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TAACS (Using Technical Advisors in AIDS & Child Survival Programs)

OVERVIEW

The objective of the TAACS (Technical Advisors in AIDS, Child Survival) Program is to employ technical experts from other governmental agencies, State governments, institutions of higher learning, and private voluntary organizations (PVO) to assist in the management, implementation, and evaluation of programs in the high priority areas of Child Survival, Family Planning, HIV/AIDS and other infectious diseases, and Basic Education.

The employment of TAACS has been authorized annually in USAID's appropriation acts since FY 1987 under the section, "Child Survival and AIDS activities." (*In the FY 2000 USAID Appropriations Act, P.L. 106-101, it was section 522.*)

Who Are TAACS Employees?

TAACS employees are a type of Personal Services employee. The TAACS authority authorizes the use of program funds for the personal services of individuals from other government agencies, State governments, institutions of higher learning and private voluntary organizations, under contract, for population, health, child survival, HIV/AIDS and other infectious disease and basic education activities. The TAACS employees who are Government employees from other U.S.G. agencies are referred to as "Government" TAACS." Those from the private sector are referred to as "Private Sector" TAACS.

TAACS do not count against USAID's personnel ceiling. TAACS from other government agencies, however, do count against National Security Directive (NSD)-38 overseas ceilings.

What is the Employer-Employee Relationship Between TAACS and USAID?

Since TAACS are authorized to render personal services to the Agency, there is an employer-employee relationship with USAID. In this respect, the basic relationship between the Private Sector TAACS and the Agency is the same as that under USAID's other personal services authorities, and for Government TAACS, the same as that as under a PASA or RSSA, IPA, or detail authority.

At the same time, Private Sector TAACS continue to have employment relationships with their parent institution, and the parent institution's salary, promotion and leave policies continue to apply except when a USAID-PVO contract provides otherwise.

However, because of the personal services nature of their relationship with USAID, Private Sector TAACS are NOT "USAID contractors" or "USAID contractor employees."
[Note: the term contract employee is actually another name for a PSC.]

What Are TAACS Employees' Duties?

TAACS may be assigned both Program and Operating Expense (OE) (including inherently governmental) duties even though they are Program funded. They may be assigned NMS roles.

Private Sector TAACS may not supervise U.S. citizen direct-hire employees.

Allowances and Benefits for TAACS

Because Government TAACS are already "direct-hire" employees, their allowances and benefits are governed by their underlying Government employment with their parent agency.

Because Private Sector TAACS are USAID personal services employees, USAID provides, or arranges for the provision of the following to Private Sector TAACS on the same basis as to other USAID personal service employees:

- a) Diplomatic Pouch and Army Post Office (APO) privileges as U.S. citizen government employees;
- b) Post medical facilities as U.S. citizen government employees;
- c) Commissary and packaged duty-free goods privileges as U.S. citizen government employees;
- d) Official or diplomatic passports as U.S. citizen government employees;
- e) Guard services, transportation and other Mission logistic support as provided to USAID employees;
- f) Tax-free duty status and other privileges and immunities accorded USAID employees by the host government; and
- g) Representation expenses.

[Note: the benefits in a, b, c, d, and f are within the control of the Department of State and Department of Defense [for APO] and not ultimately within USAID's control. However, it is USAID policy to attempt to have those benefits extended to TAACS and other personal services employees on the same basis as to "direct-hire" employees.]

TAACS also receive housing, education, separate maintenance, transfer, travel, consumable, and other allowances and benefits. These can be provided directly to the TAACS by the Mission or under the contract, with USAID reimbursing the parent institution for the costs of the allowances and benefits. When allowances or benefits are reimbursed under the terms of the contract, the coverage is governed by the terms of the contract. It is USAID policy to negotiate contracts that provide TAACS with the same benefits and allowances as direct-hire employees.

Exclusions Regarding TAACS

Because Private Sector TAACS are not employees under the civil service laws or the Foreign Service Act, they are not covered by the:

- FERS or FIRS retirement systems
- Federal Employees Health Benefits Program administered by OPM
- Federal Employees life Insurance Program administered by OPM.

Restrictions Regarding Conflict of Interest, Procurement Integrity, Etc.

This is an exception to the general rule that TAACS from whatever source are employees of USAID. Private Sector TAACS are NOT Government employees for purposes of financial disclosure, standard of conduct and conflict of interest statutes and regulations, or the Hatch Act. However, under terms of the contracts, Private Sector TAACS are subject to the standard of conduct regulations. Thus, for example, a TAACS may not participate in a matter that would affect his or her parent institution.

Similarly, Private Sector TAACS are not subject to the provisions of the procurement integrity law and regulations applicable only to a "Government employee or officer," e.g., the post-employment provisions. However, Private Sector TAACS are subject to provisions applicable to individuals other than Government employees, e.g., disclosure of procurement sensitive information.

Agency Administration of the TAACS Program

Missions and Bureaus, the Bureau for Legislative and Public Affairs (LPA), the Bureau for Management, Office of Budget (M/B), the Bureau for Management, Office of Human Resources (M/HR), M/OP, and The Bureau for Global Programs (G), work together to determine the need for TAACS, negotiate for continuing TAACS authority, and provide the mechanisms for obtaining TAACS.

The Bureau for Global Programs (G), specifically the Office of Health and Nutrition in the Center for Population, Health and Nutrition (G/PHN), is responsible for implementation of the TAACS activity, including the design of procurement instruments and drafting of related documentation, technical oversight and evaluation of the activity,

and for keeping the Bureau for Management and Office of Procurement (M/OP) advised of any problems or needed modifications. G is also responsible for tracking obligations for the program within the legislative authorization, assuring that all program ceilings are observed, for obtaining all necessary clearances prior to employment of TAACS, for their appropriate orientation, and for backstopping the contractual mechanisms through which TAACS are employed.

Missions and Bureaus are responsible for informing G of the need for TAACS, developing scopes of work, final selection of TAACS and oversight of their work, including the annual evaluation of performance of the TAACS.

M/B is responsible for negotiation of TAACS levels with the Office of Management and Budget (OMB), based on needs as provided by G, in consultation with the field and Bureaus, and included in the R4 or similar documentation.

LPA is responsible for negotiating the continuing authority for the TAACS program at levels agreed with M/B.

How to Obtain TAACS Employees

Missions and Bureaus may request a TAACS by providing a scope of work to the Office of Health and Nutrition (G/PHN/HN). If the scope is appropriate and sufficient authorization exists, then funds will be provided to G/PHN/HN for obligation to the appropriate instrument, and for provision of necessary support and supervision to the TAACS to permit him/her to implement the work scope. (Note: G/PHN/HN will serve as manager of this activity for other participating offices, such as the Global Bureau's Center for Human Capacity Development (G/HCD).)

Primary Responsibilities of Operating Units

Missions and Bureaus are responsible for including projections for TAACS in R4 or similar documentation. (See [ADS 202.3.5.4 for a description of the R4 process.](#))

Office and Mission Directors are responsible for authorizing TAACS to perform inherently governmental functions and technical assistance activities.

Missions and Bureaus with TAACS are responsible for annual evaluation of performance of the TAACS, in conjunction with the agency employing the TAACS. G/PHN/HN is responsible for determining, in consultation with the requesting office, and in accord with regulations and ceilings, the appropriate mechanism (e.g., Participating Agency Service Agreements (PASA), Intergovernmental Personnel Act (IPA), or contract) under which a TAACS is to be recruited.

G/PHN/HN Cognizant Technical Officers (CTOs) are responsible for reviewing and administratively approving billings for work performed under any PASAs, IPAs, or contracts under this activity.

G/PHN/HN as the paying office is responsible for receiving billings, forwarding them to the technical officer for administrative approval, and processing payments in accordance with HB 19, Chapter 3. (See [Handbook 19, Chapter 3](#))

G/PHN/HN is responsible for preparing and sending the necessary documentation to M/OP for negotiation and execution of the PASA or the contract, or to the Office of Human Resources for negotiation of IPAs.

M/HR is responsible for negotiating and executing agreements under the IPAs to obtain TAACS.

M/OP is responsible for negotiating and executing PASAs or contracts to obtain TAACS.

DEFINITIONS

TAACS

Technical Advisors in AIDS, and Child Survival -- TAACS may be obtained from other government agencies or from the private sector to provide technical assistance in population, health, child survival, HIV/AIDS and other infectious disease, and basic education activities.

PASA

Participating Agency Services Agreement – See ADS 437.52

IPA

Intergovernmental Personnel Act assignments- See ADS 437

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