THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON

November 9, 2020

MEMORANDUM FOR UNDER SECRETARIES, ASSISTANT SECRETARIES AND OTHER KEY OFFICIALS

SUBJECT: Delegation of Authority for Actions under 38 U.S.C. §§ 713, 714 and 5 U.S.C. § 7515, including those actions prescribed under 38 U.S.C. § 731 (VIEWS 1491106)

1. **DELEGATIONS.** Under the authority vested in me as the Secretary of the Department of Veterans Affairs (VA) and pursuant to 38 U.S.C. §§ 303 and 512, I delegate authority for personnel actions taken under 38 U.S.C. §§ 713, 714, and 5 U.S.C. § 7515 as follows:

a. Delegations under 38 U.S.C. § 713, including Actions Required under 38 U.S.C. § 731. The delegations of authority under the provisions of 38 U.S.C. § 713* are as follows:

(1) Proposing Official – Supervisor who is at least one supervisory level above and within the same supervisory line as the receiving employee, or other individual who is otherwise delegated such authority by the Secretary.

(2) Deciding Official – Supervisor who is at least one supervisory level above and within the same supervisory line as the Proposing Official, or other individual who is otherwise delegated such authority by the Secretary.

(3) Grievance Official – Under Secretary, Assistant Secretary or other individual delegated such authority by the Secretary, but such individual may not have served as either the Proposing Official or Deciding Official.

*Note: See attached Corporate Senior Executive Management Office (CSEMO) Letter 006-17-1 for detailed explanation and procedures on 38 U.S.C. § 713.

b. Delegations under 38 U.S.C. § 714, including Actions Required under 38 U.S.C. § 731. For suspensions, demotions and removals taken under this authority, the Proposing Officials and Deciding Officials as defined in VA Handbook 5021 will apply, unless otherwise delegated by the Secretary.

c. Delegations under 5 U.S.C. § 7515. For suspensions, demotions and removals taken under this authority:

(1) Supervisory employees covered by 38 U.S.C. § 713* – the Proposing Officials and Deciding Officials are defined in section 1.a. of this memorandum.

Subj: Delegation of Authority for Actions under 38 U.S.C. §§ 713, 714 and 5 U.S.C. § 7515, including those actions prescribed under 38 U.S.C. § 731 (VIEWS 1491106)

*Note: See attached CSEMO Letter 006-17-1 for detailed explanation and procedures on supervisory employees covered under 38 U.S.C. § 713.

(2) All other supervisory employees – the Proposing Officials and Deciding Officials are defined in VA Handbook 5021 unless otherwise delegated by the Secretary.

d. Delegation to Deputy Secretary. I delegate to the Deputy Secretary, the Secretary's authority to designate other individuals as Proposing or Deciding Officials as set forth in section 1.a., b. and c. of this memorandum. This delegation is concurrent with the Secretary's authority.

2. AUTHORITY. 38 U.S.C. §§ 303, 512, 713, 714, 731 and 5 U.S.C. § 7515.

3. REFERENCES. CSEMO Letter 006-17-1; VA Handbook 5021, Employee-Management Relations; VA Directive 0000, Delegations of Authority.

4. RESTRICTIONS. None. These delegations are concurrent with the Secretary's authority.

5. REDELEGATION. Redelegation is not permitted for actions taken under 38 U.S.C. § 713. Redelegation for actions under 38 U.S.C. § 714 and 5 U.S.C. § 7515 is permitted in accordance with the limitations imposed in VA Handbook 5021.

6. EFFECTIVE DATE. This delegation shall have retroactive effect for sections 1.a. and 1.b. of this memorandum. The delegation shall be effective beginning July 5, 2019, with respect to actions taken under 1.b. of this delegation and October 5, 2019, with respect to actions taken under 1.a. of this delegation. The delegation in section 1.c. shall be effective upon signature.

In accordance with VA Directive 0000, the Secretary waives the 2-year expiration date for delegations of authority. This delegation shall expire 4 years from the date of signature, unless the Secretary rescinds or issues a superseding delegation at an earlier date or until the delegations referenced herein are set forth in policy, negating the need for delegation.

Robert L. Wilkie

Attachment