

**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
2701	Incorporates the FY 2009 National Defense Authorization Act approval and reporting requirements	Update
2702	Establishes responsibilities for certification and waiver for large CERP projects	Update
270204.G	Establishes requirements for using bulk funding for CERP projects	
270205	Establishes requirement for projects over \$750,000 include certification that the project is linked to cost-sharing arrangement with the Government of Iraq.	Update
2704	Establishes additional reporting requirements	Update
All	Renumbers paragraphs	Update

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CHAPTER 27

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

★ 270101. This guidance implements Section 1202 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2006, Public Law 109-163, as amended by Section 1205 of the NDAA for FY 2008, Public Law 110-181, and Section 1214 of the Duncan Hunter NDAA for FY 2009, Public Law 110-417, 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. 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, reconstruction does not limit efforts to restore previous conditions/structures in Afghanistan. Also, as used here, urgent is defined as any chronic or acute inadequacy of an essential good or service that, 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 of \$500,000 or more are expected to be relatively few in number and require approval (to a maximum of \$1 million) by the commander of the CERP Program Manager in theater (Commander, Multi-National Corps-Iraq (MNC-I), or (to a maximum of \$2 million) Commander, Combined Joint Task Force (CJTF) in Afghanistan).

★ 270103.

A. In Afghanistan, projects using more than \$2 million of appropriated CERP funds must be approved by the Commander of USCENTCOM. Commander, USCENTCOM may delegate this approval authority to the Deputy Commander, USCENTCOM or the Commander, U.S. Forces Afghanistan (USFOR-A), provided the Commander, USFOR-A is not also serving as the CJTF Commander, who already has responsibility to approve projects up to \$2 million.

B. In Iraq, projects using appropriated CERP funds are capped at \$2 million. The Secretary of Defense may waive this funding limit if he (a) determines that the project is required to meet urgent humanitarian relief and reconstruction requirements and that it will immediately assist the Iraqi people, and (b) submits a notification of his waiver in writing to the defense committees within 15 days of his waiver. The waiver is required to discuss the unmet and urgent needs addressed by the project and any arrangements between the U.S. Government (USG) and the Government of Iraq (GoI) regarding the provision of Iraq funds to carry out and sustain the project.

C. For Iraq, the Secretary of Defense or Deputy Secretary of Defense (if authority is delegated) must certify that any project, funded with appropriated CERP funds over \$1 million addresses urgent humanitarian relief and reconstruction requirements that will immediately assist the Iraqi people.

D. For Iraq, projects costing more than \$750,000 are expected to be funded on a cost-share basis with the GoI. All projects over \$750,000 require either an explanation of the cost-share arrangement with the GoI or a justification that the project directly benefits U.S. security objectives in Iraq and should be pursued even in the absence of cost-sharing.

E. For Iraq, commanders will continue to identify and pursue opportunities to transition responsibility for larger economic revitalization efforts to the Government of Iraq and will include a description of these efforts in the Commander's Narrative section of the quarterly report.

★ 270104. 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 (including canal clean-up).
- 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.
- O. Condolence payments.

- P. Hero Payments.
- Q. Former Detainee Payments.
- R. Protective measures.
- S. Other urgent humanitarian or reconstruction projects.
- T. [Temporary contract guards for critical infrastructure.](#)

[270105.](#) This guidance applies to all U.S. Department of Defense (DoD) organizations and activities. A requirement to comply with this guidance shall be incorporated into contracts, as appropriate to cover 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 Appendix A of this chapter.

2702 RESPONSIBILITIES

★ [270201.](#) Under Secretary of Defense (Comptroller) (USD(C)). The USD(C) shall establish principles, policies, and procedures to be followed in connection with the CERP, oversee and supervise their execution, and ensure that congressional defense committees are informed in a timely manner of CERP activities through the quarterly reports required under section 1202(b) of the NDAA for FY 2006, as amended. [The USD\(C\) will assemble and staff for approval by the Secretary of Defense any certification package for a project over \\$1 million and any waiver package for a project over \\$2 million for Iraq. Such projects will be approved on an exception basis and will be accompanied by justification material sufficient for the Secretary to determine if the project meets the required criteria to be approved for funding.](#)

[270202.](#) Secretary of the Army. 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, and in that capacity shall forward quarterly reports to Congress and shall promulgate through the responsible combatant commander and designated forward commands, detailed procedures as necessary for 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.

★ [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 [in Afghanistan](#) that are greater than \$2 million. This responsibility may be delegated [in writing](#) to the Deputy Commander, USCENTCOM [or the Commander, U.S. Forces, Afghanistan \(USFOR-A\) provided this position is filled by other than the CJTF](#)

Commander, who has the authority to approve projects less than or equal to \$2 million. The Commander, USCENTCOM will also review the quarterly reports submitted to the Secretary of the Army by Commander, MNC-I and 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. The CENTCOM will work with Army to provide Commander's operational perspectives to address discrepancies raised by Army on the Commander's Narratives compared to the reported project data.

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

A. Projects are properly managed so that CERP funds achieve maximum results, which includes establishing performance objectives and monitoring achievements. Specifically, these 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 organization (NGO), or other aid or reconstruction resources are not reasonably available before CERP funds are used.

B. Projects of \$50,000 or greater must be 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. Such coordination should be noted in the project documentation.

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

D. Monthly/quarterly CERP Reports are submitted through U.S. Army Central (ARCENT) G8 and the Assistant Secretary of the Army (Financial Management & Comptroller).

E. A Commander's Narrative is prepared for each quarterly report that addresses: Commander's intent for CERP funds by geographic sector, including performance measures for on-going and proposed projects; impacts of CERP funded projects, how individually and collectively projects assist the U.S. carry out its strategy in theater; 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, respectively. Appendix B provides additional guidance on the Commander's Narrative.

F. The CERP funds are expended commensurate with work completed, performance metrics, and that projects are properly monitored and closed out upon completion,

including the transfer of ownership to an appropriate authority of the country's government prepared to sustain the project.

★ G. Projects using a bulk draw of funds will no longer be obligated when the funds are drawn. Beginning in FY 2009, a DA-3953, "Purchase Request & Commitment," document annotating a bulk funds draw will generate a commitment in the financial system. Each type of bulk funding must be recorded and maintained by the pay agent until the bulk fund is closed out at finance. Bulk funds are limited to condolence payments, battle damage payments, former detainee payments, or hero payments, micro-grants and Commander's small-scale projects (limited to \$5,000 per project). Each quarter the amount of funding drawn as cash by the pay agent that was paid out must be identified as an obligation and disbursement on the reports for all bulk fund categories. Once funds for bulk funded small scale projects are fully spent, each individual project must be reported using the appropriate CERP category.

H. Any project in Iraq that began prior to FY 2009 which had an obligation of appropriated CERP funds less than \$1 million but which now requires additional funding (taking the total appropriated CERP funding over \$1 million), must be approved by USD(C) before the additional CERP funding is obligated.

★ 270205. Additional Guidance for the Commander, MNC-I. The Commander, MNC-I will.

A. Ensure that projects greater than \$750,000 include a certification that the project is linked to a cost sharing arrangement with the Government of Iraq or justified on an exception basis because it directly supports the U.S. security mission in Iraq.

B. Forward any proposed project exceeding \$1 million to the Secretary of Defense (or the Deputy Secretary) through the Commander, U.S. CENTCOM and the USD(C) to certify that the project addresses urgent humanitarian relief and reconstruction requirements that will immediately assist the Iraqi people. Any request for certification will include sufficient information to support such a decision.

C. Forward any proposed project costing \$2 million to the Secretary of Defense (or the Deputy Secretary) through the Commander, U.S. CENTCOM and the USD(C) to determine if a waiver for the project is warranted to meet urgent humanitarian relief and reconstruction requirements that will immediately assist the Iraqi people. Any request for a waiver must include sufficient information to support a waiver determination.

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 (except contract guards such as Sons/Daughters of Iraq and/or a corresponding program in Afghanistan).

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 or an agricultural development project).

G. Duplication of services available through municipal governments.

H. Salaries, bonuses, or pensions for 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, former detainee, hero or battle damage payments as well as 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. Approval authority for individual CERP projects of \$500,000 or more resides with the Commander of the CERP Program Manager in Theater, i.e., Commander, Combined Task Force (CJTF) in Afghanistan and the Commander, Multi-National Corps – Iraq

(MNC-I) with theater specific limitations. The Commander, CJTF's approval is for projects costing up to \$2 million.

B. Army, using input from MNC-I and the CJTF in Afghanistan, shall separately notify USD(C), MNF-I, USFOR-A and USCENTCOM J8 of all individual CERP projects of \$500,000 or more as part of the normal monthly/quarterly reporting process. Such separate notification will include a description of the project, an estimated time required 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 and document the consultation in the project file.

270303. Commingling of Funds. Consistent with [Volume 5, Chapter 2, "Disbursing Officers, Officers and Agents,"](#) of this DoD Financial Management Regulation (DoDFMR), 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, "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. [Pre-deployment training should highlight this restriction.](#)

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 United States on CERP-funded projects costing less than \$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 [construction](#) projects less than \$500,000, (which may use a PPO rather than a warranted contracting officer), 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. [All projects involving grants must be monitored to ensure that the grant funds have been fully expended on the initiative that justified the project approval.](#)

★ 270315. Performance Metrics. Performance metrics are essential to ensure that funds are applied for the most beneficial projects. Performance indicators must be included in evaluation packages for proposed CERP projects \$50,000 or more and used as part of the close-

out process for evaluating the project at its completion. CERP procedures for evaluating proposed projects should consider:

- A. Immediate benefit to the local population.
- B. Sustainability of the project.
- C. [Name and stability](#) of the local partner.
- D. Number of the local population engaged in the project.
- E. Number of locals benefitting [which can](#) also be considered as [a cost-benefit or per capital analysis](#).
- F. Executability of the project ([in terms of completion, operation and sustainment of the project](#)).
- G. Relationship to other similar efforts, [such as replicating other successful projects funded with CERP](#).

270316. During 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 Afghan/Iraqi officials for sustainment.

2704 REPORTS AND NOTIFICATIONS

★ [270401](#). Not later than the 15th 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. Army will provide a copy of the report to USCENTCOM J8, [Commander, MNF-I, Commander, USFOR-A, 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 [all](#) projects:
 - 1. Unit.
 - 2. Project Document Reference Number/[STANFINS Document Reference Number](#).
 - 3. Project Category from USD© categories in this reference.
 - 4. [Project Title](#)
 - 5. [Province where project is located](#).

6. Description (two or three sentences that describe the project for a person not familiar with it). For micro-grant projects list the name and type of business. For Commander's small scale projects sourced out of bulk funding, capture the initial bulk funded amount under the "other urgent and humanitarian or reconstruction category. Once the bulk fund is completely obligated/disbursed, replace with actual project descriptions for each completed project using the appropriate CERP categories.

7. Total amount committed, obligated, and disbursed for the project.

8. Obligation date. NOTE that once projects are identified, if they are cancelled during the same fiscal year they remain on the report with a note that they were cancelled and the obligated amount adjusted to \$0.

9. For projects costing \$50,000 or more provide justification stating how the project supports the purpose of CERP, i.e., justification for the project.

10. Current status of the project and projected completion date or when the project was completed, noting also whether the project was finished or terminated for other reasons.

11. For projects \$50,000 or more, identify the date when project is/will be transferred to the Iraq or Afghanistan government. Annotate with "yes" to indicate the government's commitment to sustain the project, or "no" to indicate no agreement for sustainment. Details of any indicated sustainment must be included in the project files.

12. Number of local citizens estimated to directly benefit from project, if available.

a. Number of local citizens estimated to be employed by the project.

b. Number of local citizens estimated to be affected by the project.

B. For projects equal to or greater than \$500,000:

1. All information identified above for all projects (1-12).

2. Note whether project sustainment is required and if it has been arranged.

3. Description of the plan for the transition of the project when completed to the Iraq or Afghan people/government and the government's commitment to sustain the project.

4. For projects in Iraq, identify the amount of funds, if any, provided by the Government of Iraq for this project.

5. Note whether with “yes” or “no” if one of the goals of the project includes benefit internally displaced citizens?

6. For each project in Iraq costing more than \$750,000, whether it was approved by the MNC-I Commander for funding based on a cost-sharing arrangement with the GOI or based on direct benefit to the U.S. mission?

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 NDAA for FY 2006, Public Law 109-163, section 1202, as amended.

270403. As required upon Secretary of Defense approval of CERP projects in Iraq greater than \$1 million or determination of a waiver for projects costing \$2 million or more, USD(C) will provide Army a signed statement affirming that certification was issued or the waiver was granted.

270404. 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, NDAA for FY 2006, Public Law 109-163, section 1202, as carried forward as amended by Public Law 110-181.

270405. The 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 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 or exception) 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.

2706 EFFECTIVE DATE. This guidance becomes effective immediately. CERP data must meet the requirements of section 1214 of the FY 2009 NDAA for any project begun on or after October 15, 2008.