities of the Department.

Section AA.10 Organization: The Office of the Secretary consists of the following components:

The Secretary (AA) ^{44 FR 31045, 5/30/1979}

– Office on Disability (AAC) ^{67 FR 70433, 11/22/2002}

– Office of Global Health Affairs (AAE) ^{09/30/2002, ASAM}

Deputy Secretary (AB)

– Office for Intergovernmental Affairs (ABC) ^{61 FR 24311-12, 05/14/1996}

– Security Clearance and Drug Testing Office (ABE) ^{67 FR 71568, 12/02/2002}

Office of Public Health and Science (AAC) ^{60 FR 56605-06, 11/09/1995}

Office of the Regional Directors (AD1-ADX) ^{61 FR 24311-12, 05/14/1996}

Office of the Assistant Secretary for Planning and Evaluation (AE) ^{67 FR 61341-43, 09/30/2002}

Office of Inspector General (AF) ^{62 FR 55810, 10/28/1997}

Office of the General Counsel (AG) ^{55 FR 17499-00, 04/25/90; 56 FR 47965, 09/23/1991; 57 FR 10765, 03/30/1992; 51 FR 35286, 10/02/1986}

Departmental Appeals Board (AH) ^{60 FR 52403-5, 10/06/1995}

Office of Assistant Secretary for Administration and Management (AJ) ^{68 FR 36808-12, 06/19/2003}

Office of the Assistant Secretary for Legislation (AL) ^{43 FR 34213, 08/03/1978}

Office of Resources and Technology (AM) ^{71 FR 38884-88, 07/10/06}

Office of Public Health Emergency Preparedness (AN) ^{70 FR 5183-5184, 02/01/2005}

Office of Assistant Secretary for Public Affairs (AP) ^{58 FR 52969, 10/13/1993}

Office of Global Health Affairs (AQ) ^{69 FR 51679-80, 08/20/2004}

Office of the National Coordinator for Health Information Technology (AR) ^{(70 FR 48718-48720,08/19/2005}

Office for Civil Rights (AT) ^{69 FR 48243-46, 08 /09/2004}

The Executive Secretariat (AX) ^{37 FR 2533 02/02/1972}

Section AA.20 Functions^{1. 44 FR 31045, 5/30/1979}.

A. **The Secretary (AA)** - The Secretary provides leadership to the Department and, under the Secretary's direction, the Office of the Secretary provide advice, assistance, and services to the headquarters and regional organizations of the Department.

B. The Chapters of Part A specify the functions of officials and organizations listed in Section AA.10 Organization.

Section AA.30 Reservations of Authority^{2. Secretary memo, dated 10/21/2001}. The Secretary reserves the following authorities, unless he/she modifies the reservation by specific delegations of authority:

A. ^{a. Secretary memo, 12/21/1994} Authorities to approve and issue regulations under certain provisions as defined in the delegation of authority for regulations issued by the Secretary to Operating Division Heads.

B. ^{b. Secretary memo, 09/27/1995} Authority to approve all reorganizations that involve more than one Operating Division; a statutorily based organization; or one that has a significant effect on the public.

C. Authority to submit annual or other reports that the President or the Congress require unless the law or delegation provide otherwise for their specific submission by the Secretary.

D. Authority to exercise authorities delegated by the President.

E. Human Resources Authorities

- a. Authority to nominate persons for appointment by the President, or by the President with the advice and consent of the Senate.
- b. Authority to suspend or separate an employee whether in a sensitive or nonsensitive position, on grounds of disloyalty or subversion; restore to duty an employee who has been suspended on such grounds; or reemploy any person who has been separated from any Federal position on such grounds
- c. Authority to approve the selection of persons for all noncareer Senior Executive Service (SES) and Schedule C positions
- d. Authority to approve the selection of persons as members of advisory committees or councils except where the Secretary has specifically delegated such approval authority

- e. Authority to grant cash awards based on performance, special acts, inventions, and adopted employee suggestions in amounts from \$10,001 to \$25,000 with prior approval of the U.S. Office of Personnel Management
- f. Authority to recommend, in conjunction with the Director of the U.S. Office of Personnel Management, the approval of an additional cash award of up to \$10,000 by the President
- g. Authority to nominate individuals to the U.S. Office of Personnel Management for award of the rank of meritorious executive or distinguished executive
- h. Authority to grant the Secretary's award for Distinguished Service, the Secretary's Special Citation, the Distinguished Public Service Award, the HHS Medallion Seal Award, the Secretary's Recognition Award, the Secretary's Certificate of Appreciation, the Secretary's Letter of Appreciation, and the 50-Year Length of Service Award
- i. Authority to approve nominations for all non-HHS awards officially submitted by the Department
- j. Authorities for the operation of the PHS Commissioned Corps are delegated to other officials

Equal Employment Opportunity Authorities

- a. Authority to review, reexamine or have any matter, complaint, charge, or claim of alleged discrimination reviewed or reexamined for purposes of reconsidering the resolution, decision, disposition, or adjustment agreement
- b. Authority to designate the Director of Equal Employment Opportunity for the Department
- c. Authority to issue final agency decisions under the provisions of Title 29 Code of Federal Regulations, Section 1614.10, on complaints of discrimination filed by applicants for or members of the Commissioned Corps of the U.S. Public Health Service

Section AA.40 Order of Succession³. President EO, 12/28/2001:

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 et seq., it is hereby ordered that:

Section 1. Subject to the provisions of section 3 of this order, the officers named in section 2, in the order listed, shall act as and perform the functions and duties of the Office of the Secretary of Health and Human Services (Secretary) during any period when both the Secretary and the Deputy Secretary of Health and Human Services (Deputy Secretary) have died, resigned, or become otherwise unable to perform the functions and duties of the office of Secretary.

Sec. 2. Order of Succession.

(a) The Assistant Secretaries of Health and Human Services appointed by the President and confirmed by the Senate, in the order in which they shall have taken the oath of office as such;

(b) The General Counsel of the Department of Health and Human Services; and

(c) Other officers within the Department of Health and Human Services who have been appointed by the President by and with the consent of the Senate, in the order in which they shall have taken the oath of office as such.

Sec. 3. Exceptions.

(a) No individual who is serving in an office listed in section 2(a)-(c) of this order in an acting capacity shall act as Secretary pursuant to this order.

(b) Notwithstanding the provisions of this order, the President retains discretion, to the extent permitted by the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 et seq., to depart from this order in designating an acting Secretary.

Part A: Office of the Secretary
Chapter AA: Immediate Office of the Secretary
Chapter AAC: Office on Disability

Approved by the Assistant Secretary for Administration and Management on 11/13/2002 and published @ 67 FR 70433, dated 11/22/2002

AAC.00 MISSION
AAC.10 ORGANIZATION
AAC.20 FUNCTIONS

Section AAC.00 Mission. The Office on Disability (OD) oversees the implementation and coordination of disability programs, policies, and special initiatives. The Office will heighten the interaction of programs within HHS and with federal, state, community and valuable private sector partners. The Office will support plans and initiatives designed to tear down barriers facing people with disabilities, which prevent them from fully participating and contributing in an inclusive community life.

Section AAC.10 Organization: The Office on Disability (OD) is headed by a Director, who reports to the Secretary, and serves as an advisor on HHS activities relating to disabilities.

Section AAC.20 Functions: The Office of Disability (OD) includes the following activities: the OD advises the Secretary on matters relating to implementation and coordination of policies, disability-related programs, and special disability-focused initiatives within the Department and with other federal agencies; and the Office will serve as the focal point within the Department for disabilities issues, including the coordination of disability policy, programs and special disability-related initiatives within the Department and with other Federal agencies. The Deputy Director of the Office on Disability assists the Director in carrying out the responsibilities of the Office and acts as Director in the absence of the Director.