

professional staff, the availability of space and facilities, and any other limitation imposed by the approving authority, all Services will provide medical treatment to individuals who have been granted Secretarial designee status by any of the Secretaries of the Military Departments. Each agreement must identify the specific MTF or geographical region in which medical care is requested, requiring close coordination among service program managers.

§ 108.5 Eligible senior officials of the U.S. government.

(a) The following individuals are Secretarial Designees for space-available care in MTFs on a reimbursable basis, unless specified otherwise by a Service Secretary:

- (1) The President and Vice President, and their spouses and minor children.
- (2) Members of Congress.
- (3) Members of the Cabinet.
- (4) Officials of the Department of Defense appointed by the President and confirmed by the Senate.
- (5) Article III Federal Judges. (Article III courts are: The Supreme Court of the United States, U.S. Courts of Appeal, U.S. District Courts, U.S. Court of International Trade, United States Foreign Intelligence Surveillance Court, United States Foreign Intelligence Surveillance Court of Review.)
- (6) Judges of the U.S. Court of Appeals for the Armed Forces.
- (7) Assistants to the President.
- (8) Director of the White House Military Office.
- (9) Former Presidents of the United States and their spouses, widows, and minor children.
- (b) [Reserved]

§ 108.6 Responsibilities.

(a) The USD(P&R) shall:

- (1) Evaluate requests for and where appropriate, grant exceptions to policy established by this part and DoD Directive 5124.02,¹⁰ including waiver of reimbursement, to the extent allowed by law.
- (2) Following approval of the USD(P) and in coordination with USD(P) and

the GC, DoD, and in accordance with DoD Directive 5530.3,¹¹ begin negotiations, negotiate, and have the authority to sign RHCAs.

(b) The USD(P) shall evaluate requests and determine DoD mission interest for Secretarial Designee Status and RHCAs to identify those agreements that would be in the best interest of the Department of Defense and approve negotiations of RHCAs by the USD(P&R).

(c) The USD(C) shall in coordination with USD(P&R), establish appropriate reimbursement rates, including appropriate interagency rates and rates applicable to students in International Military Education and Training programs.

(d) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall evaluate requests for Exception to the Transportation Policy. The authority to grant such an exception is by USD(P&R) or the Secretary of the Military Department concerned.

(e) The Secretaries of the Military Departments shall:

- (1) Issue, revise or modify as appropriate, regulations to comply with this part.
- (2) Appoint a Military Department representative who will administer the Secretarial Designee Program within the Military Department and coordinate with other DoD Components in its effective operation.
- (3) Where and when appropriate, the Military Department concerned shall coordinate with U.S. Transportation Command/Global Patient Movement Requirements Center.
- (4) Identify Secretarial Designees treated at MTFs.
- (5) Provide an annual consolidated list reflecting the number of Secretarial Designees within their departments, reasons for such designation, location where designee is receiving treatment, the costs and sources of funding, nature and duration of treatment and expiration date of designee status to USD(P&R) and USD(C). The annual report is due 30 days after the

¹⁰ Copies available on the Internet at <http://www.dtic.mil/whs/directives/corres/pdf/512402p.pdf>.

¹¹ Copies available on the Internet at <http://www.dtic.mil/whs/directives/corres/pdf/553003p.pdf>.