

November 1993

DEPARTMENT OF  
DEFENSE

Changes Needed to the  
Humanitarian and  
Civic Assistance  
Program



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United States  
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National Security and  
International Affairs Division

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The Honorable Lee Hamilton  
Chairman, Committee on Foreign Affairs  
House of Representatives

The Honorable Norman Sisisky  
Chairman, Subcommittee on Oversight  
and Investigations  
Committee on Armed Services  
House of Representatives

In response to your predecessors' request, we reviewed the Department of Defense's (DOD) Humanitarian and Civic Assistance (HCA) Program. More specifically, we examined the extent of the program, the military services' legal authority for carrying it out, and program implementation and monitoring.

## Background

In 1984, attributable in part to growing U.S. interest in events in Latin America and in part to the civil war in Afghanistan, the National Security Council asked DOD to study ways the U.S. military could provide nonlethal assistance to factions believed to be in support of democracy. The Secretary of Defense initiated a study that concluded that DOD assistance for certain humanitarian assistance activities would be appropriate. Since 1985 when Congress first authorized such assistance, the DOD program has grown rapidly.

The primary categories of the HCA Program activities are

- Excess property donations: On request from the State Department, DOD provides nonlethal excess property and supplies from DOD stocks (e.g., medical supplies, clothing, and trucks) to foreign countries. Equipment is shipped by DOD and turned over to the State Department for in-country distribution.
- Civic assistance: Projects are carried out within the regional commands to help build or repair a country's infrastructure (e.g., roads, clinics, and schools) and provide limited health care to rural populations.
- Disaster assistance: DOD responds to foreign man-made or natural disasters when directed by the President or asked by the State Department. Requests come from the U.S. ambassador. If an emergency arises and if it is deemed appropriate by the U.S. military regional

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commander in chief, U.S. military forces can be used for disaster assistance to prevent loss of life.

- **Space-available transportation:** DOD provides space-available, free transportation aboard military aircraft for private donor groups to send food and supplies to starving and needy people in foreign countries.

DOD's Office of Global Affairs, formerly the Office of Humanitarian Assistance, is responsible for overall coordination of the HCA Program and has operational responsibilities for certain activities. For the most part, the military regional commanders in chief are not to implement civic assistance projects without receiving Office of Global Affairs concurrence and State Department approval. Army and Air Force National Guard and Army and Air Force reserve units travel to overseas regional commands to work on many of these projects, especially the ones in Latin America where the units deploy as part of their annual training exercises. DOD's HCA activities are to be coordinated with the U.S. embassy in the host country and the U.S. Agency for International Development.

As part of our review, we visited two U.S. regional commands (the Southern and Pacific commands) and HCA projects in three countries (Panama, Honduras, and Thailand).

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## Results in Brief

DOD's HCA Program is widespread. For example, from fiscal year 1986 through 1992, about 117 countries received excess nonlethal equipment and supplies. In addition, the military services conduct civic assistance projects worldwide. For example, in fiscal year 1993 National Guard units from 29 states traveled to Latin American countries to work on projects. However, the full extent of the program is unknown because some civic assistance projects are not being submitted to the State Department for approval even though approval is required.

For fiscal year 1992, funding for the HCA program was \$22 million. However, the program's full cost is unknown because (1) DOD reports only the cost for consumable materials and supplies used on the civic assistance projects and does not report direct personnel and transportation costs associated with unit deployments, (2) the value of excess property donated to foreign countries is not reported, and (3) the cost of some projects is not reported.

The original authority for DOD to engage in humanitarian assistance activities, known as the Stevens Amendment,<sup>1</sup> was contained in provisions of the annual DOD appropriations acts beginning in fiscal year 1985. In 1987, the Congress enacted legislation giving DOD permanent authority to provide assistance, hereinafter referred to as title 10 legislation. Most activities are paid from the military services Operations and Maintenance (O&M) accounts.

Some differences exist within DOD and between the military commands, however, about whether the Stevens Amendment remains in effect after the passage of title 10 legislation. The two commands we visited have interpreted this issue differently. Contributing to the confusion is the fact that under the 1987 legislation DOD was to issue implementing regulations for this program. However, 6 years later DOD still has not issued an implementing directive giving program guidance and outlining DOD's legal authorities for conducting HCA activities, including clarification of the relationship between the Stevens Amendment and title 10 legislation.

Program coordination between the U.S. military and the U.S. embassies and AID missions in two of the countries we visited—Panama and Honduras—was minimal. We found projects that were not designed to contribute to U.S. foreign policy objectives, did not appear to enhance U.S. military training, and either lacked the support of the host country or were not being used. Finally, the two commands we visited have not systematically evaluated HCA projects to determine their success or failure. HCA program officials at the command level had not performed routine follow-up visits.

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## Full Extent of Assistance Is Unknown

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### Transportation and Personnel Cost Not Reported

DOD does not report the transportation costs for deploying units to foreign countries or the per diem expenses associated with the deployment. When civic assistance project work is not incidental to a training exercise, the cost of the deployment is a direct investment for providing humanitarian

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<sup>1</sup>In fiscal year 1985, as a result of a GAO report on DOD humanitarian/civic assistance projects in Central America stating that DOD had no authority to use appropriated funds for such purposes, Senator Stevens introduced an amendment to the DOD Appropriation Act to allow use of funds for humanitarian and civic assistance incidental to authorized training exercises.

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assistance. However, only a portion of the total costs, the cost for consumable project supplies and materials, is reported to the Congress.<sup>2</sup> The cost for the deployments can be significant because of the large number of soldiers involved. For example, over 8,000 Army National Guard soldiers deployed to Latin America in 1991 for short periods of time to work solely on civic assistance projects. In 1993, about 10,000 soldiers are expected to work on civic assistance projects in Latin America.

Since the actual cost for civic assistance deployments was not readily available, we obtained a cost estimate from the Southern Command. The command estimated that a small deployment of about 14 to 60 troops with an average stay of 14 days would cost about \$315,000 with transportation and per diem accounting for \$250,000 or about 71 percent of the cost.

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**Cost of Excess Property  
Not Reported**

Between 1986 and 1993, the United States donated over 57,000 excess DOD supply items to foreign countries through the humanitarian assistance excess property program. Transfer authority for this program is currently contained in 10 U.S.C. 2547. Prior to 1990, DOD (through the Secretary of State) reported the acquisition value of the items rather than their current market value, which DOD estimated to be about \$49 million from 1986 through 1989. Since 1990 and the repeal of the requirement for a report by the Secretary of State, DOD has not reported the value of items transferred. Most of the items have been transferred since 1990. Transportation costs for providing this excess property to foreign countries is increasing. For example, it rose from about \$15 million in 1992 to about \$28 million in 1993.

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**Some Projects Not  
Reported**

We were told by Southern Command officials that about 10 percent of their civic assistance projects for 1992 were financed with money left over from previously approved projects. These projects, officials explained, were neither forwarded to the Office of Global Affairs for coordination nor sent to the State Department for approval. In addition, our judgmental sample of 33 construction projects that were undertaken by the Southern Command in Panama during 1992 showed that about one-third of the projects had not been submitted for approval. The cost of consumable materials alone for these projects totaled about \$166,000. Southern Command officials told us they did not know the total value of projects that did not receive State Department approval during 1992.

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<sup>2</sup>For fiscal year 1992, these costs amounted to \$6.6 million and were expected to increase to \$8.6 million in fiscal year 1993.

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## Extent of Minimal Assistance Not Known

Not all civic assistance provided by military commands needs to be coordinated with DOD's Office of Global Affairs, approved by the State Department, and included in the DOD report to Congress. Assistance that is considered minimal in nature is exempt. For example, a unit doctor spending a few hours giving immunization shots or dispensing medications to the local population is considered to be giving minimal assistance. Costs for such activities can be financed from other accounts, such as the commands' discretionary fund, rather than by funds appropriated in the O&M account for HCA activities.

Title 10 allows the commands to provide minimal assistance without any requirement for coordination within DOD or approval from State Department. However, title 10 does not define minimal in terms of cost, and the two commands we visited were unsure about what the cost threshold should be.

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## Differing Views on Legal Authority

Authority for DOD's HCA program was first set out in DOD's annual appropriations acts beginning in 1985. Later, authority for DOD to provide humanitarian assistance was made part of title 10.

The original amendment sponsored by Senator Stevens and included in the DOD's fiscal year 1985 appropriation act allowed DOD to spend O&M funds on humanitarian assistance when projects were incidental to authorized operations. However, the conferees considered "operations" to be Joint Chiefs of Staff exercises only. In 1987, title 10 legislation stated that with prior approval from the State Department, assistance could be provided while military units were conducting authorized military operations. Minimal expenditures for HCA activities can also be made under title 10 without prior State Department approval.

Interpretation of the legislation's wording—training exercises and operations—provoked a controversy within DOD. In a June 6, 1988, memorandum, the Army Judge Advocate General concluded that there were only two types of humanitarian and civic assistance activities that could be undertaken by DOD: (1) those under 10 U.S.C. Section 401(a)(1) conducted in conjunction with military operations and requiring the approval of the Secretary of State and (2) those under 10 U.S.C. Section 401(c)(2) that were minimal in nature and did not require State's approval. Subsequently, DOD's Office of General Counsel concluded that the Stevens Amendment remained in effect and that there was a third type

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of activity allowed under this authority—performing HCA projects that are incidental to Joint Chiefs of Staff training exercises.

At the two commands we visited, the legislation was interpreted differently. The Pacific Command claimed that the Stevens Amendment was still in effect and had not been superseded by title 10. The Southern Command claimed that it was unsure whether the Stevens Amendment was in effect. Each command, however, indicated that it was not spending money for civic assistance projects using the Stevens Amendment as its authority.

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### Lack of Clarifying Instructions

Title 10 calls for DOD to issue regulations advising the services on how to implement the HCA Program. DOD officials said that some interim guidance has been issued.<sup>3</sup> However, 6 years after this provision was enacted, a final directive outlining legal positions and operating procedures has not been issued. Without clear definitive guidance from OGA, the two commands have independently developed their own guidance.

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### Some Projects Not Coordinated

Title 10 legislation requires the service secretaries to make a determination before projects are carried out that HCA activities will promote (1) U.S. foreign policy objectives and (2) the operational readiness skills of the members of the armed forces that participate. Title 10 also requires that assistance not duplicate other U.S. assistance programs and serve the basic economic and social needs of the people of the country concerned.

A 1987 Memorandum of Understanding between DOD, the State Department, and AID established procedures for coordinating DOD's HCA Program. The agreement requires that, prior to submitting HCA projects for approval, the regional command obtain the comments and concurrence of the embassy country team.

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### Some Projects Do Not Meet Foreign Policy Objectives

In Panama, we found HCA projects that were not coordinated with the embassy country team and did not match U.S. foreign policy objectives as outlined in the embassy's country plan. For example, the country plan in Panama aims to strengthen Panama's economy by providing indigenous workers with new skills, improving the overall health of the work force,

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<sup>3</sup>For example, instructions have been sent to the embassies via cable instructing ambassadors on how to nominate civic assistance projects for DOD consideration.



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and improving the country's infrastructure.<sup>4</sup> DOD's HCA projects, however, were not designed to improve the local populations' work skills; medical exercises did not have long-term goals so progress could be measured in terms of raising the general health of the population; and projects to improve the infrastructure did not consider the ability of the host nation to maintain them, and some projects were not being used.

As a result of our visit last year, Southern Command officials have signed an agreement with representatives from the embassy in Panama, AID, and the Peace Corps giving the embassy the lead in coordinating assistance and recognizing the importance of ensuring early cooperative efforts between DOD and the State Department. U.S. officials in Honduras subsequently established their own Humanitarian Assistance Committee to coordinate DOD's HCA program.

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## Questionable Training Benefits

In Panama and Honduras we observed that the training U.S. troops receive from working on construction projects was of questionable benefit. Army National Guard and Reserve units deployed to Latin America to work on projects to repair public facilities. Conditions surrounding these deployments for training were supposed to simulate each units' war-fighting requirements and enhance the operational readiness skills of the individual soldiers who participate. Title 10 requires that soldiers' participation in HCA activities promote their readiness skills.

Army Audit Agency reports on road building operations in Central America have been critical of soldiers' performing tasks they were not trained to do. Our review of after-action reports from commanders of units deploying to Honduras and Panama to work on HCA projects in 1989 and 1990 showed that commanders were concerned about having soldiers do jobs they were not trained for. We reviewed situation reports that unit commanders send to the National Guard Bureau detailing problems encountered on overseas exercises. Some problems mentioned include the lack of materials needed to do the work, the inexperience of the soldiers working on projects, and the need for rework due to poor-quality work done by the preceding unit.

On our visits to project sites we noted that in several instances the opportunity for some soldiers to enhance their occupational skills was limited. For example, at one project site a National Guard sergeant in charge of a construction unit repairing a school, told us that he knew little

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<sup>4</sup>Because the country plan is classified, our description is general in nature.

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about construction techniques. The effect of assigning soldiers to do jobs they were not trained for is noticeable in the quality of the construction work done on some of the projects. For example,

- An Army Reserve unit in Panama replaced a hospital clinic roof and repaired the roof's supporting columns. The roof was constructed to slant down and inward toward the center courtyard of the building. The person in charge of the clinic expressed outrage to us because during the rainy season water flooded the clinic. Engineers accompanying our team also pointed out that the supporting column repairs were rudimentary at best.<sup>5</sup>
- A National Guard unit in Honduras replaced an elementary school roof made of heavy ceramic tiles designed to overlap each other. On inspection, we found that the tiles were loose and that if one were removed from the bottom row all the tiles would likely fall. An engineer explained that the soldiers probably did not understand that the bottom three rows of tiles needed to be cemented in place as a foundation.

We judgmentally selected a sample of eight schools and two clinics completed during 1992 and reviewed acceptance memorandums on which representatives of the Panamanian government were to certify that work quality on the project was satisfactory. Our sample showed that in four instances government representatives had noted that there were construction deficiencies. According to the officer in charge of the projects, identified deficiencies were promptly corrected.

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### Some Projects Do Not Meet Country Needs

The opportunity for DOD to assist a host country is particularly evident in Latin American countries. To implement an HCA Program successfully, however, an assessment must be made of the host nation's needs and those needs must be viewed in the context of the country's institutional capability to sustain the projects once U.S. assistance is completed. Projects in Panama and Honduras did not always meet the host country's needs as title 10 requires, and some projects were not being maintained or used.

In Honduras and Panama where U.S. Army National Guard and Reserve soldiers have been constructing hundreds of miles of roads since the early 1980's, completed roads were not being maintained or used. According to a senior U.S. official, a U.S. military representative and a Honduran government official informally agreed that the Honduran government

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<sup>5</sup>In Panama and Honduras, our evaluators were accompanied by professional civilian and military engineers who verified that improper construction techniques had often been used.

would maintain the roads and build five bridges that would link the sections of highway that U.S. soldiers built. At the time of our visit to Honduras, the roads had not received maintenance, and sections had either eroded or been washed away making roads virtually impassable. Numerous ruts made the roads almost impossible to drive on at speeds exceeding 3 miles per hour. Also, the five promised bridges had not been built.

In Panama, an after-action report written by a Civil Affairs team visiting the Southern Command said that the road projects they visited did not take into account the adverse impact the wet season would have on roads that were not surfaced with materials such as gravel. The team reported that the road project in Panama caused intense hard feelings among the local populace and that the United States had gained an unfavorable reputation for building only "half roads." Town leaders told the Southern Command team that, in their opinion, the U.S. government was interested only in using the road project as a North American propaganda tool.

In Honduras, we visited a school built by National Guard soldiers. The school consisted of three buildings with classrooms. None of these buildings were being used. We were told that teachers were not available to staff the school. We reviewed the preconstruction site survey forms that a military task force had used in Honduras to make their project selections. The form for the school project only contained information about the school's geographical location. There was no information about the number of children the school would accommodate or the availability of teachers to staff the school. We noticed that, within eyesight of this unused school, a school built by the Honduran government was bustling with activity.

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## Commands Do Not Evaluate Their HCA Programs

The Southern Command has a Program Analysis and Evaluation Office that is responsible for conducting effectiveness evaluations of in-theater programs. However, the Program Analysis and Evaluation chief told us that he does not evaluate the HCA program because he does not have guidance from the Office of Global Affairs on how to evaluate it. He said that the program needed to be evaluated independently by someone other than the Southern Command's humanitarian assistance program managers.

The Pacific Command's HCA Program Office said it was not systematically reviewing the program because the office was small and did not have

enough people to conduct reviews or make site visits. Their role was generally limited to the project approval and funding process.

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## Recommendations

We recommend that the Secretary of Defense direct the Office of Global Affairs to (1) develop a cost-effective method for providing Congress with a more reasonable estimate of the costs incurred in providing humanitarian assistance; (2) issue an implementing directive for conducting HCA activities as required by the law, which among other things, clarifies for the commands the relationship between the Stevens Amendment and title 10 legislation and establishes a dollar threshold for minimum assistance provided under title 10; (3) ensure that projects contribute to U.S. foreign policy objectives and have the full support of the host country involved; and (4) ensure that commands are evaluating projects to determine their effectiveness.

We also recommend that the Secretary of Defense direct the service secretaries to ensure that the training soldiers receive from working on HCA projects will promote their military readiness skills.

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## Scope and Methodology

To obtain information on the extent of the HCA Program, we reviewed pertinent documents and interviewed officials from the Office of Global Affairs, the Joint Chiefs of Staff, the Department of State, the Army National Guard, the Air Force Reserves, and the Defense Logistics Agency. To determine the legal authority for carrying out the program, we reviewed its legislative history and discussed various legal opinions with the Army Judge Advocate General at both the headquarters and the command levels. To evaluate program implementation and oversight we visited two regional commands—the U.S. Southern Command in Panama City, Panama, and the U.S. Pacific Command in Honolulu, Hawaii.

At each command we interviewed military officers and analyzed information on program activities. Also, to determine how the program was being carried out, we visited HCA projects in Panama, Honduras, and Thailand. In these countries we discussed the projects with U.S. State Department and AID officials, U.S. military troops on training assignments, host country officials, and some members of the countries' general populace. In addition, we visited foreign government and private sector recipients of assistance from DOD's excess property program.

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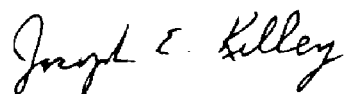
We also reviewed Army Audit Agency reports and commanders' after-action and situation reports maintained by the National Guard Bureau, which detailed their assessments of the overseas exercises.

We performed our work from April 1992 through June 1993 in accordance with generally accepted government auditing standards. As requested, we did not obtain official written agency comments on this report. However, we discussed our findings with DOD officials and included their comments where appropriate. These officials generally agreed with the information in this report.

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Unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from its issue date. At that time, we will send copies to other appropriate congressional committees, the Secretaries of Defense and State, and the Director of the Office of Management and Budget. Copies will also be made available to others upon request.

If you have any questions concerning this report, please call me at (202) 512-4128. Major contributors to this report are listed in appendix I.



Joseph E. Kelley  
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