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ADS Chapter 103

Delegations of Authority

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ADS 103 – Delegations of Authority

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ADS 103 – Delegations of Authority

103.1 OVERVIEW

Effective Date: 07/31/2008

This chapter delegates certain authorities and provides general provisions governing the delegation of authorities or assignment of duties and responsibilities in the Automated Directives System (ADS) and other Agency rules, regulations, and required procedures. To the extent that there are any conflicts with existing delegations in the ADS that pre-date this chapter, this chapter controls. Existing delegations that provide greater detail and that do not conflict with delegations described in this chapter continue to be in effect unless otherwise revoked. Delegations in other ADS chapters that are not covered in this chapter and that do not conflict with **ADS 103** continue to apply.

103.2 PRIMARY RESPONSIBILITIES

Effective Date: 07/31/2008

The Office of the General Counsel (GC) is responsible for maintaining this chapter.

103.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

Effective Date: 07/31/2008

The delegations of authority in this chapter deal primarily with delegations from the Administrator and Assistant Administrators (AAs) on program planning and implementation and the obligation of funds. Other sources of delegations are

- [ADS 101, Agency Programs and Functions](#), which contains the general responsibilities of Bureaus/Independent Offices;
- Other sections of the ADS;
- Delegations within field posts and USAID/Washington (USAID/W) offices;
- Position descriptions;
- The [Federal Acquisition Regulation \(FAR\)](#);
- [Agency for International Development Acquisition Regulations \(AIDAR\)](#); and
- Other Agency regulations codified in the [Code of Federal Regulations \(CFR\)](#).

***103.3.1 General Provisions**

Effective Date: 10/18/2010

The following general provisions apply to all delegations or assignment of duties or responsibilities in the Automated Directives System (ADS) and other Agency policy directives, regulations, and required procedures unless specifically provided otherwise:

- a. (1) **Redelegation.** Subject to **103.3.1.1**, authorities may be redelegated and redelegated successively. Except for Presidentially Appointed, Senate-confirmed (PAS) positions, the authority to redelegate includes the authority to designate acting officers and to establish orders of succession of acting officials. (For PAS positions, see **103.3.1.2**.) Officials serving in an acting capacity are authorized to exercise all the functions and duties of the position. The authority to redelegate includes the authority to give an alter ego delegation. In addition, authorities delegated in the [AIDAR](#) may not be further delegated unless specifically authorized in the **AIDAR**.

- *(2) Alter Ego Authority.** An official exercising the authorities of a position under an alter ego delegation, while authorized to exercise all of the delegable authorities and duties of the position, is not the acting officeholder of the position and, consequently, cannot exercise authorities that are not redelegable (for example, a Deputy Mission Director having alter ego authority does not have the Mission Director's non-redelegable authority to sign grants up to **\$150,000**). However, a Deputy Mission Director who is acting does have such authority. See **103.3.1.d.** regarding Acting Capacity). For example, a Deputy Assistant Administrator (DAA) taking action under an alter ego delegation from the Assistant Administrator (AA) signs as DAA, not as Acting AA.

In addition to the express delegations of alter ego authority set forth elsewhere in this chapter, all officials serving in a "Deputy" position have the alter ego authority of the principals. For example, a Deputy Office Director in a regional bureau serves as the alter ego of the Office Director. A Deputy either shares equally with the principal in the direction of all phases of the organization's program and work, or is assigned continuing responsibility for managing a major part of the principal's program when the total authority and responsibility for the organization is equally divided between the principal and the Deputy.

- b. **References.** Any reference to a statute, Executive Order, regulation, determination, delegation of authority, or any other issuance is deemed to be a reference to such an issuance as amended from time to time or its successor.

- c. **Concurrent Authority.** The delegating official retains concurrent authority to exercise any of the delegated authorities, duties, or responsibilities.
- *d. **Acting Capacity.** Authorities may be exercised by persons serving for the designated officer in an acting capacity. An individual may serve in an acting capacity for an individual overseas, even when the delegating official remains in the host country or region. Authorities that may not otherwise be redelegated, may be exercised by employees in an acting capacity (for example, even though Mission Directors may not redelegate their authority to execute grants up to \$150,000, an employee acting as the Mission Director can exercise this authority). A U.S. Personal Service Contractor (USPSC) serving in an acting capacity for a U.S. direct-hire (USDH) employee cannot exercise those authorities that only can be performed by a direct hire under **103.3.1.1**.
- e. **Exercise in accordance with Agency directives.** Authorities must be exercised in accordance with other Agency directives and regulations.
- f. **Redelegations under revoked delegations.** Redelegations under revoked delegations are in effect according to their terms until modified, revoked, or superseded.
- g. **Ratification.** Actions taken by officials prior to the effective date of a delegation are ratified if they are in accordance with the terms and conditions of the delegation.
- h. **Reorganization.** Delegations continue in effect to the successor position or office performing the functions of its predecessor until modified, revoked, or superseded. For example, the Bureau for Management would continue to operate under the delegations to its predecessor, the Bureau for Finance and Administration.

103.3.1.1 Delegation to U.S. Personal Service Contractors (USPSCs) and Non-U.S. Citizen Employees

Effective Date: 07/31/2008

- a. **General Rule.** U.S. Personal Service Contractor (USPSC) and non-U.S. citizen employees (host country and Third Country PSCs and Foreign Service National (FSN) direct-hire employees) may be delegated any authority, duty, or responsibility, except as outlined below. This particular rule supersedes any other ADS provision, existing Agency policy, (for example, [AIDAR](#)) or other delegation that conflicts with this provision.

b. Limitations.

- (1) While U.S. PSCs and non-U.S. citizen employees (collectively, non-U.S. citizen direct hire or non-USDH) may supervise other non-USDHs, they may not supervise USDH employees of USAID as part of their regular duties and responsibilities. Non-USDH employees may supervise the daily work activities of USDH employees on a limited basis, not to exceed 60 days in any 180-day period, to cover a temporary USDH absence or when both non-USDH and USDH employees are participating in emergency temporary duty assignments, such as Disaster Assistance Response Team (DART) deployments.
- (2) Non-USDH employees may participate in personnel selection matters, but they are not delegated authority to make a final decision on USDH personnel selections.
- (3) Non-USDH employees may represent the Agency and communicate planning and implementation decisions. Communications that reflect the Agency's final policy decision must be cleared by a USDH employee.
- (4) Non-USDH employees may be designated a Contracting Officer's Technical Representative (COTR). They may be authorized to sign other documents, for example, travel authorizations (TAs), miscellaneous obligation documents (MODs), and **SF-1190s (Foreign Allowances Application, Grant and Report)**. However, they are not authorized to sign (1) grants, contracts, and other obligations that require a warrant and (2) grants to foreign governments and multilateral organizations composed of foreign governments (including public international organizations, as defined in [ADS 308, Grants and Cooperative Agreements With Public International Organizations](#)). USAID warrant policy is stated in [AIDAR 701.6](#) for contracting and in [ADS 303.2.d, Agreement Officer](#), for assistance.
- (5) A U.S. PSC serving as an Executive Officer may sign residential and functional leases, subject to approval of an exception by the Director, Office of Management Services (M/MS) or designee, and adherence to the procedures in [ADS 535, Real Property Management Overseas](#) and **15 FAM 730**.

c. Exceptions

- (1) The Director, Office of Management Services (M/MS) is authorized to approve an exception to **103.3.1.1.b.5**.

- (2) Other exceptions to the limitations in paragraph **b.** above must be approved by the Assistant Administrator for the Bureau for Management (AA/M).

103.3.1.2 Acting Officials for Presidentially Appointed, Senate-Confirmed (PAS) Positions

Effective Date: 07/31/2008

- a. The USAID PAS positions are the Administrator, Deputy Administrator (DA), Assistant Administrators (AAs), and the Inspector General (OIG).
- b. The **Federal Vacancies Reform Act of 1998, 5 USC Sec. 3345-3349**, prohibits the use of general delegations of authority to fill PAS vacancies on an acting basis. [Section 621\(a\) of the FAA](#) was just such a general delegation authority and was the Agency's principal method for designating an acting official for a PAS position. Because the authority of **section 621(a)** is no longer available for that purpose, the Agency relies on the first assistant authority of the **Vacancies Reform Act** to fill PAS positions on an acting basis.
- c. The first assistant to the Administrator is the DA. Except as the Administrator may provide otherwise, the first assistant for an AA is the senior deputy AA (see [Senior Deputy Assistant Administrators](#)). The Deputy Inspector General is the first assistant for the Inspector General.
- d. The **Vacancies Reform Act** also permits the use of other explicit statutory provisions, and [section 624\(b\) of the FAA](#) qualifies as such an authority. **Section 624(b)** authorizes the President to establish orders of succession among the other **section 624** PAS officers, which are the Administrator, Deputy Administrator, and Assistant Administrators. In accordance with the advice of the Office of Legal Counsel (OLC) of the Department of Justice (DOJ), orders of succession for these positions must be approved by the President. On July 10, 2002, President Bush established an order of succession for the Administrator. See **103.3.3**.
- e. An official other than the first assistant can be authorized to exercise all of a PAS's authorities under an alter ego delegation. However, the official is not the acting PAS, but acts in his or her own capacity. For example, a Deputy AA taking action under an alter ego delegation signs as Deputy AA, not acting AA.
- f. The **Vacancies Reform Act** applies only to a vacancy, for example, death, resignation, or extended illness. The **Vacancies Reform Act** does not apply to a temporary absence, such as vacation or temporary duty (TDY) of a PAS from the office. For a temporary absence, an acting official (PAS or non-PAS) may be

designated for a PAS position under the general delegation **section 621(a) of the FAA**. Unless another is designated, the PAS's first assistant is the acting PAS during a temporary absence.

103.3.2 International Development Cooperation Agency (IDCA)

Effective Date: 07/31/2008

Effective April 1, 1999, IDCA was abolished and USAID was established as an Executive Agency by the **Foreign Affairs Reform and Restructuring Act of 1998, 22 USC 6561-6563**.

*103.3.3 Order of Succession – Administrator

Effective Date: 07/31/2008

- *a. On **December 9, 2008**, President Bush designated an order of succession for the Administrator in the event that both the Administrator and DA are unavailable. See [Memorandum for the Administrator of the United States Agency for International Development](#). While intended primarily for vacancies or unavailability in the event of a national security emergency, the order of succession is also available for temporary absences of the Administrator. The general delegation section of **section 621(a) of the FAA** also may be used to designate an Acting Administrator. When **section 621(a)** is used for temporary absences, **in this case**, the ***Acting** Administrator does not have to be a PAS.
- b. [ADS 106, Delegations of Authority and Orders of Succession During a National Security Emergency](#) addresses the Order of Succession during a National Security Emergency.

103.3.4 Office of the Administrator

Effective Date: 07/31/2008

103.3.4.1 Deputy Administrator

Effective Date: 07/31/2008

The Administrator delegates to the DA the authority to:

- a. Serve as full Deputy and alter ego to the Administrator;
- b. Be responsible, under the Administrator's general direction, for all aspects of the Agency's activities; and

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- c. Represent and exercise the authority of the Administrator with respect to all functions now or hereafter conferred upon or held by the Administrator.

***103.3.4.2 Office of the Chief Operating Officer**

Effective Date: 06/28/2011

The Administrator delegates to the Chief Operating Officer in the Office of the Administrator (A/AID/COO), within A/AID/COO's area of responsibility as delineated in **ADS 101**:

- a. The authorities contained in sections **103.3.5.1.b.** (Budget), **103.3.5.1.c.** (Program Implementation), **103.3.5.1.d.** (Source, Origin, and Nationality for Procurement), **103.3.5.1.e.** (Coordination), and **103.3.5.1.f** (Acceptance and Use of Gifts).
- b. As specifically directed by the Administrator in writing, the authority to provide overall guidance regarding and oversight of Agency operations. This authority includes, but is not limited to:
 - Ordering and implementing Mission Management Assessments in coordination with the USAID Counselor.
 - Issuing policy directives and required procedures within A/AID/COO's area of responsibility as delineated in [ADS 101, Agency Programs and Functions](#).
- c. As specifically directed by the Administrator in writing, the authority to coordinate management functions across all Bureaus/Independent Offices (B/IOs) and other USAID Operating Units to ensure policy, program, strategic planning, and operational coherence and efficiency.
- *d.** The authority to approve conference attendance by Agency employees.

103.3.5 Assistant Administrators

Effective Date: 10/18/2010

103.3.5.1 General Authority

Effective Date: 10/18/2010

The Administrator delegates to all AAs (the acronym "AA" in ADS 103 will apply to either an Assistant Administrator or an Assistant to the Administrator), within their respective

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areas of responsibility as delineated in **ADS 101**, all authorities now available and that may become available to the Administrator relating to all aspects of the following:

- a. **Strategic planning**, in accordance with [ADS 201, Planning](#) and other planning policies approved by the Administrator. The roles that USAID's Bureau of Foreign Assistance (FA) and that the Department of State's Director of Foreign Assistance play in USAID's strategic planning are subject to other Agency guidance. Officials having strategic planning authorities must comply with existing Agency strategic planning requirements, which is subject to change.
- b. **Budget, including program and operating expenditure accounts and staffing decisions** and the authority to sign **section FAA 632(a)** interagency agreements (non-obligating transfers/allocations of funds); and
- c. **Program implementation and evaluation authorities**, including the authority to sign **FAA 632(a)** interagency agreements (non-obligating transfers/allocations of funds).
 - (1) This general implementation authority includes, but is not limited to, authority to
 - (a) Negotiate, execute, amend, and implement grants, loans, memoranda of understanding, and other implementing and ancillary agreements and documents with foreign governments and multilateral organizations composed of foreign governments (including public international organizations as described in **ADS 308**) and issue or approve other implementation documents in connection with the above agreements;
 - (b) Review and approve documents and other evidence submitted in satisfaction of conditions precedent;
 - (c) Receive and determine the adequacy of assurances of host country contributions under [section 110 of the FAA](#) and to waive such contributions on a case-by-case basis if the country qualifies as relatively least developed under **section 124(d) of the FAA**; and
 - (d) Receive and take into consideration certifications under **section 611(e) of the FAA**.
 - (2) This general implementation authority does not include the following authorities:

- (a) Signing direct USAID contracts, except as set forth in the [AIDAR](#) now or in the future;
- (b) Signing grants and cooperative agreements other than those to foreign governments and multilateral organizations composed of foreign governments, including public international organizations as described in **ADS 308** (see **103.3.8.5**);
- (c) Signing **FAA section 632(b)** and other interagency agreements, except as set forth in **103.3.8.4**; and
- (d) Approving host country contracts and amendments, including waivers of competition and advertising requirements, except as specifically delegated to certain individuals in [ADS 305, Host Country Contracts](#).

d. Source, Origin, and Nationality for Procurement

- (1) Goods and Services. For their respective areas of responsibility, the authority to waive source, origin, and nationality requirements for the procurement of goods and services, other than transportation services, in accordance with applicable criteria.
- (2) Transportation Services. The Administrator delegates to the following officials the authority to waive transportation source requirements for ocean transportation services in accordance with applicable criteria:
 - (a) AA/M and
 - (b) Assistant Administrator, Bureau for the Middle East (AA/ME) with respect to the Egypt Mission **only** and provided that a determination of non-availability has been made by the Transportation Division of the Office of Acquisition and Assistance (M/OAA/T).
- (3) Limitation on Redelelegation by Principal Officers of USAID Field Posts.
 - (a) The authorities in **103.3.5.1.d.(1)** (Goods and Services) may be redelegated to Mission Directors and other Principal Officers of USAID field posts, except for the Egypt Mission, and must not be further delegated.
 - (b) AA/ME may authorize the Mission Director in Egypt to redelegate the authorities in **103.3.5.1.d.(1)** (Goods and Services) and

103.3.5.1.d.(2), (Transportation) without regard to the limitation on redelegation in **103.3.5.1.d.(3)(a)**.

- e. General Delegation of Authority to Coordinate with Other U.S. Government (USG) Agencies on Economic Cooperation, Natural Resources Management, and Energy Activities.** For their respective areas of responsibility, the authority for coordination with other U.S. Government (USG) agencies activities in developing countries include:
- (1) Approving or requesting the activities of the U.S. Forest Service under **section 602 of the International Forestry Cooperation Act of 1990**;
 - (2) Consulting with the Department of Energy under **sections 1211, 1332, and 1608 of the Energy Policy Act (See Pub. L. 102-486)** concerning global technology transfer programs; and
 - (3) Taking any other action in conjunction with, or coordination with, other Federal agencies necessary to effectively carry out programs of economic cooperation in developing countries.
- f. Acceptance and Use of Gifts to the Agency.** Within their respective areas of responsibility, the authority to accept and use gifts to the Agency. For acceptance of gifts by individuals, see the Standard of Conduct regulations at [5 CFR 2635](#).
- g. Reimbursable Programs under Section 607 of the FAA**
- (1) **USAID Section 607 Programs.** Within their areas of responsibility, the authority to make [section 607](#) determinations and to authorize and administer USAID 607 programs. The AA/PPL is delegated authority to make section 607 determinations for interregional or interbureau USAID section 607 programs.
 - (2) **Section 607 Programs of Other Agencies.** The AA/PPL is delegated the authority to make section 607 determinations, for example, that the furnishing of goods and services on a reimbursable basis is consistent with, and in furtherance of, the purposes of part I of the **FAA** and within the limitations of the **FAA**, for the section 607 programs of other agencies.

103.3.5.2 Policy Directives

Effective Date: 05/25/2011

Included in the general authorities in **103.3.5.1** is delegating, within their respective areas or responsibility, the authority to issue implementing policy directives and required procedures.

103.3.6 Deputy Assistant Administrators, Deputy Assistant to the Administrators, and Deputies of Heads of Independent Offices

Effective Date: 05/25/2011

The Administrator delegates to the Deputy Assistant Administrators, Deputy Assistant to the Administrators, and Deputies of Heads of Independent Offices the authority to act as the alter ego of their principals.

103.3.7 Office of the Executive Secretariat (ES)

Effective Date: 07/31/2008

In addition to those authorities in **ADS 101.3.1.3**, the Administrator delegates to the Executive Secretary authority to

- a. Classify, downgrade, and declassify Secret and Confidential information and
- b. Administer oaths of office.

103.3.8 Delegations to Specific Assistant Administrators, Mission Directors, and Other Principal Officers

Effective Date: 07/31/2008

The following subpolicy directives are delegations to more than one AA, Mission Director, or other principal officer of USAID field posts.

103.3.8.1 Excess Property

Effective Date: 07/31/2008

The Administrator delegates to the AA/M, Mission Directors, and other Principal Officers of USAID field posts the authority to make [section 607](#) determinations for excess property.

103.3.8.2 Food Aid Authorities

Effective Date: 12/3/2010

The Administrator delegates the following authorities:

- a. The Assistant Administrator, Bureau for Democracy, Conflict and Humanitarian Assistance (AA/DCHA) is delegated all food aid functions and authorities,

**An asterisk and yellow highlight indicate that the adjacent information is new for this chapter or substantively revised.*

including the authority to amend the delegation in **103.3.8.2.e**, except as provided in **103.3.8.2.b**, **103.3.8.2.c**, and **103.3.8.2.d**.

- b.** Regional Assistant Administrators, with clearance by AA/DCHA, are delegated the authority for the following actions with respect to **Title III of the Agriculture Trade Development and Assistance Act of 1954, as amended (Pub. L. 480, 7 U.S.C. 1691 et. seq.)**:
- (1) Authorization of the donation of agricultural commodities;
 - (2) Negotiation, execution, and implementation of donation agreements in accordance with the terms of the authorization;
 - (3) Amendment of any authorization and of any donation agreement; and
 - (4) Findings, determinations, and actions required under **Title IV of Pub. L. 480** that relate to donations and agreements for specific countries and their terms and conditions.
- c.** The Assistant Administrator for Management (AA/M) is delegated the functions and authorities in **section 407 of Pub. L. 480**, with respect to procurement for programs under **Title II of Pub. L. 480**, including the purchase of ocean transportation services and authority to sign, on behalf of USAID, USG contracts under **section 407** and grants and cooperative agreements under **Title V of Pub. L. 480**.
- d.** The Assistant to the Administrator for the Bureau for Food Security (AA/BFS) is delegated all functions and authorities with respect to **Title V of Pub. L. 480**, except that the AA/M is delegated authority to sign, on behalf of USAID, any grants and cooperative agreements under **Title V of Pub. L. 480**.
- e. Pub. L. 480 Claims.** Mission Directors, other Principal Officers of USAID field posts, and Principal Diplomatic Officers in countries where USAID is not represented are delegated the following authorities with respect to **Pub. L. 480** claims against private voluntary agencies arising under **USAID Regulation 11** (See [22 CFR 211](#)):
- (1) To administratively collect such claims,
 - (2) To suspend or terminate claims not exceeding \$10,000, and
 - (3) To compromise claims not exceeding \$20,000, where the amount to be relinquished does not exceed \$10,000.

- f. Redelegation.
- (1) AA/DCHA may redelegate the food aid functions and authorities in **103.3.8.2.a** to the Director of the Office of Food for Peace, who may redelegate further such authorities and functions as the Director deems appropriate.
 - (2) AA/BFS and the AA/M may redelegate their respective functions and authorities in **103.3.8.2.d** related to **Title V of Pub. L. 480**.
 - (3) Regional Assistant Administrators may redelegate:
 - (a) The authority to negotiate, execute, and implement agreements, including amendments, to the USAID Principal Officer in the country where the donation is made. The authority to implement agreements may be redelegated in such manner as the USAID Principal Officer deems appropriate, but other authorities may not be redelegated further.
 - (b) The authority to execute agreements and amendments to the principal United States diplomatic officer in the country where the donation is made.
- g. Monitoring. The USAID Principal Officer in the country will be responsible for monitoring all food aid activities in the country unless other arrangements for monitoring are approved by the AA/DCHA and the Regional Assistant Administrator.

103.3.8.3 Development Credit Authority (DCA) and Other Credit Programs

Effective Date: 07/31/2008

The Administrator delegates the following authorities:

- a. The Assistant Administrator, Bureau for Economic Growth, Agriculture and Trade (AA/EGAT) is delegated the authority to authorize and implement the Housing Guaranty (HG), Micro and Small Enterprise Development (MSED), Development Credit Authority (DCA), and other loan, guarantee, and credit programs, including the authority to negotiate, execute, and implement agreements for these programs.

The AA/EGAT must exercise the delegated authorities in consultation with, and subject to, the policy guidance of the appropriate Regional Assistant Administrators and field Missions. AA/EGAT may redelegate her or his authorities to the regional bureaus.

- b. For their respective areas of responsibility, AAs are delegated the authority to authorize and implement HG, MSED, DCA and other loan, guarantee, and credit programs for which authority is delegated to the AA/EGAT in **103.3.8.3.a**. This authority to implement these programs includes the authority to negotiate, execute, and implement agreements for HG, MSED, DCA and other loan, guarantee, and credit programs.
- c. In addition to the authorities conferred upon him or her as a Regional Assistant Administrator, the Assistant Administrator, Bureau for Latin America and the Caribbean (AA/LAC), is delegated full authority for the Agricultural and Productive Credit and Self-Help Community Development Programs in existence as of May 19, 1982, except for the authority to issue guarantees for such programs.
- d. AA/EGAT is delegated the authority to manage the claims process and approve claims and other disbursements necessary to service credit activities under the DCA and other loan, guarantee, and credit programs.

***103.3.8.4 Interagency Agreements**

Effective Date: 12/12/2011

- a. The Office of the Assistant Administrator for Management (AA/M) delegates to Assistant Administrators, Assistant to the Administrators, the Chief Operating Officer in the Office of the Administrator (A/AID/COO), the **Director, Office of Planning, Performance and Systems** in the Bureau of Foreign Assistance (FA/COO), the Director of the Office of Development Partners, and to Heads of Independent Offices the authority to negotiate, execute, and amend interagency agreements under [section 632\(b\) of the FAA](#) and other authorities where USAID is the
 - (1) Requesting or funding agency and the agreement is for inherently governmental functions or technical assistance or
 - (2) Furnishing agency.

NOTE: Mission Directors and Principal Officers that are delegated by an AA the authority to implement assistance objectives as stated in **103.3.5.1.c**, include the authorities set forth in this sub-section.

- b. The AA/M delegates authority to Mission Directors to negotiate, execute, and amend interagency agreements under the International Cooperative Administrative Support Services (ICASS) program ([ADS 520, International Cooperative Administrative Support Services \(ICASS\)](#)).

**An asterisk and yellow highlight indicate that the adjacent information is new for this chapter or substantively revised.*

- c. The authorities in **103.3.8.4 a. and b.** do not include the authority to sign transfer and allocation agreements under **section 632(a) of the FAA.**
- d. Contracting authority delegated to individuals through warrants includes the authority to enter into [section 632\(b\)](#) interagency agreements, including Participating Agency Service Agreements (PASAs) and Participating Agency Program Agreements (PAPAs) (See [ADS 306, Interagency Agreements](#)).

103.3.8.5 Grants and Cooperative Agreements

Effective Date: 03/22/2011

- a. The AA/M delegates to Mission Directors and other Principal Officers of USAID field posts the authority to negotiate, execute, and amend grants and cooperative agreements, other than those to foreign governments, and multilateral organizations composed of foreign governments (including public international organizations as described in **ADS 308**), in an amount not exceeding \$150,000 (or local currency equivalent) in the aggregate.

NOTE: For grants to foreign governments and multilateral organizations composed of foreign governments (including public international organizations as described in **ADS 308**), see **103.3.5.1.c.**

- b. Limitation on Redlegation. The authority delegated in **103.3.8.5.a** may not be redelegated, but may be exercised by authorized persons acting as the Mission Director or other principal officer.
- c. Authority of Contracting Officers. This delegation does not detract in any way from the authority of Contracting Officers with assistance warrants to negotiate, execute, amend, and administer grants and cooperative agreements.

103.3.8.6 Claims

Effective Date: 01/11/2011

- a. The Chief Financial Officer (CFO) delegates to Mission Directors and other Principal Officers of USAID field posts, the authority to settle, compromise, suspend, write off, or terminate collection action on non-taxpayer identification number (non-TIN) debts or waive claims that do not exceed \$25,000 of the principal balance, exclusive of accrued interest, penalty, or administrative costs.
- b. Independent of the principal balance of the claim, the CFO delegates to Mission Directors and other Principal Officers of USAID field posts, the authority to

waive collection of all or part of accrued interest, penalty, or administrative costs where it is determined that:

- (1) The debt or the charges resulted from the Agency's error, action or inaction, and without fault by the debtor or
 - (2) Collection of these charges would be against equity and good conscience or not in the best interest of the United States.
- c.** Exclusions: The authority in **103.3.8.6.a** does not apply to **Pub. L. 480** claims.
- d.** The General Counsel delegates to Mission Directors and other Principal Officers of USAID field posts the authority to settle tort claims in an amount not to exceed \$25,000.

103.3.8.7 Performance-Based Actions

Effective Date: 07/31/2008

- a.** The Director of the Office of Human Resources (OHR/OD) delegates to Assistant Administrators and Heads of Independent Offices the authority to take and decide performance-based actions, as specified in **5 USC 43** and related regulations. These include reassignments, demotions, and removals for unsatisfactory performance; subject to consultation and coordination with Director of the Office of Human Resources or designees.
- b.** Any redelegation of the authority in **103.3.8.7.a** is subject to approval by Director of the Office of Human Resources or designees.

103.3.8.8 Waiver of Transportation Source Requirements

Effective Date: 07/31/2008

- a.** The Assistant Administrator, Bureau for Management (AA/M) delegates to officials in the field with authority to waive source requirements for goods and services and the authority to waive, in accordance with applicable criteria (see [ADS 314.5.1b](#)), the flag registry requirements for ocean transportation services. This is to permit financing of transportation on ocean vessels under flag registry of any country included in [USAID Geographic Code 935](#) (Special Free World), provided that such authority may be exercised only for shipment of goods for which the official has approved a commodity source.
- b.** The authority delegated in **103.3.8.8.a** may not be further redelegated.

103.3.8.9 Details to Foreign Governments and International Organizations under Sections 627 and 628 of the FAA

Effective Date: 10/18/2010

- a. **Other Agencies.** The Administrator delegates to AA/PPL the authority to make section 627/628 determinations. This means making a determination that the delegation advances the purposes of the [FAA](#) in order to justify the detail of the employees of other agencies to foreign governments and international organizations under **sections 627 and 628 of the FAA**.
- b. **USAID.** Under its general personnel authorities in **103.3.10**, the Administrator delegates to the Assistant Administrator for Management (AA/M) the authority to make section 627/628 determinations for USAID employees.

103.3.9 Principal Diplomatic Officers

Effective Date: 07/31/2008

- a. In countries that do not have a USAID Mission or B/IO, the Administrator delegates to Principal Diplomatic Officers of the United States the authorities delegated to Mission Directors of USAID Missions.
- b. The exercise of the authorities in **103.3.9.a** is subject to the same limitations applicable to the exercise of such authorities by Mission Directors and such other limitations as the cognizant USAID Regional Assistant Administrator may specify.
- c. Where there is a USAID Mission Director or Office Director who exercises authority over a particular non-presence country as part of his or her regional director responsibilities (for example, West Africa Regional Program Director), such Director serves as USAID's primary official for the purpose of implementing USAID activities in the non-presence country and may delegate, as necessary, those authorities under Section **103.3.9** to another principal diplomatic officer in the non-presence country. The principal diplomatic officer only must exercise those authorities that the USAID official having regional responsibilities specifically delegates to the principal diplomatic officer.
- d. The authorities in **103.3.9.a** may be redelegated to the officers at post principally responsible for USAID activities.

103.3.10 Bureau for Management (M)

Effective Date: 07/31/2008

The following subpolicies are the delegations for the Bureau for Management.

**An asterisk and yellow highlight indicate that the adjacent information is new for this chapter or substantively revised.*

103.3.10.1 Assistant Administrator for Management (AA/M)

Effective Date: 07/31/2008

a. General Authority.

The Administrator delegates to the AA/M all current and future authorities available to the Administrator relating to all aspects of:

- Administrative budget planning, including establishing program administrative Operational Year Budget levels;
- Administrative management, management policy, and management planning;
- Financial management;
- Program evaluation;
- Information resources management;
- Acquisition and assistance; and
- Other administrative management functions, except as noted below or specifically delegated to another official.

b. Authorities Reserved to the Administrator. The following authorities are reserved to the Administrator:

- (1) The authorities of [sections 624 and 631\(c\) of the FAA](#) regarding officers appointed by the President and confirmed by the Senate and Chairman of the Development Assistance Committee (DAC);
- (2) The appointment, assignment, and removal of Mission Directors, Deputy Mission Directors, and USAID Representatives; and
- (3) The Head of the Agency authorities, which the [Federal Acquisition Regulation \(FAR\)](#) states are not delegable. See [ADS 302](#).

c. Acquisition and Assistance. The authorities in **103.3.10.1.a** include, but are not limited to:

- (1) Acting as Head of the Agency, in accordance with the Federal Acquisition Regulation (see **FAR**), except as limited in **103.3.10.1.b**;
- (2) Negotiating, executing, amending, and administering

- (a) USG contracts;
 - (b) Interagency agreements obligating USAID funds, under section **632(b) of the FAA** and any other authority, including PASAs and PAPAs (see **ADS 306**); and
 - (c) Grants (other than those to foreign governments) and cooperative agreements.
- (3) Administering the Host Country Contract system, including approvals of contracts and waivers of competition and advertising requirements;
 - (4) Taking extraordinary contractual actions, in accordance with **Sections 3 and 4 of Executive Order 11223**;
 - (5) Administering the commodity and ocean transportation management functions; and
 - (6) Determining the eligibility and responsibility under suspension/debarment regulations, the **Drug Free Workplace Act**, and similar statutes and regulations.
- d. Budget.** The authorities in **103.3.10.1.a** include, but are not limited to, the preparation, execution, transaction management, and tracking of USAID's administrative budget (including establishing program administrative Operational Year Budget levels).
- e. Information Resources Management.** The authorities in **103.3.10.1.a** include, but are not limited to, serving as the Designated Senior Official (DSO) for Information Resources Management. (See also **ADS 101** for the Office of the Chief Information Officer's functions).
- f. Other Administrative Management Functions.** The authorities in **103.3.10.1.a** include, but are not limited to:
- (1) Administering all aspects of USAID's property management function, including real and personal, foreign and domestic, and surplus and excess;
 - (2) Authorizing expenditures under [section 636\(b\) of the FAA](#);
 - (3) Authorizing and approving official travel, transportation, and storage;

- (4) Accepting and using gifts; and
 - (5) Managing Agency policy directives and required procedures for dealing with geographic codes.
- g. Regulations.** Included in this general delegation is the authority to issue, amend, or waive regulations.
- h.** This section, **103.3.10.1**, governs in the event of conflict with other provisions of the ADS.
- i. Ocean Freight Reimbursement.** The Administrator delegates to the AA/M all current and future authorities available to the Administrator relating to all aspects of the Ocean Freight Reimbursement Program. The authority to make payments and provide reimbursements for transportation charges pursuant to [FAA Section 123\(b\)-\(d\)](#) also is delegated to the AA/M.
- j. Denton Program.** The Administrator delegates to the AA/M all current and future authorities available to the Administrator relating to all aspects of the Denton program, operated by the Department of Defense (DoD) pursuant to **10 U.S.C. 402**, by which DoD may transport humanitarian assistance supplies donated by PVOs, NGOs, or other non-governmental sources on a space available basis.

103.3.10.2 Immediate Office of the Chief Financial Officer (M/ICFO)

Effective Date: 07/31/2008

a. Chief Financial Officer (M/CFO/ICFO)

- (1) The Administrator delegates to the Chief Financial Officer, Immediate Office of the Chief Financial Officer (M/CFO/ICFO) all current and future authorities available to the Administrator relating to all aspects of financial management, including, but not limited to:
 - (a) Serving as the Agency's Chief Financial Officer and exercising all of the authorities under the **Chief Financial Officers Act of 1990 (CFO Act) (Pub. L. 101-576)** and
 - (b) Collecting, compromising, suspending, writing off, terminating collection activity, or waiving claims by or against the Agency, up to a valuation of \$100,000, exclusive of accrued interest, penalty (late payment charges) and administrative costs, except for tort claims against the Agency. (See **ADS 625, Accounts Receivable and Debt Collection.**)

- (2) Regulations. Included in **103.3.10.2.a.1** is the authority to issue, amend, or waive regulations to exercise any authority vested in the Administrator in such regulations and to revoke or amend any delegations from the Administrator to Bureau for Management officials as related to financial management.
- (3) The Chief Financial Officer (**CFO**) is delegated by the AA/M authority to:
 - (a) Negotiate, execute, amend, and administer interagency agreements in the area of financial management;
 - (b) Authorize expenditures under **section 636(b) of the FAA**;
 - (c) Approve exceptions under section 113 and other sections of the **Foreign Service Travel Regulations** (see **6 FAM 120**) and **Federal Travel Regulations**;
 - (d) Make any other determination, waiver, exception, or other action authorized by law or regulation; and
 - (e) Approve exceptions to the mandatory use of the Government-sponsored travel card (GSTC). This authority has been redelegated by the CFO to the GSTC Coordinator in M/CFO.

b. Chief, Payroll Division (M/CFO/P)

The CFO delegates to the M/CFO/P authority to withhold taxes, file required returns, and pay taxes in accordance with agreements entered into between the Secretary of the Treasury and the States, the District of Columbia, and U.S. counties and cities.

c. Chief, Bureau for Management, Office of Financial Management, Central Accounting and Reporting Division (M/CFO/CAR)

The CFO delegates to the Chief, M/CFO/CAR the following authorities:

- (1) To designate overseas cashiers, to request the Department of the Treasury designation of domestic cashiers, and to request the revocation of such designations;
- (2) To sign requests for relief concerning physical losses or deficiencies applying to cashiers of imprest funds. This includes authority to make findings, determinations, and recommendations relating to the relief of accountable officers, in accordance with **Title 31 of the U.S. Code**;

(3) To request the Department of the Treasury to designate agents to distribute checks; and

(4) To sign Foreign Currency Transfer Authorizations.

d. Chief, Washington Financial Services Division (M/CFO/WFS)

The Chief Financial Officer delegates to Chief, M/CFO/WFS claims authority in section **103.3.10.2.a.**

e. Chief, Financial Policy and Support Division (M/CFO/FPS)

The Chief Financial Officer delegates to Chief, M/CFO/FPS, the authority to appoint and revoke appointments of certifying officers.

103.3.10.3 Director, Office of the Chief Information Officer (M/CIO)

Effective Date: 07/31/2008

The AA/M has designated the Director, M/CIO, as the Agency's Chief Information Officer (CIO), and delegates the following responsibilities, including those delegated to AA/M as USAID's Designated Senior Official for Information Resources Management (IRM):

- a. Coordination with other Agency components to develop and update annually the Agency-wide five-year IRM Strategic Plan;
- b. Management of the Agency's Knowledge Management system, including the library, information clearinghouse, reference and research service, etc.;
- c. Coordination with other Agency components to develop an annual Agency-wide IRM budget;
- d. Development and promulgation of IRM policy directives, procedures, and guidelines for the economical and effective management of information resources, TEMPEST, COMSEC, and Secure Telephone Units;
- e. Oversight responsibility of all IRM activities in the Agency, including conducting program reviews of information resources management activities and managing Agency records;
- f. Acquisition, review, and approval authority for all acquisitions containing Federal information processing resources;

- g.** Management of the Agency's compliance with
- Sections 3506(c) (1), (2), (6), and (7) of the **Paperwork Reduction Act**, as amended;
 - **OMB Circular A-130**;
 - **The Freedom of Information Act**;
 - **The Privacy Act**;
 - Sections 5 and 6 of the **Computer Security Act**;
 - TEMPEST Countermeasures for Facilities;
 - COMSEC Guidance for Automated Data Processing (ADP) Systems; and
 - Operational Security Doctrine for Secure Telephone Units.
- h.** Development, coordination, implementation and maintenance, administration, and integration of Agency corporate automated information systems (both numerical and textual).
- i.** Negotiation, execution, amendment, and administration of interagency agreements in the area of information resources management.

103.3.10.4 [Reserved]

Effective Date: 07/31/2008

103.3.10.5 Director, Bureau for Management, Office of Acquisition and Assistance (M/OAA)

Effective Date: 03/24/2011

- a.** The AA/M has designated the Director, M/OAA, as the Senior Procurement Executive, Chief Acquisition Officer, and Assistance Executive and delegated the acquisition and assistance authorities delegated to the AA/M in **103.3.10.1**, particularly the authorities specified in **103.3.10.1.c**.
- b.** The authorities delegated in **103.3.10.5.a** include, but are not limited to:
- (1) Acting as the Head of the Agency for all purposes described in the Federal Acquisition Regulation, including the authority to issue and terminate

Certificates of Appointment (“warrants”) to Contracting Officers (per [FAR 1.6](#)); and

- (2) Negotiating, executing, amending, and administering grants (other than those to foreign governments) and cooperative agreements, including the authority to issue and terminate Certificates of Appointment to Agreement Officers.
- c. A Contracting or Agreement Officer (CO/AO) issued a contracting or assistance warrant cannot further redelegate this authority, except that the CO/AO can delegate certain administrative duties and authorities to a Contracting Officer’s Technical Representative (COTR) by issuing a formal designation letter issued in accordance with **ADS 302** or **ADS 303**.
 - d. The delegations to M/OAA do not include the delegations found in sections **103.3.10.6** and **103.3.10.7** regarding the acquisition of real property by purchase or lease. Domestic real property functions are delegated to the AA/M and redelegated to M/MS/OD and overseas real property functions are delegated to the AA/M and redelegated to M/MS/OMD. See [ADS 535 Real Property Management Overseas](#). The limits on delegations to M/OAA regarding leasing or acquisition of real property do not apply to the acquisition of hotel lodging or conference facilities and do not apply to the leasing or acquisition of program-funded property under acquisition and assistance instruments, which are governed by other delegations and regulations.
 - e. The AA/M delegates to the Director, M/OAA all authorities regarding the Ocean Freight Reimbursement and Denton Programs as set forth in **103.3.10.1.i** and **j**, including the following authorities:
 - (1) Strategic planning authorities, as set forth in **103.3.5.1.a**. This delegation does not include the authority to approve:
 - (a) Strategic plans and substantive amendments thereto;
 - (b) Exceptions to the strategic planning procedures; and
 - (c) The substantive terms and conditions of management agreements and amendments thereto.
 - (2) Budget and implementation authorities, as set forth in **103.3.5.1.b and c**.
 - (3) Source, origin, and nationality waiver authority, as set forth in

103.3.5.1.d. (See **ADS 310.5.5.a**, which delegates comparable source, origin, and nationality waiver authority to the Director, Office of U.S. Foreign Disaster Assistance (OFDA/OD).)

- (4) Coordination authority, as set forth in **103.3.5.1.e**.
 - (5) Gift acceptance and use authority, as set forth in **103.3.5.1.f**.
 - (6) Authorities for interagency agreements, as set forth in **103.3.8.4**.
- f. The AA/M delegates to the Director, M/OAA the authority to make payments and provide reimbursements for transportation charges pursuant to [FAA Section 123\(b\)-\(d\)](#);

103.3.10.6 Director, Office of Management Services (M/MS)

Effective Date: 05/17/2011

- a. The AA/M delegates to the Director, M/MS, all authorities to serve as the Agency's Senior Real Property Officer to administer the functions required by **Executive Order 13327**.
- (1) For domestic real property:
 - (a) Authority to negotiate, execute, and amend contracts, leases, and other documents for procurement of quarters, living quarters, offices, buildings, grounds, and necessary supporting facilities, including advance payments; maintenance, furnishings, necessary repairs; improvements and alterations to properties owned or rented by the Government; and costs of fuel, water, and utilities for such properties.
 - (b) Authority to negotiate, execute, and amend contracts and other documents for disposition of USAID's interest in administratively-funded (for example, operating expense-funded) property, real or personal, held or acquired in connection with the conduct of the foreign assistance program.
 - (2) For overseas real property:
 - (a) Authority to negotiate, execute, and amend contracts, leases, and other documents for procurement of quarters, living quarters, offices, buildings, grounds, and necessary supporting facilities, including advance payments; maintenance, furnishings, necessary

repairs; improvements and alterations to properties owned or rented by the Government; and costs of fuel, water and utilities for such properties. This authority includes the authority to manage, lease, and purchase overseas properties on behalf of the Agency, as set forth in [ADS 535, Real Property Management Overseas](#) and also includes, but is not limited to, the authority to execute Miscellaneous Obligations in support of overseas building projects managed by the Department of State under Memoranda of Agreement with USAID.

- (b) Authority to negotiate, execute, and amend contracts and other documents for disposition of USAID's interest in administratively-funded (for example, operating expense-funded) property, real or personal, held or acquired in connection with the conduct of the foreign assistance program.
- (3) Authorize and approve official travel, transportation and storage of effects (including automobiles), and related expenses for the travel of persons financed by USAID.
- (4) Authorize and approve official travel on an all-inclusive or actual subsistence expense basis, including authority to prescribe conditions under which reimbursement may be authorized on an actual subsistence expense basis.
- (5) Accept and use gifts.
- (6) Settle and approve claims under the **Military Personnel and Civilian Employees Claims Act of 1964, as amended.**
- (7) Declassify Office of Public Safety documents.
- b.** The Director, M/CIO delegates to the Director, M/MS, the following authorities:
 - (1) The Agency's record management functions and
 - (2) The Agency's Freedom of Information program, including the authority to decide appeals.

103.3.10.7 Chief, Overseas Management Support Division (M/MS/OMD)

Effective Date: 05/17/2011

- a.** The Director, M/MS, delegates to the Chief, M/MS/OMD, the authorities contained in **ADS 103.3.10.6.a(2).**

103.3.10.8 Chief, Headquarters Management Division (M/MS/HMD)

Effective Date: 05/17/2011

- a. The Director, M/MS, delegates to the Chief, M/MS/HMD, the authorities contained in **ADS 103.3.10.6.a(1)**.

103.3.10.9 Chief, Travel and Transportation Division (M/MS/TTD) [Reserved]

Effective Date: 05/17/2011

103.3.10.10 Chief, Information Records Division (M/MS/IRD) [Reserved]

Effective Date: 05/17/2011

103.3.10.11 Director, Office of Management Policy, Budget and Performance (M/MPBP) [Reserved]

Effective Date: 07/31/2008

***103.3.11 Office of the Director, Human Resources (OHR/OD)**

Effective Date: 09/27/2011

- a. The Administrator delegates to the Director, Office of Human Resources (OHR/OD) primary responsibility for all aspects of human resources management. This includes all of the authorities for human resources management, specifically
- Employee training and career development;
 - Pay and allowance policy, including authorizing expenditures under [Section 636\(b\) of the FAA](#) as related to human resources matters;
 - The authority to sign interagency agreements for human resources management functions; and
 - The authority to redelegate the authority to sign such interagency agreements.

- *b.** As a matter of administrative practice, the following actions are forwarded to the **Administrator for approval:**

**An asterisk and yellow highlight indicate that the adjacent information is new for this chapter or substantively revised.*

- (1) Appointment/Reassignment of Senior Executive Service (SES), Administratively Determined (AD), PAS, and Schedule C employees;
- (2) Foreign Service Commissioning List;
- (3) Designation of Senior Management Group (SMG) positions and assignment, including extensions, of employees to SMG positions;
- (4) Nonreimbursable details out of the Agency, including Intergovernmental Personnel Act (IPAs) details;
- (5) Reimbursable details and transfers to international organizations or other USG agencies (including State) for more than five years;
- (6) Foreign Service (FS) promotion numbers;
- (7) Senior Foreign Service (SFS) Limited Career Extensions;
- (8) Senior Foreign Service/Senior Executive Service (SFS/SES) Performance Pay;
- (9) SFS/SES Presidential Rank Award nominations;
- (10) AD employees' pay and performance bonus awards;
- (11) Appointment of Chair and members of USAID's Special Awards Committee (SAC);
- (12) All awards, monetary and non-monetary, recommended for approval by USAID's Special Awards Committee;
- (13) USAID Membership on the Board of the Foreign Service;
- (14) Civil Service/Foreign Service (CS/FS) Furloughs and Reductions in Force (RIFs); and
- (15) Sabbaticals for SES/SFS.

103.3.12 Bureau for Africa (AFR)

Effective Date: 07/31/2008

The following policy directives are the delegations for the Bureau for Africa.

**An asterisk and yellow highlight indicate that the adjacent information is new for this chapter or substantively revised.*

***103.3.12.1 Mission Directors and USAID Principal Officers**

Effective Date: 02/15/2012

The AA/AFR delegates to the Mission Directors and USAID Principal Officers in the AFR region the following authorities:

- a. Strategic planning authority in accordance with [ADS 201](#), other planning policies approved by the Administrator, and **103.3.5.1.a**. The authority to implement development objectives (including, but not limited to, strategic, special, or support objectives) stated in **103.3.5.1.b. and c.**, except that:
 - (1) The authority to take into consideration [FAA section 611\(e\)](#) certifications and to sign **FAA 632(a)** agreements is not delegated and
 - (2) Before approving macroeconomic or sector assistance involving resource transfers in accordance with the Policy Paper "Program Assistance" (formerly referred to as "non-project assistance"), USAID Principal Officers must have the clearance of AA/AFR.
- b. The authority to waive source, origin, and nationality requirements for the procurement of goods and services (other than transportation services) set forth in Goods and Services (see **103.3.5.1.d.**). This authority may not be further redelegated.
- c. The authority to coordinate with other USG agencies on economic development matters set forth in **103.3.5.1.e**.
- d. The authority to accept and use gifts as set forth in **103.3.5.1.f**.
- e. The authority stated in **103.3.8.2.b** to negotiate, execute, and implement food aid donation agreements in accordance with the terms of the authorization. The authority to implement such agreements may be redelegated further, but the authorities to negotiate and execute agreements may not.
- f. The authority to authorize and implement loan, guarantee, and other credit programs as set forth in **103.3.8.3.b**.
- *g.** AFR Mission Directors having regional responsibilities are delegated the authorities of a USAID Principal Officer with respect to those countries in their region that have no assigned Mission Director or Principal Officer.

103.3.12.2 Directors of the Office of Sudan Programs (AFR/SP), Office of West African Affairs (AFR/WA), the Office of Sustainable Development (AFR/SD), the Office of Eastern Africa Affairs (AFR/EA), the Office of

Southern Africa Affairs (AFR/SA) and the Office of Development Planning (AFR/DP) (Collectively, "AFR/W Office Directors")

Effective Date: 07/31/2008

The AA/AFR delegated to AFR/W Office Directors the following authorities, effective January 19, 1996:

- a. The authority to implement development objectives (including, but not limited to, strategic, special, or support objectives) stated in **103.3.5.1.b.** and **c.**, including but not limited to, authority to:
 - (1) Negotiate, execute, amend, and implement development objective grants, loans, memoranda of understanding, and other implementing and ancillary agreements and documents with foreign governments and multilateral organizations composed of foreign governments (including public international organizations (PIOs) as described in **ADS 308**);
 - (2) Issue and issue or approve other implementation documents in connection with the agreements listed in **(a) (1)**;
 - (3) Amend existing project, program, and other agreements and take other actions necessary to comply with USAID's results management systems;
 - (4) Review and approve documents and other evidence submitted in satisfaction of conditions precedent;
 - (5) Approve host country contracts and amendments as set forth in [ADS 305](#), including waivers of competition and advertising requirements. This authority is subject to AA/M approval of host country contracts and amendments over \$10 million and the limitations on redelegation to the field, as contained in [ADS 305](#) and [Country Contracting](#); and
 - (6) Receive and determine the adequacy of assurances of host country contributions under [section 110 of the FAA](#) and to waive such contributions on a case-by-case basis if the country qualifies as relatively least developed under **section 124(d) of the FAA**.
- b. The authority to waive source, origin, and nationality requirements for the procurement of goods and services (other than transportation services) set forth in Goods and Services (see **103.3.5.1.d.**). This authority may not be further redelegated.
- c. Procurement under the Development Fund for Africa (DFA). The authority to implement the procurement authorities stated in [Section 496 of the Foreign](#)

Assistance Act of 1961, as amended. This authority must be exercised in accordance with the Updated and Reissued Africa Bureau Instructions on Implementing DFA Procurement Authorities, dated February 1, 1993, as it may be amended from time to time, including the provision in the instructions calling for U.S. procurement to the maximum extent practicable.

- d. The authority to coordinate with other USG agencies on economic development matters as set forth in **103.3.5.1.e**.
- e. The authority to accept and use gifts as set forth in **103.3.5.1.f**.
- f. The authority in **103.3.5.1.g.(1)** to authorize and administer reimbursable programs under **section 607 of the FAA**.
- g. The authority to register regional, foreign private, and voluntary organizations, for example, that conduct operations in more than one country within a USAID geographic region.
- h. Exceptions:
 - (1) The authority to sign **section 632(a)** interagency agreements (non-obligating transfers of funds) and **section 632(b)** interagency agreements (obligating transfers of funds) is not delegated by this Delegation of Authority.
 - (2) Before approving macroeconomic or sector assistance involving resource transfers (formerly referred to as "non-project assistance"), USAID Principal Officers must have the clearance of the AA/AFR.
- i. Country, Regional, and USAID/W Support. In carrying the authorities delegated above, each AFR/W Office Director and his or her staff must obtain:
 - (1) All required or otherwise appropriate clearances (legal, procurement, financial, technical) prior to approving actions and
 - (2) Such additional appropriate country, regional, and/or USAID/W support in planning and carrying out assistance activities.

103.3.12.3 Special Self-Help (SSH) and Democracy and Human Rights Fund (DHRF) Programs

Effective Date: 07/31/2008

The AA/M delegates to ambassadors and other principal U.S. Diplomatic Officers in African countries with or without a USAID Mission the authority to negotiate, execute,

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amend, implement, and otherwise administer SSH and DHRF agreements with foreign governments and non-governmental organizations in accordance with the guidelines established in the Department of State SSH and the DHRF Manuals.

103.3.13 Bureau for the Middle East (ME)

Effective Date: 07/31/2008

The following subpolicy directives are the delegations for the Bureau for the Middle East.

103.3.13.1 Middle East Mission Directors and Principal Officers

Effective Date: 07/31/2008

The Assistant Administrator for the Middle East (AA/ME) delegates to the Mission Directors and USAID Principal Officers in countries or areas of the Middle Eastern region now or hereafter under the responsibility of AA/ME, each with respect to the country or countries for which he or she is responsible, the authorities contained in ADS sections **103.3.5.1.a.** (Strategic Planning); **103.3.5.1.b.** (Budget); **103.3.5.1.c.** (Program Implementation); **103.3.5.1.d.** (Source, Origin, and Nationality for Procurement); **103.3.5.1.e.** (Coordination); **103.3.5.1.f.** (Acceptance and Use of Gifts); **103.3.8.2.b** (Food Aid); and **103.3.8.3.b** (DCA and Other Credit Programs), except that:

- a.** The authorities delegated in accordance with [ADS 201](#) and other planning policies approved by the Administrator do not include the authority to approve:
 - (1) Strategic plans and substantive amendments of those plans;
 - (2) Exceptions to the strategic planning procedures; and
 - (3) The substantive terms and conditions of management agreements and amendments to those management agreements.
- b.** The authorities delegated in accordance with **103.3.5.1.b.** and **c.** do not include the authority to:
 - (1) Receive and take into consideration certifications under [section 611\(e\) of the FAA](#) or
 - (2) Sign **section 632(a)** interagency agreements (non-obligating transfers of funds).
- c.** The authorities delegated in accordance with **103.3.5.1.d.** may not be delegated further.

- d. In the case of the USAID/Mission to Egypt only, the authorities delegated in accordance with section **103.3.5.1.d**.
 - (1) Include the authority to waive transportation source requirements for ocean transportation services in accordance with applicable criteria, provided that a determination of non-availability has been made by the Bureau for Management, Office of Acquisition and Assistance (M/OAA); and
 - (2) May be redelegated further.
- e. The authorities delegated in accordance with **103.3.8.2.b** are subject to clearance by the AA/DCHA and do not include:
 - (1) The authority to authorize or amend the authorization for the donation of agricultural commodities and
 - (2) The authority to make findings, determinations, and actions required under **Title IV of Pub. L. 480** that relate to donations and agreements for specific countries and their terms and conditions.
- f. The implementation authorities delegated in accordance with **103.3.8.2.b** may be redelegated in such a manner as the respective USAID Mission Director or Principal Officer deems appropriate, but other food aid authorities may not be delegated further.

103.3.13.2 Regional Contracting Officers (RCOs)

Effective Date: 07/31/2008

The AAM delegates to RCO in Egypt the authority to approve host country contracting awards in the amount of \$10 million or more, including contract amendments in that amount and related actions.

103.3.14 Bureau for Asia (Asia)

Effective Date: 07/31/2008

The following subpolicy directives are the delegations for the Bureau for Asia.

***103.3.14.1 Asia Mission Directors and Principal Officers**

Effective Date: 07/07/2011

**An asterisk and yellow highlight indicate that the adjacent information is new for this chapter or substantively revised.*

The Assistant Administrator for Asia (AA/Asia) delegates to the Mission Directors and USAID Principal Officers in countries or areas of the Asia region now or hereafter under the responsibility of the AA/Asia, each with respect to the country or countries for which he or she is responsible, the authorities contained in ADS **103.3.5.1.a.** (Strategic Planning); **103.3.5.1.b.**(Budget); **103.3.5.1.c.** (Program Implementation); **103.3.5.1.d.** (Source, Origin, and Nationality for Procurement); **103.3.5.1.e.** (Coordination); **103.3.5.1.f.** (Acceptance and Use of Gifts); **103.3.8.2.b** (Food Aid); and **103.3.8.3.b** (DCA and Other Credit Programs), except that:

- a. The authorities delegated in accordance with [ADS 201](#) and other planning policies approved by the Administrator do not include the authority to approve:
 - (1) Strategic plans and substantive amendments of those plans;
 - (2) Exceptions to the strategic planning procedures; and
 - (3) The substantive terms and conditions of management agreements and amendments to those management agreements.
- b. The authorities delegated in accordance with **103.3.5.1.b.** and **c.** do not include the authority to:
 - (1) Receive and take into consideration certifications under [section 611\(e\) of the FAA](#) or
 - (2) Sign section **632(a)** interagency agreements (non-obligating transfers of funds).
- c. The authorities delegated in accordance with **103.3.5.1.d.** may not be delegated further.
- d. The authorities delegated in accordance with **103.3.8.2.b** are subject to clearance by the AA/DCHA and do not include:
 - (1) The authority to authorize or amend the authorization for the donation of agricultural commodities and
 - (2) The authority to make findings, determinations, and actions required under **Title IV of Pub. L. 480** that relate to donations and agreements for specific countries and their terms and conditions.
- e. The implementation authorities delegated in accordance with **103.3.8.2.b** may be redelegated in such a manner as the respective USAID Mission Director or Principal Officer deems appropriate, but other food aid authorities may not be delegated further.

- f.** *The Director, USAID/Central Asia is delegated the authority of a USAID Principal Officer with respect to the countries of Kazakhstan, Tajikistan, Turkmenistan, and Uzbekistan.
- g.** The Administrator delegates to the AA/Asia, who redelegates to the Director, USAID/Philippines, the authority to approve and implement for the Federated States of Micronesia and the Republic of the Marshall Islands activities set forth in **Article X of the Federal Programs and Services Agreements** between the United States and each country, as approved in **P.L. 110-229**, utilizing funds made available by the Department of the Interior and by the Department of Homeland Security Federal Emergency Management Agency for such purposes. This delegation of authority is concurrent with the delegation of authority to OFDA set forth in **103.3.17.4.c**. USAID/Philippines and OFDA must mutually coordinate approval and implementation of such activities with one another, in consultation with the Bureau for Asia.

103.3.15 Bureau for Europe and Eurasia (E&E)

Effective Date: 07/31/2008

The following subpolicy directives are the delegations for the Bureau for Europe and Eurasia.

***103.3.15.1 E&E Mission Directors, Principal Officers, and E&E Washington-Based Office Directors**

Effective Date: 12/05/2011

The AA/E&E delegates to the Mission Directors and Principal Officers in countries or areas of the E&E region and the E&E Washington-based Office Directors each with respect to their functional area responsibilities now or in future under the responsibility of the AA/E&E, the authorities contained in ADS **103.3.5.1.a**. (Strategic Planning); **103.3.5.1.b**. (Budget); **103.3.5.1.c**. (Program Implementation); **103.3.5.1.d**. (Source, Origin, and Nationality for Procurement); **103.3.5.1.e**. (Coordination); **103.3.5.1.f** (Acceptance and Use of Gifts); **103.3.8.2.b.2** (Food Aid); and **103.3.8.3.b** (DCA and Other Credit Programs), except that

- a.** The authorities delegated in accordance with [ADS 201](#) and other planning policies approved by the Administrator do not include the authority to approve:
- (1) Strategic plans and substantive amendments concerning them;
 - (2) Exceptions to the strategic planning procedures; and

- (3) The substantive terms and conditions of management agreements and amendments concerning them.
- b.** The authorities delegated in accordance with **103.3.5.1.b.** and **c.** do not include the authority to:
 - (1) Receive and take into consideration certifications under [section 611\(e\) of the FAA](#) or
 - (2) Sign section **FAA 632(a)** interagency agreements (non-obligating transfers/allocations of funds).
- c.** The authorities delegated in accordance with **103.3.5.1.d.** may not be delegated further.
- d.** The authorities delegated in accordance with **103.3.8.2.b.2** are to negotiate, execute, and implement **P.L. 480 Title III** donation agreements in accordance with the terms of the authorization. The authority to implement agreements may be redelegated, but the other authorities may not be redelegated further.
- *e.** E&E Mission Directors having regional responsibilities are delegated the authorities of a USAID Principal Officer with respect to those countries in their region that have no assigned Mission Director or Principal Officer. For example, the Director, USAID/Ukraine is delegated the authority of a USAID Principal Officer with respect to the countries of Belarus, Moldova, and Ukraine.

103.3.15.2 Enterprise Funds

Effective Date: 07/31/2008

- a.** The M/OAA/OD delegates to the AA/E&E authority for the award and administration of all E&E Enterprise Fund grants. This authority includes, but is not limited to:
 - (1) Negotiating and executing grant awards and grant modifications and
 - (2) Administering and terminating grants.
- b.** The authority in **103.3.15.2.a** is delegated to the Director, Office of Economic Growth (E&E/EG).

103.3.16 Bureau for Latin America and the Caribbean (LAC)

Effective Date: 07/31/2008

**An asterisk and yellow highlight indicate that the adjacent information is new for this chapter or substantively revised.*

The following subpolicy directives are the delegations for the Bureau for Latin America and the Caribbean.

103.3.16.1 Director, Strategy and Program Office (LAC/SPO) and Director, Office of Regional Sustainable Development (LAC/RSD)

Effective Date: 07/31/2008

The AA/LAC delegates to LAC/SPO and LAC/RSD the following authorities:

- a. Strategic planning authority in accordance with [ADS 201](#), other planning policies approved by the Administrator, and **103.3.5.1.a**. The authority to implement development objectives (including, but not limited to, strategic, special, or support objectives) stated in **103.3.5.1.b. and c.**, except signing [FAA section 632\(a\)](#) agreements;
- b. The authority to waive source, origin, and nationality requirements for the procurement of goods and services (other than of transportation services) as stated in **103.3.5.1.d.**;
- c. The authority to coordinate with other USG agencies on economic development matters, as stated in **103.3.5.1.e.**;
- d. The authority to accept and use gifts, as stated in **103.3.5.1.f.**;
- e. The authority to authorize and administer reimbursable USAID programs in accordance with **section 607 of the FAA**, as set forth in **103.3.5.1.g.**; and
- f. The Development Credit Authority (DCA) and other credit program authorities, as stated in section **103.3.8.3.b** and **103.3.8.3.c**.

***103.3.16.2 LAC Mission Directors and USAID Principal Officers**

Effective Date: 02/15/2012

The AA/LAC delegates to the Mission Directors and USAID Principal Officers in the LAC region the following authorities:

- a. Strategic planning authority, in accordance with [ADS 201](#), other planning policies approved by the Administrator, and **103.3.5.1.a**.
- b. The authority to implement development objectives (including, but not limited to, strategic, special, or support objectives), as stated in **103.3.5.1.b. and c.**, except signing **FAA 632(a)** agreements, and receiving and taking into consideration certifications under **Section 611(e)** of the FAA;

- c. The authority to waive source, origin, and nationality requirements for the procurement of goods and services (other than transportation services), as set forth in **103.3.5.1.d.**;
- d. The authority to coordinate with other USG agencies on economic development matters, as set forth in **103.3.5.1.e.**;
- e. The authority to accept and use gifts, as set forth in **103.3.5.1.f.**;
- f. The authority to authorize and administer reimbursable USAID programs, in accordance with [FAA section 607](#), as stated in **103.3.5.1.g.**;
- g. The food aid authorities, as stated in **103.3.8.2.b.2**, **103.3.8.2.b.3**, and **103.3.8.2.b.4**, to negotiate, execute, amend, and implement food aid donation agreements in accordance with the terms of the authorization. The authority to implement such agreements may be delegated further, but the authorities to negotiate, execute, and amend agreements may not;
- h. The authorities to authorize and implement loan, guarantee, and other credit programs and the agricultural and productive credit and self-help community development programs, as set forth in **103.3.8.3.b** and **103.3.8.3.c.**; and
- *i.** LAC Mission Directors having regional responsibilities are delegated the authorities of a USAID Principal Officer with respect to their countries **in their region that have no assigned Mission Director or Principal Officer.**

103.3.16.3 Latin America Development Act of 1960

Effective Date: 07/31/2008

The Administrator delegates to AA/LAC the authority to act on behalf of the USG with regard to the **Latin America Development Act of 1960, 22 U.S.C. 1942 et seq.** This authority includes, but is not limited to, the authority to

- a. Negotiate, execute, amend, and implement agreements with the Inter-American Development Bank and
- b. Take any action in conjunction or coordination with other USG agencies related to the Social Progress Trust Fund.

103.3.17 Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA)

Effective Date: 07/31/2008

The following policies are the delegations for the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA).

103.3.17.1 Assistant Administrator for DCHA (AA/DCHA)

Effective Date: 05/25/2011

- a. The Assistant Administrator, DCHA is delegated by the Administrator, for purposes of immediately responding to disasters overseas, the authority to negotiate, execute, amend, and implement:
 - (1) Grants and cooperative agreements, in an amount up to \$3 million per transaction, with NGOs.
 - (2) Contracts, including contracts for personal services, in an amount up to \$500,000 per transaction.
- b. The authorities in **a.** may be redelegated by the Assistant Administrator for DCHA to the Director of the Office of U.S. Foreign Disaster Assistance (OFDA) and may be exercised by officials serving in an acting capacity as Director, OFDA. In exercising these authorities, the Assistant Administrator, acting Assistant Administrator, Director, OFDA, or acting Director, OFDA, as the case may be, must rely on documentation prepared by another official in DCHA or the Office of Acquisition and Assistance who has a warrant to make such awards. This requirement will continue until such time as the Assistant Administrator, acting Assistant Administrator, Director, OFDA, or acting Director, OFDA, as the case may be, has received such training as may be agreed upon by the Assistant Administrator for DCHA and the Director of the Office of Acquisition and Assistance.

***103.3.17.2 DCHA Office Directors**

Effective Date: 12/19/2011

*The Directors of the Offices of Food for Peace (FFP); U.S. Foreign Disaster Assistance (OFDA); American Schools and Hospitals Abroad (ASHA); Transition Initiatives (OTI); Conflict Management and Mitigation (CMM); Military Affairs (OMA); Program, Policy and Management (PPM); and Civilian Response (OCR); and the Director of the Center of Excellence on Democracy, Human Rights, and Governance (DRG); are delegated by AA/DCHA the following authorities for the programs, projects, and activities within the subject matter of each respective office:

- a. Strategic planning authorities, as set forth in **103.3.5.1.a.** This delegation does not include the authority to approve:

- (1) Strategic plans and substantive amendments thereto;
 - (2) Exceptions to the strategic planning procedures; and
 - (3) The substantive terms and conditions of management agreements and amendments thereto.
- b. Budget and implementation authorities, as set forth in **103.3.5.1.b** and **c**.
 - c. Source, origin, and nationality waiver authority, as set forth in **103.3.5.1.d**. (See **ADS 310.5.5.a**, which delegates comparable source, origin, and nationality waiver authority to the Director of OFDA.)
 - d. Coordination authority, as set forth in **103.3.5.1.e**.
 - e. Gift acceptance and use authority, as set forth in **103.3.5.1.f**.
 - f. Authorities for interagency agreements, as set forth in **103.3.8.4**.

103.3.17.3 Director, Office of Food for Peace (FFP/OD)

Effective Date: 07/31/2008

Additional authorities delegated by the AA/DCHA to the Director, Food for Peace (FFP):

- a. All food aid authorities and functions, including the administration, approval, and implementation of programs under **Titles II and III of the Agricultural Trade Development and Assistance Act of 1954, as amended (P.L. 480), 7 U.S.C. 1691 et seq.**, except functions reserved to other USAID staff by **103.3.8.2.b-c**. Authorities delegated to the Director, FFP hereunder include, without limitation, the authority to authorize, approve, negotiate, execute, and implement transfer authorizations and grants and ancillary obligation or implementation documents necessary to carry out emergency and non-emergency **P.L. 480 Title II** programs. Such transfer authorizations and grants may include authorization or obligation of funds for commodities, transport, distribution, storage, and all other expenditures necessary and proper to carry out **Title II** programs.
- b. Authority to coordinate activities of FFP with activities of the U.S. Department of Agriculture (USDA), including those undertaken under **Title I of P.L. 480** or **Section 416(b) of the Agricultural Act of 1949, as amended (P.L. 81-439)**.

103.3.17.4 Director, Office of U.S. Foreign Disaster Assistance (OFDA/OD)

Effective Date: 07/31/2008

Additional authorities delegated to the Director, OFDA:

- a. The AA/DCHA delegates to the Director, OFDA, authority to provide disaster assistance authorized by [FAA Section 491](#), as set forth in **ADS 251** and periodic OFDA guidance cables, within the overall Operating Year Budget (OYB) for International Disaster Assistance approved by the AA/DCHA.
- b. The AA/M delegates to the Director, OFDA authority to negotiate and execute contracts, as set forth in [AIDAR 701.601\(b\)\(2\)](#).
- c. The Administrator delegates to the AA/DCHA, who redelegates to the Director, OFDA, in addition to the authority to provide disaster assistance authorized by FAA Section 491, the authority to approve and implement for the Federated States of Micronesia and the Republic of the Marshall Islands activities set forth in **Article X of the Federal Programs and Services Agreements** between the United States and each country, as approved in **P.L. 110-229**, utilizing funds made available by the Department of the Interior and by the Department of Homeland Security Federal Emergency Management Agency for such purposes. This delegation of authority is concurrent with the delegation of authority to USAID/Philippines set forth in **103.3.14.1g**. OFDA and USAID/Philippines must mutually coordinate approval and implementation of such activities with one another, in consultation with the Bureau for Asia.

103.3.17.5 Director, Office of American Schools and Hospitals Abroad (DCHA/ASHA/OD)

Effective Date: 07/31/2008

Additional authorities delegated by AA/DCHA to the Director, ASHA:

- a. Authority to approve, authorize, and administer the ASHA program pursuant to [section 214 of the FAA](#). In accordance with **Delegation of Authority No. 953**, dated June 9, 1978, the authorities identified in this subsection may only be exercised subsequent to the approval of the AA/DCHA for the specific project, program, or activity for which assistance is to be provided.
- b. Authority to negotiate, execute, and implement ASHA grants, including approval of the terms and conditions of contracts under such grants.

103.3.17.6 Director, Office of Transition Initiatives (DCHA/OTI/OD)

Effective Date: 07/31/2008

Additional authorities delegated by the AA/DCHA to the Director, OTI:

Authority to approve, authorize, and administer transition initiatives programs, projects, and activities. However, authority to negotiate and execute grants, contracts, or cooperative agreements with organizations other than governments or multilateral organizations composed of foreign governments (including public international organizations as described in **ADS 308**) is retained by the Office of Acquisition and Assistance (M/OAA) and other officials, as set forth in the [AIDAR](#), **103.3.8.5**, and **103.3.10.5**, unless delegated to OTI by the AA/M or M/OAA.

***103.3.17.7 Director, Center of Excellence on Democracy, Human Rights and Governance (DCHA/DRG/OD)**

Effective Date: 12/19/2011

Additional authorities delegated by the AA/DCHA to the Director, **DRG**:

Authority to approve, authorize, and administer democracy and governance programs, projects, and activities and victims of war/torture programs, projects, and activities. However, authority to negotiate and execute grants, contracts, or cooperative agreements with organizations other than governments or multilateral organizations composed of foreign governments (including public international organizations, as described in **ADS 308**) is retained by M/OAA and other officials as set forth in the [AIDAR](#), **103.3.8.5**, and **103.3.10.5**, unless delegated to **DRG** by the AA/M or M/OAA.

NOTE: Pursuant to a 1997 memorandum, the Administrator delegated to the Center for Democracy and Governance (a predecessor office of Office of Democracy and Governance of the DRG Center) authority to design, implement, and approve ESF-funded activities in non-presence countries, consistent with the criteria contained in Annex A to that memorandum.

103.3.17.8 Director, Office for Conflict Management and Mitigation (DCHA/CMM/OD)

Effective Date: 07/31/2008

Additional authorities delegated by the AA/DCHA to the Director, CMM:

Authority to approve, authorize, and administer conflict management and mitigation programs, projects, and activities. However, authority to negotiate and execute grants, contracts, or cooperative agreements with organizations other than governments or multilateral organizations composed of foreign governments (including public international organizations, as described in **ADS 308**) is retained by M/OAA and other officials, as set forth in the [AIDAR](#), **103.3.8.5**, and **103.3.10.5**, unless delegated to CMM by the AA/M or M/OAA.

***103.3.17.9 Director, Office of Civilian-Military Cooperation (DCHA/CMC/OD)**

Effective Date: 11/18/2011

Additional authorities delegated by AA/DCHA to the Director, **CMC**:

Authority to approve, authorize, and administer military affairs programs, projects, and activities. However, authority to negotiate and execute grants, contracts, or cooperative agreements with organizations other than governments or multilateral organizations composed of foreign governments (including public international organizations, as described in **ADS 308**) is retained by M/OAA and other officials, as set forth in the **AIDAR**, **103.3.8.5**, and **103.3.10.5**, unless delegated to **CMC** by the AA/M or M/OAA.

103.3.17.10 Director, Office of Program, Policy and Management (DCHAPPM/OD)

Effective Date: 07/31/2008

Additional authorities delegated by the AA/DCHA to the Director, PPM:

Authority to approve, authorize, and administer programs, projects, and activities for PPM and the DCHA Bureau. However, authority to negotiate and execute grants, contracts, or cooperative agreements with organizations other than governments or multilateral organizations composed of foreign governments (including public international organizations as described in **ADS 308**) is retained by M/OAA and other officials, as set forth in the **AIDAR**, **103.3.8.5**, and **103.3.10.5**, unless delegated to PPM by the AA/M or M/OAA.

***103.3.17.11 Director of Office of Civilian Response (OCR)**

Effective Date: 08/14/2009

Additional authorities delegated by AA/DCHA to the Director, OCR:

Authority to approve, authorize, and administer civilian response programs, projects, and activities. However, authority to negotiate and execute grants, contracts, or cooperative agreements with organizations other than governments or multilateral organizations composed of foreign governments (including public international organizations, as described in **ADS 308**) is retained by M/OAA and other officials, as set forth in the **AIDAR**, **ADS 103.3.8.5**, and **ADS 103.3.10.5**, unless delegated to OCR by the AA/M or M/OAA.

103.3.18 Bureau for Global Health (GH)

Effective Date: 07/31/2008

The following subpolicy directives are the delegations for the Bureau for Global Health.

**An asterisk and yellow highlight indicate that the adjacent information is new for this chapter or substantively revised.*

103.3.18.1 General Delegations

Effective Date: 02/13/2009

[Global Health Delegations of Authority](#) lists all GH delegations in matrix format.

103.3.18.2 Human Subject Research - Assistant Administrator and Cognizant Human Subjects Officer (CHSO)

Effective Date: 07/31/2008

The Administrator delegates to the Assistant Administrator, Global Health (AA/GH) full authority to manage the human subject policy and requirements for USAID. AA/GH delegates to the Cognizant Human Subjects Officer (CHSO) authority for the human subject program for USAID, including, but not limited to authority to issue regulations; take Agency Head actions; and issue guidance. This delegation to the CHSO is subject to the condition that the CHSO inform AA/GH and the Administrator of any classified human subject research.

103.3.19 Bureau for Economic Growth, Agriculture and Trade (EGAT)

Effective Date: 07/31/2008

103.3.19.1 Deputy Assistant Administrators (DAAs) and Office Directors

Effective Date: 07/31/2008

- a. AA/EGAT delegates to the DAAs the authorities contained in ADS **103.3.5.1.a.** (Strategic Planning), **103.3.5.1.b.** (Budget), **103.3.5.1.c.** (Program Implementation Authorities), **103.3.5.1.d.** (Source, Origin, and Nationality for Procurement); **103.3.5.1.e.** (Coordination), **103.3.5.1.f.** (Acceptance and Use of Gifts), **103.3.5.1.g.** (Reimbursable Programs), and **103.3.8.3.a** (DCA and Other Credit Programs).
- b. AA/EGAT delegates to Directors of the following offices, as well as to any other office that AA/EGAT creates, within their respective areas of responsibility Women in Development (EGAT/WID); Program Analysis, Implementation, Communication, and Outreach (EGAT/PAICO); Professional Development and Administrative Management (EGAT/PDAM); Economic Growth (EGAT/EG); Poverty Reduction (EGAT/PR); Education (EGAT/ED); Development Credit (EGAT/DC); Natural Resources Management (EGAT/NRM); Environment and Science Policy (EGAT/ESP); Infrastructure and Engineering (EGAT/I&E); and Agriculture (EGAT/AG) – those authorities contained in Bureau directives or that are otherwise delegated in this or other ADS chapters.

- c. The authorities delegated in accordance with [ADS 201](#) and other planning policies approved by the Administrator do not include the authority to approve
 - (1) Strategic plans and substantive amendments to them;
 - (2) Exceptions to the strategic planning procedures; and
 - (3) The substantive terms and conditions of management agreements and amendments to them.
- d. Authority is reserved to DAAs/EGAT to sign [FAA section 632\(b\)](#) interagency agreements, in accordance with section **103.3.8.4**; and
- e. Authority is reserved to AA/EGAT to select certain senior-level subordinates, as more fully described in Bureau directives.

103.3.19.2 Director of the Office of Development Credit (EGAT/ODC)

Effective Date: 07/31/2008

AA/EGAT delegates to the Director of the Office of Development Credit the authority to:

- a. Authorize and implement the HG, MSED, DCA, and other loan guarantee and credit programs, including the authority to negotiate, execute, and implement agreements for these programs, and
- b. Manage the claims process and approve claims and other disbursements necessary to service credit activities, as set forth in **103.3.8.3.d** and in **ADS 249**.

103.3.19.3 Director of the Office of Natural Resources Management (EGAT/NRM)

Effective Date: 07/31/2008

AA/EGAT delegates authority to the Director of the Office of Natural Resources Management (EGAT/NRM) to coordinate and consult with, including approving or requesting the activities of, the U.S. Forest Service under **section 602 of the International Forestry Cooperation Act of 1990** in accordance with section **103.3.5.1.e.(1)**.

103.3.19.4 Director of Office of Infrastructure and Engineering (EGAT/I&E)

Effective Date: 07/31/2008

AA/EGAT delegates authority to the Director of the Infrastructure and Engineering Office (EGAT/I&E) to coordinate and consult with the Department of Energy under **sections 1211, 1332, and 1608 of the Energy Policy Act (See Pub. L. 102-486)** concerning global technology transfer programs, in accordance with **103.3.5.1.e.(2)**.

***103.3.20 Office of Innovation and Development Alliances (IDEA)**

Effective Date: 08/30/2011

The Administrator delegates to the Director, **Office of Innovation and Development Alliances**, the following authorities, within the Office's area of responsibility as delineated in **ADS 101**:

- a. The authorities contained in **103.3.5.1.a.** (Strategic Planning), **103.3.5.1.b.** (Budget), **103.3.5.1.c.** (Program Implementation), **103.3.5.1.d.** (Source, Origin, and Nationality for Procurement), **103.3.5.1.e.** (Coordination), and **103.3.5.1.f** (Acceptance and Use of Gifts).
- b. Authority to register private and voluntary organizations (PVOs);
- *c.** Authority to negotiate and execute memoranda of understanding for public-private partnerships;
- *d.** Authority to approve, authorize, and administer the following types of grants, activities, and programs:
 - (1) Non-governmental organization (NGO) strengthening grants (for example, Capable Partners Program) and matching grants to U.S. PVOs;
 - (2) Cooperative development grants to U.S. cooperative development organizations (CDOs) (for example, Cooperative Development Program);
 - *(3)** Innovation grants; and
 - *(4)** Other activities in support of innovation and development alliance programs and objectives.

Note: Authority to negotiate and execute grants to PVOs, NGOs, and CDOs is held by the AA/M and M/OAA, as stated in **103.3.10.1** and **.5**.

***103.3.20.1 Director, Office of Volunteers for Prosperity (IDEA/VfP/OD)**

Effective Date: 08/14/2009

Additional authorities delegated by the Director, Office of Innovation and Development Alliances to the Director, VfP:

Authority to approve, authorize, and administer programs, projects, and activities. However, authority to negotiate and execute grants, contracts, or cooperative agreements with organizations other than governments or multilateral organizations composed of foreign governments (including public international organizations, as described in **ADS 308**) is retained by M/OAA and other officials, as set forth in the [AIDAR](#), **103.3.8.5**, and **103.3.10.5**, unless delegated to VfP by the AA/M or M/OAA.

103.3.21 Bureau for Foreign Assistance (FA)

Effective Date: 07/31/2008

The Administrator delegates to FA/COO, within FA's area of responsibility as delineated in **ADS 101**, the authorities contained in **103.3.5.1.b.** (Budget), **103.3.5.1.c.** (Program Implementation), **103.3.5.1.d.** (Source, Origin, and Nationality for Procurement), **103.3.5.1.e.** (Coordination), and **103.3.5.1.f** (Acceptance and Use of Gifts).

***103.3.22 Office of Civil Rights and Diversity (OCRD)**

Effective Date: 12/24/2009

The Administrator delegates to the Director of OCRD the following functions and responsibilities:

- a. The authority to maintain a continuing affirmative program to promote equal opportunity; identify and eliminate discriminatory practices and policies pursuant to **29 CFR 1614** and **Executive Orders 11478, 13087, and 13152**; and settle equal employment opportunity complaints. In carrying out these responsibilities, the Director may designate or authorize the designation of such Equal Opportunity Officers as the Director may deem necessary.
- b. The Director is designated as the Agency's Contract Compliance Officer. The Director is responsible for promoting and ensuring equal opportunity for all persons employed or seeking employment under USAID-financed contracts subject to **Executive Order 11246**, as amended and the implementing regulations of the Secretary of Labor (**41 CFR Part 60-1**). In carrying out these duties, the Director may designate or authorize the designation of a Deputy Contract Compliance Officer and Contract Compliance Specialists as the Director may deem necessary.
- c. The Director is delegated authority to perform the functions provided for in **AID Regulation 9, 22 CFR Part 209**, except the functions of presiding at hearings under **Section 209.9(b)** and making final decisions under **Section 209.10**.

103.3.23 Office of the General Counsel (GC)

Effective Date: 07/31/2008

- a. The Administrator delegates to the General Counsel authority to settle tort claims against the Agency arising in the United States and overseas.
- b. The General Counsel delegates to the Deputy General Counsels the authority in **103.3.23.a** (preceding).
- c. In accordance with **5 CFR 2638.204**, the Agency's Designated Agency Ethics Officer has designated Regional Legal Advisors (RLAs) as USAID Deputy Ethics Officers with all necessary authority to carry out their responsibilities and duties. These include reviewing and/or certifying financial disclosure reports; developing and implementing mandatory ethics training programs; and providing ethics advice to employees.

103.3.24 Office of the Inspector General (OIG)

Effective Date: 07/31/2008

The Administrator delegates to the Inspector General (OIG) authority to select, appoint, employ, or assign Foreign Service employees directly involved in audit and investigation, subject to procedures agreed to by the Office of Human Resources and the Inspector General.

103.3.25 Executive Officers and Mission Directors

Effective Date: 07/31/2008

The AA/M delegates to Executive Officers and Mission Directors the authority to sign, execute, renew, or amend short or long term leases and to manage USG-owned property as set forth in [ADS 535](#) and **15 FAM 311**.

103.3.26 Bureau of Policy, Planning and Learning (PPL)

Effective Date: 10/18/2010

The Administrator delegates to the Assistant to the Administrator for PPL (AA/PPL), within AA/PPL's area of responsibility as delineated in **ADS 101**:

- a. The authorities contained in sections **103.3.5.1.b.** (Budget), **103.3.5.1.c.** (Program Implementation), **103.3.5.1.d.** (Source, Origin, and Nationality for

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Procurement), **103.3.5.1.e.** (Coordination), and **103.3.5.1.f** (Acceptance and Use of Gifts).

- b.** The authority to establish and coordinate Agency policy, including, but not limited to:
- (1) Strategic planning;
 - (2) Knowledge management;
 - (3) Program evaluation;
 - (4) Research;
 - (5) Science and Technology; and
 - (6) Donor and other Partnerships.
- c.** The authority to coordinate USAID policy, program, and strategic planning functions across all Bureaus/Independent Offices (B/IOs) and other USAID Operating Units to ensure policy, program, strategic planning, and operational coherence and efficiency. The authority includes, but is not limited to:
- Devising an Agency policy formulation process which will replace the current Agency Policy Coordination Committees system;
 - Pending approval of a new process, establishing and determining membership of Agency Policy Coordination Committees, including the DAA's Committee and other Agency sub-cabinet task forces and working groups; and
 - Communicating official Agency positions on issues to other USG agencies and counterpart bilateral/multilateral development agencies.

103.3.27 Office of Afghanistan and Pakistan Affairs (OAPA)

Effective Date: 12/06/2010

The Administrator delegates to the Director, OAPA (OAPA/OD) within OAPA's area of responsibility as delineated in **ADS 101**, the authorities contained in **ADS 103.3.5.1**.

103.3.27.1 Office of Afghanistan and Pakistan Affairs Mission Directors

Effective Date: 12/17/2010

- a. The OAPA/OD delegates to the Mission Directors in Afghanistan and Pakistan the authorities contained in ADS **103.3.5.1.a.** (Strategic Planning); **103.3.5.1.b.** (Budget); **103.3.5.1.c.** (Program Implementation); **103.3.5.1.d.** (Source, Origin, and Nationality for Procurement); **103.3.5.1.e.** (Coordination); **103.3.5.1.f.** (Acceptance and Use of Gifts); This delegation includes all authorities now available and that may become available relating to all aspects of the following:
- b. The food aid authorities pursuant to **ADS 103.3.8.2.b.**
- c. The authority to authorize and implement Housing Guaranty, Micro and Small Enterprise Development, Development Credit Authority, and other loan, guarantee and credit programs pursuant to **ADS 103.3.8.8.b.**
- d. The authority to negotiate, execute and amend **632(b)** interagency agreements pursuant to **ADS 103.3.8.4.a.**
- e. The authorities delegated in accordance with section **103.3.5.1.d** (waiver of source, origin, and nationality for procurement), which
 - (1) Include the authority to waive transportation source requirements for ocean transportation services in accordance with applicable criteria, provided that a determination of non-availability has been made by the Bureau for Management, Office of Acquisition and Assistance (M/OAA); and
 - (2) May be redelegated further.

These delegated authorities are qualified by the following exceptions:

- a. The authorities delegated in accordance with [ADS 201](#) and other planning policies approved by the Administrator do not include the authority to approve:
 - (1) Strategic plans and substantive amendments of those plans;
 - (2) Exceptions to the strategic planning procedures; and
 - (3) The substantive terms and conditions of management agreements and amendments to those management agreements.
- b. The authorities delegated in accordance with **103.3.5.1.b.** and **c.** do not include the authority to:
 - (1) Receive and take into consideration certifications under section **611(e)** of

the FAA; or

- (2) Sign section **632(a)** interagency agreements (non-obligating transfer of funds).
- c.** The authorities delegated in accordance with **103.3.8.2.b** are subject to clearance by the AA/DCHA and do not include:
- (1) The authority to authorize or amend the authorization for the donation of agricultural commodities; and
 - (2) The authority to make findings, determinations, and actions required under **Title IV of Pub. L. 480** that relate to donations and agreements for specific countries and their terms and conditions.
- c.** The implementation authorities delegated in accordance with **103.3.8.2.b** may be redelegated in such a manner as the respective USAID Mission Director or Principal Officer deems appropriate, but other food aid authorities may not be delegated further.

103.3.28 Bureau for Food Security (BFS)

Effective Date: 12/3/2010

The Administrator delegates to the Assistant to the Administrator/Deputy Coordinator for Development for Food Security (AA/BFS) within BFS's area of responsibility as delineated in **ADS 101**, the authorities contained in **103.3.5.1**.

103.3.29 Office of Security (SEC)

Effective Date: 07/31/2008

In addition to those authorities in **ADS 101.3.1.4** and [ADS 201](#), the Administrator delegates to the Director of the Office of Security the authority to

- a.** Classify, downgrade, and declassify Secret and Confidential information and
- b.** Administer oaths in support of lawful security investigations and to delegate this authority, at his or her discretion, to duly appointed Office of Security Agents.

103.4 MANDATORY REFERENCES

103.4.1 External Mandatory References

Effective Date: 07/31/2008

- a. [USAID Acquisition Regulation \(AIDAR\)](#)
- b. [5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch](#)
- c. [22 CFR 211, Transfer of Food Commodities for Food Use in Disaster Relief, Economic Development and Other Assistance](#)
- d. [Federal Acquisition Regulation \(FAR\)](#)
- e. [Foreign Assistance Act \(FAA\) of 1961 as amended](#) (Section 621(a) provides Authority for this ADS chapter)
- f. [Memorandum for the Administrator of the United States Agency for International Development](#)

103.4.2 Internal Mandatory References

Effective Date: 07/31/2008

- a. [ADS 201, Planning](#)
- b. [ADS 302, USAID Direct Contracting](#)
- c. [ADS 306, Interagency Agreements](#)
- d. [ADS 314, Eligibility of Delivery Services](#)
- e. [ADS 520, International Cooperative Administrative Support Services \(ICASS\)](#)
- f. [ADS 535, Real Property Management Overseas](#)
- g. [Geographic Code 935](#)
- h. [Global Health Delegations of Authority](#)
- i. [Senior Deputy Assistant Administrators](#)

103.5 ADDITIONAL HELP

Effective Date: 07/31/2008

- a. [Country Contracting](#)

**An asterisk and yellow highlight indicate that the adjacent information is new for this chapter or substantively revised.*

103.6 DEFINITIONS

Effective Date: 07/31/2008

Administratively Determined (AD) Appointment

An appointment action under which personnel may be appointed, compensated, and removed by the Administrator without regard to the provisions of any other law. (Chapter 103, 413)

Bureau

A major organization unit of the Agency that is responsible to the Office of the Administrator; a Level I organization. A Bureau administers complex and diverse programs involving a designated geographic area; major policy, program, and technical advisory services; or management and program support functions. (See 3 FAM 4412) (Chapters 102, 103, 486)

deputy

A position that serves as an alter ego to a high-level manager. A deputy either shares equally with the manager in the direction of all phases of the organization's program and work or is assigned continuing responsibility for managing a major part of the manager's program when the total authority and responsibility for the organization is equally divided between the manager and the deputy. This excludes positions informally referred to as "deputies" that require expertise in management subjects but do not include responsibility for directing either the full organization or an equal half of the total organization. (Chapter 102, 103)

Division

An organization unit below the Office level; a Level II organization. Divisions are established when operating requirements, functional concerns, and/or staffing levels justify dividing an Office into sub-elements. (Chapter 102, 103)

Mission

The USAID Mission or representative in a cooperating country. (Chapter 103, 310)

Non-Governmental Organization (NGO)

Any non-governmental organization or entity, whether non-profit or profit-making, receiving or providing USAID-funded assistance under an assistance instrument or contract. (Chapter 103, 206)

Office

An organization unit within a Bureau or Mission; a Level II (Bureau-level) or III (Mission-level) organization. An office is responsible for the conduct or management of a program and/or activities that constitute the line function of an organization. (Chapters 102, 103, 501)

warrant

A Certificate of Appointment (SF-1402) used to redelegate purchasing authority (see also, Automated Directives System **331.4, Certificate of Appointment**). All warrants issued shall be available for examination by the public or USAID personnel. (Chapter 103, 331)

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