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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: 04/21/2017

This chapter is a record of delegations of 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 *this chapter* 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: 08/31/2020

The delegations of authority in this chapter deal primarily with delegations from the Administrator, Associate Administrator, Assistants to the Administrator (AtAs) 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: 08/31/2020

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

- a. **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**.) The authority to redelegate includes the authority to give an alter ego delegation (discussed below). Authorities delegated in the [AIDAR](#) may not be further delegated unless specifically authorized in the **AIDAR**.
- b. **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 another individual, even when the delegating official remains in USAID/Washington or in the host country or region, for example if the delegating official is present but temporarily acting in another capacity. Authorities that may not otherwise be redelegated may be exercised by employees in an acting capacity. For example, even though Mission Directors may not re-delegate their authority to execute grants up to \$150,000, an employee acting as the Mission Director can exercise this authority. A U.S. Personal Services Contractor (USPSC) who is serving in an acting capacity for a U.S. Direct-Hire (USDH) employee cannot exercise those authorities that only a USDH can perform under **103.3.1.1**.
- c. **Alter-Ego Authority.** An official who exercises 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 Assistant Administrator who has *alter-ego* authority has all the delegable authorities and duties of the position of Assistant Administrator or Assistant to the Administrator, including the authority to negotiate, execute, amend, and implement grants, loans, Memoranda of Understanding (MOUs), and other implementing and ancillary agreements and documents with foreign governments and multilateral organizations composed of foreign governments, including public international organizations. A Deputy Mission Director who has *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. For example, a Deputy Assistant Administrator (DAA) who is taking action under an *alter-ego* delegation from the 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.

- d. **Concurrent Authority.** The delegating official retains concurrent authority to exercise any of the delegated authorities, duties, or responsibilities.
- e. **Exercise in Accordance with Agency Directives.** Authorities must be exercised in accordance with other Agency directives and regulations.
- f. **Re-delegations under Revoked Delegations.** Re-delegations 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 Resilience and Food Security (RFS) continues to operate under the delegations to its predecessors, the Bureau for Food Security and Water Office and the Adaptation Team in the Bureau for Economic Growth, Education, and the Environment (E3).
- i. **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.

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

Effective Date: 04/21/2017

- 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.
- b. **Limitations.**

- (1) While U.S. PSCs and non-U.S. citizen employees (collectively, non-U.S. citizen direct-hire or non-USDH employees) 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 the deployments of Disaster-Assistance Response Teams (DARTs).
- (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 any obligating or sub-obligated documents such as grants, contracts, and other obligations that require a warrant and 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 who serves 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 delegated the authority 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 Management (AA/M).

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

Effective Date: 08/31/2020

- a. The USAID PAS positions are the Administrator, Deputy Administrator (DA), Associate Administrator (AA), and the Inspector General (IG).
- 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 Foreign Assistance Act \(FAA\)](#) of 1961, as amended, 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.

The first assistant to the Administrator is the DA. Except as the Administrator may provide otherwise, the first assistant for an AA or AtA is the senior deputy AA (see [Senior Deputy Assistant Administrators](#)). The Deputy Inspector General is the first assistant for the Inspector General.

- c. 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 AAs. In accordance with the advice of the Office of Legal Counsel (OLC) of the Department of Justice (DOJ), the President must approve orders of succession for these positions. On July 10, 2002, President George W. Bush established an order of succession for the Administrator. See **103.3.3**.
- d. 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 who takes action under an *alter-ego* delegation signs as Deputy AA, not acting AA.
- e. 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 Reserved**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 AA. When **Section 621(a)** is used for temporary absences, the AA 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**103.3.4.1 Deputy Administrator**

Effective Date: 11/23/2020

The Administrator delegates to the Deputy Administrator (DA) the authority to perform the following functions:

- a. Be responsible, under the Administrator's general direction, for all aspects of the Agency's activities; and
- b. 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 **103.3.5.1.b.** (Budget), **103.3.5.1.c.** (Program Implementation), **103.3.5.1.d.** (Source 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 oversight of Agency operations. This authority includes, but is not limited to, the following:
 - (1) Ordering and implementing Mission Management Assessments in coordination with the USAID Counselor; and
 - (2) 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 (OUs) to ensure policy, program, strategic planning, and operational coherence and efficiency; and
- d.** The authority to approve conference attendance by Agency employees.

103.3.4.3 Associate Administrator for Relief, Response, and Resilience

Effective Date: 08/31/2020

The Administrator delegates to the Associate Administrator for Relief, Response, and Resilience (AA/R3) all authorities now available, or that could become available, to the Administrator within the areas of responsibility for the Bureau for Humanitarian Assistance (BHA), RFS, and the Bureau for Conflict Prevention and Stabilization (CPS), as delineated in ADS 101.

- a.** The Administrator delegates to the AA/R3 the Administrator's authorities as the President's Special Coordinator for International Disaster Assistance, in accordance with [Section 493 of the FAA](#) to:
 - (1) Promote maximum effectiveness and coordination in response to foreign disasters by United States Departments and Agencies and between the United States and other donors; and
 - (2) Formulate and update contingency plans for providing disaster relief.
- b.** The Administrator further delegates to the AA/R3, for purposes of immediately responding to disasters overseas, the authority to negotiate, execute, amend, and implement the following:
 - (1) Grants and cooperative agreements, in an amount up to \$3 million per transaction, with non-governmental organizations (NGOs); and

- (2) Contracts, including contracts for personal services, in an amount up to \$500,000 per transaction.
- c.** The AAR3 re-delegates the authorities in paragraph b to the Assistant to the Administrator for Humanitarian Assistance (AtA/BHA). Any individual who exercises these authorities must rely on documentation prepared by another official in R3 or the Office of Acquisition and Assistance (OAA) in the Management Bureau (M) who has a warrant to make such awards unless he or she has received such training as agreed upon by the AAR3 and the Director of M/OAA.
- d.** The Administrator delegates to AAR3 the authority to approve and implement in the Federated States of Micronesia (FSM) and the Republic of the Marshall Islands (RMI) activities set forth in Article X of the Federal Programs and Services Agreements between the United States and each country, as approved in Public Law 110-229, and any subsequent agreements or legislation, including use of funds made available by the U.S. Department of the Interior (DOI) and by the Federal Emergency Management Agency (FEMA) within the U.S. Department of Homeland Security (DHS) for such purposes. This delegation of authority is concurrent with the delegation of authority to the AA for Asia and the USAID Mission in The Philippines set forth in 103.3.13.1.g. BHA and USAID/Philippines must mutually coordinate approval and implementation of such activities with one another, in consultation with the Bureau for Asia.

103.3.5 Associate Administrators, Assistant Administrators; Assistants to the Administrator; and Heads of Independent Offices

103.3.5.1 General Authority

Effective Date: 08/31/2020

The Administrator delegates to all Assistant Administrators (AAs), the AAR3, and Assistants to the Administrator (AtAs), except for the AtA/BHA, the Assistant to the Administrator for Conflict Prevention and Stabilization (AtA/CPS), and the Assistant to the Administrator for Resilience and Food Security (AtA/RFS), which ADS 103.3.16.1 separately addresses, all authorities now available and that might become available to the Administrator related to all aspects of the following within their respective areas of responsibility, as delineated in **ADS 101**:

- 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 are subject to change.

- b. **Budget**, including Program and Operating Expenditure accounts and staffing decisions.
- c. **Program implementation and evaluation authorities**
 - (1) This general implementation authority includes, but is not limited to, authority to perform the following functions:
 - (a) Negotiate, execute, amend, and implement grants, loans, MOUs, 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) Negotiate, execute, amend, and implement ancillary agreements that do not obligate funds, including with the private sector and NGOs;
 - (c) Negotiate, execute, and amend Inter-Agency Agreements (IAAs) under Section 632(a) of the FAA (non-obligating transfers/allocations of funds), Section 632(b) of the FAA, and other authorities.
 - (d) Review and approve documents and other evidence submitted in satisfaction of conditions precedent;
 - (e) 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
 - (f) Receive and take into consideration certifications under **Section 611(e) of the FAA**;
 - (g) Obligate funds by using instruments that rely on Other Transaction Authority under Section 635(b) 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 **103.3.7.4**);
- (c) 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 and Nationality for Procurement

- (1) Goods and Services. For their respective areas of responsibility, the authority to waive source-and-nationality requirements for the procurement of goods and services, other than transportation services, in accordance with applicable criteria.
- (2) Transportation Services. The Administrator has delegated 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) The AA for the Middle East (AA/ME) with respect to USAID/Egypt **only**, and provided that the Transportation Division of M/OAA (M/OAA/T) has made a determination of non-availability.
- (3) Limitation on Re-delegation by Principal Officers of USAID Field Posts.
 - (a) The authorities in **103.3.5.1.d.(1)** (Goods and Services) may be re-delegated to Mission Directors and other Principal Officers of USAID field posts, except for USAID/Egypt, 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 re-delegation in **103.3.5.1.d.(3)(a)**.

- e. General Delegation of Authority to Coordinate with Other U.S. Government (USG) Departments and Agencies on Economic Cooperation, Natural Resources Management, and Energy Activities.** For their respective areas of responsibility, the authority to coordinate with other U.S. Government (USG) Departments and Agencies activities in developing countries includes the following:

- (1) Approving or requesting the activities of the U.S. Forest Service of the U.S. Department of Agriculture (USDA) under **Section 602 of the International Forestry Cooperation Act of 1990**;
 - (2) Consulting with the U.S. Department of Energy under **Sections 1211, 1332, and 1608 of the Energy Policy Act** (see **P. L. 102-486**) concerning global technology-transfer programs; and
 - (3) Taking any other action in conjunction with, or coordination with, other Federal Departments and 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's Programs under Section 607.** Within their areas of responsibility, the authority to make determinations under [Section 607](#) of the FAA, and to authorize and administer USAID's 607 programs. The Administrator delegates to the AtA for Policy, Planning, and Learning (AtA/PPL) the authority to make determinations under Section 607 for interregional or inter-Bureau USAID Section 607 programs.
 - (2) **Section 607 Programs of Other Departments and Agencies.** The Administrator delegates to the AtA/PPL the authority to make determinations under Section 607 for other Departments and Agencies, which involve a determination 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 is within the limitations of the **FAA**.

103.3.5.2 Policy Directives

Effective Date: 05/25/2011

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

103.3.6 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 the authority to perform the following functions:

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

103.3.7 Delegations to Specific Assistant Administrators, Assistants to the Administrator, Mission Directors, and Other Principal Officers

Effective Date: 08/31/2020

The following sub-policy directives are delegations to one or more specific AAs or AtAs, the AA/R3, or Mission Directors or other principal officers of USAID field posts.

103.3.7.1 Excess Property

Effective Date: 11/23/2020

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

103.3.7.2 Food Aid Authorities

Effective Date: 08/31/2020

The Administrator delegates the following authorities:

- a. To the AA/R3, all food-aid functions and authorities, including the authority to amend the delegation in **103.3.7.2.d**, except as provided in **103.3.7.2.b** and **103.3.7.2.c**, and all functions and authorities with respect to Title V of the Food for Peace Act, as amended (7 U.S.C. 1691 *et. seq.*), except that the Administrator delegates to the AA/M authority to sign, on behalf of USAID, any grants and cooperative agreements under Title V of the Food for Peace Act.
- b. To the Regional AAs, with clearance by the AA/R3, the authority for the following actions with respect to **Title III of the Food for Peace Act**:
 - (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 the Food for Peace Act** that relate to donations and agreements for specific countries and their terms and conditions.
- c. To the AA/M, the functions and authorities in **Section 407 of the Food for Peace Act**, with respect to procurement for programs under **Title II of the Food**

for Peace Act, 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 the Food for Peace Act**.

- d. To Mission Directors, other Principal Officers of USAID field posts, and Principal Diplomatic Officers in countries where USAID is not represented, the following authorities with respect to claims against private voluntary organizations under the Food for Peace Act that arise under **USAID Regulation 11** (see [22 CFR 211](#)):
- (1) To administratively collect such claims;
 - (2) To suspend or terminate claims that do not exceed \$10,000; and
 - (3) To compromise claims that do not exceed \$20,000, where the amount to be relinquished does not exceed \$10,000.

Regional Assistant Administrators may re-delegate the following:

- (1) The authority to negotiate, execute, and implement agreements, including amendments, to the USAID Principal Officer in the country where the donation is made. The USAID Principal Officer may re-delegate the authority to implement agreements in such manner as he or she deems appropriate, but other authorities may not be re-delegated further.
 - (2) The authority to execute agreements and amendments to the principal United States diplomatic officer in the country where the donation is made.
- f. Monitoring. The USAID Principal Officer in the country will be responsible for monitoring all food-aid activities in the country unless the AA/R3 and the relevant Regional AA approve other arrangements for monitoring.

103.3.7.3 Inter-Agency Agreements

Effective Date: 08/31/2020

- a. In addition to the delegations stated in **103.3.5.1.c.1.c**, the AA/M delegates to the 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 Cooperation in PPL; and the Heads of Independent Offices the authority to negotiate, execute, and amend IAAs under [Section 632\(b\) of the FAA](#) and other authorities.
- b. The AA/M delegates to Mission Directors the authority to negotiate, execute, and amend IAAs under the International Cooperative Administrative Support Services

(ICASS) program ([ADS 520, International Cooperative Administrative Support Services \(ICASS\)](#)).

- c. The authorities in **103.3.7.3a.** 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 IAAs under [Section 632\(b\)](#) of the FAA, including Participating Agency Service Agreements (PASAs) and Participating Agency Program Agreements (PAPAs) (see [ADS 306, Interagency Agreements](#)).

103.3.7.4 Grants and Cooperative Agreements

Effective Date: 08/31/2020

- 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 agreements with 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 Re-delegation. The authority delegated in **103.3.7.4.a** may not be re-delegated 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.

103.3.7.5 Claims

Effective Date: 08/31/2020

- a. The Chief Financial Officer (CFO) delegates to Mission Directors and other Principal Officers of USAID field posts the authority to compromise or suspend collection action on non-taxpayer identification number (non-TIN) debts that do not exceed \$25,000 of the principal balance (excluding interest, penalties, and administrative costs). Debts may not be subdivided to avoid the \$25,000 limit on the CFO's delegated authority to compromise or suspend collection action on a debt.

The delegated authority allowed above does not include the indebtedness of USDH employees.

The delegated authority allowed does not include debts that appear to be fraudulent, false, or misrepresented by a party having an interest in the debt. In such cases, the CFO will refer these claims to the USAID Office of Inspector General (OIG).

- b. Exclusions: The authority in **103.3.7.5.a** does not apply to claims under the Food for Peace Act.
- c. The General Counsel (GC) 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.

103.3.7.6 Performance-Based Actions

Effective Date: 08/31/2020

- a. The Chief Human Capital Officer (CHCO) delegates to the AA/R3, AAs, AtAs, and Heads of Independent Offices the authority to take and decide performance-based actions, as specified in **5 U.S.C. 43** and related regulations. These include reassignments, demotions, and removals for unsatisfactory performance; subject to consultation and coordination with the Director of HCTM or designees.
- b. Any redelegation of the authority in **103.3.7.6.a** is subject to approval by the CHCO or designees.

103.3.7.7 Waiver of Transportation Source Requirements

Effective Date: 07/31/2008

- a. Officials in the field with authority to waive source requirements for goods and services are delegated by AA/M 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 **103.3.7.7.a** may not be further re-delegated.

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

Effective Date: 08/31/2020

- a. **Other Agencies.** The Administrator delegates to the AtA/PPL the authority to make determinations under Section 627/628 of the FAA. This means making a determination that the delegation advances the purposes of the [FAA](#) to justify the detail of the employees of other Departments and 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 Chief Human Capital Officer (CHCO) the authority to make determinations under Sections 627 and 628 of the FAA for USAID's employees.

103.3.8 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 the Principal Diplomatic Officer the authorities otherwise delegated to Mission Directors of USAID Missions.
- b.** The exercise of the authorities in **103.3.8.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 AA might 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 responsibilities (for example, West Africa Regional Program Director), such Director serves as USAID's primary official for the purpose of implementing USAID's activities in the non-presence country and may delegate, as necessary, those authorities under Section **103.3.7** to another Principal Diplomatic Officer in the non-presence country. The Principal Diplomatic Officer only must exercise those authorities that the USAID official who has regional responsibilities specifically delegates to the Principal Diplomatic Officer.
- d.** The authorities in **103.3.7.a** may be re-delegated to the officers at the post principally responsible for USAID activities.

103.3.9 Bureau for Management (M)

Effective Date: 07/31/2008

The following sub-policies are the delegations for the Bureau for Management.

103.3.9.1 Assistant Administrator for Management (AA/M)

Effective Date: 09/18/2017

a. General Authority.

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

- Administrative budget planning, including establishing 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 **103.3.9.1.a** include, but are not limited to, the following:
- (1) Acting as Head of the Agency, in accordance with the **FAR**, except as limited in **103.3.9.1.b**;
 - (2) Negotiating, executing, amending, and administering
 - (a) USG contracts;
 - (b) IAAs that obligate 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 management of the commodity- and ocean-transportation programs;
 - (6) Determining the eligibility and responsibility under the **Drug Free Workplace Act** and similar statutes and regulations;
 - (7) Performing the functions of the Suspending Official and Debarring Official (SDO) related to procurement and non-procurement debarment and suspension; granting an exception to permit an excluded person to participate in a particular covered transaction; or designating an individual to whom these functions are further delegated (see **103.3.9.4**); and
 - (8) Deciding a recipient appeal, or designating an individual to whom such authority is delegated.
- d. **Budget.** The authorities in **103.3.9.1.a** include, but are not limited to, the preparation, execution, transaction management, and tracking of USAID's administrative budget (including establishing administrative Operational Year Budget levels).
- e. **Information-Resources Management.** The authorities in **103.3.9.1.a** include, but are not limited to, serving as the Designated Senior Official (DSO) for Information-Resources Management and the Senior Accountable Official for Risk-Management, Cybersecurity Component. (See also **ADS 101** for the Office of the CIO's functions).
- f. **Other Administrative Management Functions.** The authorities in **103.3.9.1.a** include, but are not limited to, the following:
- (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;
 - Accepting and using gifts; and

- 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, **103.3.9.1**, governs in the event of conflict with other provisions of the ADS.
- i. Ocean Freight Reimbursement.** The AA/M is delegated by the Administrator 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 AA/M is delegated by the Administrator 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.

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

Effective Date: 08/31/2020

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

- (1) The Chief Financial Officer, Immediate Office of the Chief Financial Officer (M/CFO/ICFO) is delegated by the Administrator 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) Compromising debt, suspension, or termination of collection activity on debt owed to 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 **103.3.9.2.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 IAAs 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)

M/CFO/P is delegated by the CFO the 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 Chief, M/CFO/CAR is delegated by the CFO 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, M/CFO/WFS is delegated by the CFO claims authority in **103.3.9.2.a.**

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

The Chief, M/CFO/FPS is delegated by the CFO the authority to appoint and revoke appointments of certifying officers.

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

Effective Date: 08/31/2020

The Administrator designates the Director, M/CIO as the Agency's Chief Information Officer (CIO), and delegates to the CIO the following responsibilities 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, and obtain its approval;
- 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
 - 1. Sections 3506(c) (1), (2), (6), and (7) of the **Paperwork Reduction Act**, as amended;
 - 2. **OMB Circular A-130**;
 - 3. **The Freedom of Information Act**;

4. **The Privacy Act;**
 5. Sections 5 and 6 of the **Computer Security Act;**
 6. TEMPEST Countermeasures for Facilities;
 7. COMSEC Guidance for Automated Data Processing (ADP) Systems;
 8. Operational Security Doctrine for Secure Telephone Units;
 9. The Clinger-Cohen Act of 1996;
 10. The E-Government Act of 2002;
 11. The Federal Information Technology Acquisition Reform Act (FITARA); and
 12. The Federal Information Security Modernization Act.
- h.** Development, coordination, implementation and maintenance, administration, and integration of Agency corporate automated information systems (both numerical and textual); and
- i.** Negotiation, execution, amendment, and administration of IAAs in the area of information resources management.

103.3.9.4 Deputy Assistant Administrator, Bureau for Management (DAA/M)
Effective Date: 02/15/2017

- a.** The SDAA/M is delegated by the AA/M the authorities contained in ADS **103.3.9.1(c)(7)** for all procurement and non-procurement suspension and debarment actions that were active on June 17, 2015 in accordance with [ADS 103mac](#). This delegation encompasses any actions involving individuals and organizations that were suspended, proposed for debarment, debarred, operating under an administrative agreement, or in receipt of a show cause letter on June 17, 2015.

103.3.9.5 Director, Bureau for Management, Office of Acquisition and Assistance (M/OAA)
Effective Date: 08/24/2018

- 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 **103.3.9.1(c)** (other than the authorities contained in **103.3.9.1(c)(7)** and **103.3.9.1(c)(8)**).

- b.** The authorities delegated in **103.3.9.5.a** include, but are not limited to the authority to issue and terminate Certificates of Appointment (“warrants”) to Contracting Officers (per FAR 1.6); and the authority to issue and terminate Certificates of Appointment to Agreement Officers for Assistance Awards (per 2 CFR 200, 2 CFR 700, and ADS 303).
- 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 Representative (COR) or an Agreement Officer’s Officer (AOR) 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 **103.3.9.6** and **103.3.9.7** 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 Director, M/OAA is delegated by the AA/M all authorities regarding the Ocean Freight Reimbursement and Denton Programs as set forth in **103.3.9.1.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 and nationality waiver authority, as set forth in **103.3.5.1.d**. (see **ADS 310.5.5.a**, which includes delegations of comparable source 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 IAAs, as set forth in **103.3.7.3**.
- f. The Director, M/OAA is delegated by the AA/M the authority to make payments and provide reimbursements for transportation charges pursuant to [Section 123\(b\)-\(d\)](#) of the [FAA](#);
- g. The Director, M/OAA is delegated by the AA/M, the authority in **103.3.5.1(c)(1)(a)**, to negotiate, execute, amend, and implement cost-type, fixed amount and simplified grants to Public International Organizations (PIOs) as described in [ADS 308](#), using Other Transaction Authority under Section 635b of the [FAA](#). The M/OAA Director further delegates this authority to warranted Assistance Agreement Officers commensurate with their Assistance Agreement Officer warrant authorities.

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

Effective Date: 05/17/2011

- a. The Director, M/MS, is delegated by the AA/M 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/MS, is delegated by the Director, M/CIO 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.

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

Effective Date: 05/17/2011

- a.** The Chief, M/MS/OMD, is delegated by the Director, M/MS, the authorities contained in **ADS 103.3.9.6.a(2)**.

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

Effective Date: 05/17/2011

- a. The Chief, M/MS/HMD, is delegated by the Director, M/MS, the authorities contained in **ADS 103.3.9.6.a(1)**.

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

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

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

103.3.10 The Office of Human Capital and Talent Management (HCTM)

Effective Date: 08/31/2020

- a. The CHCO is delegated by the Administrator 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 IAAs for human resources management functions; and
- The authority to re-delegate the authority to sign such IAAs.

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

- (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) Non-reimbursable 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.

103.3.11 Bureau for Africa (AFR)

Effective Date: 07/31/2008

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

103.3.11.1 Mission Directors and USAID Principal Officers

Effective Date: 09/14/2020

Mission Directors and USAID Principal Officers in the AFR region are delegated by the AA/AFR 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 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 **103.3.7.2.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. 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.

103.3.11.2 Directors of the Office of Sudan and South Sudan Programs (AFR/SSSP), 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: 08/31/2020

The AFR/W Office Directors are delegated by the AA/AFR 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 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 FAA](#). 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 IAAs under **Sections 632(a)** IAAs (non-obligating transfers of funds) and **632(b)** IAAs (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.

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

Effective Date: 07/31/2008

Ambassadors and other Chiefs of Mission in African countries with or without a USAID Mission are delegated by the AA/M the authority to negotiate, execute, 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.

103.3.12 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.

103.3.12.1 Middle East Mission Directors and Principal Officers

Effective Date: 09/14/2020

Mission Directors and USAID Principal Officers in countries or areas of the Middle Eastern region now or hereafter under the responsibility of the Assistant Administrator for the Middle East (AA/ME) are delegated by the AA/ME, each with respect to the country or countries for which he or she is responsible, 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); **103.3.5.1.f** (Acceptance and Use of Gifts); and **103.3.7.2.b** (Food Aid), 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 IAAs under **Section 632(a)** of the FAA (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 **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 **103.3.7.2.b** are subject to clearance by the AA/R3 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 the Food for Peace Act** that relate to donations and agreements for specific countries and their terms and conditions.

- f. The implementation authorities delegated in accordance with **103.3.7.2.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.

103.3.12.2 Regional Contracting Officers (RCOs)

Effective Date: 07/31/2008

The RCO in Egypt is delegated by the AA/M 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.

103.3.13 Bureau for Asia (Asia)

Effective Date: 07/31/2008

The following sub-policy directives are the delegations for the Bureau for Asia.

103.3.13.1 Asia Mission Directors and Principal Officers

Effective Date: 09/14/2020

Mission Directors and USAID Principal Officers in countries or areas of the Asia region now or hereafter under the responsibility of the Assistant Administrator for Asia (AA/Asia) are delegated by 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 and Nationality for Procurement); **103.3.5.1.e** (Coordination); and **103.3.5.1.f** (Acceptance and Use of Gifts); **103.3.7.2.b** (Food Aid), 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 IAAs under [Section 632\(a\) of the FAA](#) (non-obligating transfers of funds).

- c. Mission Directors and USAID Principal Officers may not delegate further the authorities delegated in accordance with **103.3.5.1.d**.
- d. The authorities delegated in accordance with **103.3.7.2.b** are subject to clearance by the AA/R3 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 the Food for Peace Act** that relate to donations and agreements for specific countries and their terms and conditions.
- e. Mission Directors and USAID Principal Officers may redelegate the implementation authorities delegated in accordance with **103.3.7.2.b** in such a manner as they deem appropriate but may not redelegate other food-aid authorities further.
- f. The Mission Director, USAID/Central Asia is delegated the authority of a USAID Principal Officer with respect to the countries of Kazakhstan and Turkmenistan.
- g. The Administrator delegates to the AA/ASIA, who further re-delegates to the Director of the USAID Mission in The Philippines, the authority to approve and implement, for the Federated States of Micronesia (FSM) and the Republic of the Marshall Islands (RMI), activities set forth in amended Article X of the Federal Programs and Services Agreements between the United States of America and the FSM and the RMI (see [P.L. 110-229](#)), and any subsequent agreements or legislation, including use of funds made available by DOI and DHS/FEMA for such purposes. This delegation of authority is concurrent with the delegation of authority to BHA set forth in 103.3.16.2.c. USAID/Philippines and BHA must mutually coordinate approval and implementation of such activities with one another in consultation with the Bureau for Asia.

103.3.14 Bureau for Europe and Eurasia (E&E)

Effective Date: 07/31/2008

The following sub-policy directives are the delegations for the Bureau for Europe and Eurasia.

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

Effective Date: 12/05/2011

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 are delegated by

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 and Nationality for Procurement); **103.3.5.1.e** (Coordination); **103.3.5.1.f** (Acceptance and Use of Gifts); and **103.3.7.2.b.2** (Food Aid), 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 IAAs under Section **FAA 632(a)** of the [FAA](#) (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 **103.3.7.2.b.2** are to negotiate, execute, and implement Food for Peace Act **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.

103.3.14.2 Enterprise Funds

Effective Date: 07/31/2008

- a. The AA/E&E is delegated by the M/OAA/OD 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 **103.3.14.2.a** is delegated to the Director, Office of Economic Growth (E&E/EG).

103.3.15 Bureau for Latin America and the Caribbean (LAC)

Effective Date: 07/31/2008

The following sub-policy directives are the delegations for the Bureau for Latin America and the Caribbean.

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

Effective Date: 08/31/2020

The LAC/SPO and LAC/RSD are delegated by the AA/LAC 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 IAAs under [Section 632\(a\)](#) of the [FAA](#);
- 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**; and
- 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**.

103.3.15.2 LAC Mission Directors and USAID Principal Officers

Effective Date: 08/31/2020

Mission Directors and USAID Principal Officers in the LAC region are delegated by the AA/LAC 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 Departments and 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 [Section 607](#) of the [FAA](#), as stated in **103.3.5.1.g**;
- g. The food aid authorities, as stated in **103.3.7.2.b.2**, **103.3.7.2.b.3**, and **103.3.7.2.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; and
- h. 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.

103.3.15.3 Latin America Development Act of 1960

Effective Date: 07/31/2008

The AA/LAC is delegated by the Administrator 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.

103.3.16 The Relief, Recovery, and Resilience (R3) Bureaus, and Certain Successor Offices of the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA)

Effective Date: 08/31/2020

The following are the delegations for the Relief, Recovery, and Resilience (R3) Bureaus, and certain successor offices of the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA).

103.3.16.1 Delegations to the Assistants to the Administrator in the R3 Bureaus)

Effective Date: 08/31/2020

The AA/R3 delegates all general authorities specified in ADS 103.3.5.1 to AtA/BHA, AtA/CPS, and AtA/RFS, within the subject matter of each respective Bureau as delineated in [ADS 101](#).

103.3.16.2 Bureau for Humanitarian Assistance (BHA)

Effective Date: 08/31/2020

- a. The Administrator delegates to the AtA/BHA the authority to act as the *alter ego* for the AA/R3. The AA/R3 delegates to the AtA/BHA the following authorities within BHA's area of responsibility, as delineated in ADS 101:
- (1) All food aid authorities and functions delegated to the AA/R3 in **ADS 103.3.7.2**, except with respect to Title V of the Food for Peace Act, including:
 - (i) The administration, approval, and implementation of programs under Titles II and III of the Food for Peace Act, 7 U.S.C. 1691 *et seq.*, except functions reserved to other USAID staff by ADS **103.3.7.2.b-c**. Authorities delegated to the AtA/BHA 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 programs under Title II of the Food for Peace Act. 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 programs under Title II.
 - (ii) Authority to coordinate activities of BHA with activities of USDA, including those undertaken under Title I of the Food for Peace Act or Section 416(b) of the Agricultural Act of 1949, as amended (P.L. 81-439).
 - (2) The authority to provide disaster assistance authorized by Section 491 of the FAA , as set forth in ADS 251 and periodic BHA guidance cables, within the overall OYB for International Disaster Assistance approved by the AA/R3.

- b. The AA/M delegates to the AtA/BHA, as the successor to the Director of the Office of U.S. Foreign Disaster Assistance in the Bureau for Democracy, Conflict, and Humanitarian Assistance, the authority to negotiate and execute contracts, as set forth in Part 701.601(b)(2) of the USAID Acquisition Regulation (AIDAR).
- c. The AA/R3 re-delegates to the AtA/BHA the authorities delegated to AA/R3 in 103.3.4.3c with respect to approving and implementing disaster assistance for the FSM and the RMI. This delegation of authority is concurrent with the delegation of authority to USAID/Philippines set forth in 103.3.13.1.g. BHA and USAID/Philippines must mutually coordinate the approval and implementation of such activities with one another, in consultation with the Bureau for Asia.

103.3.16.3 BHA Office Directors

Effective Date: 08/31/2020

- a. The AtA/BHA delegates to the Directors of the Offices of Africa (BHA/AFR); Asia, Latin America, and the Caribbean (BHA/ALAC); Middle East, North Africa, and Europe (BHA/MENAE); Field and Response Operations (BHA/FARO); Humanitarian Business and Management Operations (BHA/HBMO); the Technical and Program Quality (BHA/TPQ); and Global Policy, Partnerships, Programs, and Communications (BHA/G3PC) the authorities delegated to the AtA/BHA in **103.3.4.3.c** for the programs, projects, and activities within the subject matter of each respective office, subject to the conditions therein, **103.3.16.2.a**, **103.3.16.2.b**, and 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 the following:
 - (i) Strategic plans and substantive amendments thereto;
 - (ii) Exceptions to the strategic-planning procedures; and
 - (iii) 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-and-nationality waiver authority, as set forth in **103.3.5.1.d**;
 - 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**; and
 - 6. Authorities for IAAs, as set forth in **103.3.7.3**.

- b. AtA/BHA further delegates to the Director of BHA/ALAC the authorities delegated to AtA/BHA in ADS 103.3.16.2.c.

103.3.16.4 Bureau for Conflict Prevention and Stabilization (CPS)

Effective Date: 08/31/2020

- a. The AtA/CPS delegates to the Directors of the Office of Transition Initiatives (OTI); Center for Conflict and Violence Prevention (CVP); Office of Civilian-Military Cooperation (CMC); Office of Administrative Management Services (AMS); and the Program Office (PO) the following authorities for the programs, projects, and activities within the subject matter of each respective office:
 - i. Strategic-planning authorities, as set forth in 103.3.5.1.a. This delegation does not include the authority to approve the following:
 - 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.
 - ii. Budget and implementation authorities, as set forth in 103.3.5.1.b and c, including the authority to approve, authorize, and administer programs, projects, and activities within the subject matter of each office's area of responsibility. However:
 - 1. The M/OAA and other officials maintain the 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) , as set forth in the AIDAR and 103.3.7.5 and 103.3.9.5, unless delegated by the AA/M or M/OAA.
 - 2. The AtA/CPS retains the authorities related to the Complex Crises Fund (CCF).
 - iii. Source-and-nationality waiver authority, as set forth in 103.3.5.1.d
 - iv. Coordination authority, as set forth in 103.3.5.1.e.
 - v. Authority to accept and use gifts, as set forth in 103.3.5.1.f.
 - vi. Authorities for IAAs, as set forth in 103.3.7.3.

- b. In addition, the AtA/CPS delegates to the Director of the Office of Transition Initiatives (OTI) the authority to approve exceptions under Section 722.170 of the AIDAR for compensation and other benefits for TCNs and CCNs for OTI's programs.

103.3.16.5 Bureau for Resilience and Food Security (RFS)

Effective Date: 08/31/2020

The AA/R3 delegates to the AtA/RFS all functions and authorities with respect to Title V of the Food for Peace Act, except the authority to sign, on behalf of USAID, any grants and cooperative agreements under Title V of the Food for Peace Act.

103.3.17 Bureau for Global Health (GH)

Effective Date: 07/31/2008

The following sub-policy directives are the delegations for the Bureau for Global Health.

103.3.17.1 General Delegations

Effective Date: 02/13/2009

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

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

Effective Date: 07/31/2008

The Administrator delegates to the Assistant Administrator for Global Health (AA/GH) the full authority to manage policy and the statutory and regulatory requirements concerning human subjects for USAID. AA/GH delegates to the Cognizant Human Subjects Officer (CHSO) the authority for the human-subjects program for USAID, including, but not limited to, the 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 research that involves human subjects.

103.3.18 Bureau for Development, Democracy, and Innovation (DDI)

103.3.18.1 Assistant Administrator

Effective Date: 11/23/2020

- a. The Administrator delegates to the AA/DDI the authorities provided in 103.3.5 that are related to the American Schools and Hospitals Abroad (ASHA) Initiative and ASHA's programs, projects, and activities, and the authority to perform the following functions:

- (1) Furnish assistance pursuant to Sections 214(a) and (b) of the FAA to schools, libraries, and hospitals that qualify under those sections of the law, and make grants to such institutions in connection therewith;
- (2) Specify the terms and conditions for such assistance; and
- (3) Administer and implement such assistance and exercise all authorities with respect thereto.

103.3.18.2 Deputy Assistant Administrators (DAAs), ASHA Senior Leader, and the Director of the Local, Faith, and Transformative Partnerships Hub

Effective Date: 11/23/2020

a. AA/DDI delegates to the ASHA Senior Leader the following authorities:

- (1) Furnish assistance pursuant to Sections 214(a) and (b) of the FAA to schools, libraries, and hospitals that qualify under those sections of the law, and make grants to such institutions in connection therewith;
- (2) Specify the terms and conditions for such assistance; and
- (3) Administer and implement such assistance and exercise all authorities with respect thereto.

AA/DDI 's re-delegation to the ASHA Senior Leader is contingent upon approval by AA/DDI of the specific project or program for which ASHA will provide assistance. The ASHA Senior Leader may not re-delegate any of the authorities in ADS 103.3.18.2.b.

b. AA/DDI delegates to the Director of the Local, Faith, and Transformative Partnerships (LFT) Hub all of the general authorities regarding excess property, including the authorities to do the following:

- (1) Determine, pursuant to Section 607(a) of the FAA, that furnishing excess U.S. Government (USG) property to Private Voluntary Organizations (PVOs) that are registered with and approved by the Agency is consistent with, in furtherance of the purposes, and within the limitations of Part I of the FAA;
- (2) Authorize the furnishing of excess USG property to such PVOs on an advance-of-funds or reimbursement basis, including without charge where no reimbursement is required because the excess USG property is available to USAID without charge;

- (3) Execute and implement agreements with PVOs that are potential recipients of excess USG property by stating the terms and conditions under which USAID will furnish such property; and
- (4) Make the determinations prescribed by Section 607(c) of the FAA in connection with the furnishing of excess USG property to PVOs, in consultation with the USAID Mission and Regional Bureau that cover the country or region in which the PVO intends to use the excess USG property.

c. Delegations under this section, **103.3.18.2**, do not include the authority to approve the following:

- (1) Strategic plans and substantive amendments thereto;
- (2) Exceptions to the strategic-planning procedures; or
- (3) The substantive terms and conditions of management agreements and amendments thereto.

103.3.19 Bureau for Foreign Assistance (FA)

Effective Date: 07/31/2008

The FA/COO is delegated by the Administrator, 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).

103.3.20 Office of Civil Rights and Diversity (OCRD)

Effective Date: 12/24/2009

The Director of OCRD is delegated by the Administrator 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**.

103.3.21 Office of the General Counsel (GC)

Effective Date: 08/31/2020

- a. The Administrator delegates to the General Counsel (GC) the authority to settle tort claims against the Agency that arise in the United States and overseas.
- b. The Administrator delegates to the GC the authority to accept and use gifts set forth in **103.3.5.1.f**.
- c. The GC delegates to the Deputy General Counsels the authority in **103.3.21.a** (preceding).
- d. In accordance with **5 C.F.R. 2638.204**, the Agency's Designated Agency Ethics Officer has delegated Resident Legal Officers (RLOs) 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.

103.3.22 Office of the Inspector General (OIG)

Effective Date: 04/21/2017

The Inspector General (IG) is delegated by the Administrator the following authorities:

- a. To select, appoint, employ, or assign Foreign Service employees directly involved in audit and investigation, subject to procedures agreed to by the IG;
- b. To waive claims of the United States arising from erroneous payments made to OIG employees for pay, expenses, or allowances;
- c. Statutory personnel authorities under **5 USC 5379, 6303, 5753, and 5754** to provide recruitment and retention incentives to prospective and existing OIG employees;
- d. As it applies to the hiring of OIG personnel, to fill competitive civil service jobs with non-status applicants under **5 USC 1104**; and

- e. All statutory authorities otherwise conferred upon the Administrator under the **Foreign Service Act, 22 USC 3901**, and regulations and directives promulgated pursuant thereto, to take any action pertaining to the personnel management of the OIG's foreign service employees.

103.3.23 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**.

103.3.24 Bureau for Policy, Planning, and Learning (PPL)

Effective Date: 08/31/2020

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

- a. The authorities contained in **103.3.5.1.b** (Budget), **103.3.5.1.c** (Program Implementation), **103.3.5.1.d** (Source and Nationality for 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, the following:
 - (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's policy, program, and strategic-planning functions across all Bureaus/Independent Offices (B/IOs) and other USAID OUs to ensure policy, program, strategic, and operational coherence and efficiency. The authority includes, but is not limited to, the following:
 - 1) Managing the Agency's policy-formulation process as set forth in **ADS 201**; and
 - 2) Communicating official Agency positions on issues to other USG

Departments and Agencies and counterpart bilateral/multilateral development agencies.

103.3.25 Office of Security (SEC)

Effective Date: 07/31/2008

In addition to those authorities in **ADS 101.3.1.4** and [ADS 201](#), the Director of the Office of Security is delegated by the Administrator 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. [5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch](#)
- b. [22 CFR 211, Transfer of Food Commodities for Food Use in Disaster Relief, Economic Development and Other Assistance](#)
- c. [AIDAR](#)
- 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: 02/15/2017

- a. [ADS 103mab, Global Health Delegations of Authority](#)
- b. [ADS 103mac, Delegation of Authority for Suspending and Debarring Official](#)
- c. [ADS 201, Program Cycle Operational Policy](#)
- d. [ADS 302, USAID Direct Contracting](#)

Text highlighted in yellow indicates that the material is new or substantively revised.

- e. [ADS 306, Interagency Agreements](#)
- f. [ADS 314, Eligibility of Delivery Services](#)
- g. [ADS 520, International Cooperative Administrative Support Services \(ICASS\)](#)
- h. [ADS 535, Real Property Management Overseas](#)
- i. [Geographic Code 935](#)
- j. [Senior Deputy Assistant Administrators](#)

103.5 ADDITIONAL HELP
Effective Date: 08/31/2020

There are no additional help documents for this chapter.

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 and [413](#))

Bureau

A major organization unit of the Agency that reports to the Office of the Administrator; a Bureau is a Level 1 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. (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 103)

Division

An organization unit below the Office/Center level within a Bureau or Mission. It is a level 3 organization within a Bureau and a level 2 organization within an Independent

Office. Divisions are established when operating requirements, functional concerns, and/or staffing levels justify dividing an Office/Center into sub-elements. (**Chapter 103**)

Mission

The USAID Mission or representative in a cooperating country. (**Chapter 103** and [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** and [206](#))

Office

An organizational unit below Bureau level, the head of which reports directly to the Bureau AA. An Office is a level 2 organization. An Office is responsible for the conduct or management of a program and/or activities that constitute the line function of an organization. Generally, Offices contain three or more related sub organizational units. (**Chapters [102](#), [103](#), [501](#)**)

warrant

A Certificate of Appointment (SF-1402) used to redelegate purchasing authority. All warrants issued shall be available for examination by the public or USAID personnel. (**Chapters 103** and [331](#))

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