



THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON

February 8, 2024

**MEMORANDUM FOR THE DEPUTY SECRETARY, UNDER SECRETARIES,
ASSISTANT SECRETARIES, AND OTHER KEY OFFICIALS**

SUBJECT: Delegations of Authority for Actions Taken Under 38 U.S.C. §§ 713 and 714 and 5 U.S.C. § 7515, including those actions prescribed under 38 U.S.C. § 731 (VIEWS 5980057)

1. DELEGATIONS. This memorandum rescinds previous Delegation of Authority for Actions under 38 U.S.C. §§ 713 and 714 and 5 U.S.C. § 7515, including those actions prescribed under 38 U.S.C. § 731 (VIEWS 1491106) issued on November 9, 2020, and delegates authority for personnel actions taken under 38 U.S.C. §§ 713 and 714 and 5 U.S.C. § 7515, including those actions prescribed under 38 U.S.C. § 731 as follows:

a. **Delegations under 38 U.S.C. § 713, including those actions prescribed 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.

*Note: See Corporate Senior Executive Management Office (CSEMO) Letter 006D-24-1 for detailed explanation and procedures on 38 U.S.C. § 713.

b. **Delegations under 38 U.S.C. § 714, including those actions prescribed 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 myself or the Deputy 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.

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*Note: See CSEMO Letter 006D-24-1 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 myself or the Deputy Secretary.

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

2. AUTHORITIES.

- a. [5 U.S.C. § 7515 - Discipline of supervisors based on retaliation against whistleblowers.](#)
- b. [38 U.S.C. § 303 - Secretary of Veterans Affairs.](#)
- c. [38 U.S.C. § 512\(a\) - Delegation of authority; assignment of functions and duties.](#)
- d. [38 U.S.C. § 713 - Senior executives: removal, demotion or suspension based on performance or misconduct.](#)
- e. [38 U.S.C. § 714 - Employees: removal, demotion or suspension based on performance or misconduct.](#)
- f. [38 U.S.C. § 731 – Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints.](#)

3. REFERENCES.

- a. [VA Directive 0000, Delegations of Authority.](#)
- b. [VA Handbook 5021, Employee-Management Relations.](#)
- c. CSEMO Letter 006D-24-1, Senior Executive Accountability and Grievance Procedures, February 9, 2024, and subsequent issuances unless otherwise superseded.

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d. [Delegations of Authority for Disciplinary Actions Taken Under 38 U.S.C. § 714 Within the Veterans Health Administration \(VIEWS 1588843\), Document 10082020b, Actions Under 38 U.S.C. 714, October 8, 2020.](#)

4. RESTRICTIONS. None. These delegations do not affect the Secretary's authority to carry out, modify, or otherwise delegate the authority delegated herein.

5. REDELEGATION. Except for that which is identified in section 1.d., 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, including those actions prescribed under 38 U.S.C. § 731, is permitted in accordance with the limitations imposed in VA Handbook 5021 and/or other active Delegations of Authority, and when an official identified in section one has a conflict of interest.

6. EFFECTIVE DATE. This delegation 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, or until the delegations referenced herein are set forth in policy, negating the need for the delegation.



Denis McDonough