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June 24, 2025

ACTION MEMORANDUM FOR JEREMY LEWIN, DIRECTOR, OFFICE OF FOREIGN ASSISTANCE (F) & PERFORMING THE DUTIES OF USAID DEPUTY ADMINISTRATOR FOR POLICY AND PLANNING AND CHIEF OPERATING OFFICER

Jeremy Present Lewin

FROM: Kenneth Jackson, Performing the Duties of Deputy Administrator for Management and Resources

SUBJECT: Award Authorization and Pre-Award Waivers for the Gaza Humanitarian Foundation (GHF)

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

Summary

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

- ~~(SBU)~~ We propose a \$30 million Fixed Amount Award, [redacted]

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

- [redacted]

~~(SBU)~~ **Decision Point 1 – SAM Registration and Unique Entity Identifier**

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

~~(SBU)~~ **Requirement (Authority):** Per 2 CFR 25.110(a)(2)(iv), recipients of federal financial assistance must be registered in SAM.gov and have a Unique Entity Identifier (UEI) prior to award.

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

~~(SBU)~~ **Status:** GHF has initiated the SAM registration and UEI process

(b)(4)

(b)(4)

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

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

~~(SBU)~~ **Recommendation:** That you waive the pre-award requirement and include SAM registration and UEI issuance as a condition to be met within 30 days of award.

Decision: Approve Disapprove Discuss

Decision Point 2 – Pre-Award Survey (PAS)

~~(SBU)~~ **Requirement (Authority):** Per 2 CFR 200.206(b), USAID must conduct a Pre-Award Survey (PAS) to evaluate whether an organization has sufficient internal controls to manage USAID funds and comply with award terms.

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

~~(SBU)~~ **Status:** USAID has not conducted a PAS on GHF.

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

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

~~(SBU)~~ **Recommendation:** That you waive the requirement to complete a PAS based on urgent operational needs and policy direction.

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Decision: Approve Disapprove Discuss

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

Decision Point 3 – Pre-Award Risk Assessment (PARA)

~~(SBU)~~ **Requirement (Authority):** Per 2 CFR 200.206(b), USAID must assess the risk of noncompliance and the applicant’s ability to fulfill the specific objectives of a proposed award and to ensure the applicant has adequate safeguards. (b)(5); (b)(5) - Deliberative Process Privilege

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

~~(SBU)~~ **Status:** USAID has not conducted a PARA on GHF.

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

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

~~(SBU)~~ **Recommendation:** That you waive the requirement to conduct a PARA prior to award in light of urgent operational needs.

Decision: Approve Disapprove Discuss

Decision Point 4 – Specific Conditions in Fixed Amount Award



~~(SBU)~~ **Requirement (Authority):** Under 2 CFR 200.208, USAID may impose conditions on an award where the recipient is new to USG funding or lacks demonstrated internal controls. (b)(5); (b)(5) - Deliberative Process Privilege

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

~~(SBU)~~ **Status:** GHF has not undergone a PAS or independent audit; (b)(4)

(b)(4)

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

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

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

~~(SBU)~~ **Recommendation:** That you waive the requirement but include specific conditions in the proposed Fixed Amount Award as outlined in Attachment 1, requiring GHF to submit specified documentation and implement required systems within defined timeframes post-award.

Decision: **Approve** **Disapprove** **Discuss**

Decision Point 5 – Counterterrorism (CT) Pre-Award Vetting

~~(SBU)~~ **Requirement (Authority):** CT pre-award vetting is a legal requirement for USAID-funded partners operating in the West Bank and Gaza. The specific requirements are set forth in Mission Order 21 (MO21) and its Addendum, and may be waived by the Senior Agency Vetting Official (SAVO).

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

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

~~(SBU)~~ **Status:** Vetting under MO21 has not been completed.

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

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

~~(SBU)~~ **Recommendation:** That you waive the pre-award timing requirement under MO 21, with my concurrence, but make vetting and clearance a milestone for subsequent disbursements, consistent with legal and policy guidance.

Decision: **Approve** **Disapprove** **Discuss**

Decision Point 6 – Technical Activity Narrative / Program Description Review

~~(SBU)~~ **Requirement (Authority):** International Disaster Assistance (IDA) funds are broadly authorized for emergency humanitarian purposes,

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although USAID’s Emergency Application Guidelines (EAGs) require that proposed interventions meet technical standards and humanitarian best practices. 2 CFR 200 also requires USAID to conduct a detailed budget review prior to award to determine the reasonableness of costs.

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

~~(SBU)~~ (b)(4)
(b)(4)

~~(SBU)~~ (b)(6)
(b)(5); (b)(5) - Deliberative Process Privilege

~~(SBU)~~ **Recommendation: Recommendation:** That you waive the requirement for a complete technical and budget review prior to award and require submission of revised program documents and budget detail on a rolling basis.

Decision: Approve Disapprove Discuss



Decision Point 7 – Risk Assessment and Management Plan (RAMP)

~~(SBU)~~ **Requirement (Authority):** USAID/BHA requires all NGO applicants to submit a Risk Assessment and Management Plan (RAMP) prior to obligation. The RAMP ensures that partners have planned for legal and operational risks.

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

~~(SBU)~~ (b)(4); (b)(5); (b)(5) - Deliberative Process Privilege
(b)(5); (b)(5) - Deliberative Process Privilege

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

~~(SBU)~~ **Recommendation:** That you waive the requirement for submission of a complete RAMP prior to award. (b)(4)

(b)(4)



Decision: Approve Disapprove Discuss

Decision Point 8 – Award-level Risk Assessment

~~(SBU)~~ **Requirement (Authority):** USAID/BHA requires an internal, award-level risk assessment for any activity implemented in a country or region designated as high-risk, drawing from the applicant’s RAMP and internal USG information and resources. (b)(5); (b)(5) - Deliberative Process Privilege

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

~~(SBU)~~ **Status:** An award-level risk assessment has not been completed for GHF’s proposed programming in Gaza, (b)(4)

(b)(4)

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

~~(SBU)~~ **Recommendation:** That you waive the requirement to complete a pre-award award-level risk assessment memo, requiring the assessment post-award, within 30-60 days, once an updated RAMP is received and reviewed.

Decision: Approve Disapprove Discuss



Decision Point 9 – Congressional Consultation Requirements

~~(SBU)~~ **Requirement (Authority):** Per Section 7073(g) of the Further Consolidated Appropriations Act, 2024 (as incorporated by Section 1102 of the Full-Year Continuing Appropriations and Extensions Act, 2025, P.L. 119-4), USAID is legally required to consult with the Committees on Appropriations prior to obligating any humanitarian assistance for Gaza, informing the Committees of the amount and anticipated uses of the funds.

Consultation may be fulfilled formally or informally, but in cases of exceptional urgency, USAID may rely on its “notwithstanding authority” under the International Disaster Assistance (IDA) account to obligate funds without prior consultation.

~~(SBU)~~ **Status:** Congressional consultation has not yet been completed.

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

~~(SBU)~~ **Recommendation:** That you invoke IDA’s notwithstanding authority to proceed without delay in view of exceptional urgency.

Decision: Approve Disapprove Discuss



Decision Point 10 – Funding Allocation and Signature of Award

~~(SBU)~~ **Funding Allocation and Signature of Award:** The Gaza account currently holds \$30 million in International Disaster Assistance (IDA) funds available to support this initial award. OAA has confirmed that funds are available and appropriately allocated, the award file will reflect documentation of all deviations and waivers, and that risk mitigation measures and award conditions will be incorporated.

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

~~(SBU)~~ **Recommendation:** That you authorize the award obligation and signature by appropriate Agency officials, in line with the policy direction and risk posture described in this memo.

Decision: Approve Disapprove Discuss

Background

(SBU) Providing humanitarian assistance in Gaza through a new partner requires compliance with a range of requirements that are designed to ensure U.S. government assistance is delivered effectively and in line with humanitarian principles, applicable laws, and oversight expectations.

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

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

(SBU) The Gaza Humanitarian Foundation (GHF) is a newly established organization with no prior USG funding. Based on the Administration’s direction and urgent humanitarian need, the Agency is advancing this action under expedited and exceptional procedures, with pre-award requirements waived or deferred. This reflects a deliberate, high-level decision to expand humanitarian access in a situation of extreme urgency. At the same time this recognizes that the procedures being waived did not prevent our long-term partners from failing to deliver assistance to the intended recipients with the vast majority being looted since assistance began again in May. In the same time period, GHF delivered every truck load to the intended recipients.

(SBU) As Acting Deputy Administrator, you have direct authority to waive applicable requirements and to serve as the signatory on the award. Risk mitigation measures, conditions, and enhanced monitoring have been integrated to support accountability and uphold USAID’s obligations.

West Bank/Gaza Requirements

(SBU) As previously certified and reported to Congress under Section 7073(a) and (b) of the FY 2024 Department of State, Foreign Operations, and Related Programs Appropriations Act (P.L. 118-47), U.S. assistance in the West Bank and Gaza is subject to stringent pre-award and implementation safeguards including vetting of contractors and partners, mandatory anti-terrorism clauses in all grants and contracts, OIG and GAO audits, as well as close coordination with Israeli authorities and pre-award due diligence.

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

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

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efforts are supported by standard protocols for internal controls, staff safety, cash and commodity handling, and regular reporting.

~~(SBU)~~ Humanitarian partners are also required to maintain accessible feedback and complaint mechanisms, such as WhatsApp lines, toll-free numbers, and dedicated email accounts, to receive and respond to beneficiary input.

~~(SBU)~~ Implementing partners must submit a context-specific risk assessment or framework with their application. This must identify misuse risks, outline mitigation strategies, and assure that aid will reach beneficiaries.

~~(SBU)~~ USAID/ (b)(5); (b)(5) - Deliberative Process Privilege

(b)(4); (b)(5); (b)(5) - Deliberative Process Privilege

~~(SBU)~~ All partners are required to report suspected cases of fraud, diversion, waste, or abuse to USAID’s Office of Inspector General. USAID reserves the right to disallow costs resulting from any violation of U.S. law. Should the operating context evolve, such adjustments would be subject to negotiation and incorporated through a formal amendment to the Fixed Amount Award.

~~(SBU)~~ To further reinforce transparency, the award will include a condition encouraging GHF to share high-level information on its sources and subcontractors with USAID and, where feasible, to make that information public. The award will also include the mandatory Standard Provision “MANDATORY DISCLOSURES (AUGUST 2024)” (FAA M14) requiring GHF to disclose to the Office of Inspector General (OIG) whenever it has credible

evidence of any violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations. The award will also require reporting to the OIG of any matters related to recipient integrity and performance in accordance with the Standard Provision "Award Term and Condition for Recipient Integrity and Performance Matters (AUGUST 2024)" (FAA RAA22).

USAID Counterterrorism Vetting Procedures

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

(SBU) The vetting process includes the requirement that USAID contracts and subcontracts that cumulatively exceed \$25,000 within a 12-month period are subject to vetting; that USAID grants and cooperative agreements, regardless of dollar amount, are vetted; that the Office of Palestinian Affairs (OPA) at the U.S. Embassy in Jerusalem conducts an additional review of all grants and cooperative agreements; and that vetting takes prior to grants.

USAID retains the discretion to initiate vetting at any time if there is reason to believe that a vendor, recipient, or other entity has links to terrorism.

Attachments

Technical Proposal Review (b)(4)

(b)(3):6 U.S.C. § 133 (Critical Infrastructure Information Act of 2002)

Approved: USAID/FO - Ken Jackson

I confirm the drafter received guidance on this paper's intent, objectives, topics, scope, and structure. Yes No

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Drafted: USAID/FO - (b)(6) with technical Inputs from USAID/BHA, STATE/POLICY PLANNING, and STATE SPECIAL ENVOY FOR MIDDLE EAST

Cleared

Bureau	Name	Clearance Status	Date
BHA/AtA	(b)(6)	INFO	6/23/2025
OAA		Clear	6/24/2025
GC		Clear	6/24/2025
ES		Clear	6/24/2025
A/AID		clear	6/25/2025
A/AID		clear	6/25/2025
DA-MR	KJackson	clear	6/25/2025
STATE/S/P	(b)(6)	clear	6/25/2025
STATE/S/ME		clear	6/25/2025