

November 4, 1977

Please file as NOAA Directives Manual 05-40

SUBJECT: Delegation of Authority to the Assistant Administrator for
Research and Development

TO: Financial Management Centers

1. Legislation: As a result of legislative enactment or pursuant to Reorganization Plan No. 4 of 1970 or other authority, the Secretary of Commerce is authorized to conduct or sponsor research, investigations, and education in oceanic and atmospheric matters pursuant to the following provisions:

- a. Title 15, United States Code, Sections 272(f)(12), 330-330e [radio waves and weather modification reporting];
- b. Title 33, United States Code, Sections 1121-1131, 1441-1444 [sea grant and marine research];
- c. Title 42, United States Code, Sections 1891-1893 [research grants];
- d. Public Law 80-657; 62 Stat. 470 [severe storms study];
- e. Public Law 94-490; 90 Stat. 2359 [weather modification policy study];
- f. Executive Order 11564 [National Oceanographic Instrumentation Center, the National Oceanographic Data Center, and the National Data Buoy Development Project];
- g. Senate Concurrent Resolution 67 of May 29, 1968 [world weather program].

2. Delegation to the Administrator, NOAA: By Section 3.01 of the Department Organization Order 25-5A (DOO 25-5A) at subsections a, c, f, h, i, k, q, t, z, aa, and ee, the Secretary has delegated, with certain reservations, all of the authority specified in paragraph 1 of this Circular to the Administrator. In addition, by Section 3.02 of DOO 25-5A, the Secretary has delegated to the Administrator such additional authorities of the Secretary, not enumerated, which are necessary to perform the functions assigned in the order. Section 3.03 of DOO 25-5A authorizes the Administrator to redelegate these authorities to any employee of NOAA.

3. Reservation of Authority by the Secretary. The Secretary has reserved authority to:

a. submit the final report to the President and Congress under Section 5(a) of P.L. 94-490.

b. provide general policy guidance to the Administrator and to consult with the Administrator to the extent permitted by law concerning the Administrator's functions.

4. Delegation to the Assistant Administrator for Research and Development: With the reservations specified herein, all authority vested in the Secretary of Commerce as specified in paragraph 1 of this Circular and delegated to the Administrator as specified in paragraph 2 of this Circular is hereby delegated to the Assistant Administrator for Research and Development. The research authorities of other NOAA components may be exercised by the Assistant Administrator for Research and Development on a project basis. The authority of the Assistant Administrator for Research and Development may be redelegated to any employee of NOAA by publication of a NOAA circular.

5. Reservation of Authority by the Administrator. The Administrator hereby reserves the right to:

a. approve all redelegations of any authority specified herein;

b. provide general policy guidance to, and consult with, the Assistant Administrator for Research and Development to the extent permitted by law concerning the Assistant Administrator's functions.

6. Exception. By Circular 77-84 filed as NDM 05-30 the Administrator has delegated to the Assistant Administrator for Oceanic and Atmospheric Services the authority transferred by Executive Order 11564, which pertains to the National Oceanographic Data Center.

7. Effective Date. The provisions of this Circular are effective November 6, 1977.

William C. Brewer, Jr.

William C. Brewer, Jr.
Acting Administrator