

**SUMMARY OF MAJOR CHANGES TO
DOD 7000.14-R, VOLUME 12, CHAPTER 27
“COMMANDERS’ EMERGENCY RESPONSE PROGRAM (CERP)”**

All changes are denoted in **blue font**

Substantive revisions are denoted by a ★ preceding the section,
paragraph, table or figure that includes the revision.

Hyperlinks are denoted by *underlined, bold, italic font.*

PARA	EXPLANATION OF CHANGE/REVISION	PURPOSE
270102	Allows the responsibilities and procedures to be modified to accommodate CERP program in areas other than Iraq and Afghanistan.	Update
270202	Adds the Department of the Navy as the Executive Agent for the Commanders’ Emergency Response Program in the Philippines.	Update

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CHAPTER 27

COMMANDERS' EMERGENCY RESPONSE PROGRAM (CERP)★2701 PURPOSE AND APPLICABILITY

270101. This guidance implements the National Defense Authorization Act for Fiscal Year 2006, Public Law 109-163, section 1202, as amended, by assigning responsibilities for administering the Commander's Emergency Response Program (CERP); defining the purposes for which U.S. appropriations or other funds provided for the CERP may be expended; and specifying the procedures for executing, managing, recording and reporting such expenditures.

★ 270102. This guidance was originally limited to the CERP program in Iraq and Afghanistan and provided as a framework for the CERP program. The responsibilities and procedures may be modified to accommodate the organization structure and circumstances for any area where CERP funds have been appropriated. Management oversight and internal controls must be maintained to ensure transparency and accountability of funds.

270103. The CERP is designed to enable local commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the indigenous population. As used here, urgent is defined as any chronic or acute inadequacy of an essential good or service which, in the judgment of a local commander, calls for immediate action. In addition, the CERP is intended to be used for small-scale projects that, optimally, can be sustained by the local population or government. Small-scale would generally be considered less than \$500,000 per project. Projects greater or equal to \$500,000 are expected to be relatively few in number and require approval by the commander of the CERP Program Manager in theater (Commander, MultiNational Coalition-Iraq (MNC-I) or Commander Joint Task Force in Afghanistan) or U.S. Central Command (USCENTCOM), if greater than \$2 million. USCENTCOM may delegate their approval authority to Commander, MultiNational Forces-Iraq (MNF-I) or Deputy Commander, USCENTCOM. The CERP may be used to assist the Iraqi and Afghan people in the following representative areas:

- A. Water and sanitation.
- B. Food production and distribution.
- C. Agriculture/ Irrigation.
- D. Electricity.
- E. Healthcare.
- F. Education.

- G. Telecommunications.
- H. Economic, financial, and management improvements.
- I. Transportation.
- J. Rule of law and governance.
- K. Civic cleanup activities.
- L. Civic support vehicles.
- M. Repair of civic and cultural facilities.
- N. Battle Damage. Repair, or payment for repair, of property damage that results from U.S. coalition, or supporting military operations and is not compensable under the Foreign Claim Act.
- O. Condolence payments to individual civilians for the death, or physical injury, resulting from U.S., coalition, or supporting military operations not compensable under the Foreign Claims Act.
- P. Payments made to surviving spouses or next of kin of Iraqi or Afghan defense or police personnel who were killed as a result of U.S., coalition or supporting military operations (referred to as Hero or Martyr Payments).
- Q. Payments to individuals upon release from detention (specifically from a non-Theater Internment Facility).
- R. Protective measures, such as fencing, lights, barrier materials, berming over pipelines, guard towers, temporary civilian guards, etc., to enhance the durability and survivability of a critical infrastructure site (oil pipelines, electric lines, etc.).
- S. Other urgent humanitarian or reconstruction projects.

270103. This guidance applies to all organizational entities within DoD. A requirement to comply with this guidance shall be incorporated into contracts, as appropriate. It covers the execution, management, recording and reporting of expenditures of U.S. appropriations and other funds made available for the CERP. Guidance concerning CERP reporting categories for potential projects is contained in Annex A of this chapter.

★2702 RESPONSIBILITIES

270201. Under Secretary of Defense (Comptroller) (USD(C)). The USD(C) shall establish and supervise the execution of principles, policies and procedures to be followed in connection with the CERP, and ensure that congressional oversight committees are informed in a timely manner of CERP activities through the quarterly reports required under subsection (b) of the National Defense Authorization Act for Fiscal Year 2006, Public Law 109-163, section 1202, as amended.

★ 270202. Secretaries of the Army and the Navy. Pursuant to DoD Directive 5101.1, “DoD Executive Agents,” dated September 23, 2002, the Secretary of the Army shall serve as executive agent for the CERP in Iraq and Afghanistan and the Navy will serve as executive agent for the CERP in the Philippines. In line with apportionment of appropriations for CERP. The Secretary of the Army shall manage CERP in Iraq and Afghanistan and the Secretary of the Navy shall manage CERP in the Philippines. In that capacity the Army for Afghanistan and Iraq and the Navy for the Philippines shall forward quarterly reports to Congress and shall promulgate detailed procedures as necessary to ensure that unit commanders carry out the CERP in a manner consistent with applicable laws, regulations, and this guidance. These procedures shall include rules for expending CERP funds through contracts and grants, in accordance with paragraph 270308, below.

270203. Commander, U.S. Central Command (USCENTCOM). The Commander, USCENTCOM shall determine the appropriate allocation of CERP funds among subordinate commands and advocate for appropriate resources and authorities in support of the theater’s military global war on terrorism mission. The Commander, USCENTCOM will approve all CERP projects greater than \$2 million. This responsibility may be delegated to the Commander, MNF-I or the Deputy Commander, USCENTCOM. The Commander, USCENTCOM will also review the quarterly reports submitted to the Secretary of the Army by Commander, MNC-I and the Commander, CJTF in Afghanistan to ensure that the Commanders’ uses of CERP are consistent with the intent of the program and maximize the benefits to the local populations and best influence conditions on the ground.

270204. Commanders, MNC-I in Iraq and CJTF in Afghanistan. The Commander, MNC-I and CJTF in Afghanistan shall ensure that proper procedures are published in theater guidance to evaluate CERP projects and ensure that the projects meet the intent of the program. In addition, Commander, MNC-I and CJTF in Afghanistan shall ensure that:

A. Projects are properly managed to ensure that CERP funds achieve maximum results, which includes establishing performance objectives and monitoring achievements. Specifically, the commanders shall approve any essential individual CERP projects of \$500,000 or more, on an exception basis given that the intent is for small-scale projects, and shall ensure local national donor nation, non-government office (NGO), or other aid or reconstruction resources are not reasonably available before CERP funds are used for projects of \$500,000 or more.

B. Projects of \$50,000 or greater are coordinated with Provincial Reconstruction Development Committees (including Provincial Reconstruction Teams (PRTs), Embedded Provincial Reconstruction Teams (ePRTs) and Provincial Support Teams (PSTs), where established, prior to execution.

C. Establish and publish a command CERP policy that includes subordinate approval authority levels and detailed procedures as necessary to ensure Commanders carry out CERP in a manner consistent with mission requirements, applicable laws, regulations and guidance.

D. Summit monthly and quarterly CERP Reports through U.S. Army Central (ARCENT) G8 and the Assistant Secretary of the Army (Financial Management & Comptroller).

E. Prepare a Commander's narrative for each quarterly report of Commander's intent for CERP funds by geographic sector, including performance measures for on-going and proposed projects, and specific details for each prior and proposed project of \$500,000 or more, and the contributions these projects made to humanitarian relief and reconstruction efforts for the benefit of the Iraqi and Afghan people. Annex B provides additional guidance on the Commander's narrative.

F. Ensure CERP funds are expended commensurate with project accomplishments/performance metrics, that projects are properly monitored and closed out properly upon completion, including the transfer of ownership to an appropriate authority prepared to sustain the project.

2703 PROCEDURES

270301. Improper Usage of Funds. Appropriated funds made available for the CERP shall not be used for the following purposes:

A. Direct or indirect benefit to U.S., coalition, or supporting military personnel.

B. Providing goods, services, or funds to national armies, National Guard forces, border security forces, civil defense forces, infrastructure protection forces, highway patrol units, police, special police, or intelligence or other security forces.

C. Except as authorized by law and separate implementing guidance, weapons buy-back programs, or other purchases of firearms or ammunition.

D. Entertainment (except light refreshment costs purely incidental to either an approved CERP project opening ceremony or a conference in support of a CERP project).

E. Reward programs.

- F. Removal of unexploded ordnance (unless incidental to construction).
- G. Duplication of services available through municipal governments.
- H. Salaries, bonuses, or pensions of Iraqi or Afghan military or civilian government personnel.
- I. Training, equipping, or operating costs of Iraqi or Afghan security forces.
- J. Conducting psychological operations, information operations, or other U.S., coalition, or Iraqi/Afghanistan Security Force operations.
- K. Support to individuals or private businesses (except for condolence, detainee, or martyr/hero payments; battle damage payments or micro-grants).

270302. Amount. The CERP is intended for small-scale, urgent, humanitarian relief and reconstruction projects for the benefit of the Iraqi and Afghan people. Priority shall be given to projects with a government estimate of less than \$500,000.

A. The approval authority for individual CERP projects of \$500,000 or more is the Commander of the CERP Program Manager in theater.

B. Army, using input from MNC-I and Afghanistan CJTF, shall separately notify USD(C), MNF-I and CENTCOM J8 of all individual CERP projects of \$500,000 or greater during the normal monthly and quarterly reporting process. Such separate notification shall include a description of the project, an estimated time to complete, and a justification of how the project supports the purpose of the CERP, and the respective theater campaign plan.

C. Commanders will consult with the appropriate Provincial Reconstruction Development Committees (including Provincial Reconstruction Teams (PRTs), Embedded Provincial Reconstruction Teams (ePRTs) and Provincial Support Teams (PSTs), where established), prior to initiating all individual CERP projects of \$50,000 or more.

270303. Commingling of Funds. Consistent with [Volume 5, Chapter 2, "Disbursing Officers, Officers and Agents"](#) of this Regulation, U.S. appropriations made available for the CERP shall not be commingled with nonappropriated funds, and shall be separately executed, managed, recorded and reported.

270304. Allocation of Funds. The USD(C) shall ensure that DoD appropriations and other funds available for the CERP are properly allocated to Army for funds control and execution. Commander, USCENTCOM will notify Army of the appropriate intertheater allocation.

270305. Delivery, Transporting and Safeguarding of Funds. Any funds made available for the CERP shall be delivered, transported and safeguarded consistent with [Volume 5, Chapter 3, "Keeping and Safeguarding Public Funds"](#).

270306. Appointment of Paying Agents. Paying Agents responsible for making disbursements of funds under the CERP shall be appointed consistent with [Volume 5, Chapter 2, "Disbursing Officers, Officers and Agents"](#) of this Regulation. A waiver must be granted to allow Coalition Forces members to serve as paying agents. The Coalition Forces member shall receive the same training as U.S. paying agents and sign a statement of understanding. When appointing non-U.S. citizens as paying agents consider the necessity because foreign nationals and other non-U.S. citizens may not be held pecuniary liable for losses of funds. All funds advanced to and returned from the Coalition Forces paying agents shall be documented on a Statement of Agent's Officer's Account (DD Form 1081) in accordance with Reference B, [Volume 5, Chapter 19, and "Disbursing Officers' Accountability Reports"](#). Upon completion of authorized payments, the paid vouchers, negotiable instruments, and any balance of funds shall be returned to the disbursing officer with a properly completed DD Form 1081.

270307. Documentation of Payments. Payments under the CERP shall be made and documented consistent with [Volume 5, Chapter 11, "Disbursements," and Volume 10, Chapter 8, "Commercial Payment Vouchers and Supporting Documents."](#) of this Regulation.

270308. Contracts and Grants. U.S. appropriations and other funds made available for the CERP may be expended through contracts and grants that are prepared and executed in accordance with regulations designed to ensure transparency, fairness and accountability. To the maximum extent practicable, these regulations shall be consistent with Coalition Provisional Authority Memorandum Number 4, Contract and Grant Procedures Applicable to Vested and Seized Iraqi Property and the Development Fund for Iraq, dated August 19, 2003.

270309. Circumventing Limits. Monetary limits and approval requirements may not be circumvented by "splitting" a single project through the submission of multiple purchase requests, similar documents, or otherwise.

270310. Clearance of Accounts. Accounts maintained under the CERP shall be cleared consistent with [Volume 5, Chapter 2, "Disbursing Officers, Officers and Agents"](#), of this Regulation.

270311. Certification of Payments. Payments made under the CERP shall be certified in a manner consistent with [Volume 5, Chapter 33, "Accountable Officials and Certifying Officers"](#) of this Regulation.

270312. Audits and Program Reviews. The administration of the CERP will be subject to periodic audits by DoD's internal review and audit organizations, including the DoD Inspector General and the Army Audit Agency, as well as external organizations such as the Government Accountability Office and congressional oversight committees. All officials

responsible for administering the CERP shall cooperate fully with any review, audit, or investigation conducted by such organizations.

270313. Appointment of Project Purchasing Officers (PPO). PPOs are U.S. government employees/U.S. service members who, upon completion of training and receipt of written delegation, serve as an extension of warranted contracting officers. A contracting officer may delegate to a PPO the authority to obligate the U.S. on CERP-funded projects costing less than or equal to \$500,000.

270314. Monitoring of Projects. All projects must have progress monitored to ensure that payments are commensurate with the work accomplished and the engineering standards as stipulated. For projects less than \$500,000 (which may use a PPO rather than a warranted contracting officer) involving construction, the PPO delegation memo should note that assistance from either the organic engineers or another unit's engineers may be requested to assist in determining construction progress.

270315. Performance Metrics. Performance metrics are essential to ensure that funds are being applied for the most beneficial projects. Performance indicators must be included in evaluation packages for proposed CERP projects and used as part of the close-out process for evaluating the project at its completion. CERP procedures for evaluating proposed projects will consider:

- A. Immediate benefit to the local population.
- B. Sustainability of the project.
- C. Stability of the local partner.
- D. Number of the local population engaged in the project.
- E. Number of locals benefitting.
- F. Executability of the project.
- G. Relationship to other similar efforts.

270316. During the project execution, the Commander responsible for the project will ensure that construction meets engineering standards and that performance is updated against the relevant metrics. At project completion, the Commander will ensure final inspections are completed and the project is documented in all required databases and then transferred to appropriate officials for sustainment.

2704 REPORTS AND NOTIFICATIONS

270401. Not later than the fifteenth day of each month, Army shall submit to the USD(C), a CERP Project Status Report as of the last day of the preceding month. The Army

will provide a copy of the report to USCENTCOM J8 and the Joint Staff, J8. The CERP Project Status Report shall contain the following information, identified by Project Category provided in this guidance:

- A. For projects less than \$500,000:
 1. Unit
 2. Project Document Reference Number/STANFINS Document Reference Number.
 3. Project Category from USD(C) categories in this reference.
 4. Payment Date.
 5. Description (two or three sentences that describe the project for a person not familiar with it).
 6. Location (province or city) of project.
 7. Total amount committed, obligated and disbursed for the project.
 8. Notation when the project has been completed, noting also whether the project was finished or terminated for other reasons.
 9. Date when project is transferred to the Iraq or Afghan government.

- B. For projects greater or equal to \$500,000:
 1. Unit.
 2. Project Document Reference Number/STANFINS Document Reference Number.
 3. Project Category from USD(C) categories in this guidance.
 4. Project Title.
 5. Location of project (city or province)
 6. Description of Project. Two to three sentences that describe the project for a person not familiar with it.
 7. Total amount committed, obligated and disbursed for the project

8. Justification of how the project supports the purpose of CERP
9. Note whether project sustainment is required and if it has been arranged.
10. Date when project is transferred to the Iraq or Afghan government.

NOTE: This reporting requirement applies only to appropriation-funded CERP for Iraq and Afghanistan under the scope of this guidance, and, if applicable, is in addition to the separate monthly requirement to report cumulative totals allocated, committed, obligated, and disbursed for all types of CERP funds in Iraq.

270402. Army, with the support of USD(C), shall be responsible for submitting to Congress the quarterly reports required under the National Defense Authorization Act for Fiscal Year 2006, Public Law 109-163, section 1202, as carried forward as amended by Public Law 110-181.

270403. Army in coordination with Commander, USCENTCOM shall promptly notify the USD(C) and the DoD General Counsel of any provisions of law that (if not waived) would prohibit, restrict, limit, or otherwise constrain the exercise of the authority provided by, National Defense Authorization Act for Fiscal Year 2006, Public Law 109-163, section 1202, as carried forward as amended by Public Law 110-181.

★ 270404. USD(C) will notify the congressional defense committees no later than 15-days after issuing any change to this guidance. The Joint Task Forces in Each Theater (MNC-I in Iraq and the CJTF in Afghanistan) and ARCENT will notify the USD(C), USCENTCOM, and Secretary of the Army no later than 15 days after issuing any changes to their CERP implementing guidance.

2705. WAIVERS

270501. Request for waivers from or exceptions to any provision of law that would (but for the waiver) prohibit, restrict, limit or otherwise constrain the execution of the CERP must be submitted through the USD(C) and DoD General Counsel to the Secretary of Defense for approval.

270502. Requests for waivers or exceptions to this guidance must be submitted to the USD(C) for approval.