



Date: April 27, 2023

Ref: Determination regarding evacuation status for US and TCN staff of Implementing Partners implementing for USAID/Sudan awards

Subject: Guidance to USAID/Sudan Implementing Partners on Administrative Approvals

Dear USAID/Sudan Implementing Partners,

Considering the deteriorating operational and security environment in Sudan, USAID continues to express its full support for our Implementing Partners as you respond and evaluate the best approaches to support your staff.

While we recognize that communications are currently challenging within Sudan, we also request that Implementing Partners continue to communicate closely with USAID. Beyond regular updates, we are requesting that Implementing Partners provide staff departure plans to your Contracting/Agreement Officer (CO/AO) and copy your Contracting Officer's Representatives/Agreement Officer's Representative (COR/AOR).

Authorizations Related to Evacuation Cost Allowability

USAID is providing the following instructions and administrative authorizations for USAID/Sudan acquisition and assistance awards. These authorizations are provided for an initial period of 30 days, retroactive to April 16, 2023, subject to availability of award funds, and may be extended by notification from the CO/AO to a maximum of 180 days. Evacuation within and from Sudan may be considered eligible costs for purposes of this guidance. USAID will provide further guidance as it becomes available.

USAID/Sudan contractors are authorized to use contract funds for travel and transportation costs, including allowances, for US National and Third Country National (TCN) staff during this emergency situation, as follows.

Evacuation costs under Acquisition awards

USAID's Acquisition Regulation (AIDAR) [752.7002 Travel and Transportation \(JAN 1990\)](#) allows for the reimbursement of costs associated with an evacuation of contractor personnel. Specifically, AIDAR 752.7002, item (j), Emergency and irregular travel and transportation, authorizes the Mission Director to make a determination that it is necessary to evacuate the contractor's entire team (employees and dependents).

The MD made this determination in accordance with AIDAR 752.7002(j) on April 27, 2023 and it applies to all awards with performance in Sudan. This allows for contractors to be reimbursed for travel and transportation expenses and travel allowance for US and TCN staff while en route in accordance with the referenced AIDAR clause. Determination of reasonableness, allocability and allowability will be made by the contracting officer based on the applicable cost principles, the Contractor's established policies and procedures, USAID's established policies and procedures for USAID direct-hire employees, and the particular needs of the project being implemented.

Prior approval of travel authorizations, in accordance with [AIDAR 752.7032 International travel approval and notification requirements \(APR 2014\)](#) is not required for emergency travel of contractor personnel and their dependents. Records of authorized emergency evacuation travel should be retained and be provided to USAID as soon as practicable.

By authorizing evacuation, the MD has also authorized payment of allowances under [AIDAR 752.7028 Differentials and Allowances \(JUL 1996\)](#) section (i). The Contractor will be reimbursed for payments made to US and TCN employees and authorized dependents evacuated from their post of assignment in accordance with the Standardized Regulations (Government Civilians, Foreign Areas), Chapter 600, and the Federal Travel Regulations, as from time to time amended. All eligibility criteria in the DSSR must be met in order for the payment to be allowable. The contractor must also refer to this chapter regarding the termination of allowances and differentials at post for evacuated employees. DSSR Chapter 600 authorizes TCN employees and/or dependents to be considered for evacuation travel to their country of origin, point of hire, or designated foreign or U.S. safe haven if this is in the interest of the U.S. Government.

Evacuation Costs under Assistance Awards.

USAID's assistance agreements do not require the same specific approvals as needed for acquisition since travel and safety related expenses are governed largely by the recipient's own policies and subject to a standard of reasonableness under the cost principles. USAID considers amounts not exceeding those established in Chapter 600 of the Department of State Standardized Regulations, and the Federal Travel Regulations to generally be considered reasonable. Within those parameters, Implementing Partners are encouraged to determine reasonable rates specific to their operating environment and award or subaward needs.

Advanced Salary and 13-month Salary Payment

If 13-month salary payments and/or other salary advance options are included in the employment agreement, Implementing Partners are authorized and encouraged to make these payments in advance, in accordance with current local labor laws. Such support must be within the current ceiling of your award and is subject to the availability of funds obligated to your award.

Subawards and Grantees

While this guidance is directed at prime awards, it can be used by Implementing Partners to make their determination on allowability of costs incurred and other programmatic authorities

therein for their subwardees and grantees. The consideration of approval of subaward or grant costs must be consistent with the terms and conditions of the respective subaward or grant and company policy of the Prime Awardee.

Ongoing Developments and Communication

USAID will continue to assess the situation in Sudan and maintain communications with partners going forward. In the meantime, I encourage you to continue taking reasonable measures 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.

We ask that you monitor the situation in Sudan closely and continue to provide us with information on staff safety and any planned departures. USAID will post updated Questions and Answers in the coming days. All questions regarding allowability of specific costs must be addressed to the CO/AO.

USAID is grateful for your support and the important work you are doing at this time.

Sincerely,

Erik Singer
Contracting/Agreement Officer
USAID/Sudan