



SECRETARY OF THE ARMY
WASHINGTON

June 18, 2014

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (MANPOWER
AND RESERVE AFFAIRS)

SUBJECT: Delegation of Authority – Approval of Exigencies for Restoration of Annual Leave

1. References:

- a. Title 5, United States Code, Section 6304(d).
- b. Title 5, Code of Federal Regulations, Part 630, Subpart C.
- c. Department of Defense (DoD) Instruction 1400.25, Volume 630, December 1996, administratively reissued April 6, 2009, subject: DoD Civilian Personnel Management System: Leave.
- d. Assistant Secretary of the Army (Manpower and Reserve Affairs) memorandum, dated June 2, 2009, subject: Restoration of Annual Leave – Delegation of Authority for Approval of Exigencies (hereby rescinded).
- e. Secretary of the Army Memorandum, dated March 31, 2014, subject: Issuance of New Delegations of Civilian Human Resources (CHR) Authorities and Extensions of Previous Delegations of CHR Authorities (hereby rescinded).
- f. Assistant Secretary of the Army (Manpower and Reserve Affairs) memorandum, dated May 1, 2014, subject: *Delegation of Civilian Human Resources Authorities, Version 03-2014, effective April 30, 2014: Revision to Delegation of Civilian Human Resources Authorities Matrix and Execution, Publication and Transmission of Delegation #13, Delegation of Authority – Voluntary Early Retirement Authority (VERA), Voluntary Separation Incentive Pay (VSIP) and VSIP Phase II and Delegation #14, Delegation of authority to approve the Meritorious Civilian Service Award (hereby rescinded).*

2. I hereby delegate to the Assistant Secretary of the Army (Manpower and Reserve Affairs) the authority to determine, under section 630.305 of reference 1.b., that an exigency is of such importance that it prevents the use of annual leave subject to forfeiture. This authority will be exercised in accordance with the above references.

3. When the position of the Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA(M&RA)) is vacant, as defined by the law governing vacancies, or the ASA(M&RA) is temporarily absent or otherwise not available to take timely action, the

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Principal Deputy Assistant Secretary of the Army (PDASA(M&RA)) or the designated Senior Official performing the duties of the ASA(M&RA) may exercise the authorities set forth in paragraph 2, above.

4. Unless expressly prohibited or restricted by law, directive, regulation, or policy, or as set forth herein, The ASA(M&RA), the PDASA(M&RA), or the designated Senior Official as appropriate under the circumstances outlined above, may further delegate this authority, in whole or in part, to other Department of the Army officials, down to the lowest practicable level, but not lower than an installation commander or activity head. Should the ASA(M&RA), PDASA(M&RA) or the designated Senior Official elect to delegate this authority further, each will remain cognizant of, and accountable for, all actions taken in the exercise of this authority, at any level of the Army. Any further delegation may restrict or condition the delegate's exercise of this authority. A re-delegation of authority shall not be effective unless it is in writing, signed by the ASA(M&RA), PDASA(M&RA) or Senior Official, and has been determined not to be legally objectionable upon review by the Office of the Army General Counsel. No re-delegation shall take effect until a record copy of same has been provided to the office of the Administrative Assistant for archiving.

5. Although not a limitation on the authority of the ASA(M&RA), PDASA(M&RA) or Senior Official to act in those cases specified above where the proposed decision represents a change in precedent or policy; is of significant White House, Congressional, Department, or public interest; or has been, or should be, of interest or concern to me, for any reason, brief me prior to the decision, unless the exigencies of the situation preclude such action. Continue my practice of coordination with the Office of the Army General Counsel.

6. This delegation is effective immediately and expires April 3, 2017, unless earlier revoked or superseded.

/signed/

John M. McHugh

CF:
General Counsel