SECRETARY OF THE ARMY
WASHINGTON

01 OCT 2012

MEMORANDUM FOR Assistant Secretary of the Army (Installations, Energy and Environment)

SUBJECT: Delegation of Executive Agent Responsibilities for the Department of Defense Recovered Chemical Warfare Material Program

1. Reference:

a. Department of Defense Directive 5101.1, DoD Executive Agent, 3 September 2002, as changed on 9 May 2003.

b. Department of Defense Instruction 5210-65, Minimum Security Standards for Safeguarding Chemical Agents, 12 March 2007.

c. Deputy Secretary of Defense Memorandum, Subject: Demilitarization of Non-Stockpile Chemical Warfare Munitions, Agents and By-Products, 13 March 1991.

d. Memorandum, Under Secretary of Defense (Acquisitions, Technology and Logistics), Subject: Final Implementation Plan for the Recovery and Destruction of Buried Chemical Warfare Materiel, 1 March 2010.

e. Assignment of Functions and Responsibilities Within Headquarters, Department of the Army, General Orders No. 2012-01, 11 June 2012.

2. Subject to the conditions stated below and in accordance with reference 1(a), paragraph 4.3 and as a partial exception to the authority assigned to the Assistant Secretary of the Army (Acquisition, Logistics and Technology) (ASA (ALT)) in reference 1(e), I hereby delegate to the Assistant Secretary of the Army (Installations, Energy and Environment) (ASA (IE&E)) all of the DoD Executive Agent (EA) responsibilities, functions and authorities assigned to me by the Deputy Secretary of Defense in reference 1(c), as clarified by the Under Secretary of Defense for Acquisition, Technology and Logistics in reference 1(d), for the DoD Recovered Chemical Warfare Material Program (RCWM-P). Additionally, I delegate to ASA (IE&E) the responsibilities assigned to me by reference 1(b), paragraph 5.5.3, for establishing requirements for safeguarding RCWM. The ASA (ALT) will remain responsible for the Army's portion of the Chemical Demilitarization Program (CDP) and the Chemical Stockpile Emergency Preparedness Program, except for demilitarization and any related functions required to support the DoD RCWM-P.

3. Unless expressly prohibited or restricted by law, directive, regulation, or policy, or as set forth herein, the ASA (IE&E) may re-delegate this authority to an officer in a grade

no lower than General Officer or an employee who is a member of the Senior Executive Service. No further re-delegation is authorized.

4. The organizations listed below will support the RCWM-P as indicated below. Additionally, Army Staff elements, as well as the other Service's staff elements, will retain proponency for their respective program areas. As the RCWM-P is implemented, the ASA (IE&E) may modify these support functions or assign to these or other Army Commands and Direct Reporting Units those functions required to execute EA responsibilities, in her discretion and within the EA responsibilities and authorities delegated herein.

a. The US Army Forces Command will execute mission responsibility for explosives or munitions emergencies that may involve RCWM and other material of interest.

b. The US Army Materiel Command will execute mission responsibility for (a) the assessment of RCWM to determine its chemical agent (CA) fill; (b) the assessment, as appropriate, of other munitions and material of interest to determine whether the fill is a CA; (c) demilitarization of such munitions and materials determined to be RCWM; (d) disposition of any hazardous waste resulting from the destruction of RCWM; (e) sustainment and maintenance of required crews and equipment; and (f) those RCWM program management activities related to these functions.

c. The US Army Corps of Engineers will execute mission responsibility for environmental response actions and other actions (e.g., range clearance activities) that may involve CWM.

5. Should the ASA(IE&E) elect to re-delegate this authority, she 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. In any re-delegation in accordance with this authority, the Assistant Secretary may further restrict or condition her delegate's exercise of authority. A re-delegation of authority shall not be effective unless it is in writing, signed by the Assistant Secretary, 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 the ASA(IE&E) responsible for any and all actions taken pursuant to this delegation or any re-delegation thereof. Should conditions warrant, the Assistant Secretary will suspend the use of and/or rescind further delegation of the authority, as appropriate.

6. Although not a limitation on the Assistant Secretary's authority to act in my behalf, in those cases where a 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, the Assistant Secretary will brief me prior to the decision unless the exigencies of the situation preclude such action. The Assistant Secretary will continue my practice of coordination with the Office of the Army General Counsel.

7. This authority is effective immediately, and supersedes all previous delegations of this authority without prejudice to any actions taken there under. It shall remain in effect for two years from the date of this delegation unless earlier cancelled, modified, or rescinded.

John M. McHugh

CF:
Assistant Secretary of the Army (Acquisition, Logistics and Technology)
General Counsel
Commander, U.S. Army Forces Command
Commander, U.S. Army Materiel Command
Commander, U.S. Army Corps of Engineers