

C12. CHAPTER 12

HUMANITARIAN ASSISTANCE AND MINE ACTION PROGRAMS

C12.1. DEFINITION AND PURPOSE - HUMANITARIAN ASSISTANCE AND MINE ACTION PROGRAMS

The Defense Security Cooperation Agency's (DSCA) Humanitarian Assistance and Mine Action (HA/MA) programs are assistance programs aimed at alleviating economic or infrastructure deficiencies or other endemic conditions including disease, hunger, pain, or privation that threaten human life, damage to or loss of property, or social or political stability in developing nations. They are designed to supplement or complement the efforts of host nation civil authorities or agencies that have primary responsibility for providing HA/MA. HA/MA programs support United States (U.S.) Forces in their efforts to enhance regional security stability, promote positive public relations and goodwill, improve access and influence with host nation counterparts, bolster indigenous capacity to respond to disasters, provide an example of how a professional military can positively impact the civilian population of the host country and provide training opportunities in operational skills of U.S. forces. HA/MA programs meet these needs by providing the Combatant Commands with a means to carry out peacetime engagement missions, and by augmenting the Combatant Commanders' capabilities to respond to humanitarian crises. The Department of Defense (DoD) must derive some benefit from HA/MA activities. Table C12.T1. summarizes legal references for HA/MA.

Table C12.T1. Humanitarian Assistance and Mine Action (HA/MA) Legislation Summary

Legislation	Subject
10 U.S.C. 401 (reference (bs))	Humanitarian and Civic Assistance (HCA) provided in conjunction with military operations
10 U.S.C. 402 (reference (cz))	Transportation of humanitarian relief supplies to foreign countries
10 U.S.C. 404 (reference (da))	Foreign Disaster Assistance
10 U.S.C. 2557 (reference (db))	Excess non-lethal supplies for humanitarian relief purposes
10 U.S.C. 2561 (reference (bw))	Authorizes use of DoD HA appropriations for transportation of humanitarian relief and for other humanitarian purposes.

C12.2. FUNDING OF HA/MA PROGRAMS

The Overseas Humanitarian, Disaster and Civic Aid (OHDACA) appropriation funds the Humanitarian Assistance Program, the Humanitarian Mine Action Program, and Foreign Disaster Relief and Emergency Response Program. The Military Departments (MILDEPs) fund the Combatant Commanders' Humanitarian and Civic Assistance (HCA) Programs.

C12.3. HA/MA PROGRAM DESCRIPTIONS

C12.3.1. Humanitarian Assistance Program - Excess Property (HAP-EP)

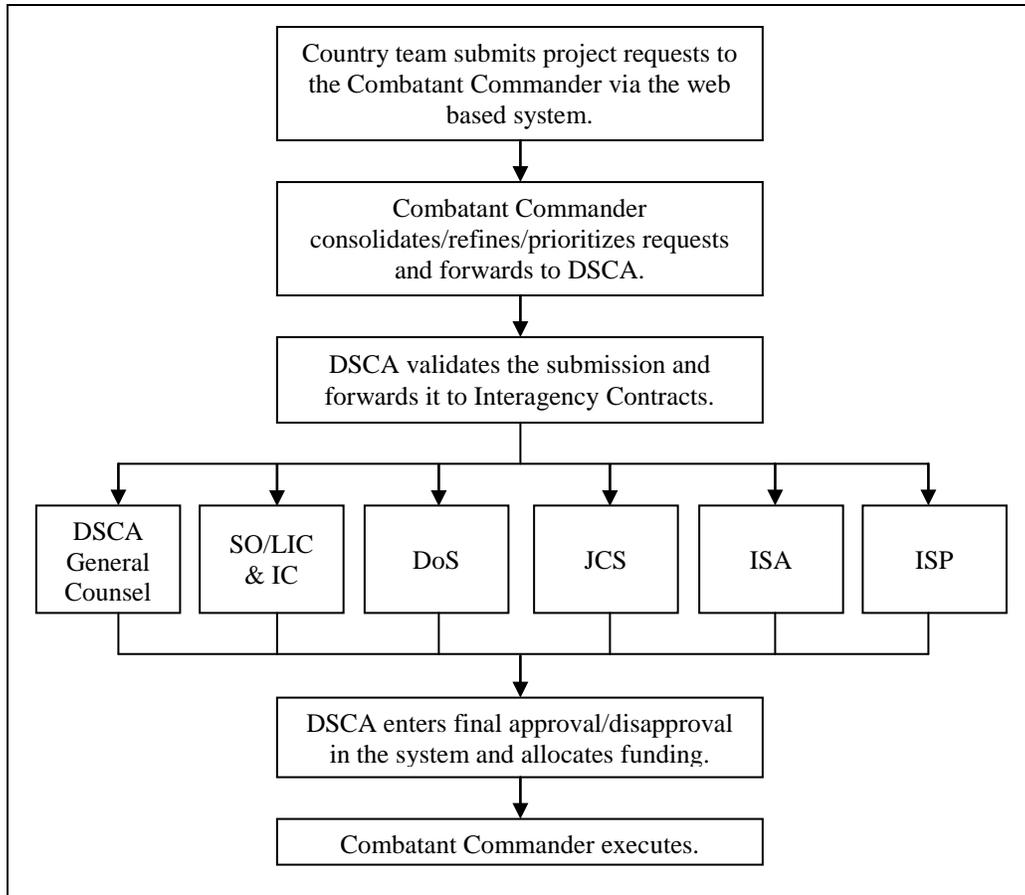
C12.3.1.1. HAP-EP Program Description. 10 U.S.C. 2557 (reference (db)) authorizes the Department of Defense to provide non-lethal, DoD excess supplies to foreign Governments and civilian organizations (orphanages, schools, clinics) for humanitarian relief purposes when requested by the local U.S. Embassy. The Department of Defense processes, refurbishes, stores, and transports the property, and the Department of State (DoS) (U.S. Embassy in host nation) distributes the property to the intended recipients for humanitarian purposes. Examples of property available through this program include medical equipment and supplies, construction equipment, trucks and other vehicles, generators and other electrical equipment, school supplies, tools, furniture, tents, blankets, and clothing. Item availability is not guaranteed and depends on a variety of factors. Property must primarily benefit the recipient country civilians; is donated with no warranties or guarantees and no post donation support; cannot be sold by the recipient Government; and can be donated to the military only if used for civilian purposes.

C12.3.1.2. HAP-EP Program Process. The U.S. Embassy country team submits requests for humanitarian relief to the regional Combatant Commander via the HAP Internet System (HAP-I) (<http://hapep.idss.ida.org>). The Combatant Commander prioritizes the requests and forwards them through HAP-I to the DSCA (Programs Directorate). DSCA (Programs Directorate) coordinates with the Assistant Secretary of Defense for Special Operations/Low-Intensity Conflict/Stability Operations (ASD(SO/LIC/Stability Ops)), which leads the Humanitarian Assistance Policy Committee's (HAPC's) policy review. The Combatant Commanders, the DoS, the Defense Logistics Agency (DLA), DSCA (Office of the General Counsel), the Chairman of the Joint Chiefs of Staff (J4) (Joint Logistics Operations Center), the Assistant Secretary of Defense - International Security Affairs (ASD(ISA)), and the Assistant Secretary of Defense - International Security Programs (ASD(ISP)) as appropriate, facilitate the program review and approval. The DSCA excess property specialists prepare a program approval document for signature by DSCA (Programs Directorate). Funds to cover the cost of transportation, maintenance, and other operating expenses associated with the movement of excess property to the recipient country are provided to the Combatant Commander for approved programs. Approved requests are managed by the Combatant Commands. Figure C12.F1. is a flowchart of the HAP-EP process.

C12.3.1.2.1. Staging Points. There are three staging facilities within the Humanitarian Assistance Program (HAP) system. These staging points provide for or arrange necessary logistics services, technical support, minor repair services and parts, assembly/disassembly, and maintenance services before transporting excess property to ports of embarkation. In the continental U.S. (CONUS), the HAP staging point at the Marine Corps Logistics Base at Albany, Georgia, identifies, screens, and acquires excess property on behalf of the Office of the Secretary of Defense (OSD), the U.S. Southern Command (USSOUTHCOM), the U.S. Central Command (USCENTCOM), and the U.S. Northern Command (NORTHCOM). In the U.S. European Command (USEUCOM), the U.S. Army, Europe (USAREUR) performs these duties at staging points in Germersheim and Wuerzburg, Germany. For the U.S. Pacific Command (USPACOM), the U.S. Army, Pacific (USARPAC) is the agent, with staging points in Sagami and Okinawa, Japan. Personnel at the staging points are responsible for locating required excess property and arranging for shipment. Overall excess property warehouse activity

falls under the purview of the DSCA excess property warehouse manager located at the Marine Corps Logistics Base at Albany, Georgia.

Figure C12.F1. Humanitarian Assistance Program – Excess Property Process Flowchart



C12.3.1.2.2. Item Availability. Constant inventory adjustments make item availability uncertain.

C12.3.1.2.3. Customs Clearances. The U.S. Embassy country team is responsible for clearing customs and distributing excess property for all incoming shipments.

C12.3.1.3. HAP-EP Congressional Report. This annual report lists the excess non-lethal DoD supplies transferred for humanitarian relief purposes under 10 U.S.C. 2557 (reference (db)). The report includes a description and quantity of the items, the date of the transfer, and the receiving entity.

C12.3.2. Humanitarian Assistance – Other (HAO)

C12.3.2.1. HAO Program Description. 10 U.S.C. 2561 (reference (bw)) provides authority to carry out humanitarian projects, other than HA-EP projects, that support the national security and foreign policy goals of the United States. These projects typically include construction or refurbishment of local infrastructure facilities, disaster preparedness or refugee repatriation training, exercises or seminars, assessment visits, and technical and logistics

assistance for foreign recipients. Humanitarian construction projects are generally limited to \$500,000. Proposed projects costing more than \$500,000 require special justification and review by DSCA and DoD Policy. OHDACA funds may occasionally be used to deploy U.S. military teams or DoD-related personnel to carry out diverse humanitarian projects worldwide

C12.3.2.2. HAO Program Process. HAO projects are initiated by foreign country request and/or need through the U.S. Embassy country team and the regional Combatant Commander. Using the HAP-I, DSCA (Programs Directorate) reviews, staffs, and after interagency concurrence, approves the HAO projects. DSCA (Programs Directorate) manages, coordinates, and monitors execution of DoD HAO programs.

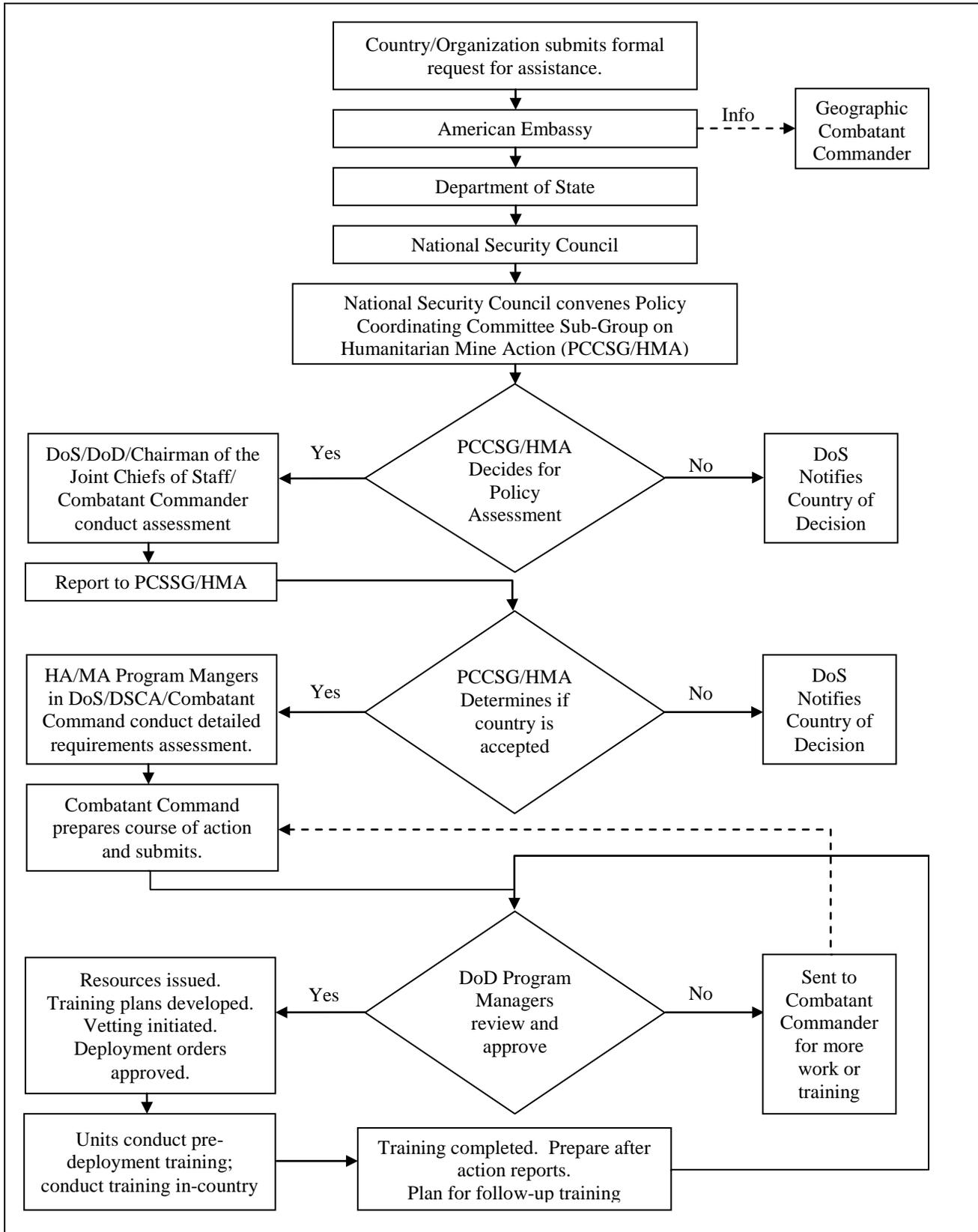
C12.3.2.3. HAO Congressional Report. This annual report lists the HAO provided under 10 U.S.C. 2561 (reference (bw)) for the prior fiscal year and is included with the annual budget submission by the President for the next fiscal year. This report includes the total amount of funds obligated for humanitarian relief and the number of scheduled and completed HA transportation missions under this section.

C12.3.3. Humanitarian Mine Action (HMA)

C12.3.3.1. HMA Program Description. 10 U.S.C. 401 (reference (bs)) authorizes the Department of Defense to carry out humanitarian and civic assistance activities in conjunction with authorized military operations of the U.S. Armed Forces in a country to help foreign Governments in detection and clearance of landmines to include activities relating to the furnishing of education, training, and technical assistance with respect to the detection and clearance of landmines. To a limited degree, supplies, services, and equipment are provided to assist in the conduct of training. By law, U.S. DoD personnel may NOT engage in the physical detection, lifting or destroying of landmines (unless the member does so for the concurrent purpose of supporting U.S. military operations). Total cost of supplies, services, and equipment provided to foreign Governments may not exceed \$5M per fiscal year (all participating countries).

C12.3.3.2. HMA Program Process. Any country experiencing the adverse affects of uncleared landmines may request U.S. assistance. The country must formally request help from the DoS through the U.S. Embassy. (The Country Team provides a copy of the request to the regional Combatant Commander.) The DoS brings the request to the interagency Policy Coordinating Committee Subgroup on Humanitarian Mine Action (PCCSG/HMA) chaired by the National Security Council (NSC). The PCCSG/HMA determines if assistance is warranted. DSCA (Programs Directorate) manages, coordinates, and monitors execution of the DoD HMA training operations and related program activities. DSCA (Programs Directorate) assists the Chairman of the Joint Chiefs of Staff, the U.S. Special Operations Command (USSOCOM), geographical Combatant Commanders, host countries, and other organizations in planning for, establishing, and executing mine action programs. DSCA (Programs Directorate) reviews budget proposals for all demining-related activities in coordination with ASD(SO/LIC). Figure C12.F2. is a flowchart of the HMA process.

Figure C12.F2. Humanitarian Mine Action Process Flowchart



C12.3.3.3. HMA and HCA Congressional Report. This annual congressional report on the preceding fiscal year's HMA and HCA (see paragraph C12.3.4.) activities is submitted to the Senate Armed Services Committee (SASC), the Senate Foreign Relations Committee (SFRC), the House Armed Services Committee (HASC), and the House Foreign Affairs Committee (HFAC), no later than March 1st of each year. The report includes a list of countries in which projects and/or activities occurred during the preceding fiscal year and the type, description, and funding expended for each activity.

C12.3.4. Humanitarian and Civic Assistance (HCA)

C12.3.4.1. HCA Program Description. 10 U.S.C. 401 (reference (bs)) permits U.S. military forces to carry out HCA projects and activities in conjunction with military operations overseas. DoD Directive 2205.2 (reference (dc)) establishes policy and assigns responsibilities of the DoD Components. Military deployments for exercises and training are an integral part of maintaining a forward U.S. military presence, ensuring operational readiness to respond to crises, and preparing U.S. Reserve components for wartime missions. By law, activities must be conducted in conjunction with authorized military operations; promote security interests of both the United States and foreign country; promote operational readiness skills of the U.S. Forces; complement but not duplicate any other U.S. assistance; serve the basic economic and social needs of the country's people; not be used by any individual, group, or organization engaged in military or paramilitary activity; be approved by the DoS and be funded with funds specifically provided for such purpose. MILDEP Operations and Maintenance (O&M) funds are authorized for incidental costs of carrying out this assistance by annual Defense Appropriations Acts (see section 8009 of Public Law 107-248, reference (de)).

C12.3.4.2. HCA Program Process. Any developing nation where U.S. Forces are deployed can request HCA. The Combatant Commander decides which HCA projects are warranted. The interagency approves assistance based on U.S. policy. DSCA (Programs Directorate) and ASD(SO/LIC) manage the process of interagency review and approval for the Combatant Commander's annual HCA plans and all subsequent "out-of-cycle" requests. DSCA (Programs Directorate) also monitors the overall program to ensure that nominations comply fully with U.S. foreign policy, national security objectives, and relevant legislation, before formal approval is provided to the Combatant Commands.

C12.3.4.3. HCA Congressional Report. See subparagraph C12.3.3.3.

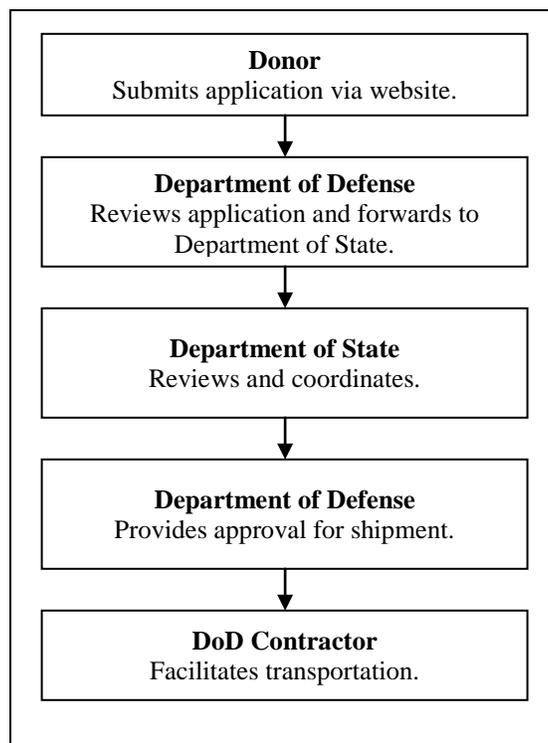
C12.3.5. Funded Transportation Program

C12.3.5.1. Funded Transportation Program Description. 10 U.S.C. 2561 (reference (bw)) authorizes the Department of Defense to use DoD funds to pay for transportation of humanitarian relief worldwide for non-profit, non-Government, and private volunteer organizations. The most common types of humanitarian cargo moved in this program are: medical and/or hospital supplies; educational supplies; food items; clothing and/or shoes; household items (bed lines, mattresses, kitchen supplies, etc); tools and machinery; and other quality of life items. Cargo must be humanitarian in nature and may not include any hazardous, political, or religious material. Cargo cannot be sent to military or paramilitary organization (unless the organization provides a specific service to the civilian population). Minimum cargo is required to fill a 20-

foot container (~35,000 lbs and 1,200 cubic feet). OHDACA appropriation funds the transportation from the place of origin to the recipient country.

C12.3.5.2. Funded Transportation Program Process. Interested non-Government and international organizations submit requests for transportation of humanitarian supplies via the HAP-I, (www.dentonfunded.ida.org). DSCA (Programs Directorate) works with the donor, the DoS, and a DoD contractor to facilitate the application process. Once the application is approved, the contractor arranges all transportation requirements, tracks the shipment to its final destination, and provides weekly updates on all shipments. DSCA (Programs Directorate) certifies invoices for payment of transportation costs. Figure C12.F3. is a flowchart of the Funded Transportation Program process.

Figure C12.F3. Funded Transportation Process Flowchart

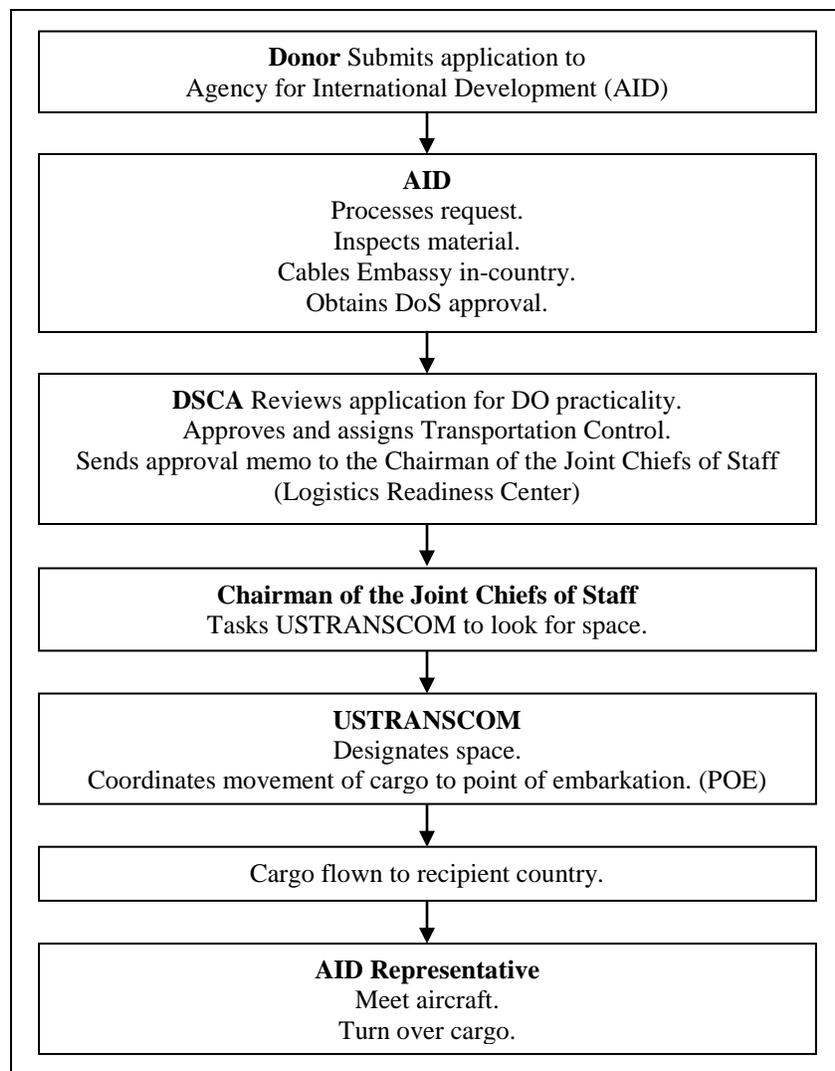


C12.3.6. Denton Program (Space Available Transportation)

C12.3.6.1. Denton Program (Space Available) Description. 10 U.S.C. 402 (reference (cz)) authorizes the transportation, on a space available basis, of humanitarian relief supplies to any country when those supplies have been furnished by a non-Government source. DoD resources provide the space available transportation, primarily by air, on U.S. Air Force aircraft for the same type of cargo and organizations as in the funded transportation program. The Denton Program transportation is from aerial port in CONUS to the aerial port in the recipient country. No costs to the donor or recipient are associated with this program. Cargo must be humanitarian in nature and may not include any hazardous, political, or religious material. Cargo cannot be sent to military or paramilitary organization (unless the organization provides a specific service to the civilian population). Cargo minimum weight is 2,000 lbs and cargo maximum weight is 75,000 lbs.

C12.3.6.2. Denton Program (Space Available) Process. Interested non-Government and international organizations submit requests for transportation of humanitarian supplies via the HAP-I (www.dentonfunded.ida.org). The DoS reviews and submits valid requests to DSCA (Programs Directorate) for action. Applicants must be advised that requests must be formally submitted through the DoS for clearance. DSCA (Programs Directorate) prepares an approval document for the Principal Director, DSCA (Programs Directorate) who has been delegated that authority by the Director, DSCA. This program approval is forwarded to the Director, Joint Staff Logistics Directorate (J4) for action. Joint Staff Logistics Directorate (J4) then tasks U.S. Transportation Command (USTRANSCOM) to conduct the mission. DSCA (Programs Directorate) coordinates with the donor, the DoS, the Agency for International Development (AID), and USTRANSCOM to facilitate the process. Figure C12.F4. is a flowchart of the Denton Program process.

Figure C12.F4. Denton Program Process Flowchart



C12.3.7. Humanitarian Daily Rations (HDRs)

C12.3.7.1. HDR Program Description. Under the humanitarian assistance authority set out in 10 U.S.C. 2561 (reference (bw)) DoD funds are used to procure and provide low cost, nutritional, easily delivered, daily rations for use in foreign countries to alleviate hunger after manmade or natural disasters. HDRs' nutritional content is tailored for people who are near starvation or fleeing from catastrophe to a safer haven and need to eat enroute. HDRs have 2,300 calories, weigh 30 ounces, and are meatless and fortified with vitamins. HDRs were developed to maintain the health of moderately malnourished recipients until conventional relief programs can resume. The DSCA (Programs Directorate) staff manages the purchase, storage, and movement of HDRs. OHDACA funds are used to purchase HDRs. Inventories of HDRs are stored in anticipation of their need in a disaster relief situation. Funds are provided to USTRANSCOM for transporting HDRs.

C12.3.7.2. HDR Program Process. When a foreign country suffers a disaster, it may request assistance in the form of HDRs through the U.S. Embassy. Subparagraph C12.3.8.2. further describes the process.

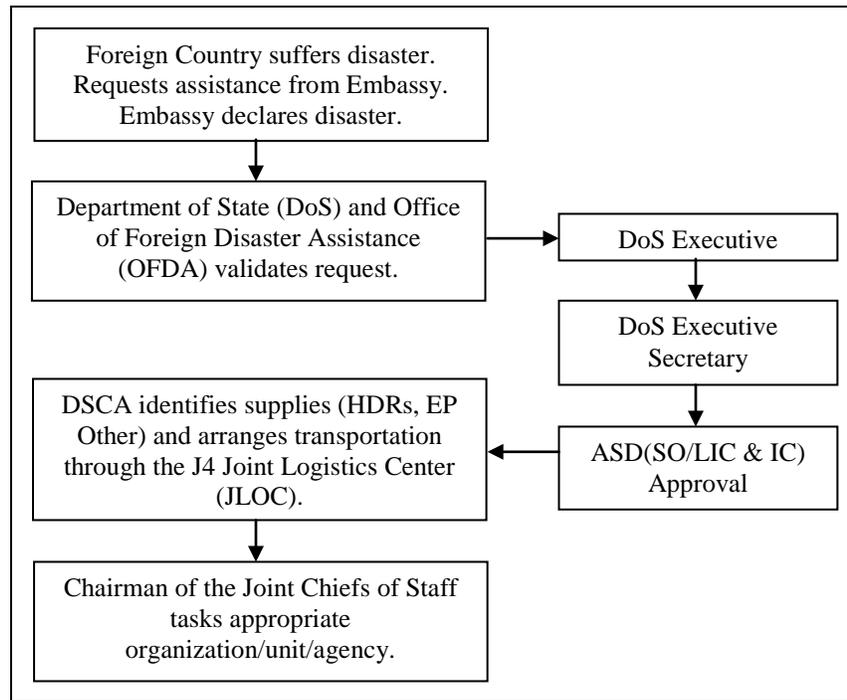
C12.3.8. Foreign Disaster Relief and Emergency Response (FDR/ER)

C12.3.8.1. Disaster Relief Program Description. Pursuant to 10 U.S.C. 404 (reference (da)), the Department of Defense can assist foreign countries to respond to manmade or natural disaster situations when necessary to prevent loss of lives. After the local U.S. Embassy has officially declared a disaster, the Office of Foreign Disaster Assistance (OFDA) assesses the needs and priorities of the country and may request DoD assistance. The assistance may be in the form of transportation, excess property items, HDRs, or some other commodity. The OHDACA appropriation or AID may fund transportation of disaster relief.

C12.3.8.2. Foreign Disaster Relief and Emergency Response Program Process. When a foreign country suffers a disaster, it may request assistance through the U.S. Embassy. The DoS and OFDA validate the request. If deemed necessary, the DoS requests disaster relief assistance from the Department of Defense. ASD(SO/LIC) approves the request and forwards it to DSCA for action. DSCA (Programs Directorate) identifies the required supplies (HDRs, Excess Property, etc.) and works directly with the Joint Staff Logistics Directorate (J4) to provide transportation in support of disaster relief efforts. Figure C12.F5. is a flowchart of the Disaster Relief process.

C12.3.8.3. Congressional Notification for Foreign Disaster Assistance. Not later than 48 hours after the commencement of disaster assistance activities, the President is required by law (10 U.S.C. 404) to transmit a report to Congress containing notification of the assistance (proposed or provided) and a description of the following as is available: the manmade or natural disaster for which disaster assistance is necessary; the threat to human lives presented by the disaster; the U.S. military personnel and material resources involved; the disaster assistance provided by other nations or public or private relief organizations; and the anticipated duration of the disaster assistance activities.

Figure C12.F5. Disaster Relief Process Flowchart



C12.4. CONGRESSIONAL NOTIFICATION-RELIEF FOR UNAUTHORIZED COUNTRIES

When the Department of Defense intends to transport humanitarian relief to a country not specifically authorized by law, 10 U.S.C. 2561 (reference (bw)) requires that Congress be notified not less than 15 days prior to commencing such transportation. Committees requiring notification include the SASC, the SFRC, the HASC, the HFAC, the Senate Appropriations Committee (SAC), and the House Appropriations Committee (HAC).