



SECRETARY OF THE ARMY  
WASHINGTON

May 30, 2014

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

SUBJECT: Delegation of Authority – Suitability and Fitness Adjudications for Civilian Employees

1. References:

a. Department of Defense (DoD) Instruction 1400.25, Volume 731, 24 August 2012, subject: *DoD Civilian Personnel Management System: Suitability and Fitness Adjudication For Civilian Employees.*

b. Title 5, Code of Federal Regulations, Part 731, Suitability.

c. Memorandum, Deputy Secretary of Defense, 03 May 2012, subject: DoD Central Adjudication Facilities (CAF) Consolidation.

d. Army Regulation 215-3, 29 August 2003, subject: Nonappropriated Funds Personnel Policy.

e. DoD 1400.25-M, Subchapter 1403, December 1996, with change 5, 29 March 2000, subject: *Employment.*

2. I hereby delegate to the Assistant Secretary of the Army (Manpower and Reserve Affairs) the authority that has been delegated to me by Reference 1.a. to make suitability and fitness determinations and take subsequent actions in cases involving applicants and appointees to covered positions as defined by Reference 1.b., in the grades of GS-15 (or equivalent) and below. I also delegate to the Assistant Secretary of the Army (Manpower and Reserve Affairs) the authority that has been delegated to me by Reference 1.a. to adjudicate and make suitability or fitness determinations and take appropriate actions for NAF positions as prescribed by References 1.d., and 1.e. These authorities will be exercised consistent with law, Office of Personnel Management (OPM) regulations, and DoD policy and procedures, as applicable. The authority will be exercised consistent 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 Principal Deputy Assistant Secretary of the Army (PDASA(M&RA)) or the designated

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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 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 rendering your 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:  
Office of the Army General Counsel  
Office of the Administrative Assistant