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COMMANDS: PASS TO COMMAND POLICY, PLANS, OPERATIONS, SECURITY COOPERATION, HUMANITARIAN ASSISTANCE, JUDGE ADVOCATE, SURGEON AND ENGINEER FUNCTIONS

STATE: PLEASE PASS TO USAID

SUBJECT: POLICY GUIDANCE FOR DOD HUMANITARIAN ASSISTANCE FUNDED BY THE OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID APPROPRIATION

REFERENCES:
A. TITLE 10, UNITED STATES CODE, SECTIONS 402, 2557, AND 2561
B. 2010 NATIONAL SECURITY STRATEGY
C. 2011 NATIONAL MILITARY STRATEGY
D. 2010 QUADRENNIAL DEFENSE REVIEW
E. 2010-2012 GUIDANCE FOR EMPLOYMENT OF THE FORCE
F. DOD DIRECTIVE 5100.46, “FOREIGN DISASTER RELIEF”
G. DOD 5105.38-M, “SECURITY ASSISTANCE MANAGEMENT MANUAL” (SAMM), CHAPTER 12

1. SUMMARY. THIS MESSAGE PROVIDES POLICY GUIDANCE FOR THE EXECUTION OF THE DOD HUMANITARIAN ASSISTANCE (HA) PROGRAM ACTIVITIES FUNDED WITH OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID (OHDACA) APPROPRIATION FUNDS. THE UNDER SECRETARY OF DEFENSE FOR POLICY (OUSD(P)/SOLIC/PSO) PROVIDES OVERSIGHT OF THE DOD HA PROGRAM. THE DEFENSE SECURITY COOPERATION AGENCY (DSCA) PROVIDES PROGRAM OVERSIGHT AND ISSUES PROGRAM MANAGEMENT GUIDANCE SEPARATELY (SEE, E.G., REFERENCE G). HUMANITARIAN AND CIVIC ASSISTANCE, FOREIGN DISASTER RELIEF (FDR), AND HUMANITARIAN MINE ACTION POLICY GUIDANCE WILL BE PROVIDED UNDER SEPARATE COVER.

2. EACH GEOGRAPHIC COMBATANT COMMANDER (CCDR) IS RESPONSIBLE FOR ISSUING SPECIFIC HA POLICY IMPLEMENTING INSTRUCTIONS TO SUBORDINATE ELEMENTS.

3. DESCRIPTION AND PURPOSE OF THE DOD HA PROGRAM.

A. HA OVERVIEW: HA UNDER THE PURVIEW OF THE DEPARTMENT OF DEFENSE INCLUDES ACTIVITIES DESIGNED TO RELIEVE OR REDUCE ENDEMIC CONDITIONS SUCH AS HUMAN SUFFERING, DISEASE, HUNGER, AND PRIVATION, PARTICULARLY IN REGIONS WHERE HUMANITARIAN NEEDS MAY
POSE MAJOR CHALLENGES TO STABILITY, PROSPERITY, AND RESPECT FOR UNIVERSEAL HUMAN VALUES. HA ACTIVITIES MAY ALSO BOLSTER A HOST NATION’S (HN) CAPACITY TO REDUCE THE RISK OF, PREPARE FOR, MITIGATE THE CONSEQUENCES OF, OR RESPOND TO HUMANITARIAN DISASTERS, THEREBY REDUCING RELIANCE ON FOREIGN DISASTER RELIEF. HA PROGRAM ACTIVITIES COMPLY WITH THE LEGAL AUTHORITIES IDENTIFIED IN REFERENCE A AND HELP ADVANCE U.S. INTERESTS IDENTIFIED IN REFERENCE B.

B. HA AS A SECURITY COOPERATION TOOL: CONSISTENT WITH REFERENCES C THROUGH E, HA, UNDER THE PURVIEW OF DOD, PROVIDES A VALUABLE TOOL FOR GEOGRAPHIC COMBATANT COMMANDS (CCMD) TO ACCOMPLISH THEATER CAMPAIGN PLAN OBJECTIVES AND ACHIEVE STRATEGIC END STATES IN SUPPORT OF U.S. INTERESTS. HA PROGRAM ACTIVITIES ARE INTENDED TO BUILD THE CAPACITY OF PARTNER NATIONS AND TO IMPROVE DOD VISIBILITY, ACCESS, AND INFLUENCE IN AN HN OR REGION IN SUPPORT OF BROADER DOD AND U.S. GOVERNMENT (USG) OBJECTIVES.

C. DOD HA PROGRAM GOALS: CONSISTENT WITH REFERENCES B THROUGH E, AND TO THE EXTENT PERMITTED BY LAW, THE DOD HA PROGRAM WILL BE USED TO PROMOTE THE FOLLOWING OBJECTIVES GLOBALLY: (1) IMPROVE THE BASIC LIVING CONDITIONS OF THE CIVILIAN POPULACE IN A COUNTRY OR REGION THAT IS SUSCEPTIBLE TO VIOLENT EXTREMISM AND/OR IS OTHERWISE STRATEGICALLY IMPORTANT TO THE UNITED STATES; (2) ENHANCE THE LEGITIMACY OF THE HN BY IMPROVING ITS CAPACITY TO PROVIDE ESSENTIAL SERVICES TO ITS POPULACE; (3) PROMOTE INTEROPERABILITY AND COALITION-BUILDING WITH FOREIGN MILITARY AND CIVILIAN COUNTERPARTS; (4) GENERATE LONG-TERM POSITIVE PERCEPTIONS OF DOD AND THE USG WITH HN CIVILIAN AND MILITARY INSTITUTIONS; AND (5) ENHANCE SECURITY AND PROMOTE ENDURING STABILITY IN THE HN OR REGION.

D. THE NEXUS BETWEEN HA AND DEVELOPMENT ASSISTANCE: DOD HA PROJECTS ARE DISTINCT FROM DEVELOPMENT ASSISTANCE EFFORTS, WHICH FALL UNDER THE PURVIEW OF OTHER USG AGENCIES, PRINCIPALLY THE U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID). HOWEVER, AS A FORM OF FOREIGN ASSISTANCE RELATED TO DEVELOPMENT ASSISTANCE, DOD HA PROGRAM ACTIVITIES SHOULD BE CONSISTENT WITH THE RELEVANT U.S. EMBASSY’S MISSION STRATEGIC AND RESOURCE PLAN (MSRP) AND COMPLEMENTARY TO USAID’S COUNTRY DEVELOPMENT COOPERATION STRATEGY (CDCS). ACCORDINGLY, DOD HA PROGRAM ACTIVITIES SHOULD SUPPLEMENT OR COMPLEMENT, BUT NOT DUPLICATE OR REPLACE, THE EFFORTS OF OTHER USG AGENCIES THAT HAVE PRIMARY RESPONSIBILITY FOR PROVIDING FOREIGN ASSISTANCE.
4. SECTORS OF DOD HA PROGRAM ACTIVITIES: HA ACTIVITIES ADDRESS THE BASIC HUMANITARIAN NEEDS OF THE POPULACE, AND DOD HA PROGRAM SECTORS INCLUDE: (1) DISASTER RISK REDUCTION, MITIGATION, AND PREPAREDNESS (DP); (2) HEALTH-RELATED PROJECTS AND ACTIVITIES; (3) EDUCATION SUPPORT; AND (4) BASIC INFRASTRUCTURE.

A. DISASTER PREPAREDNESS: DISASTER RISK REDUCTION, MITIGATION, AND PREPAREDNESS (DP) PROJECTS BUILD THE CAPACITY OF THE HN GOVERNMENT TO MEET THE HUMANITARIAN NEEDS OF THE CIVILIAN POPULATION IN DISASTER RISK REDUCTION AND EMERGENCY RESPONSE. EXAMPLES OF SUCH PROJECTS INCLUDE EMERGENCY MANAGEMENT TRAINING AND THE CONSTRUCTION/RENOVATION OF AN EMERGENCY OPERATIONS CENTER. DP IS RECOGNIZED AS A FUNDAMENTAL HN REQUIREMENT, AND SUCH PROJECTS PROVIDE AN EASILY IMPLEMENTED TOOL FOR ENGAGING ON BOTH A BILATERAL AND MULTILATERAL BASIS IN A MANNER THAT COMPLEMENTS THE HN’S EXISTING PREPAREDNESS ACTIVITIES. DP PROJECTS ALSO OFFER A NEUTRAL FORUM -- POTENTIALLY INVOLVING STAKEHOLDERS AT ALL LEVELS AND ACROSS ALL SEGMENTS OF SOCIETY -- THAT CAN BE USED FOR ESTABLISHING AND/OR STRENGTHENING INTER/INTRA-REGIONAL RELATIONSHIPS. SINCE A ROBUST DP CAPACITY GENERALLY ENABLES A COUNTRY TO BE LESS RELIANT ON INTERNATIONAL SUPPORT IN RESPONDING TO INTERNAL DISASTERS, DP HA PROJECTS WILL BE ASSIGNED A HIGH PRIORITY RELATIVE TO OTHER HA PROJECTS IN COUNTRIES VULNERABLE TO DISASTERS.


C. EDUCATION SUPPORT: EDUCATION SUPPORT ACTIVITIES TARGET VULNERABLE POPULATIONS BY ESTABLISHING THE FOUNDATION FOR CONTINUOUS LEARNING AND DEVELOPMENT (E.G., PROVIDING CONSTRUCTION AND EDUCATIONAL MATERIALS TO THE EXTENT PERMITTED BY REFERENCE A). FURTHER, EDUCATION ACTIVITIES FOSTER THE
SURVIVAL CAPABILITIES OF THE POPULACE BY PROVIDING THE TOOLS NECESSARY FOR IMPROVED SELF-RELIANCE IN AN ENVIRONMENT WHERE SUPPORT AND RESOURCES ARE LIMITED. SCHOOL-BASED EDUCATION SUPPORT PROJECTS SHOULD PROVIDE EQUITABLE ACCESS TO EDUCATION SERVICES, WITH CONSIDERATION OF CULTURAL NORMS.

D. BASIC INFRASTRUCTURE: BASIC INFRASTRUCTURE PROJECTS WILL DEVELOP AND/OR ENHANCE THE HN’S ABILITY TO PROVIDE ESSENTIAL SERVICES AND MEET BASIC HUMAN NEEDS. EXAMPLES INCLUDE RENOVATING ORPHANAGES AND PROVIDING ACCESS TO CLEAN DRINKING WATER AND SANITATION SERVICES. PROJECTS WILL BE BUILT TO LOCAL STANDARDS AND IN A WAY THAT ENABLES LOCAL MAINTENANCE OVER TIME.

E. INAPPROPRIATE PROJECTS: THE FOLLOWING ACTIVITIES ARE EXAMPLES OF INAPPROPRIATE HA PROJECTS AND WILL NOT BE CONSIDERED FOR USE OF OHDACA FUNDING: VOCATIONAL TRAINING LACKING A DIRECT HUMANITARIAN BENEFIT; EXTENDING ELECTRICAL POWER TO AN AREA THAT HAS NOT PREVIOUSLY HAD POWER; IMPROVING A ROAD TO INCREASE COMMERCE IN A PARTICULAR AREA (VICE RESTORING A ROAD CUT OFF DUE TO A DISASTER); ACTIVITIES AND EQUIPMENT RELATED TO SPORTS AND/OR RECREATION THAT DO NOT DIRECTLY ADDRESS A HUMANITARIAN NEED; EQUIPMENT OR MACHINERY THAT SUPPORT COMMERCIAL DEVELOPMENT; ACTIVITIES THAT ESTABLISH OR CREATE PUBLICLY OPERATED LOCAL RADIO AND TELEVISION STATIONS; PAYMENT OF SALARIES AND OTHER SUPPORT COSTS FOR LOCAL ADMINISTRATION (POLICE, FIRE, AND MEDICAL PERSONNEL); BUILDING PRISONS; EQUIPPING GAME WARDENS; BUILDING INTERNET CAFES; PURCHASING EQUIPMENT FOR, CONSTRUCTION OF, OR SUPPORT TO RELIGIOUS FACILITIES AND/OR GROUPS; CLOTHING COMMEMORATING A PROJECT; AND HOLIDAY PARTIES AND GIFTS. THIS LIST IS NOT ALL-INCLUSIVE.

5. PROJECT PLANNING, COORDINATION, AND EXECUTION

A. COORDINATED APPROACH AND NEEDS ASSESSMENT: DOD HA PROJECTS WILL BE COORDINATED WITH APPROPRIATE PARTNER USG AGENCIES AND HN MINISTRIES, AS WELL AS APPLICABLE INTERGOVERNMENTAL ORGANIZATIONS AND NON-GOVERNMENTAL ORGANIZATIONS (NGOS). THIS COORDINATION WILL SERVE TO IDENTIFY HN GAPS, DESIGN PROJECTS TO ADDRESS THOSE GAPS, SYNCHRONIZE AND INTEGRATE EFFORTS, IMPROVE EFFICIENCY, IDENTIFY OPPORTUNITIES FOR COOPERATION ON PROJECTS, AND PROMOTE LONG-TERM PROJECT SUSTAINABILITY. HA PROJECTS THAT INVOLVE WORK WITH NGOS OR NON-MILITARY HOST NATION ENTITIES SHOULD BE CLOSELY COORDINATED WITH THE USG AGENCY THAT WORKS MOST CLOSELY WITH SUCH ENTITIES. THIS APPROACH WILL ALSO ENSURE THE APPROPRIATE LEVEL OF SUPPORT TO THE STATE DEPARTMENT’S COUNTRY-SPECIFIC MSRP AND USAID’S CDCS. CCMDS ARE ALSO ENCOURAGED TO DISCUSS DP PROJECTS WITH THE CCMD-BASED
REPRESENTATIVES OF USAID’S OFFICE OF FOREIGN DISASTER RELIEF (OFDA).

B. INTERAGENCY CONCURRENCE: DOD COUNTRY TEAM REPRESENTATIVES WILL SEEK CONCURRENCE ON PROJECT NOMINATIONS FROM THE USAID MISSION DIRECTOR OR HIS/HER DESIGNEE PRIOR TO SUBMISSION OF THE NOMINATION TO THE CHIEF OF MISSION (OR DESIGNEE) FOR CONCURRENCE. IN THE ABSENCE OF A USAID MISSION, CONCURRENCE SHOULD BE SOUGHT FROM THE USAID MISSION WITH REGIONAL RESPONSIBILITY FOR THE COUNTRY IN QUESTION. USAID COMMENTS REFLECTING CONCURRENCE OR NONCONCURRENCE WILL BE INCLUDED WITH THE NOMINATION.

C. EQUITABLE ACCESS: HA PROJECTS ARE INTENDED TO BENEFIT THE CIVILIAN POPULATION OF THE HN AND ARE TO BE DISTRIBUTED BASED ON AN OBJECTIVE ASSESSMENT OF HUMANITARIAN NEEDS; NOT ON ETHNIC, RACIAL, GENDER, OR RELIGIOUS CONSIDERATIONS.

D. CAPACITY BUILDING: THE MOST EFFECTIVE HA PROJECTS INCLUDE KNOWLEDGE AND/OR SKILLS TRANSFER TO BUILD SUSTAINABLE LOCAL CAPACITY, RATHER THAN SIMPLY PERFORMING AN ACTION FOR THE HN OR OFFERING DONATIONS OF SUPPLIES OR EQUIPMENT. ACCORDINGLY, PROJECTS WILL NORMALLY BE DESIGNED TO HELP THE HN GOVERNMENT IMPROVE ITS LONG-TERM, INDEPENDENT ABILITY TO ESTABLISH EFFECTIVE POLICIES AND DELIVER COMPETENT AND EFFECTIVE ESSENTIAL SERVICES (E.G., SAFE DRINKING WATER, SANITATION SYSTEMS, PUBLIC HEALTH, EDUCATION, AND DISASTER PREPAREDNESS/RESPONSE).

E. BENEFIT TO FOREIGN MILITARIES: HA PROJECTS SHALL NOT BENEFIT FOREIGN MILITARIES OR PARAMILITARY GROUPS UNLESS THE ULTIMATE BENEFICIARY OF THE PROJECT IS THE CIVILIAN POPULACE AND THE MILITARY/PARAMILITARY GROUP HAS AN OFFICIAL ROLE IN PROVIDING HUMANITARIAN SERVICES DIRECTLY TO THE PUBLIC, SUCH AS AN EMERGENCY RESPONSE OR MEDICAL MISSION. ALL SUCH PROPOSALS WILL CONTAIN A CLEAR RATIONALE FOR SUCH PROJECTS, INCLUDING A COMPLETE DESCRIPTION OF THE DIRECT BENEFIT TO THE CIVILIAN POPULACE. HUMAN RIGHTS VETTING, PER THE REQUIREMENTS OF THE LEAHY AMENDMENT, MUST OCCUR BEFORE CONDUCTING HA TRAINING ACTIVITIES WITH HN SECURITY FORCES (E.G., MILITARY AND PARAMILITARY ELEMENTS).

F. NEEDS-BASED CONSIDERATION: SUBJECT TO THE GUIDANCE IN THE ABOVE PARAGRAPHS, AND IN ADDITION TO CONSIDERATION OF FACTORS UNIQUE TO EACH AREA OF RESPONSIBILITY (AOR), CCMDS SHOULD PRIORITIZE HA ACTIVITIES ACCORDING TO THOSE COUNTRIES/REGIONS WHERE THERE IS THE GREATEST HUMANITARIAN NEED -- I.E., AREAS THAT ARE UNDEVELOPED RELATIVE TO OTHERS IN THE AOR, AND/OR WHERE
THE GOVERNMENT HAS A RELATIVELY WEAK ABILITY TO PROVIDE BASIC ESSENTIAL SERVICES FOR THE POPULATION. SOLIC/PSO AND DSCA WILL MORE CLOSELY REVIEW PROJECTS NOMINATED IN COUNTRIES THAT ARE OVER THE US$9,500 GROSS NATIONAL INCOME (GNI) PER CAPITA THRESHOLD (AS DETERMINED BY THE WORLD BANK USING THE ATLAS METHODOLOGY). THE WORLD BANK’S COUNTRY RANKING OF GNI PER CAPITA USING THE ATLAS METHODOLOGY (VERSUS PURCHASING POWER PARITY) CAN BE FOUND AT THE FOLLOWING WEBSITE IN THE LEFT-HAND COLUMN:
SITERESOURCES.WORLDBANK.ORG/DATASTATISTICS/RESOURCES/GNIPC.PDF.

G. MINIMAL COST PROJECTS: PROJECTS COSTING LESS THAN OR EQUAL TO $10,000 ARE REFERRED TO AS “MINIMAL COST PROJECTS.” FOR FY2013/14, THE MINIMAL COST PROJECT UPPER LIMIT HAS BEEN INCREASED TO $15,000 FROM $10,000. MINIMAL COST PROJECTS CAN BE APPROVED AT THE CCMD LEVEL BUT ARE OTHERWISE SUBJECT TO THE SAME POLICY AND PROGRAM GUIDELINES AS OTHER HA PROJECTS. PROJECT INCREMENTATION OR “PROJECT SPLITTING” – DIVIDING ONE PROJECT INTO LESS EXPENSIVE PROJECTS – IS PROHIBITED.


I. PROJECT EVALUATIONS: THE EVALUATION OF DOD HA PROJECTS IS A MEANS TO DETERMINE WHETHER PROJECT OBJECTIVES ARE BEING MET, TO IDENTIFY LESSONS LEARNED THAT CAN BE APPLIED TO FUTURE PROJECTS, TO ASSESS HOW WELL PROJECTS ARE BEING SUSTAINED BY THE HN, AND TO SUSTAIN RELATIONSHIPS WITH KEY HN INTERLOCUTORS. PROJECT EVALUATIONS SHOULD BE UNDERTAKEN AND REPORTED THROUGH AFTER-ACTION REPORTS SUBMITTED BOTH THIRTY DAYS AND ONE YEAR AFTER THE PROJECT IS COMPLETED. OHDACA FUNDING MAY BE USED TO COMPLETE PROJECT EVALUATIONS, AND ALL COSTS ASSOCIATED WITH SUCH EFFORTS.
MUST BE CAPTURED AS PART OF THE PROJECT. FURTHER INFORMATION ON PROJECT EVALUATION REQUIREMENTS CAN BE FOUND IN REFERENCE G.

J. HA IN RESPONSE TO FOREIGN DISASTERS: SINCE DOD CONDUCTS FDR IN SUPPORT OF USAID, SOLIC/PSO MONITORS DOD FDR EFFORTS TO ENSURE ADHERENCE WITH REQUIREMENTS VALIDATED BY USAID/OFDA, AND ENSURES SENIOR DOD LEADERSHIP ARE INFORMED OF THE WHOLE-OF-DOD INVOLVEMENT THROUGHOUT THE USG RESPONSE. ACCORDINGLY, IN THE IMMEDIATE AFTERMATH OF A FOREIGN DISASTER, CCMDS WILL IMMEDIATELY NOTIFY SOLIC/PSO AND DSCA WHEN CONDUCTING MINIMAL COST PROJECTS. THE NORMAL HA PROJECT REVIEW PROCESS WILL BE FOLLOWED FOR ALL OTHER OUT-OF-CYCLE PROJECTS. THE INTENT OF THIS REVIEW PROCESS IS TO ENSURE THAT CCMDS DO NOT INADVERTENTLY USURP THE SECDEF’S AUTHORITY TO APPROVE FDR OPERATIONS AND ACTIVITIES. AS NOTED ABOVE, MINIMAL COST PROJECTS FALLING UNDER THE HA PROGRAM RUBRIC SHOULD NOT BE USED TO CIRCUMVENT THE FDR APPROVAL PROCESS. REFERENCE F PROVIDES SPECIFIC GUIDANCE ON DOD’S ROLE IN FDR.

K. POLICY PROJECT REVIEW: SOLIC/PSO WILL REVIEW CCMD ANNUAL STRATEGY SUBMISSIONS AND PROJECT PRIORITIZATION LISTS (DEVELOPED BY CCMDS BASED ON EXPECTED PROJECT CONTRIBUTIONS TO NATIONAL SECURITY OBJECTIVES) FOR OVERALL STRATEGY AND ADHERENCE TO POLICY GUIDANCE. OUT-OF-CYCLE PROJECTS WILL CONTINUE TO BE REVIEWED ON A CASE-BY-CASE BASIS.