



SECRETARY OF THE ARMY  
WASHINGTON

05 FEB 2020

MEMORANDUM FOR THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

SUBJECT: Delegation of Authority to Establish Civilian Inmate Labor Programs at Army Civil Works Projects

1. References:

- a. Title 18, United States Code, § 4125 (18 U.S.C § 4125).
- b. Title 33, United States Code, § 2325 (33 U.S.C. § 2325).
- c. Army Regulation 210-35 (Civilian Inmate Labor Program), Incorporating Rapid Action Revision, 14 January 2005.

2. Pursuant to the authority vested in the Secretary of the Army by 18 U.S.C. § 4125 and Section 203 of the Water Resources Development Act of 1992, as amended (33 U.S.C. § 2325), I delegate to you the authority to establish civilian inmate labor programs at Army Civil Works projects and the responsibility for providing overall program direction. You may not further delegate the responsibility for providing overall program direction and supervision.

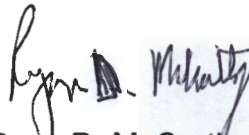
3. Unless expressly prohibited by law, directive, regulation, or policy, you may further delegate the authority to approve inmate labor agreements to the Division Commanders and the signature authority to execute approved agreements to the District Commanders. If you choose to further delegate this authority, you may restrict or condition your delegate's exercise of the authority as you deem appropriate. Any further delegation of authority will not be effective unless it is in writing, determined to be legally sufficient upon review by the Office of the Army General Counsel, signed by you, and provided for archiving to the Office of the Administrative Assistant to the Secretary of the Army.

4. Although not a limitation on your authority to act on my behalf, I trust that you will exercise sound judgment in keeping me informed of any action under this delegation that will have significant White House, congressional, Department of Defense, or public interest, or would represent a significant change in Army precedent or policy. If such a circumstance arises, coordinate with me to ensure that I can provide appropriate guidance.

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5. This delegation is effective immediately. The Office of the Administrative Assistant will initiate a review of the delegation with your office every 3 years from the date of this memorandum to ensure that the delegation is current.

6. Army Regulation 210-35, reference 1c., will be updated to remove any references to the Army Civil Works Program.



Ryan D. McCarthy

CF:  
General Counsel  
Administrative Assistant to the Secretary of the Army  
Assistant Secretary of the Army (Installations, Energy, and Environment)  
Deputy Chief of Staff, G-9