



USAID | WEST BANK/GAZA

FROM THE AMERICAN PEOPLE

Implementing Partner Notice No. 2024-WBG-03

To: USAID/West Bank and Gaza (WBG) Implementing Partners
From: Daniel Harter, Supervisory Contracting/Agreement Officer
Office of Contracts Management (OCM), USAID/WBG
Date: March 26, 2024
Subject: Gaza Operating Guidelines

Dear Implementing Partners (IPs):

USG development assistance in Gaza entails specific legal and policy requirements, unique operating procedures, and heightened scrutiny. The purpose of this notice is to provide a comprehensive guide to the various requirements as a reminder and for ease of reference.

1. Material Support Concerns

The current circumstances in Gaza require heightened awareness of the risk of diversion of resources or other support to sanctioned groups or individuals. In accordance with USAID/West Bank and Gaza (WBG) contracts and grants, only USAID pre-approved activities to be carried out pursuant to approved workplans /implementation plans are permitted in Gaza. This ensures that all activities are reviewed for compliance with law and policy prohibiting material support to foreign terrorist organizations. Please ensure that approved workplans /implementation plans are followed and if a change or deviation from a workplan /implementation plan is sought, please seek review and approval from your cognizant AOR /COR as soon as possible. All changes /deviations must receive prior approval by USAID and be documented in writing according to the terms and conditions of your respective awards.

2. Security

- **Security Plans:** Gaza implementation requires contractors/recipients to have an up-to-date security plan in place at all times. Security plans must be coordinated with your home office and must follow your organization's policies. Your security plan is not subject to USAID approval. Contractors must follow 'FAR 52.225-19 Contractor Personnel in a Designated Operational Area or Supporting a Diplomatic or Consular Mission Outside the United States' requirements. Please ensure that all staff are trained on your security plan.
- **Smart Traveler Enrollment Program (STEP):** IPs with U.S. citizens traveling or residing in-country should register with the U.S. Embassy in the STEP program at step.state.gov/step/.
- **Tracking and logging of U.S. citizens:** All IPs should keep an up-to-date log of all U.S. citizens traveling to or residing in Gaza and make this information available upon USAID request.

3. No Contact Policy

Please refer to [USAID/WBG Implementing Partner Notice No. 2021-WBG-001](#) issued on August 26, 2021. As stated, all contact with Designated Terrorist Organizations (DTOs), including Hamas, is prohibited (including any Gaza Ministry, any De Facto Authority (DFA), any Gaza Municipality, or any Gaza public institution).

Should your programming under a USAID/ BG award involve the Coastal Municipality Water Utility (CMWU), please contact your respective COR / AOR for current guidance to maintain within your files and records.

Implementing Partner Notice No. 2021-WBG-001 offers some practical guidelines including:

- Register in Ramallah, not Gaza;
- If Hamas contacts you, be polite but minimize the contact;
- Do not provide information or release records;
- Post your annual reports etc. on your websites to enable you to refer to them; and
- Do not pay taxes or fees to the De Facto Authorities (DFAs) – we legally cannot reimburse you for them. Pay the Ramallah authorities.

4. Third Tier Vetting Requirements

The requirements in Mission Order 21, and its Addendum No. 1, apply to all Gaza programming. In addition, third tier vetting may also be required, if determined by USAID. USAID's determination depends on the nature, level, and amount of work being performed at the third tier implementer level. To further illustrate the requirement, if third tier vetting is required, purchases (for program use) from vendors by second tier implementers would be subject to vetting (if above the \$25K threshold).

IPs must ensure that USAID's determination on third tier vetting applicability is on file.

5. Gaza Reconstruction Mechanism (GRM) System

Following the conflict in 2014, the GRM mechanism was established to allow the entry of materials considered 'dual-use' into Gaza for the purpose of reconstruction. IPs should ensure that all such materials are recorded and approved via the GRM (or its replacement) system before entry as applicable.

Please note that entry approval of electrical and IT equipment into Gaza is obtained through Beit Eil (not through the GRM system).

6. Chain of Custody

Please refer to [USAID/WBG Implementing Partner Notice No. 2010-WBG-13](#) issued on June 24, 2010.

IPs must maintain proper "chain of custody" documentation in their files which either demonstrates the commodities' legal transfer into Gaza or demonstrates that commodities were manufactured, grown, or produced in Gaza. This requirement flows down to all subawards as well.

We appreciate your attention to these requirements. This notice does not cancel or supersede any prior USAID/ West Bank and Gaza Implementing Partner notice issued regarding Gaza implementation, unless otherwise stated. Should there be a contradiction between the guidance provided herein and prior notices, please contact OCM for further clarity and guidance.