



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
441 G STREET NW  
WASHINGTON DC 20314-1000

CECW-ZB

FEB 09 2016

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Civil Works Section 234, Water Resources Development Act (WRDA) of 1996, As Amended, Budget Development, Defense and Execution Policy Guidance

1. This Policy Guidance supersedes the Director of Civil Works' (DCW) Memorandum, subject: Section 234 Funding, dated 7 May 2013. This policy guidance is applicable to all levels of the U.S. Army Corps of Engineers (USACE): Headquarters, MSCs, districts, labs and field operating activities.
2. Section 234 of WRDA of 1996, as amended, is a Civil Works (CW) Remaining Item under the Investigation appropriation, which follows the yearly budgetary process including the development, defense and execution in accordance with the requirements of the CW Budget Engineer Circular (EC), and other budgetary guidance issued by the Directorate of Civil Works.
3. Section 234, allows the USACE to engage in interagency and international water resources activities. Funding provided under Section 234 has, and will continue to be, directed to support international activities which provide high return on investments supporting National Security Strategy, Army/USACE Campaign Plan and USACE strategic goals and objectives.
4. This guidance establishes requirements for management of the program, criteria for identifying funding needs, preparation of the annual Civil Works budget, preparation of funding requests, review and approval process for funding requests during the budget, and preparation of summary reports for activities performed utilizing Section 234 funding.
5. Section 234 (33 USC 2323a) of WRDA of 1996, as amended, authorizes the USACE, through the Assistant Secretary of the Army, Civil Works ASA(CW) to:
  - a. Engage with other federal departments or agencies, non-governmental organizations, international organizations, or foreign governments to address problems of national significance to the United States.
  - b. Engage in activities in support of international organizations or foreign governments only after consulting with the Department of State. Consultation with the Department of State is necessary to determine if there are political/security restrictions with certain international organizations or foreign governments on proposed activities.

CECW-ZB

SUBJECT: Civil Works Section 234, Water Resources Development Act (WRDA) of 1996, As Amended, Budget Development, Defense and Execution Policy Guidance

c. USACE' technical and managerial (water resources management) expertise will be used to address domestic and international problems related to water resources, infrastructure development, and environmental protection and restoration.

6. Criteria for Use of Section 234 Funds.

a. The work must be in support of U.S. federal departments, or agencies, non-governmental agencies, international organizations or foreign governments.

b. International activities that are supported by a U.S. Ambassador, the Department of State or are aligned with foreign policy objectives of the U.S. may qualify after evaluation of the funding request, scope of the activity and expected outcomes.

c. Domestic problems must address a problem of national significance and may only be funded after a determination of national significance. Funding for domestic activities are the exception, rather than the norm, as other program, and appropriations are available to support domestic activities.

d. Funds will generally be used as seed money to quickly start an activity or respond to an emerging requirement with one time funds. Section 234 must not be used as a long term funding stream for any activity including funding of labor and salaries, and for long term management of Memorandum of Understandings (MOUs), Memorandum of Agreements (MOAs), Foreign Military Sales Agreements, or other types of agreements and activities. Funding other than Section 234 shall be used for long term management of these types of activities.

e. Section 234 funds shall not be used for labor as an alternative to General Expense or Operations and Maintenance, Army accounts.

f. Work must utilize USACE expertise.

g. Work must address problems related to water resources, infrastructure development and environmental protection and restoration.

h. Activities and work that include reimbursement of travel expenses must follow the Acceptance of Travel and Related Expenses for International Travel from Foreign Governments and International Organizations Policy Guidance, dated 19 November 2014, issued by the DCW.

i. A determination that the work requested is not already authorized, funded or could be funded under other USACE program and appropriation.

j. Funds may be accepted and executed from other federal departments or agencies, non-governmental organizations, international organizations, or foreign

CECW-ZB

SUBJECT: Civil Works Section 234, Water Resources Development Act (WRDA) of 1996, As Amended, Budget Development, Defense and Execution Policy Guidance

governments to carry out Section 234. Accepting funding from these sources must comply with existing USACE laws, regulations, policies and guidance. Consultation must be done with the Section 234 Program Manager to ensure existing policies and guidance is followed before accepting other sources of funding.

k. Labor will only be allowed on special cases after a determination is made by the Director of Civil Works and the Program Manager that Section 234 is the appropriate funding source, and that there is no other appropriate appropriation that could be used.

## 7. Roles and responsibilities.

a. Program Management. The DCW, and his designated Civil Works Section 234 Program Manager (Hereafter referred to as Program Manager), are responsible for the management of the Section 234 program including budget development, defense, execution, and financial management activities. Specific roles and responsibilities are defined below:

(1) Manage all activities under the program. Identify and coordinate funding requests across the USACE during budget development, develop all budgetary documents, submit yearly budget justifications documents to CW Programs and Integration Division (PID), coordination of budget requirements related to the program with Major Subordinate Commands (MSCs) Divisions, Districts, Department of State, international organizations and other organizations as appropriate, defend the budget and justification requirements, review of funding requests and making recommendations for DCW approval, develop guidance, ensuring timely execution of activities funded under the program, ensuring efficient use of the allocated funds, and perform financial management in accordance with applicable laws, regulations, policy and guidance.

(2) Financial management responsibilities include coordination with the PID and Resources Management on timely funding allocations after the yearly budget is released, management of the funds in the Corps of Engineers Financial Management System (CEFMS), processing allocation of funds to the requestor in CEFMS (processing MIPRs, etc.), reallocations of funds to address higher priority funding needs, developing accounting reports, and financial reporting to support management decisions and timely execution (DCW, ASA(CW), and PID).

(3) Responsible for providing status reports and briefing updates of program execution and program activities, and other matters related to the Section 234 Program to the DCW, ASA(CW), and the Department of State (when appropriate) and others as requested.

(4) Present funding recommendations to the DCW for review and approval.

CECW-ZB

SUBJECT: Civil Works Section 234, Water Resources Development Act (WRDA) of 1996, As Amended, Budget Development, Defense and Execution Policy Guidance

(5) Consult with the Department of State on the identification of any funding needs that may be considered during the USACE yearly budget development process, and also those activities that required consultation.

(6) Work closely and coordinate with the Divisions and Districts to prepare funding requests during the submission period, March to May of every Fiscal Year. Funding requests outside this period will be considered on a case by case basis.

(7) Review all funding requests and make a determination if it meets the required Section 234 criteria established in this policy and Civil Works budgetary requirements.

(8) Compile a summary of the funds requested for DCW review and approval to be included in the yearly budget request.

#### 8. Request for Section 234 Funding.

a. Requests for funding shall be directly submitted to the Program Manager copy furnished to IIS, Chief, Interagency and International Services Branch Chief for situational awareness.

b. Submit directly to the Program Manager, all requests for participation and support for any international events involving USACE missions, resources and capabilities and Section 234 funding (e.g., workshops, speaking events, summits, forums, delegations' visits, training sessions, activities under MOUs, MOAs or any other type of agreements, fellowships at Embassies, or other type of engagement, etc.) that are submitted to the Engineering and Research Development Center and its laboratories, Institute for Water Resources (IWR), MSC (Divisions and Districts) and HQ, by an Embassy, Department of State, government agency, organization, or USACE individual.

c. The Program Manager will conduct a review to include:

(1) Assurance that the request follows criteria as per Section 6 of this policy guidance.

(2) Corps interest in participation and support.

(3) Strategic value of the event or activity.

(4) Intended outcomes and opportunities for continued or new partnerships.

(5) Determination if it is appropriate to use Section 234 funds or recommend other funding sources.

CECW-ZB

SUBJECT: Civil Works Section 234, Water Resources Development Act (WRDA) of 1996, As Amended, Budget Development, Defense and Execution Policy Guidance

(6) Assessment of what capabilities are needed.

(7) Selection of the appropriate expert (s) from across the USACE.

d. After review, the DCW will make a decision whether to support and approve such participation and funding, subject to funding availability.

e. The request must include the following information:

(1) The requests will be made on appropriate MS Word and also, on Excel spreadsheet, and will include the requirements listed in Enclosure 1-Section 234 Funding Request, and EC budget guidance.

(2) Provide technical and financial points of contacts. The information will be used by the Program Manager to process funding allocation transactions (MIPRs, other, etc).

f. Any request that is submitted outside the budget preparation and submission cycle (March and May of every year) may be considered for funding only if there are funds available, otherwise, other sources of funding should be identified by the requestor to cover the need.

g. After the engagement is complete, submit to the Program Manager, a summary of the actual cost and remainder of the funds if not completely executed. Any funds that are not used will be identified and returned to the Program Manager.

9. Requesting Official. The request for Section 234 funds for USACE participation to any event or activities will be prepared in writing by the Requesting Official (Embassy, Department of State, government agency, organization, individual, Division, District, or HQ, to include IWR, etc).

10. Fund Requests Approval.

a. Funding requests will be approved or disapproved by the DCW after review by the Program Manager, and after an assessment is made based on the Budget Engineer Circular requirements for the Investigations Appropriation's Remaining Items, and the requirements under this policy guidance.

b. On approved budgets and funding requests, the Program Manager will process the funding allocation and advise of transaction to requestor.

11. Execution and Reporting.

CECW-ZB

SUBJECT: Civil Works Section 234, Water Resources Development Act (WRDA) of 1996, As Amended, Budget Development, Defense and Execution Policy Guidance

a. Section 234 activities will be completed within the Fiscal Year or per the schedule agreed in the description, and scope of work presented in the request, and Civil Works' Fiscal Year execution requirements for the Investigation' Program.

b. A summary report documenting the key highlights of accomplishments and outcomes shall be provided to the Program Manager no later than two weeks after conclusion of program, project or activity. The summary report must include the information required under Enclosure 2-Section 234 Activity Summary Report.

c. Report of actual expenditures to the Program Manager on a monthly basis.

12. Maintenance of Records.

a. All Section 234 funding requests and supporting documentation will be maintained in a database managed by the Program Manager.

b. The Program Manager will submit the summary report of activities to the DCW quarterly, summarizing the supported activities accomplished using Section 234 funding, highlighting major accomplishments, and benefits to the USACE. The Program Manager is responsible for upward reporting to include DCW, ASA(CW) and the Department of State if requested and when appropriate and others as requested, the status of yearly activities including funding.

13. All questions regarding this policy and management of the Section 234 program shall be directed to the Section 234 Program Manager, Ms. Ada Benavides, Assistant Director of Civil Works and Senior Water Resources Policy Advisor, who can be reached at (202)-761-0415, or e-mail [ada.benavides@usace.army.mil](mailto:ada.benavides@usace.army.mil).



STEVEN L. STOCKTON, P.E.  
Director of Civil Works

Encls

DISTRIBUTION:

COMMANDERS, PROGRAMS AND REGIONAL BUSINESS DIRECTORS,  
GREAT LAKES AND OHIO RIVER DIVISION, CELRD  
MISSISSIPPI VALLEY DIVISION, CEMVD  
NORTH ATLANTIC DIVISION, CENAD  
NORTHWESTERN DIVISION, CENWD  
PACIFIC OCEAN DIVISION, CEPOD  
SOUTH ATLANTIC DIVISION, CESAD  
SOUTH PACIFIC DIVISION, CESP  
(CONT)

CECW-ZB

SUBJECT: Civil Works Section 234, Water Resources Development Act (WRDA) of 1996, As Amended, Budget Development, Defense and Execution Policy Guidance

DISTRIBUTION: (CONT)

SOUTHWESTERN DIVISION, CESWD

DIRECTOR, INSTITUTE FOR WATER RESOURCES

DIRECTOR, ENGINEER AND RESEARCH DEVELOPMENT CENTER

DIRECTOR, MILITARY PROGRAMS