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THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON
September 24, 2015

MEMORANDUM FOR THE ASSISTANT SECRETARY FOR MANAGEMENT

SUBJECT: Delegation of Authority for Enhanced Use Leases

1. **DELEGATION:** This memorandum delegates to the Assistant Secretary of Management the authority to further re-delegate the authority to execute and implement enhanced use leases (including amendments), to the Executive Director for Operations, Office of Management.

2. **AUTHORITY:** Title 38 U.S.C. § 8161- 8169 gives the Secretary the authority to enter into enhanced use leases for up to 75 years with respect to real property that is under the jurisdiction or control of the Secretary. The Secretary may enter into an enhanced use lease for the provision of supportive housing, ensuring that the lease is consistent with the mission of the Department. Title 38 U.S.C. § 512 (a), allows the Secretary to delegate and authorize further delegation of authorities to act and render decisions.

3. **RESTRICTIONS:** This delegation is subject to the limitations and provisions contained in Title 38 U.S.C. § 8161- 8169, et seq. Those exercising this delegation will be subject to all restrictions set forth in law and Department of Veterans Affairs policy.

4. **FURTHER REDELEGATION:** This authority may only be re-delegated pursuant to criteria as set forth in the Delegation Plan (Attachment 1), dated as of this date approved by the Secretary. This updated delegation does not rescind the September 10, 2004 approval of further re-delegation of authority to execute EULs below certain thresholds on a project-by-project basis, to the Under Secretaries of each Administration. The further re-delegation to the Administrations shall remain in effect and will not be impacted by the re-delegation to the Executive Director for Operations, Office of Management.

5. **EFFECTIVE DATE:** This Delegation of Authority is effective upon signature and continues until rescinded.

Robert A. McDonald

- **Value:** Projects with a capital cost (including both the lessee's and any VA contribution other than land) below the threshold for major construction (currently \$10M).
- **Length of Term:** Projects with a lease term not to exceed seventy five (75) years.
- **Department level significance:** Projects which are not considered "significant asset initiatives" such as a projects of exceptional major visibility (as determined by the Secretary).
- When a project is re-delegated to the Administrations, the steps outlined to obtain delegation in the September 10, 2004, Delegation Plan remain in effect.

Who will receive the re-delegation?

- The Secretary has delegated the authority to enter into EULs to the Assistant Secretary for Management. The Assistant Secretary for Management will further re-delegate this authority to the Executive Director for Operations, Office of Management.
- This updated Delegation Plan does not impact the existing stipulation that the Assistant Secretary for Management may further re-delegate, on a project-by-project basis, the authority to execute EULs below certain thresholds to the Under Secretaries of each Administration. This re-delegation to the Administrations shall remain in effect.
- The Assistant Secretary for Management's authority will remain in effect.
- Any delegation or re-delegation of this authority may be revoked for non-adherence with applicable laws, rules, regulations and policies.