



THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON

December 13, 2022

**MEMORANDUM FOR UNDER SECRETARIES, ASSISTANT SECRETARIES
AND OTHER KEY OFFICIALS**

SUBJECT: Delegation of Authority for the Department of Veterans Affairs (VA) Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act (P.L. 117-168) related to recruitment and retention of personnel (VIEWS 8690877)

1. DELEGATION. This memorandum delegates to the Department of Veterans Affairs Under Secretaries, Assistant Secretaries and Other Key Officials with equivalent levels of authority the authority to approve recruitment, relocation and retention incentives (3Rs) up to 50% of an employee's basic pay, pursuant to 38 U.S.C. § 706, subsections (a) and (b) and confirms the Under Secretary for Health's authorization to make payments pursuant to 38 U.S.C. § 7410(a). This delegation includes approving 3Rs based on a critical need without the Office of Personnel Management's approval or certification and approving single lump-sum retention bonus payments at the beginning of the full service period.

2. AUTHORITIES.

- a. 38 U.S.C. § 706(a)-(b) – Additional authority related to recruitment and retention of personnel; as established by Section 909 of the PACT Act.
- b. 38 U.S.C. § 303 – Secretary of Veterans Affairs.
- c. 38 U.S.C. § 512 – Delegation of Authority; assignment of functions and duties.
- d. 38 U.S.C. § 7410(a) – Additional pay authorities.
- e. VA Directive 0000 – Delegations of Authority.

3. REFERENCES. 5 U.S.C. § 5753, Recruitment and Relocation Bonuses; 5 U.S.C. § 5754, Retention Bonuses; 5 C.F.R. Parts 575; VA Directive and Handbook 5007, Pay Administration; VA Financial Policies and Procedures Volume XV Chapter 2A – Payroll: Payments; and VA Directive 5001, System of VA Human Resources Management Directives and Handbooks General Introduction and Administration.

4. RESTRICTIONS. The authority delegated herein is intended solely to support the Department's ability to recruit and retain VA personnel in accordance with the PACT Act. The authorities herein must be authorized consistent with guidance issued by VA.

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Notwithstanding restrictions in VA Handbook 5007, Part VI, Chapters 2 and 3, this delegation applies to temporary and part-time employees (including intermittent employees), such that they may be authorized to receive 3Rs incentives in the same manner described in the Chief Human Capital Officer bulletin dated April 1, 2020, or any subsequent VA guidance (including but not limited to bulletins and/or policy notices). Note, recruitment incentives require a 6-month minimum service period. See 5 C.F.R. § 575.102. Further, except as described herein, the requirements of coverage, exclusions and administration of 3Rs set forth in 5 U.S.C. §§ 5753, 5754 and VA Handbook 5007 Part VI (including any amendments thereto) remain the same. Recruitment and relocation incentives may be authorized for individuals or groups in accordance with VA Handbook 5007, Part VI, Chapter 2, paragraph 2. Retention incentives may not be authorized for individuals or groups in accordance with VA Handbook 5007, Part VI, Chapter 3, paragraph 3.

5. REDELEGATION. These authorities to approve 3Rs may be redelegated in writing as outlined below. No further redelegations are authorized.

a. Approving officials for all incentives up to 25%:

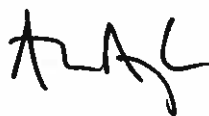
- (1) Veterans Health Administration (VHA): Medical Center Directors and VHA Central Office Executive Directors.
- (2) Veterans Benefits Administration (VBA): VBA Central Office Business Line and District Directors.
- (3) National Cemetery Administration (NCA): District Directors, NCA Central Office Deputy Under Secretaries and the Executive Director, Cemetery Operations.
- (4) Office of General Counsel: Deputy General Counsels are the approving officials for incentives up to 15% for employees in positions under their jurisdiction.
- (5) Staff Offices (not including the Office of General Counsel): Deputy Assistant Secretary or Other Key Officials with equivalent levels of authority.
- (6) Office of the Secretary: Deputy Chief of Staff.

b. Approving officials for all incentives greater than 25% not to exceed 50%:

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- (1) VHA: Network Director and VHA Central Office Chief Officers or Assistant Under Secretaries for Health (for offices without a Chief Officer).
- (2) VBA: District Directors and VBA Central Office Business Line Directors.
- (3) NCA: Principal Deputy Under Secretary for Memorial Affairs, District Directors, NCA Central Office Deputy Under Secretaries and the Executive Director, Cemetery Operations.
- (4) Office of General Counsel: The Principal Deputy General Counsel is the approving official for all incentives greater than 15%.
- (5) Staff Offices (not including the Office of General Counsel): Principal Deputy Assistant Secretary or Other Key Officials with equivalent levels of authority.
- (6) Office of the Secretary: The Secretary or designee is the approving official for employees occupying positions central to that office.
- (7) Senior Executive Service (SES) Positions: The Secretary, Deputy Secretary, Chief of Staff, Under Secretaries, Assistant Secretaries, and Other Key Officials of equivalent levels of authority within the scope of their supervisory control are the approving officials for 3Rs incentives for employees occupying positions centralized to that office. This includes employees in the SES and title 38 SES-equivalents (including, but not limited to, individuals appointed under 38 U.S.C. §§ 7306 and 7401(4)). The Corporate Senior Executive Management Office conducts a technical review and makes recommendations for all incentives for SES, title 38 SES-equivalents and Senior Leader positions submitted to the Secretary, or designee for approval. See VA Handbook 5007, Part VI, Chapter 2.

6. EFFECTIVE DATE AND EXPIRATION DATE. This delegation of authority is effective upon signature and pursuant to VA Directive 0000, I have waived the 2-year expiration date. Therefore, this delegation of authority will be in effect to coincide with the termination date of the PACT Act provision on September 30, 2027.



Denis McDonough