DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Office of the Assistant Secretary
for Health
Washington DC 20201

JUL 10 1995

To: PHS Agency Heads

From: Assistant Secretary for Health

Subject: Delegation of Authority To Accept Gifts Under Title XXI of the Public Health Service Act (PHS), Miscellaneous

Authority Delegated:

On December 9, 1982, the Secretary delegated to the Assistant Secretary for Health the authorities vested in the Secretary under the former Title V of the PHS Act (42 USC 219 et seq.), as amended (redesignated as Section 231, Title II, PHS Act under the NIH Revitalization Act of 1993, P.L. 103-43). I hereby delegate to PHS Agency Heads, for their respective agencies, the authority under Section 231 of the PHS Act (42 U.S.C 238), as amended, to accept gifts, excluding gifts of real property, insofar as it applies to the functions of the agency.

Offers of personal property shall not be accepted if the total costs associated with acceptance are expected to exceed the cost of purchasing a similar item and the cost of normal care and maintenance.

Information and Guidance:

This authority is to be exercised in accordance with the requirements of Section 231, PHS Act (42 USC 238), as amended, and any other applicable statutes and regulations and policies of the Department and PHS.

Redelegation:

This authority may be redelegated.

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Supersession:

This delegation supersedes the previous delegations of authority to certain PHS Agency Heads from the Assistant Secretary for Health, only with respect to the authority to accept gifts as listed below:

1. The delegation to the Commissioner, Food and Drugs/FDA, dated February 25, 1983, Subject: Delegation of Authority under Title V of the PHS Act.

2. The delegation to the Administrator, Health Resources and Services Administration, PHS, dated March 9, 1983, Subject: Delegation of Authority Under Title V of the PHS Act, Miscellaneous.

3. The delegation to the Director, Centers for Disease Control, dated March 29, 1983, Subject: Delegation of Authority Under Title V of the PHS Act, Miscellaneous.

4. The delegation to the Director, National Institutes of Health, dated April 13, 1983, Subject: Delegation of Authority Under Title V of the PHS Act.

5. The delegation to the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, dated March 15, 1983, Subject: Delegation of Authority Under Title V of the PHS Act.

All other provisions and authorities of these delegations remain in effect. Redelegations previously made that are not inconsistent with this delegation may remain in effect until revised. This delegation is effective upon date of signature.

Philip R. Lee, M.D.