Statement of Organization, Functions, and Delegations of Authority for the Department of Health and Human Services (40 FR 22859, May 27, 1975, as amended most recently at 59 FR 42066, August 16, 1994), is amended to reflect the reorganization of the Office of the Director, NIH (OD/NIH) (HNA). This reorganization is consistent with Administration objectives related to the National Performance Review (NPR) and the Continuous Improvement Program (CIP)—specifically, the streamlining, delayering, and decreasing the ratio of supervisors to employees in accordance with effective management practices. The reorganization consists of the following: (1) Abolish the Office of Management (HNA9); (2) realign the Standard Administrative Code (SAC) of the (a) Office of Administration from (HNA92) to (HNAB); (b) Office of Financial Management from (HNA96) to (HNAJ); (c) Office of Human Resource Management from (HNA97) to (HNAK); and (d) Office of Research Services (ORS) from (HNA93) to (HNAL); and (3) revise the ORS functional statement.

Section HN-B, Organization and Functions, is amended as follows:

- (1) Under the heading *Office of Management (HNA9)*, delete the title and functional statement in their entirety.
- (2) Under the heading *Office of Administration (HNA92)*, change the Standard Administrative Code to *(HNAB)*.
- (3) Under the heading *Office of Financial Management (HNA96)*, change the Standard Administrative Code to *(HNAJ)*.
- (4) Under the heading Office of Human Resource Management (HNA97), change the Standard Administrative Code to (HNAK).
- (5) Under the heading *Office of Research Services (HNA93)*, (a) change the Standard Administrative Code to *(HNAL)*; and (b) substitute "NIH Director" for the present reference to "Deputy Director for Management" in the functional statement.

Delegations of Authority Statement

All delegations and redelegations of authority to offices and employees of

the NIH which were in effect immediately prior to the effective date of this reorganization will be continued in effect in them or their successors, pending further redelegation, provided they are consistent with this reorganization.

Dated: January 23, 1995.

Donna E. Shalala,

Secretary.

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Social Security Administration

Revised Redelegations of Authorities for Disposition of Supplemental Security Income Overpayments

Section 1631(b) of the Social Security Act (the Act), provides the Secretary of Health and Human Services (the Secretary) with authority to approve or deny waiver of adjustment or recovery of those Supplemental Security Income (SSI) benefit payments made under the provision of title XVI of the Act found to be incorrect. This applies to situations where the overpaid individual is without fault and recovery of the overpayment would defeat the purposes of title XVI, or would be against equity and good conscience, or would, because of the small amount involved, impede efficient or effective administration of title XVI. The Secretary has delegated her authority under section 1631(b) of the Act to the Commissioner of Social Security (the Commissioner), with authority to redelegate (38 FR 15648, dated June 14, 1973)

Under 31 U.S.C. 3711, the Secretary, or her designee, is authorized to compromise, suspend or terminate collection action on certain debts owned to the Department of Health and Human Services (HHS). To take such action, appropriate HHS regulations must be promulgated in accordance with standards provided in Joint Regulations of the Department of Justice (DOJ) and the General Accounting Office (4 CFR parts 101–105). Such regulations for HHS are published in the Code of

Federal Regulations at 45 CFR Part 30. The Secretary's authority is restricted to those debt claims which involve compromise, suspension or termination of collection action regarding amounts of \$100,000 or less, exclusive of interest. In addition, the Secretary's authority does not apply to cases involving fraud, presentation of a false claim, misrepresentation on the part of the debtor or any other party having an interest in the claim, or conduct in violation of antitrust laws.

Claims which cannot be collected, suspended, compromised or terminated, or which amount to more than \$100,000, exclusive of interest, are referred to DOJ for disposition. Cases involving fraud, false claims, misrepresentation, or violation of antitrust laws are also handled by DOJ.

The Secretary has delegated her authority under 31 U.S.C. 3711 to the Commissioner, with authority to redelegate (33 FR 5836 and 5843, dated April 16, 1968), insofar as that authority relates to the mission of the Social Security Administration (SSA).

The above authorities to approve or deny waiver of adjustment or recovery of SSI overpayments, and to compromise, suspend or terminate collection action on these overpayments, were redelegated by the Commissioner to other SSA positions on November 29, 1988. These redelegations were effective upon publication in the **Federal Register**, which occurred on December 14, 1988 (53 FR 50300–50301). Notice is hereby given that the Commissioner has approved revised redelegations of these authorities, as follows:

Authorities

- 1. Authority to approve or deny waiver of adjustment or recovery of incorrect SSI benefit payments, under section 1631(b) of the Act.
- 2. Authority to compromise, suspend or terminate collection action on debts owed to SSA as a result of SSI overpayments.