



USAID
FROM THE AMERICAN PEOPLE

DEC 23 2019

TRANSMITTED VIA EMAIL
foia@americanoversight.org

Mr. Dan McGrath
American Oversight
1030 15th Street NW
Suite B255
Washington, DC 20005

Re: FOIA Request No. F-00254-19
AO FOIA No. Multi-19-1187-1190
Final Response

Dear Mr. McGrath:

This is the final response to your September 24, 2019 Freedom of Information Act (FOIA) request to the U. S. Agency for International Development (USAID). You requested, all decision memoranda, directives, or guidance regarding the potential or actual provision or rescission of aid to Ukraine, including but not limited to security and military assistance (such as the "Ukraine Security Assistance Initiative," or USAI) to encompass both directives or guidance originating outside of USAID, including, but not limited to, directives from the White House, as well as directives or guidance created by USAID's leadership from February 1, 2019 through October 2, 2019 (date the search commenced).

For your information, Congress excluded three (3) discrete categories of law enforcement and national security records from the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all of our requesters and should not be construed as an indication that excluded records do, or do not, exist.

USAID conducted a comprehensive search of the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA), Bureau for Europe and Eurasia (E&E), Office of Budget and Resource Management (BRM), the USAID Mission in Ukraine, and the Bureau for Management, Office of the Chief Financial Officer (M/CFO) for documents responsive to your request. The search produced a total of 60 pages. Of those pages, we have determined that 24 pages of the records are releasable in their entirety, 12 pages are partially releasable, and 24 pages are withheld in full pursuant to Title 5 U.S.C. § 552(b)(5) and (b)(6).

FOIA Exemption 5 permits agencies to withhold inter- or intra-agency memorandums, letters, or documents that would not be available by law to a party other than an agency in litigation with the agency. Exemption 5 incorporates several civil discovery privileges, including the one pertinent to this request, the deliberative process privilege. This privilege exempts from disclosure agency documents that are part of the agency's pre-decisional process. The purpose of the privilege is to prevent injury to the quality of agency decisions by (1) encouraging frank and open discussions on matters of policy between subordinates and superiors; (2) protecting against premature disclosure of proposed policies before final adoption; and (3) protecting against public confusion that might result from disclosures of reasons and rationales that were not, in fact, ultimately the grounds for an agency's actions. In this instance, we withheld draft tables and information referenced from the draft tables.

FOIA Exemption 6 exempts from disclosure information about individuals in personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test. Within the records, we withheld an individual's signature.

If you require any further assistance or would like to discuss any aspect of your request, you may contact Theresa Morris, the assigned FOIA Specialist by phone on (202) 712-0286 or at thmorris@usaid.gov. You may also contact USAID's FOIA Public Liaison, Christopher Colbow, at foia@usaid.gov.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services offered:

Office of Government Information Services
National Records and Archives Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
E-mail: ogis@nara.gov
Telephone: (202) 741-5770; toll free at 1-877-684-6448
Fax: (202) 741-5769

You have the right to appeal this final response. Your appeal must be received by USAID no later than 90 days from the date of this letter. In order for it to be considered an official appeal, please address and send directly to the FOIA Appeal Officer:

Director, Office of Management Services
U.S. Agency for International Development
1300 Pennsylvania Avenue, NW
Ronald Reagan Building, Room 2.12.010
Washington, DC 20523

If you wish to fax your appeal, the fax number is (202) 216-3369. Both the appeal and envelope should be marked "**FOIA APPEAL**." Please include your tracking number F-00254-19 final release number in your letter.

There is no charge for this FOIA request. As this concludes the processing of your request, it will be closed.

Thank you for your interest in USAID.

Sincerely,

Adam Abd.

For:

Christopher Colbow, Chief
FOIA Public Liaison
FOIA Officer/Agency Records Officer
Bureau for Management
Office of Management Services
Information and Records Division

Enclosures: Responsive Records (60 pages)

**UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
CONGRESSIONAL NOTIFICATION TRANSMITTAL SHEET**

March 15, 2019

We wish to inform you of proposed actions in USAID's fiscal year programs:

CN#	PROGRAM	FUNDING LEVEL
EUROPE AND EURASIA		
79.	Ukraine – Country Narrative	\$177,960,000 AEECA (FY 2018) <u>\$ 7,800,000 GHP-USAID (FY 2018)</u> \$185,760,000 TOTAL

The attached numbered CNs/CBNs were submitted to the Congress on March 15, 2019. Barring any congressional holds, obligation may be incurred on March 30, 2019.

/s/

Lee Vance Walter

Bureau for Legislative and Public Affairs

CN #79
March 15, 2019

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
COUNTRY NARRATIVE

PROGRAM: UKRAINE

APPROPRIATIONS ACCOUNT: Assistance for Europe, Eurasia, and Central Asia (AEECA)
FY 2018/2019 OBLIGATION: \$177,960,000

APPROPRIATIONS ACCOUNT: Global Health Programs-USAID (GHP-USAID)
FY 2018/2019 OBLIGATION: \$7,800,000

New Obligation Authority (\$000s)	2017 Actual	2018 CBJ Request	2018 USAID Estimate
TOTAL	272,100	147,880	185,760
Economic Support and Development Fund - OCO	-	145,000	-
Assistance for Europe, Eurasia and Central Asia	-	-	177,960
Assistance for Europe, Eurasia and Central Asia – OCO	246,000	-	-
Assistance for Europe, Eurasia, and Central Asia - OCO - Security Assistance Appropriations Act (SAAA)	18,000	-	
Global Health Programs – USAID	8,100	2,880	7,800

¹FY 2018 USAID Estimate level does not include \$72,040,000 in AEECA that is being programmed and notified by the Department of State.

This narrative describes programs that USAID/Ukraine intends to carry out using FY 2018 new obligation authority (NOA). Of this NOA, additional notification is required for \$37,880,000, as described and underlined below, due to the following: (1) substantive changes from the FY 2018 Congressional Budget Justification (CBJ), marked by an asterisk*; (2) AEECA and GHP-USAID account level increases greater than 10 percent of the FY 2018 CBJ request levels, being used for activities marked by an asterisk*; and (3) special notification requirements related to interagency agreements.

This notification is submitted pursuant to section 634A of the Foreign Assistance Act (FAA) of 1961, as amended; and sections 7009(c) and 7015(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (P.L. 115-141), Division K (SFOAA).

ASSISTANCE FOR EUROPE, EURASIA, AND CENTRAL ASIA. Of the NOA included in the summary table above, additional notification is required for \$32,960,000, as described and underlined below, because of the following: (1) substantive changes from the FY 2018 CBJ, marked by an asterisk *; (2) AEECA account level increase greater than 10 percent of the FY 2018 CBJ request level, being used for activities marked by an asterisk*; and (3) special notification requirements related to interagency agreements.

***Trafficking in Persons.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. USAID will counter trafficking in persons through technical assistance to the Government of Ukraine (GOU) as it implements its national referral mechanism (NRM), a comprehensive system that assists victims of trafficking including those newly identified among internally displaced persons (IDPs). This assistance will respond to new challenges posed by the protracted conflict in eastern Ukraine and the occupation of Crimea, building the resilience of vulnerable communities affected by conflict. This assistance will help ensure effective adjustment of the NRM to the ongoing decentralization reform.

The implementing partner is International Organization for Migration.

Rule of Law. USAID will support the development and implementation of key reform legislation and improve policies and procedures that promote judicial independence. In partnership with judicial institutions and civil society organizations (CSOs), USAID will improve court processes, access to justice, and judicial-system user satisfaction, with the goals of gradually reducing political interference in the judiciary consistent with Western standards and increasing citizen confidence in the justice system.

The implementing partner is Chemonics International.

***Good Governance.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. USAID will promote the implementation of new anti-corruption laws, including through skills building and training for a wide range of anti-corruption institutions and supporting behavior change by decreasing the public's tolerance for corruption and fostering a culture of lawfulness. U.S. assistance will improve transparency and inclusiveness in the policy development process, which will result in laws and policies that are more in accordance with Western standards. Programs will support the development of a legal and policy framework for Ukraine's decentralization reform and engage local government officials and institutions to assume new authorities and responsibilities to deliver services, grow the economy, and govern better at the local level, including efforts to reduce corruption, and increase responsiveness in healthcare. USAID programs will assist in the implementation of e-governance and procurement systems to improve key public services and address citizens' needs. USAID's Office of Transition Initiatives (OTI) will implement programming to increase eastern Ukraine's engagement in national reform processes through support to local government reformers and collaboration between local government and civil society.

Funding will help to transform Ukraine's pharmaceutical procurement system by supporting transparency and cost-effectiveness in the supply chain and strengthening pharmaceutical sector governance. USAID will support activities to address the non-humanitarian impacts of the conflict in eastern Ukraine through support to local government/municipal service delivery

and improved, accountable governance in eastern Ukraine. USAID is developing a new activity to bolster Ukraine's defense of critical infrastructure, such as energy, transportation, communication, financial and banking systems, from cyber-attacks. *In addition, USAID will develop a new activity to strengthen local capacity to support Ukrainian veterans. This activity was not included in the FY 2018 CBJ.

The implementing partners are Consortium for Elections and Political Process Strengthening (CEPPS), Association of Ukrainian Cities, Management Systems International, Eurasia Foundation, Deloitte, Management Sciences for Health, United Nations Children's Fund, Global Communities, Chemonics, and additional partner(s) to be determined (via competitively awarded contracts, cooperative agreements, and/or grants).

***Political Competition and Consensus-Building.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. USAID will promote representative, transparent, and accountable political processes through technical assistance to national-level political parties and local-level party representatives; and provide support for independent domestic election monitors and election management bodies that foster a competitive political environment. This will include support to implement Ukraine's political finance law. Activities will ensure that political processes and election legislation are developed and implemented in a more inclusive and transparent manner consistent with Western standards. This will include support for preparations for the 2019 presidential and parliamentary elections in Ukraine.

The implementing partners are CEPPS and Civic Network OPORA.

***Civil Society.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. USAID will continue to support the engagement of CSOs and citizens in the reform process, and provide technical assistance to ensure that the reforms developed by the Government of Ukraine (GOU) and Parliament reflect international best practices, particularly European Union (EU) alignment. U.S. support to CSOs will build the skills of local actors and sustainability of efforts that have been the key drivers of reform; broaden civic education and public awareness initiatives; and help ensure that the government is held accountable to its citizens. USAID/OTI will help facilitate a peaceful democratic transition and promote national cohesion by increasing citizen engagement in the national reform process. To further counter Russian aggression, USAID will support civil society to address the impacts of conflict and create opportunities for citizens in the East to engage in activities that affirm their Ukrainian national identity and common civic values.

The implementing partners are Pact, Chemonics, and additional partner(s) to be determined (likely via a competitively awarded contract and/or cooperative agreement).

***Independent Media and Free Flow of Information.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. USAID will promote a free, vibrant, and professional media sector in Ukraine that provides relevant

news and information, serves as a public watchdog, and defends freedom of speech. This will include providing training, mentorship, and expert technical assistance that increases the quality and variety of news sources; supporting the establishment of Ukraine's public broadcasting through institutional development of this new entity; supporting organizations conducting media monitoring and media literacy programs; supporting professional education opportunities for journalists; and providing legal support and assistance to protect the enabling environment for journalists and independent media, particularly in advance of the 2019 presidential and parliamentary elections. To further counter Russian aggression, USAID will support civil society to address the impacts of conflict and create opportunities for citizens in eastern Ukraine to engage in activities that affirm their Ukrainian national identity and common civic values.

The implementing partners is InteErnews and additional partner(s) to be determined (likely via a competitively awarded contract and/or cooperative agreement).

***Human Rights.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. USAID will enhance accountability for human rights abuses and war crimes arising from the conflict in eastern Ukraine and purported annexation of Crimea, while laying a foundation for sustainable peace and social cohesion in the future. Activities will include human rights monitoring and advocacy; strategic litigation on human rights cases; awareness-raising and citizen empowerment regarding human rights; and legal assistance to survivors of torture and conflict.

The implementing partner is Ukrainian Helsinki Human Rights Union.

***Maternal and Child Health.** This program area and related activities were not included in the FY 2018 CBJ. With positive developments in health reform, increased availability of vaccines, the establishment of the National Public Health Center, and a stronger Ministry of Health mandate to address immunization, USAID will build the institutional capacity of Ukraine's national immunization program to achieve higher rates of immunization.

The implementing partner is U.S. Centers for Disease Control and Prevention (via the Bureau for Global Health's interagency agreement).

***Trade and Investment.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. USAID will support the competitive development of emerging industries with strong growth potential, particularly for trade. This will include enhancing the competitiveness of Ukraine's economy through the accelerated growth of business startups and small- and medium-sized enterprises (SMEs); increasing competition in domestic markets; improving competitiveness of Ukrainian firms in international markets; and expanding opportunities to export goods and services.

The implementing partner is to be determined (likely via a competitively awarded grant or cooperative agreement).

***Financial Sector.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. USAID will help transform and stabilize Ukraine's financial sector, cultivating an environment that supports businesses of all sizes with products that serve a wide range of business and citizen needs. Activities will increase public confidence in and use of the banking system; transform the non-bank financial sector regulatory environment; increase access to finance for SMEs; expand digital finance solutions; and support a balanced and sustainable pension system. USAID will assist Ukraine to develop and strengthen its effectiveness as a capital markets regulator; improve investor protection and capital formation; maintain fair and orderly markets; and develop a commodities and futures market.

The implementing partner is DAI Global, LLC.

***Private Sector Productivity.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. Funds will support broad-based, resilient economic growth through the accelerated growth of business startups and SMEs; increase competition in domestic markets; improve competitiveness of Ukrainian firms in international markets; and expand opportunities to export goods and services. Activities will create a better enabling environment for agricultural SMEs. USAID will help Ukrainian partners strengthen the legal framework for sector reforms, particularly land reform; develop a transparent legal framework for the agricultural land market; and improve sector competitiveness by supporting agricultural SMEs. USAID will strengthen the capacity of Ukrainian credit unions to expand agricultural lending, which will increase employment and income opportunities in rural communities. Funds will support internally displaced persons (IDPs) and those still in the conflict-affected East by generating employment opportunities and restoring access to public services. USAID will promote economic growth prospects of eastern Ukraine by enhancing the competitiveness of the regional business policy environment; supporting entrepreneurs and SMEs with potential for growth and diversification of the economy; and increasing access to finance in the region. USAID will support efforts to increase the resilience of the region's economy to economic shocks by integrating and linking the Donbas economy to Ukrainian, European, and international markets, including by investing in the infrastructure and equipment needs of local businesses.

USAID will support reforms in Ukraine's primary health system by promoting the adoption of a new financing model driven by efficiency, competition, and choice. USAID will build the GOU's capacity to design and establish a national purchasing agency for health and facilitate the government's design and establishment of a performance-based payment system. *In order to oversee rehabilitation of infrastructure and community development projects in the East (which could include limited construction such as the rehabilitation of a market, parks, etc.) and mitigate potential environmental or community risks, funding will support the use of services from a professional local architecture-engineering firm to provide design and construction management consulting services to ensure effectiveness and accountability to the U.S. taxpayer. Ukraine's state-owned enterprises (SOEs) contribute to low productivity, exhibit high

levels of corruption, and are often a drag on the state budget. Reforming Ukraine's SOEs is essential to the U.S. Government's foreign policy priorities in reducing corruption, increasing competition, achieving Ukraine's ambitious reform agenda, and promoting the development of a more inclusive economy geared toward SMEs. *Funding in this program area also will support the new activity to strengthen local capacity to support veterans. *USAID/Ukraine will amend an existing Global Development Alliance to stimulate innovation in the health sector through public-private partner alliances, and to drive broader innovation supporting more inclusive, sustainable economic growth in Ukraine. Areas of particular focus include partnerships for increasing private-sector engagement in the health sector, introduction of new technologies in the health sector, human resources for health, and innovative private sector partnerships to combat infectious diseases.

The implementing partners are DAI Global, LLC; Chemonics ; Deloitte Consulting; Volunteers for Economic Growth Alliance; and an additional partner(s) to be determined (likely via competitively awarded contracts).

***Workforce Development.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. With the broader goal of supporting a peaceful democratic transition and promote national cohesion in the wake of the conflict in the East, USAID will help IDPs and eastern Ukrainians find gainful employment, thereby lessening their dependence on an under-resourced national government and increasing their contributions to Ukrainian society and the economy. USAID will promote the economic diversification and transformation of eastern Ukraine by supporting human capital resources available in the region, helping workers adapt old skills to new industries; and preparing new workers for the industries that will drive the region's future. Activities will include developing partnerships among universities, investors, and businesses to deliver appropriate education and training, as well as work with informal educational institutions to align training and curricula with the needs of the region, particularly growth industries.

This implementing partner is DAI Global, LLC; and an additional partner(s) to be determined (likely via a competitively awarded contract).

***Modern Energy Services.** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. In addition, the interagency agreement described below is subject to special notification. USAID will enhance Ukraine's energy security by supporting the establishment of competitive energy markets in electricity, gas, and district heating areas and diversification of fuel supply. USAID will provide assistance to Ukraine to improve legal and regulatory frameworks for the energy sector in line with the EU supporting Ukraine's chosen EU-integration path; and develop new incentive mechanisms for increasing sustainable development of renewable energy generation through private-led investments. USAID will support Ukraine's integration into EU energy networks and increase the technical capacity and the competency of the national regulator through cybersecurity training to Ukrainian utility companies and the regulatory agency; promoting the integration of the Ukrainian power grid with European power systems; organizing regulatory exchanges

between U.S. regulators and Ukrainian regulatory experts to establish and implement a uniform system of regulatory accounting; and organizing regulatory exchanges for the review of transmission and distribution network codes for electricity, gas, ancillary, and balancing services. USAID will help strengthen Ukraine's energy security by funding a district heating adviser who will develop analyses and strategies on district heating transitions and energy modeling capacity in Ukraine. The activity will support national district heating reforms; city transitions on district heating; modeling capacity and analysis for energy reforms; capacity building and coordination among stakeholders; and ensure proper management and reporting for high quality results. This activity will be implemented through a 632(b) interagency agreement in the amount of \$1,610,000 with the U.S. Department of Energy.

The implementing partners are Tetra Tech, United States Energy Association, National Association of Regulatory Utility Commissioners, U.S. Department of Energy and additional partner(s) to be determined (likely via a competitively awarded grant or cooperative agreement).

GLOBAL HEALTH PROGRAMS – USAID. Of the NOA included in the summary table above, additional notification is required for \$4,920,000, as described and underlined below, because the GHP-USAID account level increase is greater than 10 percent of the FY 2018 CBJ request level, being used for activities marked by an asterisk*.

***HIV/AIDS.** This program area and related activities contributed to the greater than 10 percent account level increase from the FY 2018 CBJ. USAID will help the GOU and civil society to reduce HIV transmission among key populations through sustainable, country-led HIV/AIDS programs. USAID will improve coordination on national and regional levels; support the implementation of the five-year National HIV/AIDS Plan; prevent HIV/AIDS among high-risk groups; and link people who are living with HIV/AIDS to prevention, treatment, care, and support services. USAID will work with donor-supported non-government organizations to strengthen their sustainability. USAID may provide HIV-related commodities. USAID, in close partnership with the GOU and other key partners, will strengthen the strategic use of data to design and prioritize the most effective HIV services for key populations and ensure that data informs programming. USAID will focus on strengthening governance, financing, and human resources components of national and regional AIDS programs. USAID's efforts will be focused on five regions with the highest burden of HIV/AIDS and an additional six regions with a significant burden of the disease that could contribute to the broader spread of HIV/AIDS.

The implementing partners are PATH and Management Sciences for Health, Inc.

***Tuberculosis (TB).** This program area and related activities contributed to a greater than 10 percent account level increase from the FY 2018 CBJ. It is in the U.S. national security interest to provide additional TB assistance to Ukraine. Ukraine has a TB epidemic and the sixth highest multi-drug-resistant (MDR) TB burden in the world, which represents a global health security threat as indicated in the U.S. Government's National Action Plan for MDR-TB. There is an urgent need to continue support to prevent further transmission of this infectious disease

within Ukraine and to limit its global reach – objectives that are critical to the U.S. national interest. USAID will build on its current TB control activities in close collaboration with the Ministry of Health and Ukrainian Center for Disease Control. USAID activities will advance implementation of ambulatory care for TB, MDR-TB, and will introduce the use of new TB drugs with shortened treatment regimens to maximize the cost efficiency of TB services. The activity will align its activities with ongoing health reforms and engage in advocacy, communication, and community mobilization activities to secure commitment for and awareness of TB control efforts.

The implementing partners are Koninklijke Nederlandse Chemische Vereniging (KNCV), PATH, and an additional partner(s) to be determined (likely via a competitively awarded grant or cooperative agreement).

SUPPLEMENTARY DATA SHEET

USAID-managed assistance and Department of State-managed assistance is summarized on the attached supplementary data sheet.

Supplementary Data Sheet - Ukraine, FY 2018 (\$000s)

Total USAID and State Managed Programs

	Sum of Accounts
TOTAL FY 2017 Initial Actual	415,315
TOTAL FY 2017 Security Assistance Appropriations Act (SAAA)	39,000
TOTAL FY 2018 Request	203,780
TOTAL FY 2018 Estimate	421,727

USAID and State Managed Programs, Current Year Estimates by Area and Account

	Sum of Accounts	AEECA	AEECA - OCO	ESDF - OCO	GHP-USAID
TOTAL FY 2017 Initial Actual	254,100	-	246,000	-	8,100
TOTAL FY 2017 SAAA Initial Actual	18,000		18,000	-	
TOTAL FY 2018 Request	147,880	-	-	145,000	2,880
TOTAL FY 2018 Estimate	257,800	250,000	-	-	7,800
PS.2 Combatting Weapons of Mass Destruction (WMD)					
FY 2018 Estimate	650	650	-	-	-
PS.4 Transnational Threats and Crime					
FY 2018 Estimate	5,722	5,722	-	-	-
PS.5 Trafficking in Persons					
FY 2018 Estimate	2,200	2,200	-	-	-
PS.6 Conflict Mitigation and Stabilization					

FY 2018 Estimate	31,100	31,100	-	-	-
DR.1 Rule of Law (ROL)					
FY 2018 Estimate	7,569	7,569	-	-	-
DR.2 Good Governance					
FY 2018 Estimate	59,225	59,225	-	-	-
DR.3 Political Competition and Consensus-Building					
FY 2018 Estimate	8,521	8,521	-	-	-
DR.4 Civil Society					
FY 2018 Estimate	23,535	23,535	-	-	-
DR.5 Independent Media and Free Flow of Information					
FY 2018 Estimate	14,575	14,575	-	-	-
DR.6 Human Rights					
FY 2018 Estimate	3,141	3,141	-	-	-
HL.1 HIV/AIDS					
FY 2018 Estimate	2,500	-	-	-	2,500
HL.2 Tuberculosis					
FY 2018 Estimate	5,300	-	-	-	5,300
HL.6 Maternal and Child Health					
FY 2018 Estimate	570	570	-	-	-
ES.2 Higher Education					
FY 2018 Estimate	400	400	-	-	-
EG.2 Trade and Investment					
FY 2018 Estimate	11,294	11,294	-	-	-
EG.4 Financial Sector					
FY 2018 Estimate	12,551	12,551	-	-	-
EG.5 Private Sector Productivity					
FY 2018 Estimate	43,728	43,728	-	-	-
EG.6 Workforce Development					
FY 2018 Estimate	3,359	3,359	-	-	-
EG.7 Modern Energy Services					
FY 2018 Estimate	21,352	21,352	-	-	-
EG.10 Environment					
FY 2018 Estimate	90	90	-	-	-
HA.2 Disaster Readiness					
FY 2018 Estimate	358	358	-	-	-
HA.3 Migration Management					
FY 2018 Estimate	60	60	-	-	-
PO.1 Program Design and Learning					
FY 2018 Estimate	[4,109]	[4,109]	-	-	-
PO.2 Administration and Oversight					
FY 2018 Estimate	[6,997]	[6,647]	-	-	[350]
PO.3 Evaluation					
FY 2018 Estimate	[5,839]	[5,839]	-	-	-

USAID and State Managed Programs, Prior Year and CBJ by Area, FY, and Account

	Sum of Accounts	AEECA	AEECA - OCO	ESDF- OCO	GHP- USAID
TOTAL FY 2017 Initial Actual	254,100	-	246,000	-	8,100
TOTAL FY 2017 SAAA Initial Actual	18,000	-	18,000	-	
TOTAL FY 2018 Request	147,880	-	-	145,000	2,880
TOTAL FY 2018 Estimate	257,800	250,000	-	-	7,800
1.2 Combatting Weapons of Mass Destruction (WMD)					

FY 2017 Initial Actual	38,650	-	38,650	-	-
FY 2017 SAAA Initial Actual	1,000	-	1,000	-	-
FY 2018 Request	19,000	-	-	19,000	-
1.5 Transnational Crime					
FY 2017 Initial Actual	6,000	-	6,000	-	-
FY 2017 SAAA Initial Actual	4,500	-	4,500	-	-
FY 2018 Request	1,000	-	-	1,000	-
1.6 Conflict Mitigation and Reconciliation					
FY 2017 Initial Actual	25,500	-	25,500	-	-
FY 2017 SAAA Initial Actual	5,000	-	5,000	-	-
FY 2018 Request	23,000	-	-	23,000	-
2.1 Rule of Law and Human Rights					
FY 2017 Initial Actual	7,411	-	7,411	-	-
FY 2018 Request	8,503	-	-	8,503	-
2.2 Good Governance					
FY 2017 Initial Actual	41,531	-	41,531	-	-
FY 2017 SAAA Initial Actual	2,000	-	2,000	-	-
FY 2018 Request	28,450	-	-	28,450	-
2.3 Political Competition and Consensus-Building					
FY 2017 Initial Actual	7,550	-	7,550	-	-
FY 2018 Request	3,200	-	-	3,200	-
2.4 Civil Society					
FY 2017 Initial Actual	30,367	-	30,367	-	-
FY 2017 SAAA Initial Actual	5,500	-	5,500	-	-
FY 2018 Request	17,723	-	-	17,723	-
3.1.1 HIV/AIDS					
FY 2017 Initial Actual	2,500	-	-	-	2,500
3.1.2 Tuberculosis					
FY 2017 Initial Actual	5,600	-	-	-	5,600
FY 2018 Request	2,880	-	-	-	2,880
3.1.6 Maternal and Child Health					
FY 2017 Initial Actual	2,550	-	2,550	-	-
3.2.2 Higher Education					
FY 2017 Initial Actual	200	-	200	-	-
4.2 Trade and Investment					

FY 2017 Initial Actual	13,300	-	13,300	-	-
FY 2018 Request	9,605	-	-	9,605	-
4.3 Financial Sector					
FY 2017 Initial Actual	10,053	-	10,053	-	-
FY 2018 Request	9,098	-	-	9,098	-
4.4 Infrastructure					
FY 2017 Initial Actual	21,920	-	21,920	-	-
FY 2018 Request	10,838	-	-	10,838	-
4.6 Private Sector Competitiveness					
FY 2017 Initial Actual	40,789	-	40,789	-	-
FY 2018 Request	14,583	-	-	14,583	-
5.2 Disaster Readiness					
FY 2017 Initial Actual	179	-	179	-	-
6.1 Program Design and Learning					
FY 2017 Initial Actual	[4,589]	-	[4,330]	-	[259]
FY 2018 Request	[1,441]	-	-	[1,441]	-
6.2 Administration and Oversight					
FY 2017 Initial Actual	[6,608]	-	[6,608]	-	-
FY 2018 Request	[5,267]	-	-	[5,267]	-

Other State Managed Programs, by FY and Account

	Sum of Accounts	AEECA - OCO*	FMF	FMF - OCO	GHP- STATE*	IMET	INCLE - OCO	NADR CWD	NADR CWD - OCO	NADR EXBS	NADR EXBS - OCO
TOTAL FY 2017 Initial Actual	161,215	34,000		85,000	29,115	2,150	-	-	6,000	-	4,950
TOTAL FY 2017 SAAA Initial Actual	21,000	7,000		14,000	-	-	-	-	-	-	-
TOTAL FY 2018 Request	55,900	-		-	30,000	2,900	13,000	-	6,000	-	4,000
TOTAL FY 2018 Estimate	163,927		95,000	-	26,274	2,653	30,000	6,000	-	4,000	-

*This represents the portion of FY 2017 AEECA-OCO and AEECA-OCO SAAA funds managed by the Bureau of International Narcotics and Law Enforcement Affairs (INL) of the Department of State.

This represents GHP-State funds for Ukraine that will be notified by the Office of the U.S. Global AIDs Coordinator and Health Diplomacy.



USAID
FROM THE AMERICAN PEOPLE

RECEIVED
6/16/19

UNCLASSIFIED

**ACTION MEMO FOR LESLEY C. ZIMAN, ACTING DIRECTOR,
OFFICE OF U.S. FOREIGN ASSISTANCE RESOURCES (F)**

THROUGH: A/BRM – Tricia Schmitt, Director /s/

FROM: AA/E&E – Brock Bierman /s/

SUBJECT: Re-programming of FY 2018 Assistance for Europe, Eurasia, and Central Asia (AEECA) Funds for USAID/Ukraine

Recommendation

That you approve the re-programming of \$16,130,000 in FY 2018 AEECA funds within the Ukraine Operating Unit (OU) for the USAID/Ukraine activities described below.

Approve

Disapprove

Background

USAID/Ukraine requests to re-program funds from the Economic Growth (EG) category to the Democracy, Human Rights and Governance (DR) category within the Ukraine OU. Ukraine's recently elected President Zelensky has called for snap parliamentary elections in July 2019, which are likely to result in a new parliamentary coalition. Additionally, the President's agenda prioritizes significant reforms in USG priority sectors, including anti-corruption policy, judicial reform, e-governance, and support to eastern Ukraine. Shifting funds from EG to DR will allow the Mission to ensure free, fair, credible parliamentary elections under an accelerated timeline, and to support the new administration in effectively advancing priority reforms.

Following the elections, programming will support the incoming administration to maintain a steady pace in key reform sectors and in mitigating impacts of Russia's aggression. USAID will increase support to health and decentralization reform as described below. USAID will allocate additional funding to its Office of Transition Initiatives (OTI) and to its cybersecurity programming.

Given delays in the funding cycle over the past few years, USAID/Ukraine wants to ensure forward funding in the DR category to allay any potential funding gaps



11/19/19

or interruptions to programming. Due to program delays, three EG activities have high pipelines. If the Mission does not adjust funding between program elements now, we will need to do so through the FY 2019 allocation.

The Mission amends and adds funding to the Development Objective Grant Agreements (DOAGs) with the Government of Ukraine (GOU) on an annual basis following Congressional Notification of funds, which took place later than normal on April 17, 2019. Because of critical funding needs in January and February, most DR funding was obligated unilaterally, i.e., it will not be included in the DOAGs. As a matter of consistency and transparency, the Mission would prefer to have balanced allocations between the DOAGs that are more representative of our annual in-county expenditures. Re-allocating FY 2018 funds will allow us to include more DR funds in this year's amendments and include both DR and EG funds in future amendments. The joint signing of the DOAG amendments will be a mark of USAID's support to the new administration and continued commitment to Ukraine. To have the DOAG amendments signed in time to obligate funds before the end of the fiscal year, the Mission must submit them to the GOU by June 15, 2019.

Funds are being requested to be re-programmed to the following activities:

1. Safe, Affordable, and Effective Medicines for Ukrainians (SAFEMed) - \$500,000 AEECA: SAFEMed is a project that conducts anti-corruption interventions in the pharmaceutical sector. With these funds, the project will secure training to assist all technical teams engaged in the project to advance their skills in presenting complex messages in simpler terms. SAFEMed will also support Ministry of Health (MOH) stakeholder management and communications activities through up to four MOH stakeholder communications events throughout the program year, focusing primarily on public procurement reforms with the Central Procurement Agency, improving supply chain and promoting the use of Health Technology Assessment as a means to significantly reduce opportunities for corruption and advance Ukraine on its pathway towards self-reliance in the health sector. The current funding status of SAFEMed includes funding through December 31, 2019. Funds will be reprogrammed to address anti-corruption. If funding is approved, SAFEMed can operate through March 2020, still well below USAID's forward-funding best practice and the Democracy and Governance (DG) Development Objective Agreement (DOAG) will reflect USG support for the GOU's anti-corruption efforts. The deadline for funding approval is June 15, 2019.

2. Decentralization Offering Better Results and Efficiency (DOBRE) -

\$5,430,000 AEECA: DOBRE is USAID's flagship decentralization activity, helping to build effective and responsive local governments that are able to implement reforms and deliver benefits to citizens in coordination with the European Union (EU) and the United Nations Development Program (UNDP) to provide nationwide coverage. DOBRE will continue to build the capacities of local community councils to govern by upgrading council meeting rooms, providing a full package of equipment to each community council, training local council members and executive committee staff, strengthening public administration professional development, and organizing domestic and international study tours for officials and local activists to learn from best practices of spatial planning, service delivery, and local economic development. Together with other donors, DOBRE provides comprehensive assistance to local governments of 75 consolidated communities in seven oblasts developing local governance models in managing resources with greater accountability; if funding is approved, DOBRE will have funding to provide assistance to 25 additional communities. DOBRE is currently funded through March, 31, 2020. Funds will be reprogrammed to Local Government and Decentralization. This funding will be included in the DOAG to demonstrate USG support for the GOU's decentralization efforts. The deadline for funding approval is June 15, 2019.

3. Ukraine Confidence-Building Initiative - \$5,000,000 AEECA: The goal of the Ukraine Confidence Building Initiative (UCBI), implemented through OTI, is to support a peaceful democratic transition and promote national cohesion in the wake of the conflict in the east. As a result of this conflict, local government services have been dramatically reduced. In an effort to help restore community cohesion, ease tensions and restore some government services, targeted small grants will start to revitalize services and re-establish community spaces that promote cohesion within the community. Funding will finance small grants through a transparent and competitive process to both local and national civil society organizations (CSOs) from across the democratic spectrum to implement a wide range of activities, such as redesigning and rehabilitating government services centers, planning, and renovating public spaces. Funds will be reprogrammed to Local Government and Decentralization and Civic Education. If funding is approved, the activity will provide support to communities in Zaporizhzhia and Kherson Oblasts that were adversely affected by the Russia's hostilities in the Sea of Azov. The deadline for funding approval is June 15, 2019.

4. Cyber-Defense of Critical Infrastructure - \$2,000,000 AEECA: USAID is in the procurement process for an activity, or set of activities, that will bolster Ukraine's defense of critical infrastructure (e.g., energy, transportation, communication, financial, and banking systems) against cyber-attacks. Lack of cybersecurity skills among Ukraine's workforce, and insufficient systematic training or resources dedicated to improving cybersecurity within Ukraine's workforce and general population, provides an opening for the Kremlin's aggression and puts the nation's critical infrastructure at risk. These issues are compounded by pervasive outdated hardware and unlicensed software, making Ukraine a major destination for domestic and international cybercrime. Through this effort, USAID will develop innovative approaches that will address cybersecurity challenges in Ukraine. Funds will be reprogrammed to Non-security Executive Authority (DR.2.2). If funding is approved, this new activity will provide agile support for one year and be reflected in the DOAG, demonstrating USG support of the GOU's cybersecurity efforts, while protecting U.S. foreign policy interests. The deadline for funding approval is June 15, 2019.

5. Ukraine Responsive and Accountable Politics Program (U-RAP) - \$2,000,000 AEECA: U-RAP represents transparent, and accountable political processes by strengthening national-level political parties from across the political spectrum, increasing citizen representation, and fostering a competitive and inclusive political environment. This activity strengthens political parties' engagement with their constituents in order to more effectively represent citizen concerns. With the call to snap elections in July, U-RAP has been asked to provide additional cyber-security equipment and capacity-building to the Central Election Commission (CEC). If funding is approved, the existing activity will be able to provide equipment and training to ensure free, fair, credible parliamentary elections under an accelerated timeline. The deadline for funding approval is June 15, 2019.

6. Enhance Non-Governmental Actors and Grassroots Engagement (ENGAGE) - \$1,200,000 AEECA: This funding will be used for grants to Ukrainian CSOs engaged in monitoring and advocacy activities, including during the 2019 elections in Ukraine. ENGAGE works with government ministries and civil society actors from across the democratic spectrum to design and pilot civic education curricula; conducts trainings and mentorship to build national CSO capacity to integrate local-level counterparts; and expands the number of intermediary support organizations able to provide capacity development to CSOs. ENGAGE is currently funded through September 30, 2019.

Funds will be reprogrammed to Civil Society Development. If funding is approved, ENGAGE will have funding to operate for an additional two and half months, which will be reflected in the DG DOAG and will demonstrate USG support to the GOU's civil-society development efforts. The deadline for funding approval is June 15, 2019.

Earmarks, Directives, Legislative Considerations: The DRG funding recommended in this memo is subject to the democracy programs earmark and spend plan requirement in section 7076(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (SFOAA) (Div. K, P.L. 115-141). The FY 2018 democracy programs spend plan was transmitted to the Congress on November 14, 2018.

The territorial integrity provision in section 7046(b) of the FY 2018 SFOAA restricts funds "for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent States of the former Soviet Union..." The restriction has historically been waived prospectively on an annual basis without a determination as to its application for the independent states of the former Soviet Union. The Secretary waived this provision with respect to FY 2018 SFOAA funds for Ukraine (among other countries) on May 8, 2018.

Congressional Notification: Funds have been notified via Ukraine's FY 2018 Congressional Budget Justification. Funds for the Domestic Oversight of Political Processes have been notified via the FY 18 Ukraine Country Bureau Narrative.

Compliance with Guidance for the Risks of Terrorist Financing: The Bureau for Europe and Eurasia affirms that it is implementing the "Guidance for Risk-Based Assessment for Terrorist Financing" (February 26, 2008), with respect to the programs/activities recommended in this memo.

Attachments:

Tab 1 – Additional Background

Tab 2 – Earmark Verification Table

CLEARANCE PAGE FOR ACTION MEMORANDUM reprogramming \$16,130,000 in FY 2018 AEECA funds

Drafted by: OLitvinovska (USAID/Ukraine)

Cleared by:

USAID/Ukraine:

Susan K. Fritz, Mission Director
John Pennell, Deputy Mission Director
Ben Hill, Front Office Special Assistant
Joel Sandefur, Legal Officer
Ken Collins, Controller
David Hatch, Program Officer
Jeri Dible, Office of Health Director
Farhad Ghaussy, OED Director
Thomas White, ODG Director

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__ok__ Date_4/15/19__
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__ok__ Date_4/16/19__
__ok__ Date_4/10/19__

USAID/ Washington:

DAA/E&E:Mellis
E&E/PO: BAlexandre
E&E/EA:DP for JLeggoe

__Cleared__ Date_6/5/19__
__Cleared__ Date_4/17/19__
__Cleared__ Date_4/17/19__

STATE:

EUR/ACE/BA: LJilka
EUR/ACE/CRP: EHensle
EUR/ACE/BA: IKuskevics
EUR/ACE/BA: NHollinshead

__Cleared__ Date_5/29/19__
__Cleared__ Date_5/29/19__
__Cleared__ Date_5/29/19__
__Cleared__ Date_5/29/19__

F/EUR:Msmith/JSayre
FBRM: ARoosendaal
P: SRavi

__Cleared__ Date_5/16/19__
__Cleared__ Date_5/17/19__
__Cleared__ Date_5/31/19__

Tab 1**Additional Background**

Amount and Source of Funds by Account and Fiscal Year: \$16,130,000 in FY 2018 AEECA funds within the Ukraine OU

Foreign Assistance Standardized Program Structure:Decreases:

Ukraine: \$3,064,000 (FY 2018 AEECA)
 Category: Economic Growth (EG)
 Program Area: Trade and Investment (EG.2)
 Program Element: Trade and Investment Enabling Environment (EG.2.1)
 IM: Competitive Economy Program (#100699)
 Implementer: Chemonics, Inc.

Ukraine: \$1,500,000 (FY 2018 AEECA)
 Category: Economic Growth (EG)
 Program Area: Financial Sector (EG.4)
 Program Element: Financial Sector Enabling Environment (EG.4.1)
 IM: Financial Sector Transformation (#100697)
 Implementer: DAI Global, LLC

Ukraine: \$865,000 (FY 2018 AEECA)
 Category: Economic Growth (EG)
 Program Area: Financial Sector (EG.4)
 Program Element: Financial Sector Capacity (EG.4.2)
 IM: Financial Sector Transformation (#100697)
 Implementer: DAI Global, LLC

Ukraine: \$2,000,000 (FY 2018 AEECA)
 Category: Economic Growth (EG)
 Program Area: Private Sector Productivity (EG.5)
 Program Element: Business Enabling Environment (EG.5.1)
 IM: Competitive Economy Program (#100699)
 Implementer: Chemonics, Inc.

Ukraine: \$3,000,000 (FY 2018 AEECA)
 Category: Economic Growth (EG)
 Program Area: Modern Energy Services (EG.7)

Program Element: Expanded Access to Modern Energy Services (EG.7.1)
 IM: Energy Security Program (#100453)
 Implementer: Tetra Tech ES, Inc.

Ukraine: \$5,701,000 (FY 2018 AEECA)
 Category: Economic Growth (EG)
 Program Area: Modern Energy Services (EG.7)
 Program Element: Energy Policy and Institutions (EG.7.3)
 IM: Energy Security Program (#100453)
 Implementer: Tetra Tech ES, Inc.

Increases:

Ukraine: \$2,000,000 (FY 2018 AEECA)
 Category: Democracy, Human Rights and Governance (DR)
 Program Area: Good Governance (DR.2)
 Program Element: Non-security Executive Authority - Function and Processes (DR.2.2)
 IM: Cross-Cutting (EG&DG) Cyber (#104720)
 Implementer: TBD

Ukraine: \$5,430,000 (FY 2018 AEECA)
 Category: Democracy, Human Rights and Governance (DR)
 Program Area: Good Governance (DR.2)
 Program Element: Local Government and Decentralization (DR.2.3)
 IM: Decentralization Offering Better Results and Efficiency (DOBRE) (#100373)
 Implementer: Global Communities

Ukraine: \$2,000,000 (FY 2018 AEECA)
 Category: Democracy, Human Rights and Governance (DR)
 Program Area: Good Governance (DR.2)
 Program Element: Local Government and Decentralization (DR.2.3)
 IM: Ukraine Confidence Building Initiative (#100411)
 Implementer: Chemonics, Inc.

Ukraine: \$500,000 (FY 2018 AEECA)
 Category: Democracy, Human Rights and Governance (DR)
 Program Area: Good Governance (DR.2)
 Program Element: Anti-Corruption Reforms (DR.2.4)
 IM: SAFEMed (#102869)

Implementer:	Management Sciences for Health, Inc.
Ukraine:	\$2,000,000 (FY 2018 AEECA)
Category:	Democracy, Human Rights and Governance (DR)
Program Area:	Political Competition and Consensus-Building (DR.3)
Program Element:	Elections and Political Processes (DR.3.2)
IM:	Ukraine Responsive and Accountable Politics Program
(U-RAP) (#100242)	
Implementer:	Consortium For Elections & Political Process
Strengthening	
Ukraine:	\$1,200,000 (FY 2018 AEECA)
Category:	Democracy, Human Rights and Governance (DR)
Program Area:	Civil Society (DR.4)
Program Element:	Civic Education, Citizen Participation and Public
Accountability (DR.4.3)	
IM:	Enhance Non-Governmental Actors and Grassroots
Engagement (ENGAGE) (#100377)	
Implementer:	Pact
Ukraine:	\$3,000,000 (FY 2018 AEECA)
Category:	Democracy, Human Rights and Governance (DR)
Program Area:	Civil Society (DR.4)
Program Element:	Civic Education, Citizen Participation and Public
Accountability (DR.4.3)	
IM:	Ukraine Confidence Building Initiative (#100411)
Implementer:	Chemonics, Inc.

Tab 2**Earmark Verification Table for Ukraine**

Earmark/ Directive (Account)	FY 2018 653 (a) Control	FY 2018 Approved OP	FY 2018 Allocation to Date	FY 2018 Allocation, This Request	Resulting FY 2018 Allocation
Democracy Programs (AEECA)	\$59,080,000	\$116,566,474	\$115,566,474	\$16,130,000	\$131,696,474

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Page 29 of 60

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Jenai Tinsley <jtinsley@usaid.gov>

Re: FY 2018 Obligations - Urgent Action

Tricia Schmitt <tschmitt@usaid.gov>

Wed, Sep 18, 2019 at 8:28 PM

To: "USAID.AA-DIR Maillist" <usaid.aa-dirmaillist@usaid.gov>, "USAID.DAA-DDIR Maillist" <usaid.daa-ddirmaillist@usaid.gov>, "BRM (USAID)" <brm@usaid.gov>, BRM's Program Offices Mail List <brmsprogramoffices@usaid.gov>, William Steiger <wsteiger@usaid.gov>, Tanner Mastaw <tmastaw@usaid.gov>, "Reginald Mitchell (CFO)" <remitchell@usaid.gov>, Nancy Mausolf <nmausolf@usaid.gov>, Kent Kuyumjian <kkuyumjian@usaid.gov>, Angelique Crumbly <acrumbly@usaid.gov>, Youshea Berry <yberry@usaid.gov>, Donald Gressett <dgressett@usaid.gov>, Richard Parker <riparker@usaid.gov>, Sonali Korde <skorde@usaid.gov>, Eddy Acevedo <edacevedo@usaid.gov>, Angela McNerney <amcnerney@usaid.gov>, Casey Redmon <credmon@usaid.gov>, Kathy Body <kbody@usaid.gov>

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Process Privilege

Good Evening!

BRM and M/CFO will continue to frequently monitor accounts activity. Please let us know immediately if there are any barriers to obligating these funds as quickly as possible.

Thanks very much, Tricia

On Thu, Sep 12, 2019 at 3:03 PM Tricia Schmitt <tschmitt@usaid.gov> wrote:

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Deliberative
Process Privilege

Dear Colleagues,

The Department of State has approved the [REDACTED] that are authorized for obligation. We have prioritized urgent actions and critical staffing and A&O costs. See attached funding guidance memo for more information and do not hesitate to reach out to Reggie or I with any questions. Thanks very much.

On Tue, Aug 27, 2019 at 9:48 PM Tricia Schmitt <tschmitt@usaid.gov> wrote:

Dear Colleagues:

Pursuant to the OMB reappropriation letter issued on August 9, 2019, USAID is hereby authorized to incur obligations/expenses from these three accounts: [REDACTED]

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Process Privilege

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Process Privilege

Funds allotted for the enumerated priority programs in the attached document should be obligated as soon as possible. The Agency's procurement and financial systems will be available for obligation as of 11 p.m. EST.

Please do not hesitate to reach out if you have any questions. Thank you very much.

Sincerely,

Reginald W. Mitchell (M/CFO) and Tricia Schmitt (BRM)

--

Tricia Schmitt
Director
Office of Budget & Resource Management
Phone: 202-712-4846
E-mail: tschmitt@usaid.gov

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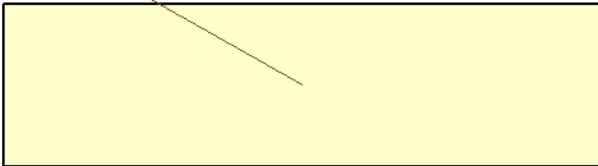
Tricia Schmitt
Director
Office of Budget & Resource Management
Phone: 202-712-4846
E-mail: tschmitt@usaid.gov

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Tricia Schmitt
Director
Office of Budget & Resource Management
Phone: 202-712-4846
E-mail: tschmitt@usaid.gov

(b)(5); (b)(5)
Deliberative
Process Privilege

2 attachments



September 12, 2019

FUNDING GUIDANCE MEMO

TO: Assistant Administrators

FROM: Reginald W. Mitchell, Chief Financial Officer, Management Bureau (M/CFO) /s/
Tricia Schmitt, Director, Office of Budget and Resource Management (BRM) /s/

SUBJECT:

[REDACTED]

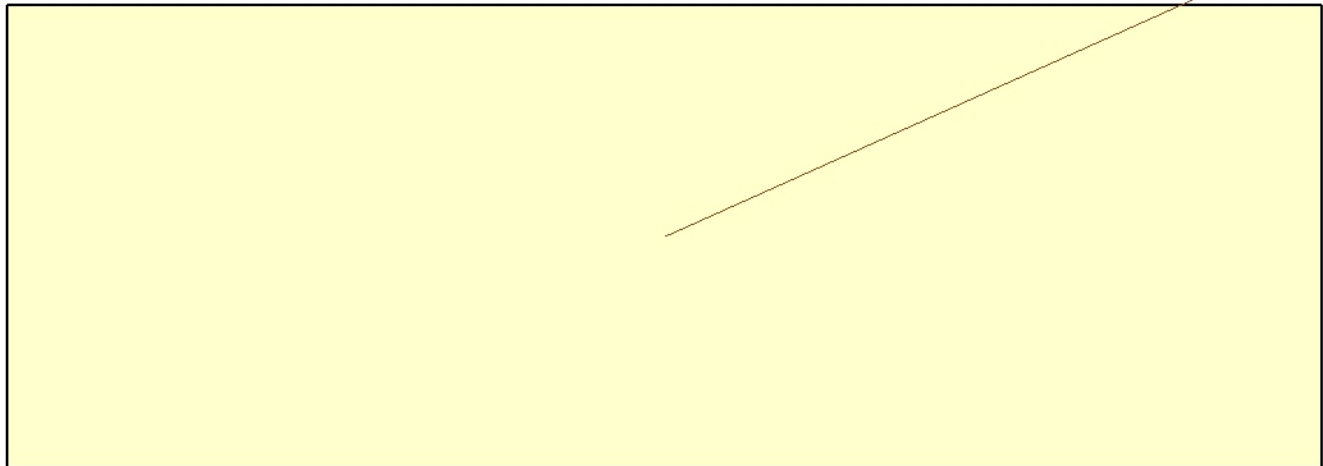
Pursuant to the OMB reappropriation letters issued on August 9 and August 29, USAID is authorized to incur obligations/expenses from the following [REDACTED]

[REDACTED] within the authorized amounts and in accordance with the conditions, limitations, and purposes stated in this document.

[REDACTED] provides the specific list of additional obligations that are authorized to proceed at this time. This document builds on the prior authorization provided to bureaus on additional guidance from the August 28, as well as the specific authorizations/allotments provided by the Department of State [REDACTED]

To avoid Anti-deficiency Act violations, no funding shall be obligated for programs other than those specifically enumerated in [REDACTED] (this includes paper obligations not reflected in this document or for items previously authorized).

Pursuant to the OMB reappropriation, the Agency cannot obligate more than the allowable amount in each account in the table below and outlined in the attachment:

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*Pending reprogramming and reapportionment actions will be made available for obligation after the receipt of the approved reapportionment SF-132 from the Office of Management and Budget, and subsequent allotment from the Department of State.

Funds allotted for authorized programs must be obligated during FY 2019 under the current assumption that obligation activities for these programs as soon as possible, but no later than 11:59 pm (Local Time) on September 30, 2019. Please note that while the restrictions on these accounts have been lifted in the Agency's procurement and financial systems, GLAAS and Phoenix, **only obligations against the programs for authorized programs and their corresponding implementing mechanisms can proceed at this time for programs.**

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Process Privilege

reprogramming actions that will be made available for obligation after the receipt of the approved apportionment schedule from the Office of Management and Budget, and subsequent allotment from the Department of State.

Unobligated balances will either expire or be automatically withdrawn for reapportionment and allotment in applicable future fiscal periods. Obligations and/or expenditures that exceed any limitation set forth on this document may constitute a violation of 31 U.S.C. 1517. Allottees are responsible for ensuring amounts obligated are consistent with and comply with any restrictions or limits placed on these funds by OMB through the apportionment process. Allottees are responsible for ensuring all obligations and expenditures are consistent with applicable legal requirements, including those pertaining to Congressional Notifications, withholdings, and other reporting requirements. Allottees are also responsible for compliance with all policy restrictions. Allottees may not obligate against anticipated budgetary resources such as anticipated reimbursements. See ADS 634.3.3.3 Allotment of Funds.

Per section 145.6 of OMB Circular A-11, obligations incurred against an anticipated budgetary resource are a violation of the Anti-deficiency Act. Allotment of reimbursable authority is subject to OMB Circular A-11. In particular, section 20.12(a) allows revolving funds to operate on a reimbursable basis when working capital is available. Otherwise, advance payments must accompany orders. Section 20.12(c) stipulates that reimbursements under the

Economy Act are not available for disbursement until received. Allottees may incur obligations against signed agreements or orders from other Federal accounts without an advance - the order establishes obligational authority only and allottees may not disburse the account into a negative cash position.

document, the referenced bureaus should coordinate with one another as necessary to expeditiously obligate funds. Please notify Tricia Schmitt, BRM, and Reginald W. Mitchell, M/CFO, as soon as practicable of any proposed deviations from the obligations plan in the attached tables for the available AEECA, DA, and/or ESF funding. Include the following information for each action:

- Project/Activity Name
- Amount
- Project Description
- Mechanism affected and amount
- Current Location of Funds (Bureau)
- If Approved, Expected Obligation Date

BRM and M/CFO will frequently monitor accounts activity throughout this period. Any actual versus planned deviations will be quickly reviewed and addressed so that we can collectively take the appropriate action to have obligations for the proposed programs proceed. It is imperative that obligation officials only obligate the amounts noted in this document and pay particular attention to the totality of funding on the mechanisms to revise/update any previously committed amounts as necessary.

Attachments:

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of the Freedom of Information and Privacy Act



Jenai Tinsley <jtinsley@usaid.gov>

Re: FY 2018 Obligations - Urgent Action

Tricia Schmitt <tschmitt@usaid.gov>

Thu, Sep 12, 2019 at 3:03 PM

To: "USAID.AA-DIR Maillist" <usaid.aa-dirmaillist@usaid.gov>, "USAID.DAA-DDIR Maillist" <usaid.daa-ddirmaillist@usaid.gov>, "BRM (USAID)" <brm@usaid.gov>, BRM's Program Offices Mail List <brmsprogramoffices@usaid.gov>, William Steiger <wsteiger@usaid.gov>, Tanner Mastaw <tmastaw@usaid.gov>, "Reginald Mitchell (CFO)" <remitchell@usaid.gov>, Nancy Mausolf <nmausolf@usaid.gov>, Kent Kuyumjian <kkuyumjian@usaid.gov>, Angelique Crumbly <acrumbly@usaid.gov>, Youshea Berry <yberry@usaid.gov>, Donald Gressett <dgressett@usaid.gov>, Richard Parker <riparker@usaid.gov>, Sonali Korde <skorde@usaid.gov>, Eddy Acevedo <edacevedo@usaid.gov>, Angela McNerney <amcnerney@usaid.gov>, Casey Redmon <credmon@usaid.gov>

(b)(5); (b)(5) -
Deliberative
Process Privilege

Dear Colleagues,

The Department of State has approved the next [REDACTED] We have prioritized urgent actions and critical staffing and A&O costs. See attached funding guidance memo for more information and do not hesitate to reach out to Reggie or I with any questions. Thanks very much.

On Tue, Aug 27, 2019 at 9:48 PM Tricia Schmitt <tschmitt@usaid.gov> wrote:

Dear Colleagues:

(b)(5); (b)(5) -
Deliberative
Process Privilege

(b)(5); (b)(5) -
Deliberative
Process Privilege

Pursuant to the OMB reappropriation letter issued on August 9, 2019, USAID is hereby authorized to incur obligations/expenses from these [REDACTED]

Funds allotted for the enumerated priority programs in the attached document should be obligated as soon as possible. The Agency's procurement and financial systems will be available for obligation as of 11 p.m. EST.

Please do not hesitate to reach out if you have any questions. Thank you very much.

Sincerely,

Reginald W. Mitchell (M/CFO) and Tricia Schmitt (BRM)

--

Tricia Schmitt
Director
Office of Budget & Resource Management
Phone: 202-712-4846
E-mail: tschmitt@usaid.gov

--

Tricia Schmitt
Director
Office of Budget & Resource Management
Phone: 202-712-4846
E-mail: tschmitt@usaid.gov

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3 attachments

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Process Privilege

Funding Guidance Memo Sept 9.docx
14K

[Redacted]

[Redacted]

August 27, 2019

FUNDING AUTHORITY GUIDANCE

TO: Assistant Administrators

FROM: Reginald W. Mitchell, Chief Financial Officer, Management Bureau (M/CFO) /s/
Tricia Schmitt, Director, Office of Budget and Resource Management (BRM) /s/(b)(5); (b)(5) -
Deliberative
Process Privilege

SUBJECT:

(b)(5); (b)(5) -
Deliberative
Process PrivilegePursuant to the OMB reappropriation letter issued on August 9, 2019, USAID is hereby
authorized to incur obligations/expenses from these

Funds allotted for the enumerated priority programs in the attachment must be obligated as soon as possible during FY 2019. To avoid Anti-deficiency Act violations, no funds shall be obligated for programs other than the enumerated priority programs listed in the attachment (this includes paper obligations not reflected in the enumerated priority programs.)

Pursuant to the OMB reappropriation, the Agency cannot obligate more than the allowable amount in each account in the table below and outlined in the attachment:

Funds allotted for the enumerated priority programs (attached) must be obligated during FY 2019 under the current assumption that obligation activities for these priority programs occur as soon as possible, but no later than 11:59 pm (Local Time) on September 30, 2019. Please note that while the restrictions on these accounts have been lifted in the Agency's procurement and financial systems, GLAAS and Phoenix, only obligations against the priority programs and their corresponding implementing mechanisms are authorized at this time for programs.

Unobligated balances will either expire or be automatically withdrawn for reapportionment and allotment in applicable future fiscal periods. Obligation and/or expenditures that exceed any limitation set forth on this document constitute a violation of 31 U.S.C. 1517. Allottees are responsible for ensuring amounts obligated are consistent with and comply with any restrictions or limits placed on these funds by OMB through the apportionment process. Allottees are responsible for ensuring all obligations and expenditures are consistent with applicable legal requirements, including those pertaining to Congressional Notifications, withholdings, and other reporting requirements. Allottees are also responsible for compliance with all policy restrictions. Allottees may not obligate against anticipated budgetary resources such as anticipated reimbursements. See ADS 634.3.3.3 Allotment of Funds.

Per section 145.6 of OMB Circular A-11, obligations incurred against an anticipated budgetary resource are a violation of the Anti-deficiency Act. Allotment of reimbursable authority is subject to OMB Circular A-11. In particular, section 20.12(a) allows revolving funds to operate on a reimbursable basis when working capital is available. Otherwise, advance payments must accompany orders. Section 20.12(c) stipulates that reimbursements under the Economy Act are not available for disbursement until received. Allottees may incur obligations against signed agreements or orders from other Federal accounts without an advance - the order establishes obligational authority only and allottees may not disburse the account into a negative cash position.

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We are sending this memorandum to each bureau that has received allotted funds from

document, the referenced bureaus should coordinate with one another as necessary to expeditiously obligate funds. Please notify Tricia Schmitt, BRM, and Reginald W. Mitchell, M/CFO, as soon as practicable, but no later than close of business on Tuesday, September 3, 2019, if any deviations from the obligations plan in the attached tables for the available AEECA, DA, and/or ESF funding are anticipated. Include the following information for each action:

- Project/Activity Name
- Amount
- Project Description
- Mechanism affected and amount
- Current Location of Funds (Bureau)
- If Approved, Expected Obligation Date

BRM and M/CFO will frequently monitor accounts activity throughout this period. Any actual versus planned deviations will be quickly reviewed and addressed so that we can collectively take the appropriate action to have obligations for the proposed programs proceed. It is imperative that obligation officials only obligate the amounts noted in this document and pay particular attention to the totality of funding on the mechanisms to revise/update any previously committed amounts as necessary.

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Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

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1	Ukraine	Democratic Governance	USAID Democratic Governance East Activity	Contract No. 72012118C00006	\$10,000,000
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Jenai Tinsley <jtinsley@usaid.gov>

FY 2018 Obligations - Urgent Action

Tricia Schmitt <tschmitt@usaid.gov>

Tue, Aug 27, 2019 at 9:48 PM

To: "USAID.AA-DIR Maillist" <usaid.aa-dirmaillist@usaid.gov>, "USAID.DAA-DDIR Maillist" <usaid.daa-ddirmaillist@usaid.gov>, "BRM (USAID)" <brm@usaid.gov>, BRM's Program Offices Mail List <brmsprogramoffices@usaid.gov>, William Steiger <wsteiger@usaid.gov>, Tanner Mastaw <tmastaw@usaid.gov>, "Reginald Mitchell (CFO)" <remitchell@usaid.gov>, Nancy Mausolf <nmausolf@usaid.gov>, Kent Kuyumjian <kkuyumjian@usaid.gov>, Angelique Crumbly <acrumbly@usaid.gov>, Youshea Berry <yberry@usaid.gov>, Donald Gressett <dgressett@usaid.gov>, Richard Parker <riparker@usaid.gov>, Sonali Korde <skorde@usaid.gov>, Eddy Acevedo <edacevedo@usaid.gov>, Angela McNerney <amcnerney@usaid.gov>

Dear Colleagues:

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Pursuant to the OMB reappropriation letter issued on August 9, 2019, USAID is hereby authorized to incur obligations/expenses from these [REDACTED]

the amount of this authority in accordance with the conditions, limitations, and purposes stated in this attached document.

Funds allotted for the enumerated priority programs in the attached document should be obligated as soon as possible. The Agency's procurement and financial systems will be available for obligation as of 11 p.m. EST.

Please do not hesitate to reach out if you have any questions. Thank you very much.

Sincerely,

Reginald W. Mitchell (M/CFO) and Tricia Schmitt (BRM)

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Tricia Schmitt
Director
Office of Budget & Resource Management
Phone: 202-712-4846
E-mail: tschmitt@usaid.gov

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2 attachments



Allottee Letter Draft DA, AEECA, ESF merged (1).docx
12K



179K