

MEMORANDUM

TO: The Director
Office of State and Grantee Relations

FROM: James Lane
Delegated Authority to Perform the Functions and Duties of the
Assistant Secretary for Elementary and Secondary Education

SUBJECT: Redlegation of Authority for Certain Waivers and Determinations under the CRRSA
Act and the ARP Act

I. DELEGATION OF AUTHORITY

Under the authority vested in me by a delegation from the Secretary, delegation EA/ES/103, certified on February 2, 2022, I delegate to you, or to anyone serving for you in an acting capacity or delegated the authority to perform the functions and duties of your position, the following authorities:

- A. the authority to waive maintenance of effort requirements under Division M, section 317 of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA), 2021, Pub. L. No. 116-260 (December 27, 2020);
- B. the authority to waive maintenance of effort requirements under section 2004(a)(2) of the American Rescue Plan (ARP) Act of 2021, Pub. L. No. 117-2 (March 11, 2021); and
- C. the authority to determine whether a local educational agency has demonstrated an exceptional or uncontrollable circumstance under section 2004(c)(2)(D) of the ARP Act.

Unless otherwise noted in future delegations of authority, amendments to the authorities delegated herein are included in the scope of this delegation.

II. RESERVATIONS

Unless otherwise noted in existing or future delegations of authority, the following are not delegated:

- A. the authority to sign documents for publication in the Federal Register;
- B. the authority to appoint, and fix compensation of, members of advisory councils; and
- C. unless otherwise provide by law, the authority to submit reports to Congress or the President.

III. REDELEGATION

No further redelegation is authorized.

IV. CERTIFICATION AND EFFECTIVE DATE

This redelegation is effective upon certification by the Department's Principal Delegations Control Officer.

I hereby ratify actions within the scope of this redelegation taken by the addressee prior to the date of certification.

/s
James Lane

OGC Clearance and Date: Debbie Friendly; 4/14/2022

Departmental Control Officer: Jim Clemmens
Control Number: ES/ES/105
Date Certified: 4/15/2022