

(d) The *Dean of the F. Edward Hebert School of Medicine* shall develop and administer policies and procedures on the academic affairs of the F. Edward Hebert School of Medicine.

§ 367a.7 Relationships.

(a) In carrying out the responsibilities and functions of chief executive officer of the USUHS, the President of the USUHS shall:

(1) Obtain advice from the Board of Regents as necessary to assist the President in performing the President's duties.

(2) Coordinate and exchange information and advice with elements of the OSD and other DoD Components having collateral or related responsibilities.

(3) Make use of established facilities and services in the Department of Defense and other Government Agencies, whenever practical, to avoid duplication and achieve maximum efficiency and economy.

(4) Consult and coordinate with other governmental and nongovernmental agencies on matters related to the mission and programs of the USUHS.

(b) The Heads of the DoD Components shall coordinate with the ASD(HA) on all matters relating to the mission and programs of the USUHS.

§ 367a.8 Authorities.

The ASD(HA) shall exercise the delegations of administrative authority contained in appendix A to this part.

APPENDIX A TO PART 367A— DELEGATIONS OF AUTHORITY

Pursuant to the authority vested in the Secretary of Defense, and subject to the direction, authority, and control of the Secretary of Defense and in accordance with DoD policies, Directives, and Instructions, the ASD(HA), or in the absence of the ASD(HA), the person acting for the ASD(HA), is hereby delegated authority as required in the administration and operation of the USUHS to:

1. Obtain such information, consistent with the policies and criteria of DoD Directive 7750.5,¹ advice, and assistance from the

DoD Components, as necessary, to carry out assigned responsibilities and functions.

2. Communicate directly with appropriate DoD Component personnel on matters related to the mission and programs of the USUHS.

3. Appoint civilian members of the faculty and staff under salary schedules and grant retirement and other related benefits prescribed by the Secretary of Defense so as to place the employees of the USUHS on a comparable basis with the employees of fully accredited schools of the health professions within the vicinity of the District of Columbia as provided by law.

4. Exercise the powers vested in the Secretary of Defense by 5 U.S.C. 301, 302(b), and 3101 regarding the employment, direction, and general administration of USUHS civilian personnel.

5. Fix rates of pay for wage-rate employees exempted from the Classification Act of 1949 by 5 U.S.C. 5102 on the basis of rates established under the Coordinated Federal Wage System. In fixing such rates, the ASD(HA) shall follow the wage schedule established by the DoD Wage Fixing Authority.

6. Establish advisory committees and employ part-time advisors, as approved by the Secretary of Defense, for the performance of USUHS functions consistent with the 10 U.S.C. 173; 5 U.S.C. 3109(b); DoD Directive 5105.4,² "DoD Federal Advisory Committee Management Program," September 5, 1989; and the agreement between the Department of Defense and the Office of Personnel Management (OPM) regarding employment of experts and consultants, June 21, 1977.

7. Administer oaths of office to those entering the Executive branch of the Federal Government or any other oath required by law in connection with employment therein, in accordance with 5 U.S.C. 2903, and designate in writing, as may be necessary, officers and employees of the USUHS to perform this function.

8. Establish a USUHS Incentive Awards Board and pay cash awards to, and incur necessary expenses for the honorary recognition of, civilian employees of the Government whose suggestions, inventions, superior accomplishments, or other personal efforts, including special acts or services, benefit or affect the USUHS or its subordinate activities, in accordance with 5 U.S.C. 4503 and applicable OPM regulations.

9. In accordance with 5 U.S.C. 7532; Executive Orders 10450, 12333, and 12356; and DoD Directive 5200.2,³ "DoD Personnel Security Program," December 20, 1979; as appropriate:

²See footnote 1 to section 1 of this appendix.

³See footnote 1 to section 1 of this appendix.

¹Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

(a) Designate any position in the USUHS as a "sensitive" position.

(b) Authorize, in case of an emergency, the appointment of a person to a sensitive position in the USUHS for a limited period of time for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed.

(c) Authorize the suspension, but not terminate the services, of an employee in the interest of national security in positions within the USUHS.

(d) Initiate investigations, issue personnel security clearances and, if necessary, in the interest of national security, suspend, revoke, or deny a security clearance for personnel assigned or detailed to, or employed by, the USUHS.

Any action to deny or revoke a security clearance shall be taken in accordance with procedures prescribed in DoD 5200.2-R,⁴ "DoD Personnel Security Program," January 1987.

10. Act as agent for the collection and payment of employment taxes imposed by chapter 21 of the Internal Revenue Code of 1954, as amended; and, as such agent, make all determinations and certifications required or provided for under section 3122 of the Internal Revenue Code of 1954, as amended, and section 205(p) (1) and (2) of the Social Security Act, as amended (42 U.S.C. 405(p) (1) and (2)) about USUHS employees.

11. Authorize and approve overtime work for USUHS civilian officers and employees in accordance with 5 U.S.C. chapter 55, subchapter V, and applicable OPM regulations.

12. Authorize and approve:

(a) Temporary duty travel for military personnel assigned or detailed to the USUHS in accordance with Joint Travel Regulations, Volume 1, "Uniformed Service Members."

(b) Travel for USUHS civilian officers and employees in accordance with Joint Travel Regulations, Volume 2, "DoD Civilian Personnel."

(c) Invitational travel to non-DoD employees whose consultative, advisory, or other highly specialized technical services are required in a capacity that is directly related to, or in connection with, USUHS activities, in accordance with Volume 2, Joint Travel Regulations.

13. Approve the expenditure of funds available for travel by military personnel assigned or detailed to the USUHS for expenses about attendance at meetings of technical, scientific, professional, or other similar organizations in such instances where the approval of the Secretary of Defense, or designee, is required by law (37 U.S.C. 412 and 5 U.S.C. 4110 and 4111).

14. Develop, establish, and maintain an active and continuing Records Management

⁴See footnote 1 to section 1 of this appendix.

Program pursuant to section 506(b) of the Federal Records Act of 1950 (44 U.S.C. 3102).

15. Establish and use imprest funds for making small purchases of material and services, other than personal services, for the USUHS, when it is determined more advantageous and consistent with the best interests of the Government, in accordance with DoD Directive 7360.10,⁵ "Disbursing Policies," January 17, 1989.

16. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals as required for the effective administration and operation of the USUHS consistent with 44 U.S.C. 3702.

17. Establish and maintain appropriate property accounts for the USUHS, and appoint Boards of Survey, approve reports of survey, relieve personal liability, and drop accountability for USUHS property contained in the authorized property accounts that has been lost, damaged, stolen, destroyed, or otherwise rendered unserviceable, in accordance with applicable laws and regulations.

18. Promulgate the necessary security regulations for the protection of property and places under the jurisdiction of the President of USUHS, pursuant to DoD Directive 5200.8,⁶ "Security of Military Installations and Resources," July 29, 1980.

19. Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of common supply and service regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DoD 5025.1-M,⁷ "DoD Directives System Procedures," December 1990.

20. Enter into support and service agreements with the Military Departments, other DoD Components, or other Government Agencies, as required for the effective performance of USUHS functions and responsibilities.

21. Exercise the authority delegated to the Secretary of Defense by the Administrator of the General Services Administration for the disposal of surplus personal property.

22. Enter into and administer contracts, directly or through a Military Department, a DoD contract administration services component, or other Government Department or Agency, as appropriate, for supplies, equipment, and services required to accomplish the mission of the USUHS. To the extent that any law or Executive order specifically

⁵See footnote 1 to section 1 of this appendix.

⁶See footnote 1 to section 1 of this appendix.

⁷See footnote 1 to section 1 of this appendix.

limits the exercise of such authority to persons at the Secretarial level, such authority shall be exercised by the appropriate Under Secretary or Assistant Secretary of Defense.

The ASD(HA) may redelegate these authorities, as appropriate, and in writing, except as otherwise specifically indicated above or as otherwise provided by law or regulation.

PART 368—FUNCTIONS OF THE DEPARTMENT OF DEFENSE AND ITS MAJOR COMPONENTS

Sec.

368.1 Purpose.

368.2 Organizational relationships in the Department of Defense.

368.3 Functions of the Department of Defense.

368.4 Functions of the Joint Chiefs of Staff.

368.5 Functions of the Unified and Specified Combatant Commanders.

368.6 Functions of the Military Departments.

368.7 Functions of DoD Agencies.

AUTHORITY: 50 U.S.C. 401; 10 U.S.C. 125.

SOURCE: 52 FR 35417, Sept. 21, 1987, unless otherwise noted.

§ 368.1 Purpose.

This part promulgates the statement of the functions of the Department of Defense and its major components.

§ 368.2 Organizational relationships in the Department of Defense.

(a) All functions in the Department of Defense and its component agencies are performed under the authority, direction, and control of the Secretary of Defense.

(b) The Department of Defense is composed of the Office of the Secretary of Defense (OSD), the Military Departments and the Military Services within those Departments, the Joint Chiefs of Staff (JCS) and the Joint Staff, the Unified and Specified Combatant Commands, the Defense Agencies and DOD Field Activities, and such other offices, agencies, activities and commands as may be established or designated by law, or by the President or the Secretary of Defense. The functions of the heads of these offices shall be as assigned by the Secretary of Defense in accordance with existing law.

(1) In providing immediate staff assistance and advice to the Secretary of

Defense, the Office of the Secretary of Defense and the Joint Chiefs of Staff, though separately identified and organized, function in full coordination and cooperation in accordance with 32 CFR part 371.

(i) The Office of the Secretary of Defense includes the Deputy Secretary of Defense, Under Secretaries of Defense, Director of Defense Research and Engineering, Assistant Secretaries of Defense, Comptroller of the Department of Defense, Director of Operational Test and Evaluation, General Counsel of the Department of Defense, Inspector General of the Department of Defense, and such other offices and officials as may be established by law or by the Secretary of Defense.

(ii) The Chairman and the Joint Chiefs of Staff are directly responsible to the Secretary of Defense for the functions assigned to them. To the extent it does not impair his independence in the performance of the duties as a member of the Joint Chiefs of Staff, each member of the Joint Chiefs of Staff, except the Chairman, shall inform the Secretary of his Military Department regarding military advice rendered by members of the Joint Chiefs of Staff on matters affecting his Military Department.

(2) Each Military Department (the Department of the Navy to include the United States Marine Corps, and the United States Coast Guard when transferred in accordance with sections 2, 3, and 145 of 14 U.S.C.) shall be separately organized under its own Secretary and shall function under the direction, authority, and control of the Secretary of Defense. Orders to the Military Departments shall be issued through the Secretaries of these Departments, or their designees, by the Secretary of Defense or under authority specifically delegated in writing by the Secretary of Defense or as provided by law.

(i) The Secretary of each Military Department, and the civilian employees and members of the Armed Forces under the jurisdiction of the Military Department Secretary, shall cooperate fully with the Office of the Secretary of Defense to achieve efficient administration of the Department of Defense