



SECRETARY OF THE ARMY
WASHINGTON

27 Jun 2011

MEMORANDUM FOR Assistant Secretary of the Army (Manpower and Reserve Affairs)

SUBJECT: Delegation of Authority – Appointing Authority for Certain Health Care Professionals under Section 8074 of the Department of Defense and Full-Year Continuing Appropriations Act for Fiscal Year 2011, Public Law 112-10

1. Reference memorandum, Office of the Under Secretary of Defense (Personnel and Readiness), dated May 2, 2011, subject: Delegation of Authority under Section 8074 of the Department of Defense Appropriations Act for Fiscal Year 2011
2. I hereby delegate to you authority to exercise the provisions of section 7403(a)(2) of title 38, United States Code (U.S.C.) to appoint certain health-care professionals as listed under section 7403(a)(2) of title 38 U.S.C., and in section 8074 of Public Law 112-10, the Department of Defense and Full-Year Continuing Appropriations Act for Fiscal Year, 2011.
3. The occupations covered under this delegation are Physicians, Dentists, Podiatrists, Optometrists, Nurses, Physician Assistants, Expanded-Function Dental Auxiliaries, Chiropractors, Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietician/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants and Dental Hygienists.
4. Unless expressly prohibited or restricted by law, directive, regulation or policy, or as set forth herein, you may re-delegate this authority to other Department of the Army officials. Should you elect to do so, you will remain cognizant of and accountable for all actions taken in the exercise of this authority by those who have been delegated this authority at any level. Should you elect to re-delegate this authority, you may further restrict or condition your delegate's exercise of same. A re-delegation of authority shall not be effective unless it is in writing, signed by you, 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. I will hold you responsible for any and all actions taken pursuant to this delegation or any re-delegation thereof. Should conditions warrant, you will suspend the use of and/or rescind further delegation of the authority, as appropriate.
5. Although not a limitation on your authority to act in my behalf, in those cases specified above where your proposed decision represents a change in precedent or policy; is of significant White House, Congressional, Department, or public interest; or

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has been, or should be, of interest or concern to me, for any reason, you will 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. However, unless extended by a continuing resolution, the authority under Section 8074 of the Department of Defense and Full-Time Continuing Appropriations Act for Fiscal Year 2011, and the delegation herein, will expire at the end of the current fiscal year (September 30, 2011).

/original signed/
John M. McHugh

CF:
General Counsel

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