



THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON

June 24, 2021

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

SUBJECT: Delegation of Authority to Perform Certain Authorities under 38 U.S.C. § 5711

1. **DELEGATIONS.** Notwithstanding [38 C.F.R. § 2.3\(c\)](#) Delegation of Authority to Employees to Issue Subpoenas, the Assistant Secretary for Accountability and Whistleblower Protection is delegated the following authorities of [38 U.S.C. § 5711](#) to carry out the responsibilities of [38 U.S.C. § 323](#):

- a. Require the production of books, papers, documents and other evidence;
- b. Take affidavits and administer oaths and affirmations; and
- c. Make investigations and examine witnesses upon any matter within the authority of the Assistant Secretary for Accountability and Whistleblower Protection.

2. **AUTHORITIES.** [38 U.S.C. § 303](#), Secretary of Veterans Affairs; [38 U.S.C. § 323](#), Office of Accountability and Whistleblower Protection; [38 U.S.C. § 512\(a\)](#), Delegation of authority; assignment of functions and duties; [38 U.S.C. § 5711\(a\)](#), Authority to issue subpoenas; [VA Directive 0000](#), Delegations of Authority.

3. **RESTRICTIONS.** None.

4. **REDELEGATION.** The Assistant Secretary for Accountability and Whistleblower Protection may redelegate, in writing, the authorities delegated herein to the Executive Director for Investigations who may redelegate further, in writing, to employees within the Office of Accountability and Whistleblower Protection.

5. **EFFECTIVE DATE.** This designation is effective upon signature. I waive the 2-year expiration date required by [VA Directive 0000](#). This delegation will remain in effect for 4 years unless otherwise rescinded, modified, or superseded.

A handwritten signature in black ink, appearing to read "AMcDonough".

Denis McDonough