

Directive 106.1
6/5/92

PREPARING AND ISSUING DELEGATIONS OF AUTHORITY

- I. This Directive:
PURPOSE
- A. Lists the documents through which current and provisional delegations of authority are issued within the Agricultural Marketing Service (AMS).
- B. Assigns responsibility for preparing and issuing delegations of authority.
- II. This Directive replaces AMS Directive 106.1, dated 5/31/89.
REPLACEMENT
HIGHLIGHTS
- III. A. It is the policy of the Agency to delegate authorities to the extent permissible under the law consistent with efficient administration, to facilitate effecting actions without delay, and to ensure the application of uniform and equitable policies.
POLICY
- B. Officials to whom authority is delegated will not approve administrative actions affecting themselves. These actions must be forwarded to the next higher level. Officials will comply with all procedures, provisions, and limitations contained in the directives governing authorities delegated.
- IV. A. Program Delegations of Authority are those 7 CFR Subtitle A delegations from the Secretary to the Assistant Secretary for Marketing and Inspection Services, and from the Assistant Secretary to the Administrator, AMS, which give the Agency legal authority to carry out programs mandated by law.
DEFINITIONS
- B. Public Information Notice required by 5 U.S.C. 552, Freedom of Information Act, is a statement published in the Federal Register which describes the AMS organization and functions, and lists places where the public may obtain information about the Agency.
- C. Provisional Delegation of Authority outlines a succession of authority in the Agency to assure continuity of executive direction when the Administrator is unable to carry out his/her responsibilities.
- D. Delegations of Administrative Authority pertain to formal delegations of authority required by regulations to approve actions related to the management of the Agency, e.g., expenditure of funds, requesting audits or investigations, personnel actions, etc.
- V. Delegations of authority within the Agency will be issued through the following means:
ISSUANCE OF
DELEGATIONS
- A. Federal Register Documents. Program delegations required under Title 7 CFR and the public information

notice required by 5 U.S.C. 552 will be published in the Federal Register. (See AMS Directive 123.1.)

B. Directives or Memoranda. Delegations of authority dealing with the administration of Agency programs, functions, or activities made to the incumbent of specific positions or to a functional organizational unit, may be issued in Agency or Division directives, or by memoranda, as applicable.

1. Delegations of program responsibilities from the Administrator and Deputy Administrators to Division or Staff Directors will be made by memoranda.

2. Provisional delegations of authority from the Administrator are contained in Attachment 1. The publishing of provisional delegations at organizational levels below that of the Division Director is optional and may be documented by Division directives or memoranda.

3. Delegations of administrative authorities will be made by memoranda or Division directives. Refer to the appropriate Agency, Department, or Government-wide regulation for guidance on specific delegation requirements, limitations, or exceptions.

VI.
CONTENTS OF
DELEGATIONS

A delegation of authority, or amendment thereto, shall include the following information as appropriate or required:

- A. The source of the authority being delegated.
- B. The position title (Branch Chief, Regional Director, etc.) of the incumbent delegated the authority.
- C. The authorities delegated, together with any limitations on or exceptions to their use.
- D. The extent of further delegation of authority permitted.
- E. The date on which the delegation shall be effective (if other than the date of signature).
- F. The date of termination or the point at which the delegation is automatically revoked (if not of a continuing nature).
- G. A citation to any previous delegation that is being amended, superseded, or terminated.
- H. The name, title, and signature of the official empowered to delegate the authority specified.
- I. Concurrence, as necessary, by the next higher level of supervision or by the Administrator, or appropriate Deputy Administrator.

VII.
RESPONSI-
BILITIES

A. Division and Staff Directors shall prepare any delegations of authority required by their respective assigned functions as follows:

1. If the delegation is by memorandum:

a. Distribute a signed copy of the delegation to each position incumbent to whom authority is being delegated.

b. Provide a copy of the delegation to each organizational unit that may be required to take action on documents initiated by the position incumbent to whom authority has been delegated.

c. File a copy of the memorandum in the Division or Staff file of delegations.

2. If the delegation is by Division or Staff directive, ensure each position incumbent to whom authority is being delegated is provided a copy of the specific directive.

B. The Classification Branch, Personnel Division, shall prepare, for publication in the Federal Register, any changes required in the Title 7 Program Delegations, and the Freedom of Information Act public notice.

L. P. Massaro

Deputy Administrator, Management

Attachment

Attachment 1
AMS Directive 106.1
6/5/92

PROVISIONAL DELEGATION OF AUTHORITY

Provisional authority is hereby delegated to the incumbents of the positions listed below to act as Administrator of the Agency in the event of my inability to do so while I am in travel status, on leave, or otherwise unavailable. The position incumbents are listed in the order of their precedence to act.

ORDER OF SUCCESSION

Deputy Administrator, Marketing Programs

Deputy Administrator, Management

Director, Livestock and Seed Division

Director, Fruit and Vegetable Division

Director, Cotton Division

Director, Dairy Division

Director, Poultry Division

Director, Tobacco Division

Director, Science Division

Director, Compliance Staff

Director, Transportation and Marketing Division

/s/ Kenneth Clayton

Acting Administrator

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