

1. M/Office of Acquisition and Assistance (OAA) term Commitment:

Start: OAA term Commitment is not the same as the funds control term Commitment (i.e., set aside agency funds prior to obligation: ADS 621)

Situation: USAID official *without* appropriate authority* enters into a Commitment (OAA term) on behalf of the United States Government (USG).

***Contracting/Agreement Officer (CO/AO) Authority:** see <https://pages.usaid.gov/M/OAA/warrants>

2. Determine: Improper Payments

Question (Q): Was there a payment of USAID funds for the unratified action? (Commitment – OAA term)

Yes
Result: Improper Payments **must** be reported to improperpayment@usaid.gov AND report to Director, M/CFO/FPS* for potential FCV
Also, see next Q

***See M/CFO/FPS at:** <https://pages.usaid.gov/M/CFO/our-offices>

3. Action: M/OAA Director

No
Q: Did the CO/AO including EXOs, when applicable, decide to request ratification of the Commitment (OAA term) from M/OAA Director? (request to M/OAA/E*)

Yes
Q: Did M/OAA Director ratify the Commitment (OAA term)?
Note: Obligation occurs at ratification. Also, funds must be committed **before** obligation (ADS 634)

No
See: M/OAA Director for re-consideration and/or contract dispute resolution.

No End
Note: No further action by Operating Unit.

***See M/OAA/E at:** <https://pages.usaid.gov/M/OAA/our-offices>

4. Determine: Funds Control Violation and see ADS 634.3.5.3 to report FCV:

Yes
Q: Were the correct amount of funds set aside as a Commitment (funds control) in the financial management system **before the action was ratified?**

No
Result: Administrative Funds Control Violation (FCV) under **ADS 634.3.5.2(c):** Obligations or sub-obligations incurred prior to the commitment or sub-commitment of funds, except for recording USDH salary expenses. **Also** see below for added FCV under **634.3.5.2(d) and (e):**

Yes
Result: Administrative Funds Control Violation (FCV) **when**
ADS 634.3.5.2(d): Obligation (using enacted appropriated funds) is made after the period of performance begins for the obligation
or
ADS 634.3.5.2(e): Sub-obligation (using obligated enacted appropriated funds) is entered into after the period of performance begins for that sub-obligation

End: Report FCV ADS 634.3.5.3