



**USAID Afghanistan Implementing Partners
Frequently Asked Questions
Updated October 22, 2021**

1. **Question:** Can we pay our employees through the Hawala system?

Response: We understand the urgency and critical nature of this issue. USAID cannot provide a blanket approval for the use of hawalas (relationship-based anonymous money transfers using trusted proxies). Please work with your cognizant Contracting/Agreement Officers (CO/AOs) to determine options that may be available and the risks involved in utilizing those options.

2. **Question:** Will USAID issue changes under the FAR change clause to formalize modifications?

Response: Contractors should work with their Contracting Officers (COs) and Contracting Officer Representatives (CORs) to determine needed changes to their awards and related modifications.

3. **Question:** We appreciated the Administrative Relief guidance at the onset of the pandemic. Will there be a review of those measures to determine what of those might also be applied to this crisis?

Response: All the administrative flexibilities for the pandemic were provided by the Office of Management and Budget (OMB) and were for federal financial assistance awards - applicable across the U.S. Government (USG). They were not specific to USAID. This administrative relief is not applicable to other situations.

4. **Question:** Please provide clarification of the guidance that was provided to Implementing Partners on administrative approvals. Can you confirm that international evacuation costs (airfare out of Afghanistan, per diem, transportation etc.) for working remotely are allowable under assistance awards? Below is the pertinent section from the OAA letter:

“Evacuation Costs under Assistance Awards. USAID authorizes recipients to expend program funds for the purpose of ensuring staff safety and security, both local and

expatriate. This includes payment of salary and allowances. Amounts not exceeding those established in Chapter 600 of the Department of State Standardized Regulations, and the Federal Travel Regulations will generally be considered reasonable.”

Response: USAID further stated, “I encourage you to continue taking steps to provide for the safety and security of your staff. USAID considers such costs to be necessary for performance under the award when otherwise reasonable, allowable, and allocable.” Under assistance awards, international evacuation costs are allowable to the extent that they are necessary to provide for the safety and security of your staff, are in accordance with your own policies, and are otherwise allowable, allocable, and reasonable. For activity specific questions please contact your AOR/COR and AO/CO.

The September 7 guidance regarding allowability of evacuation costs does not relieve the IP from submitting the proper justification and cost analysis for the CO/AO to determine allowability of cost and budgetary impact under the specific award, when/if requested by USAID.

5. **Question:** Management operations have now been located outside Afghanistan (and the US), is post differential for where we’ve relocated an allowable cost?

Response: Implementing Partners (IPs) are responsible for ensuring costs are incurred in accordance with their organizational policy and USG regulations. Staff under temporary evacuation may be eligible for post differential, please work with your cognizant CO/AO on such issues.

6. **Question:** The September 7 issued guidance indicates that USAID will generally allow evacuation costs according to the Department of State Standardized Regulations (DSSR). Please confirm that IPs can follow their organizational policies in this respect.

Response: The DSSR applies directly to USG employees. The DSSR is referenced in USAID’s letter to establish a known standard for reasonableness of evacuation-related costs. Without more information and reference to your applicable cost principles, we cannot confirm whether your organizational policies are in compliance. Please contact your cognizant AO/CO for further discussion.

The September 7 guidance regarding allowability of evacuation costs does not relieve the IP from submitting the proper justification and cost analysis for the CO/AO to determine

allowability of cost and budgetary impact under the specific award, when/if requested by USAID.

- 7. Question:** Pursuant to AIDAR 722.170 (b), “Employment of third country nationals (TCN's) and cooperating country nationals (CCN's) Compensation,” We request approval through the Contracting Officers (COs) to make payments for compensation to CCN employees in US Dollars.

Response: As of this time, USAID has not provided such authorization. We understand the urgency and critical nature of this issue. We are reviewing this and will provide more information when/if available.

- 8. Question:** Section 4. Maintaining Readiness and Salaries under Acquisition & Assistance Awards. The September 7, 2021, guidance states in No. 4 “USAID authorizes implementing partners to continue paying staff salaries and **provide necessary support to staff**, in accordance with this letter and the terms and conditions of their awards.” Could USAID clarify what types of support are envisioned here?

Response: An acceptable standard for necessary support is reasonable measures to provide for staff safety and security. Partner responses will vary, depending on the particulars of their situation, including the terms of their awards, the applicable cost principles, their organizational policies, and the availability of funding for their awards. A further discussion will be needed with your cognizant AO/CO.

- 9. Question:** Section 4. Maintaining Readiness and Salaries under Acquisition & Assistance Awards. Is the previous government’s National Technical Assistance (NTA) scale still in effect in Afghanistan, or has it been adjusted, repealed, or replaced? If the pre-existing NTA scale or some version of it is still in effect, will USAID still limit the reimbursable portion of CCN salaries to the NTA amounts for Afghan employees evacuated to the U.S., where the cost of living is so much higher (especially if those NTA amounts would be below the legal minimum wage in this country)?

Response: At this time, there is no waiver of the NTA scale; applicable cost principles may limit adjustments to salaries at this point in implementation.

- 10. Question:** Section 4. Maintaining Readiness and Salaries under Acquisition & Assistance Award. Is payment in USD allowable? If implementers cannot pay salary to the Afghan bank account, is it allowable to pay into a bank account opened in another

country for staff currently in Afghanistan? If implementers cannot pay money to the staff Afghan bank account, is it allowable to pay salary into a bank account opened by staff elsewhere? If staff is in a third country, is it allowable to pay salary in currency other than Afghani?

Response: As of this time, USAID has not provided authorization of payment in USD. Guidance on payments will be forthcoming from OAA/Afghanistan.

11. **Question:** Section 4. Maintaining Readiness and Salaries under Acquisition & Assistance Award. If Afghan nationals are in the US and have a green card, would USAID agree that these individuals can be converted to expats, with changes in salary in accordance with market rates for the position and payment in USD?

Response: Staff should be treated in accordance with their employment agreements; if the contractor hired an individual to work primarily in Afghanistan, it would not be appropriate to change the essence of the position. If a contractor hired an individual to work in the US and the individual holds a green card, then the employee qualifies as a US national.

12. **Question:** As per September 7 letter from USAID: “USAID is providing the following instructions and administrative authorizations for USAID/Afghanistan acquisition and assistance awards. These authorizations are provided for an initial period of 30 days, beginning August 25, 2021, subject to availability of award funds, and may be extended by notification from the Contracting/Agreement Officer (CO/AO) to a maximum of 180 days.”

Can you kindly let me know if to obtain the 180 days’ extension **we need to formally write to our program’s AO**, or would the approval come **automatically** from the AO before September 25th?

Response: The September 7 guidance was extended until November 22, 2021. These authorizations are not meant to supersede award specific guidance you may have received. The authorities noted in this letter are also not meant to supersede any other USG funded evacuation; they are provided as an alternative option if such support is not feasible. All questions regarding allowability of specific costs must be addressed to the CO/AO.

13. **Question:** We are looking for clarity on the OFAC license with regards to paying local IP staff: “Our previous understanding was that payroll payments to our existing employees was okay under the sanctions rules as long as we do not remit any taxes to the government. Is this correct?”

Response: While USAID cannot provide legal advice regarding OFAC sanctions, we understand the urgency and critical nature of this issue. We are reviewing the issues related to this question and will provide more information when/if available.

14. **Question:** Project subcontractors do not have money to allocate to evacuate their staff. Is there a way we, as USAID IPs, can assist and pay for the evacuation of subcontractor staff, and if so, how can we obtain approvals in order for funds to be released to support their efforts?

Response: USAID did not intend for costs beyond the availability of funds in your award to be covered by USAID's September 7 Implementing Partner notice on administrative approvals.

15. **Question:** Is it allowable to pay taxes to the new government in Afghanistan or should these costs cease?

Response: USAID will work with IPs to assess their interactions with the new government in Afghanistan and what specifically our IPs are being asked for.