SECRETARY OF THE ARMY
WASHINGTON

MAR 31 2014

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

SUBJECT: Delegation of Authority – Position Coverage Determination, Maximum Entry Age Waivers, Reentry Waivers, and Mandatory Age Separation Waivers for Civilian Air Traffic Controllers (ATCs)

1. References:

a. Department of Defense (DoD) Instruction 1400.25, Volume 331, June 20, 2005, administratively reissued April 6, 2009, subject: DoD Civilian Personnel Management System: Civilian Air Traffic Controllers (ATCs).

b. Secretary of the Army Memorandum, dated October 13, 2010, subject: Delegation of Authority – Position Coverage Determination, Maximum Entry Age Waivers, Reentry Waivers, and Mandatory Age Separation Waivers for Civilian Air Traffic Controllers (ATCs) (hereby rescinded).

c. Secretary of the Army Memorandum, dated September 30, 2013, subject: Extension of Delegation of Civilian Human Resources Authorities (hereby rescinded).

2. I hereby delegate to the Assistant Secretary of the Army (Manpower and Reserve Affairs) the authorities to approve position coverage determinations, maximum entry age waivers and reentry age waivers (as implemented by DoDI 1400.25-V331.5.a, V331.5.b. and V331.5.c., respectively, for Civilian ATCs), and mandatory age separation waivers in accordance with section 8335(a) and 8425(a), Title 5, U.S. Code, as implemented by DoDI 1400.25-V331.5.d, for Civilian ATCs up to the age of 61. These authorities will be exercised in accordance with referenced Instruction.

3. Unless expressly prohibited or restricted by law, directive, regulation, or policy, or as set forth herein, you may re-delegate the authority to approve maximum entry age waivers, reentry waivers, and mandatory age separation waivers to other Department of Army officials. However, you shall retain the authority to determine the ATC positions for special retirement coverage under the Civil Service Retirement System and Federal Employees Retirement Service programs. Should you elect to re-delegate those specific authorities that I have authorized you to re-delegate, you will remain cognizant of and accountable for all actions taken in the exercise of this authority. Should you elect to re-delegate this authority, you may further restrict or condition your delegate's exercise of same. Your 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.

4. Although not a limitation on your authority to act in my behalf, in those cases in specified above where your proposed decision represents a change in precedent or policy; is of significant White House, Congressional, Department of Defense, or public interest; or has been, or should be, of interest or concern to me, for any reason, you will 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.

5. This delegation is effective immediately and expires April 3, 2017, unless earlier revoked or superseded.

John M. McHugh

CF:
General Counsel