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**Functional Series [300](#)
Acquisition and Assistance**

INTERIM UPDATE 05-07

SUBJECT: New Marking and Branding Policy Requirements for Assistance Awards
Effective January 2, 2006

NEW MATERIAL: As part of our branding campaign, the Agency has revised our marking requirements for grants and cooperative agreements, based on the final rule titled, "Administration of Assistance Awards to U.S. Non-governmental Organizations (NGOs); Marking Requirements," (http://www.usaid.gov/branding/final_rule.pdf) published in the Federal Register on August 26, 2005, which brings USAID regulations into full alignment with, and implements the statutory requirements of, section 641 of the Foreign Assistance Act of 1961, as amended.

EFFECTIVE DATE: 01/02/2006

This message was sent out 12/20/2005, as an Executive Message.
This notice is being posted to the intranet for record purposes.

ADMINISTRATOR
USAID/General Notice
ES
12/20/2005

EXECUTIVE MESSAGE

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As part of our branding campaign, the Agency has revised our marking requirements for grants and cooperative agreements, based on the final rule titled, "Administration of Assistance Awards to U.S. Non-governmental Organizations (NGOs); Marking Requirements," (http://www.usaid.gov/branding/final_rule.pdf) published in the Federal Register on August 26, 2005, which brings USAID regulations into full alignment with, and implements the statutory requirements of, section 641 of the Foreign Assistance Act of 1961, as amended. Our new marking requirements apply to all recipients of assistance awards, including international and local organizations, as well as U.S. NGOs.

There are three new standard marking provisions: 1) Branding Strategy -- which describes how the program is named, communicated to beneficiaries, and promoted in

the host-country, 2) Marking Plan -- which details the program materials to be marked and identifies any proposed exceptions, and 3) Marking Under USAID-Funded Assistance Instruments -- which requires all programs, projects, activities, public communications, and commodities the Agency partially or fully funds to be marked with the new USAID Standard Graphic Identity of a size and prominence equal to or, in some cases when we are the major donor, greater than the recipient's or other donors. (See Acquisition & Assistance Policy Directive, AAPD 05-10 (http://www.usaid.gov/business/business_opportunities/cib/pdf/aapd05_11.pdf) Agreement Officers will include all three in each NEW Request for Applications or Annual Program Statement and any resulting award after January 2, 2006.

These new requirements, however, are NOT automatic for current assistance awards. USAID Agreement Officers must incorporate the standard provision, "Marking Under USAID-Funded Assistance Instruments," in any current award, when obligating funds after January 2, 2006, to the grant, cooperative agreement or other assistance instrument, whether the obligation is incremental funding within the existing Total Estimated Amount or the obligation increases the total, or when amending the award to reflect significant changes in the program description, budget, or scope of the instrument. When the grant or cooperative agreement does not contain an approved Marking Plan, the recipient will propose and submit a plan for implementing the requirements of this provision within a specified time period.

For new awards, a Branding Strategy and Marking Plan will only be required from the Apparently Successful Applicant; these will NOT be competitively evaluated, but negotiated pre-award and included as part of the agreement.

Recipient-proposed Marking Plans may include requests for approval of Presumptive Exceptions that exempt the general marking requirements of USAID-funded public communications, commodities, program materials or other deliverables for programmatic reasons identified at 22 C.F.R 226 (h).

Final Branding Strategies and Marking Plans included in assistance awards outline if materials will be equally co-branded or if the USAID Identity will be larger and more prominent, as well as any host-country government or ministry involvement and their positioning.

All costs associated with branding (press conferences, media and promotional materials, photography, site visits, success stories, etc.) and marking (plaques, banners, signs, stickers, etc.) are to be included in the Total Estimated Amount of the grant or cooperative agreement or other assistance award.

USAID Principal Officers may at any time after award waive, in whole or part, the marking requirement and marking plan for safety or security reasons or if marking would cause adverse reaction in the host country.

Cognizant Technical Officers (CTOs) are responsible for monitoring compliance. Where recipients fail to comply with the agreed Marking Plan, Agreement Officers will initiate corrective action.

CTOs, Brand Champions and all mission staff are reminded of the distinct difference between assistance and acquisition awards and our different branding and marking policies. If the Agency funds an acquisition award exclusively, our policy is “Exclusive Branding and Marking” with the USAID Identity. The contractor’s logo is not permitted on USAID-funded program materials unless authorized in advance for special circumstances. If the Agency provides assistance through a co-funded instrument, such as a grant or co-operative agreement that requires a cost-share, our policy is “Co-branding and Marking,” as outlined above.

CTOs and Agreement Officers should remind assistance partners that current agreements do have marking provisions for publications and media materials, and those are still valid for existing awards that may not have these new provisions added. Specific questions about current awards should be directed to the Agreement Officer.

An AAPD for Acquisition Awards and the revised ADS 320 chapter for Marking and Branding are being finalized and will be available in the coming weeks.

The Agency’s Senior Advisor for Brand Management is producing the “USAID Partner Co-branding Guide” with examples of program materials marked with the USAID Identity. All missions and implementing partners are encouraged to send examples for inclusion to jgiordano@usaid.gov. The guide will not be in print until spring 2006, but interim guidance will be posted at <http://www.usaid.gov/branding> as available. The guide is only a reference; it and ADS 320 will not affect a partner’s ability to comply with our new marking requirements. All information is included in the marking rule and our new standard provisions.

Our Frequently Asked Questions about marking for assistance awards have been updated and can be accessed at http://www.usaid.gov/branding/marketing_faq.html

Points of Contact: Questions concerning this Notice may be directed to Joanne Giordano, Senior Advisor for Brand Management, jgiordano@usaid.gov or Michael Gushue of the Office of Acquisition and Assistance, Policy Division, Mgushue@usaid.gov

File Name	Notice Date	Effective Date	Editorial Revision Date	ADS CD No.	Remarks
IU3_0507_122105_cd42.doc	12/20/2005	01/02/2006		CD 42	This IU will remain effective until the policy and procedures in it are incorporated into ADS 320.

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