

HHS Transmittal 96.2  
Personnel Manual  
Issue Date: 2/22/96

Material Transmitted:

HHS Instruction 300-3, Detail of Employees (pages 1-3)

Material Superseded:

HHS Instruction 300-3 (all)

Background:

This Instruction has been substantially streamlined in accordance with National Performance Review recommendations, and in support of HHS administrative initiatives calling for more streamlined rules and greater delegations of authority.

Any reference to "OPDIV" in this Instruction now includes the PHS agencies, the Office of the Secretary, the Program Support Center, HCFA, ACF, and AOA.

This issuance is effective immediately. Implementation under this issuance must be carried out in accordance with applicable laws, regulations, and bargaining agreements.

Filing Instructions:

Remove superseded material and file new material. Post receipt of this transmittal to the HHS Check List of Transmittals and file this transmittal in sequential order after the check list.

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INSTRUCTION 300-3

DISTRIBUTION: MS (PERS): HRFC-001

HHS PERSONNEL INSTRUCTION 300-3  
DELEGATION OF AUTHORITY TO DETAIL EMPLOYEES

A. Authority Delegated

1. Heads of Operating Divisions (including PHS agencies and the Program Support Center), the Assistant Secretary for Management and Budget for the Office of the Secretary (OS), and the Inspector General (for OIG) are delegated the authority to:
  - a. detail and extend details of civil service personnel within the Department in increments not to exceed 120 days, pursuant to 5 U.S.C. 3341; and
  - b. detail and extend details of civil service personnel to or from other Federal organizations on either a reimbursable or a non-reimbursable basis pursuant to 31 U.S.C. 1535.
2. These authorities may be redelegate with further redelegation authorized.

B. Restrictions

1. The term "Federal organizations" in paragraph A.1.b. above does not include the Executive Office of the President and the Legislative and Judicial Branches of Government.
2. The Assistant Secretary for Management and Budget retains the authority to approve all details to or from the Executive Office of the President and to or from the Legislative and Judicial Branches of Government (including the General Accounting Office, the Library of Congress, and the Government Printing Office).

C. Exclusions

1. This delegation does not cover:
  - a. Assignments of excepted employees other than those with Schedule A and B or VRA appointments to competitive service positions (5 CFR 6.5) ;
  - b. Details of Administrative Law Judges (5 U.S.C. 3344);

- c. Details to certain Executive positions (5 U.S.C. 3344- 3349) ;
- d. Details of members of the Senior Executive Service (5 CFR 317.903) ;
- e. Details of PHS Commissioned Officers (42 U.S.C. 215):
- f. Details between HHS and a non-Federal organization under Section 214 of the PHS Act, as amended;
- g. Details under the Intergovernmental Personnel Act of 1970 (5 U.S.C. 3372-3374; and 5 CFR Part 334); and
- h. Details to an International organization (5 U.S.C. 3343; and 5 CFR 352.304).

D. Information and Guidance

- 1. The authorities delegated in paragraphs A.1.a and b. above must be exercised in accordance with the requirements and/or provisions in the following references:
  - a. U.S.C. 112 (Details to the Executive Office of the President)
  - b. U.S.C. 3341 (Details within Executive or Military Departments)
  - c. Civil Service Rule 5 CFR 6.5 (Assignment of Excepted Employees)
  - d. 31 U.S.C. 1301 (Appropriation Restrictions on Assignment of Employees)
  - e. 31 U.S.C. 1535 (Assignment of Employees Between Executive Branch Departments and Agencies and Written Agreements Between Agencies Detailing Employees)
  - f. 4 CG 848-849, April 13, 1925 (Appropriations and Transfer)
  - g. 21 CG 954, April 27, 1942 (Details to the Legislative Branch)
  - h. 21 CG 1055, May 26, 1942 (Details to the Legislative Branch)

- i. 64 CG 370, B-211373, March 20, 1985 (Nonreimbursable Details)

E. Prior Delegations

This delegation supersedes the February 19, 1991, Delegation of Authority to Detail Personnel, as amended September 29, 1993, from the Assistant Secretary for Personnel Administration to the Heads of Operating Divisions and Regional Directors. To the extent that previous redelegations of the authority to detail personnel made to other officials within HHS are consistent with the provisions of this delegation, they may remain in effect until new redelegations are made under the authority of this delegation.

F. Effective Date

This delegation is effective on the date of this transmittal.