

(vii) Requiring approval by the Chief Information Officer of any proposed acquisition of information technology (whether through the award or modification of a procurement contract, a cooperative or other agreement with a non-Federal party, or an interagency agreement) to ensure technical conformance to the Department technical architecture.

(viii) Providing guidance to USDA regarding implementation of Section 508 of the Rehabilitation Act, as well as on-going consultative assistance regarding information technology accessibility, and reviewing progress made toward achieving information technology accessibility for USDA employees and individuals with disabilities.

(13) *Related to the Privacy Act.* Appoint a Department Privacy Act Officer; oversee general officers and agency heads in the development and implementation of policies issued pursuant to the provisions of the Privacy Act, 5 U.S.C. 552a; and provide consultation and guidance regarding those policies.

(14) *Related to the Freedom of Information Act.* Serve as the Chief Freedom of Information Act Officer for the Department; oversee general officers and agency heads in efficient and appropriate compliance with the provisions of the Freedom of Information Act (5 U.S.C. 552); monitor implementation of 5 U.S.C. 552 throughout the agency and keep the Secretary, the General Counsel, and the Attorney General informed regarding agency performance in its implementation; recommend to the Secretary necessary adjustments to agency practices, policies, personnel, and funding to improve implementation of 5 U.S.C. 552; review and report to the Attorney General, through the Secretary, as the Attorney General may direct; and, facilitate public understanding of the purposes of the statutory exemptions contained in 5 U.S.C. 552.

(b) [Reserved]

[60 FR 56393, Nov. 8, 1995, as amended at 77 FR 14954, Mar. 14, 2012; 78 FR 40939, July 9, 2013]

§ 2.91 Director, Office of Human Resources Management.

(a) *Delegations.* Pursuant to § 2.24(a)(4), with due deference for dele-

gations to other Departmental Management officials, and subject to the reservations in § 2.24(b), the following delegations of authority are made by the Assistant Secretary for Administration to the Director, Office of Human Resources Management:

(1) Formulate and issue Department policy, standards, rules and regulations relating to human resources management.

(2) Provide human resources management procedural guidance and operational instructions.

(3) Set standards for human resources data systems.

(4) Inspect and evaluate human resources management operations and issue instructions or take direct action to insure conformity with appropriate laws, Executive Orders, Office of Personnel Management (OPM) rules and regulations, and other appropriate rules and regulations.

(5) Exercise final authority in all human resources matters, including individual cases, that involve the jurisdiction of more than one General Officer, or agency head, or otherwise as deemed appropriate.

(6) Receive, review, and recommend action on all requests for the Secretary's or Assistant Secretary for Administration's approval in human resources matters.

(7) Authorize and make final decisions on adverse actions except in those cases where the Assistant Secretary for Administration or the Director, Office of Human Resources Management, has participated.

(8) Represent the Department in human resources matters in all contacts outside the Department.

(9) Exercise specific authorities in the following operational matters:

(i) Waive repayment of training expenses where an employee fails to fulfill service agreement.

(ii) Establish or change standards and plans for awards to private citizens.

(iii) Execute, change, extend, or renew:

(A) Labor-Management Agreements.

(B) Certifications of supervisory/managerial and non-labor union employee and professional organizations and associations.

§2.91

(iv) Represent the Department in all contacts with the national offices of labor organizations in fulfilling the Department's national consultation obligations under 5 U.S.C. 7113.

(v) Change a position (with no material change in duties) from one pay system to another.

(vi) Grant restoration rights, and release employees with administrative reemployment rights.

(vii) Authorize any mass dismissals of employees in the Washington, DC metropolitan area.

(viii) Approve "normal line of promotion" cases in the excepted service where not in accordance with time-in grade criteria.

(ix) Make the final decision on all classification appeals filed with the Department of Agriculture.

(x) Authorize all employment actions (except nondisciplinary separations and LWOP) and classification actions for senior level and equivalent positions including Senior Executive Service positions and special authority professional and scientific positions responsible for carrying out research and development functions.

(xi) Authorize all employment actions (except LWOP) for the following positions:

(A) Schedule C.

(B) Non-career Senior Executive Service or equivalent.

(C) Administrative Law Judge.

(xii) Authorize and make final decisions on adverse actions for positions in GS-1-15 or equivalent.

(xiii) Authorize and make final decisions on adverse actions for positions in the career Senior Executive Service or equivalent.

(xiv) Approve the details of Department employees to the White House.

(xv) Authorize adverse actions based in whole or in part on an allegation of violation of 5 U.S.C. chapter 73, subchapter III, for employees in the excepted service.

(xvi) Authorize long-term training in programs which require Department-wide competition.

(xvii) Initiate and take adverse action in cases involving a violation of the merit system.

(xviii) Any other human resources operational matter.

7 CFR Subtitle A (1-1-16 Edition)

(10) As used in this section, the term human resources includes:

(i) Position management.

(ii) Position classification.

(iii) Employment.

(iv) Pay administration.

(v) Automated human resources data and systems.

(vi) Hours of duty.

(vii) Performance management.

(viii) Promotions.

(ix) Employee development.

(x) Incentive programs.

(xi) Leave.

(xii) Retirement.

(xiii) Human resources program management accountability and evaluation.

(xiv) Social security.

(xv) Life insurance.

(xvi) Health benefits.

(xvii) Unemployment compensation.

(xviii) Labor management relations.

(xix) Intramanagement consultation.

(xx) [Reserved]

(xxi) Discipline.

(xxii) Appeals.

(xxiii) Drug Testing Program.

(xxiv) Worklife Program.

(xxv) Transit Subsidy Program.

(11) Maintain, review, and update Departmental delegations of authority.

(12) Recommend authorization of organizational changes.

(13) Formulate and promulgate Departmental policies regarding reorganizations.

(14) [Reserved]

(15) Provide for diversity and inclusion, as follows:

(i) Establish, direct, and provide policy and oversight for a Department-wide Special Emphasis Program (SEP) including: Women, African Americans, Hispanics, Asian/Pacific Islanders, Native Americans, Disabled, and Gay/Lesbian/Bisexual/Transgender.

(ii) Provide oversight and support for Departmental SEP recognition programs.

(iii) Direct and oversee the Department-wide SEPM Council.

(iv) Administer Federal Equal Opportunity Recruitment Program.

(16) Oversee and manage the Department's administrative grievance program.

(17) Make final decisions in those cases where an agency head has appealed the recommended decision of a grievance examiner.

(18) Administer the administrative appeals process related to the inclusion of positions in the testing designated position listing in the Department's Drug-Free Workplace Program and designate the final appeal officer for that Program.

(19) Formulate and issue Department policy, standards, rules, and regulations relating to the Senior Scientific Research Service (7 U.S.C. 7657).

(20) Provide human resources operational services for the following:

- (i) The Secretary of Agriculture.
- (ii) The general officers of the Department.
- (iii) The offices and agencies reporting to the Assistant Secretary for Administration.
- (iv) The Office of the Assistant Secretary for Civil Rights.

(v) Any other offices or agencies of the Department as may be agreed.

(21) Redesignate, as appropriate, any authority delegated under paragraphs (a)(1) through (a)(20) of this section to general officers of the Department and heads of Departmental agencies, provided that the Director, Office of Human Resources Management retains the authority to make final decisions in any human resources matter so redelegated.

(b) *Reservations.* The following authorities are reserved to the Assistant Secretary for Administration:

(1) Authorize organizational changes occurring in a Department agency or staff office which affect the overall structure of that service or office; *i.e.*, require a change to that service or office's overall organization chart.

(2) Approve coverage and waiver of individual law enforcement and firefighter positions under the special retirement provisions of the Civil Service Retirement System and the Federal Employees Retirement System.

[60 FR 56393, Nov. 8, 1995, as amended at 77 FR 14954, Mar. 14, 2012; 78 FR 40939, July 9, 2013; 79 FR 44117, July 30, 2014]

§ 2.93 Director, Office of Procurement and Property Management.

(a) *Delegations.* Pursuant to § 2.24(a)(6) of this chapter, and with due deference for delegations to other Departmental Management officials, the following delegations of authority are made by the Assistant Secretary for Administration to the Director, Office of Procurement and Property Management:

(1) Exercise full Departmentwide contracting and procurement authority.

(2) Promulgate policies, standards, techniques, and procedures, and represent the Department, in the following:

(i) Acquisition, including, but not limited to, the procurement of supplies, services, equipment, and construction.

(ii) Socioeconomic programs relating to contracting.

(iii) Selection, standardization, and simplification of program delivery processes utilizing contracts.

(iv) Acquisition, leasing, utilization, value analysis, construction, maintenance, and disposition of real and personal property, including control of space assignments.

(v) Motor vehicle and aircraft fleet and other vehicular transportation.

(vi) Transportation of things (traffic management).

(vii) Prevention, control, and abatement of pollution with respect to Federal facilities and activities under the control of the Department (Executive Order 12088, "Federal Compliance With Pollution Control Standards," 3 CFR, 1978 Comp., p. 243).

(viii) Implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601, *et seq.*).

(ix) Development and implementation of sustainable operations actions including establishing and achieving greenhouse gas emission reduction goals, reducing energy intensity, increasing renewable energy use, increasing water efficiency, reducing petroleum use and increasing alternative fuel use, increasing recycling and waste diversion, preventing pollution, reducing use of toxic chemicals, procuring sustainable products and services, achieving sustainable principles