

**Functional Series 600
Budget and Finance**

INTERIM UPDATE 05-02

SUBJECT: Delegation of Authority, Duty, or Responsibility to USPSCs and Non-U.S. Citizen Employees, to be included in ADS 103, Delegations of Authority, and ADS 621, Obligations

NEW MATERIAL: The policy on what authority, duty, or responsibility may be delegated to U.S. Personal Services Contractors (USPSCs) and non-U.S. citizen employees is being revised to clarify the issue of obligation authority and for other purposes. This revision will be incorporated into ADS 103, Delegations of Authority, and ADS 621, Obligations, in the near future.

EFFECTIVE DATE: 01/12/2005

POLICY

USAID/General Notice
GC and M/MPI
01/12/2005

SUBJECT: Delegation of Authority, Duty, or Responsibility to USPSCs and Non-U.S. Citizen Employees, to be included in ADS 103, Delegations of Authority, and ADS 621, Obligations

The policy on what authority, duty, or responsibility may be delegated to U.S. Personal Services Contractors (USPSCs) and non-U.S. citizen employees is being revised to clarify the issue of obligation authority and for other purposes. This revision will be incorporated into ADS 103, Delegations of Authority, and ADS 621, Obligations, in the near future. The revision is as follows:

a. General Rule. Notwithstanding any other provision of USAID directives, the AIDAR, other regulations, or delegations, USPSCs and non-U.S. citizen employees (host country and third country Personal Service Contractors (PSCs) and FSN direct-hire employees) may be delegated any authority, duty, or responsibility, except as outlined below.

b. Limitations.

(1) While they may supervise USPSCs and non-U.S. citizen employees, they may not supervise U.S. citizen direct-hire (USDH) employees of USAID as part of their regular duties and responsibilities. They may supervise USDH employees on a limited basis, not to exceed 60 days in any 180 day period, to cover a temporary USDH absence.

(2) They may participate in personnel selection matters but may not be delegated authority to make a final decision on USDH personnel selections.

(3) They may be designated a Cognizant Technical Officer (CTO). They may represent the Agency and communicate planning and implementation decisions. Communications that reflect a final policy decision of the Agency must be cleared by a USDH employee.

(4) They may not be authorized to sign (1) grants, contracts, and other obligations that require a warrant and (2) grants to foreign governments and public international organizations. They may be authorized to sign other obligating documents, e.g., travel authorizations (TAs), miscellaneous obligation documents (MODs), and SF-1190s (Foreign Allowances Application, Grant and Report). It is USAID policy that contracting and assistance warrants be issued only to USDH employees. Only the Office of Acquisition and Assistance (M/OAA) may issue a warrant, except that AIDAR 701.601(b) and 701.603-70 provide authority for heads of contracting activities to issue warrants for simplified acquisitions to qualified U.S. citizen direct hire employees on his or her staff.

(5) A USPSC serving as an Executive Officer may sign residential and functional leases, subject to approval of an exception by the M/OMS Director, or designee, and adherence to the procedures in ADS 535 and 6 FAM 730.

c. Exceptions.

(1) The Director, Bureau for Management, Office of Acquisition and Assistance (M/OAA), is authorized to make an exception to b(4) and issue a contracting or assistance warrant to other than a USDH.

(2) The Director, Overseas Management Support Staff (M/OMS), is authorized to approve an exception to b(5).

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

Point of Contact: Any questions concerning this Notice may be directed to Jan Miller, GC, (202) 712-4174, or Gloria White, M/MPI, (202) 712-5339.

| File Name | Notice Date | Effective Date | Editorial Revision Date | ADS CD No. | Remarks |
|----------------------|--------------------|-----------------------|--------------------------------|-------------------|---|
| lu6_0502_011805_CD38 | 01/12/2005 | 01/12/2005 | | CD 38 | This IU will be cancelled once the information in it is incorporated into ADS 103 and ADS 621. This IU is a dupe of IU1_0501_011805_cd38. |