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(3) Communicate directly with chairmen of Field Coordination Groups provided such communications are largely informational in character and do not conflict with program responsibilities of the operating administrations.

(4) Establish ad hoc committees for specific tasks within their assigned staff area.

(5) Establish, modify, extend, or terminate standing committees within their specific areas of responsibility when directed or authorized to do so by the Secretary.

(6) Designate members of interagency committees when such committees are specifically concerned with responsibilities of direct interest to their office.

(7) Exercise the following authorities with respect to executive level positions (GS-16, 17, or 18 or equivalent) within their respective areas of responsibility:

(i) Determine how executive level positions will be filled; i.e., by reassignment, promotion, appointment.

(ii) Establish selection criteria to be used in identifying eligible candidates.

(iii) Confer with the Administrators on selection criteria and candidates for an executive level position that is a counterpart of an activity or position in the Office of the Secretary.

(iv) Recommend final selection for executive level positions, subject to review by the Executive Committee of the Departmental Executive Personnel Board and approval by the Secretary and the Civil Service Commission.

(v) Serve as ad hoc member of the Departmental Executive Personnel Board at the call of the Chairman and serve on the Board's Executive Committee whenever matters involving their respective offices or a functional counterpart thereof in an operating administration are presented to the Executive Committee for its consideration.

(8) Enter into inter- and intra-departmental reimbursable agreements other than with the head of another department or agency (31 U.S.C. 686). This authority may be redelegated only to office directors or other comparable levels and to contracting officers.

(9) Administer and perform the functions described in their respective functional statements.

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(10) Exercise the authority of the Secretary to make certifications, findings and determinations under the Regulatory Flexibility Act (Pub. L. 96-354) with regard to any rulemaking document for which issuance authority is delegated by other sections in this part. This authority may be redelegated to those officials to whom document issuance authority has been delegated.

(11) Exercise the authority of the Secretary to resolve informal allegations of discrimination arising in or relating to their respective organizations through Equal Employment Opportunity counseling or the Alternative Dispute Resolution process and to develop and implement affirmative action and diversity plans within their respective organizations.

(49 U.S.C. 1657(e)(1))

[Amdt. 1-113, 40 FR 43901, Sept. 24, 1975, as amended by Amdt. 1-114, 41 FR 1288, Jan. 7, 1976; Amdt. 1-157, 45 FR 83408, Dec. 18, 1980; Amdt. 1-159, 46 FR 22593, Apr. 20, 1981; Amdt. 265, 60 FR 2891, Jan. 12, 1995]

### § 1.55 Delegations to Deputy Secretary.

The Deputy Secretary may exercise the authority of the Secretary except where specifically limited by law, order, regulations, or instructions of the Secretary. In addition, the Deputy Secretary is delegated authority to:

(a) Exercise executive control over the Departmental Planning-Programming-Budgeting System.

(b) Serve as Chairman of the Departmental Executive Personnel Board and its Executive Committee.

(c) Originate direct correspondence to chairmen of Field Coordination Groups on overall Departmental matters.

(d) Approve the establishment, modification, extension, or termination of:

(1) Department-wide (intra-department) committees affecting more than one program.

(2) OST-sponsored interagency committees.

(3) All advisory committees (including industry advisory committees) except those sponsored by field activities of the operating administrations.

(e) Approve the designation of:

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(1) Departmental representatives and the chairman for interagency committees sponsored by the Office of the Secretary.

(2) Departmental representatives on all advisory committees except those sponsored by a field component of one of the operating administrations or the Materials Transportation Bureau.

(3) Departmental members for international committees.

(f) Authorize and approve official travel and transportation for self, subordinates, and others performing services for or in cooperation with the Office of the Secretary; and authorize and approve official foreign travel of all Departmental personnel and others performing travel for the Department.

(g) Serve as the representative of the Secretary on the board of directors of the National Railroad Passenger Corporation and carry out the functions vested in the Secretary as a member of the board by section 303 of the Rail Passenger Service Act of 1970 (84 Stat. 1330).

(h) Serve as the representative of the Secretary as incorporator, member of the acting board of directors, member of the board of directors, and member of the executive committee of the board of directors, of the United States Railway Association and when so serving carry out the functions vested in the Secretary in each capacity by title II of the Regional Rail Reorganization Act of 1973 (Pub. L. 93-236), as amended.

(i) Serve as the representative of the Secretary as incorporator, member of the interim board of directors established by section 301(c) of the Regional Rail Reorganization Act of 1973 (Pub. L. 93-236), and member of the board of directors, of the Consolidated Rail Corporation and when so serving carry out the functions vested in the Secretary in each capacity by title III of the Regional Rail Reorganization Act of 1973 (Pub. L. 93-236).

[Amdt. 1-113, 40 FR 43901, Sept. 24, 1975, as amended by Amdt. 1-114, 41 FR 1288, Jan. 7, 1976; Amdt. 1-116, 41 FR 20680, May 20, 1976; Amdt. 1-126, 41 FR 56327, Dec. 28, 1976; Amdt. 1-157, 45 FR 83408, Dec. 18, 1980; Amdt. 1-165, 46 FR 55266, Nov. 9, 1981]

### § 1.56 Delegations to the Assistant Secretary for Transportation Policy.

The Assistant Secretary for Transportation Policy is delegated authority to:

(a) Establish policy and maintain oversight of implementation of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321-4347) within the Department of Transportation.

(b) Oversee the implementation of section 4(f) of the Department of Transportation Act of 1969 (49 U.S.C. 303).

(c) Represent the Secretary of Transportation on various interagency boards, committees, and commissions to include the Architectural and Transportation Barriers Compliance Board and the Advisory Council on Historic Preservation.

(d) Except with respect to proceedings under section 4(e) of the Department of Transportation Act (49 U.S.C. 307) relating to safety fitness of an applicant, decide on requests to intervene or appear before administrative agencies to present the views of the Department subject to concurrence by the General Counsel.

(e) Carry out the functions vested in the Secretary by section 656 of the Department of Energy Organization Act (42 U.S.C. 7266) which pertains to planning and implementing energy conservation matters with the Department of Energy. Serves as the Department's principal conservation officer.

[Amdt. 1-261, 59 FR 10063, Mar. 3, 1994]

### § 1.56a Delegations to the Assistant Secretary for Aviation and International Affairs.

The Assistant Secretary for Aviation and International Affairs is delegated authority to:

(a) Represent the Secretary of Transportation on various interagency boards, committees, and commissions to include the Trade Policy Review Group and the Trade Policy Staff Committee.

(b) Except with respect to proceedings under section 4(e) of the Department of Transportation Act (49 U.S.C. 307) relating to safety fitness of