

TO: Deputy Assistant Secretary for Policy and Programs Office of Elementary and Secondary Education

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

SUBJECT: Redelegation of Authority for Certain Programmatic Decisions and for the Performance of Functions Related to the Award, Management, and Oversight of Formula and Discretionary Grants and Cooperative Agreements, Including Authority to Approve State Applications, Consolidated State Applications, State Plans, and Consolidated State Plans for Formula Grants, within the Delegated Programmatic Authorities

I. DELEGATION OF AUTHORITY

Under the authority vested in me by the delegations listed below from the Secretary of Education, I redelegate 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 in the event that the Assistant Secretary for Elementary and Secondary Education or the individual acting as or delegated the authority to perform the functions and duties of such position is disqualified and recused because of a conflict of interest or the appearance of a loss of impartiality:

- A. the performance of functions related to the award, management and oversight of formula and discretionary grants and cooperative agreements within your programmatic authority. *See:* Delegation EAR/ES/77 certified on April 11, 2008, as amended by Delegation EAR/ES/77-A certified on February 2, 2010 to include the authority to approve State applications, consolidated State applications, State plans, and consolidated State plans for formula grants; and
- B. the programmatic authorities delegated to me under Delegation EA/ES/87 certified on February 3, 2012, as amended by Delegation EA/ES/94 certified on November 7, 2014, Delegation EA/ES/97 certified on September 19, 2017, and Delegation EA/ES/101 certified on April 17, 2020.

Unless otherwise noted in future redelegations of authority, amendments to the authorities redelegated above are included within the scope of this redelegation.

II. RESERVATIONS

Unless otherwise noted in existing or future redelegations of authority, the following are not redelegated:

- A. the authority to sign documents for publication in the Federal Register;
- B. the authority to appoint members of advisory councils and fix compensation;
- C. unless otherwise provided by law, the authority to submit reports to Congress or the President;
- D. the authority to set administrative policy for formula and discretionary grants and cooperative agreements, including issuing Department directives, handbooks, and manuals relating to grants and cooperative agreements;

- E. the authority to impose non-procurement debarments and suspensions and to manage enforcement of non-debarments and suspension;
- F. the authority to issue licenses to individuals to record obligations and award grant funds for discretionary grants and cooperative agreements; and
- G. the authority as final arbiter on cross-Department risk management strategies developed to manage and mitigate risks associated with Department high-risk or at-risk grants and grantees.

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: 9/27/2022

Control Number: ES/ES/106

Certification Date: 9/27/2022

Departmental Delegations Control Officer: Jim Clemmens