



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
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WASHINGTON, DC 20350-2000

OPNAVINST 5726.3E
N3/N5
7 Mar 2017

OPNAV INSTRUCTION 5726.3E

From: Chief of Naval Operations

Subj: PROJECT HANDCLASP

Ref: (a) DoD Directive 5410.18 of 20 November 2001
(b) DoD Instruction 5410.19 of 13 November 2001
(c) DoD Instruction 2205.02 of 23 June 2014
(d) DSCA 5105.38-M, Security Assistance Management Manual, 30 April 2012
(e) SECDEF WASHINGTON DC 101458ZAUG16 (NOTAL)
(f) 10 U.S.C.
(g) Public Law 99-433
(h) OPNAVINST 4600.24D
(i) 5 CFR 2635
(j) DoD 5500.07-R, Joint Ethics Regulation, 30 August 1993
(k) 18 U.S.C.

1. Purpose

a. To establish policy, procedures, and responsibilities for Project Handclasp (PH), a U.S. Navy program that coordinates the receipt, temporary storage, and space-available transportation of properly donated humanitarian assistance (HA) goods to foreign nations in support of combatant commander (CCDR) HA requirements per references (a) through (k).

b. A Naval Audit Service audit of PH recommended updating the instruction to address process procedures to regulate custody of donations and management of operations. This revision also addresses organizational and administrative shifts and fiscal and ethics regulations issues identified during a legal review of the program. This instruction is a complete revision and should be read in its entirety.

2. Cancellation. OPNAVINST 5726.3D.

3. Scope and Applicability. This instruction applies to Director, International Engagement (OPNAV N52); Deputy Chief of Naval Operations for Fleet Readiness and Logistics (CNO N4); Commander, Naval Supply Systems Command (NAVSUPSYSCOM); and Navy component commanders (NCC).

4. Background

a. Department of Defense (DoD) HA. Pursuant to references (a) through (g), the geographic CCDRs plan and execute DoD HA missions through subordinate operational commanders and forces. References (a) through (k) establish the four statutory authorizations for DoD HA missions. Each authorization is funded using a related appropriation established in the annual DoD appropriations act. References (a) through (e) contain the DoD HA implementing regulations and procedural guidance.

b. Humanitarian and Civic Assistance (HCA). Nation assistance operations are civil and military assistance rendered to a nation by foreign forces within that nation's territory. One type of nation assistance operation is HCA. HCA programs are typically preplanned military exercises designed to provide assistance to the host nation populace while also promoting operational readiness skills and mutual security. Community relations civic action programs are conducted per references (a) and (b) and are often executed in conjunction with HCA programs. Donated materials from sources such as PH are included in community relations civic action programs.

c. PH Mission. PH coordinates the receipt, temporary storage, and space-available transportation via U.S. Navy vessels of properly donated HA goods to foreign nations in support of CCDR HA requirements per references (a) through (k).

(1) Authority. PH is conducted pursuant to the administrative control authority of the Chief of Naval Operations (CNO) to conduct naval logistics in support of CCDR operational requirements per sections 5031 and 5032 of reference (f) and U.S. Navy Regulations, 1990. The CNO's administrative control authority does not include authority to execute DoD HA missions.

(2) Constraints

(a) Navy stakeholders with assigned PH responsibilities must comply with references (a) through (k) and this instruction. Because PH may receive donated HA goods from non-federal entities organized under the laws of the United States (hereinafter referred to as domestic non-federal entities or domestic donor organizations), compliance with applicable ethics and standards of conduct authorities in references (h) through (k) is critical to ensure mission success.

(b) Upon issuance of this instruction, PH must ensure that any donated HA goods currently in a Navy storage facility and not planned to be used in a CCDR HA mission in the next 90 days will be removed within 180 days.

(3) Restraints

(a) PH cannot receive donated HA goods that do not support CCDR HA requirements or that conflict with the DoD HA implementing regulations set forth at references (c), (d), and (e).

(b) HA goods donated in support of a CCDR HA mission or exercise will be held by Navy activities only for the purposes of staging and transshipment to the intended port of disembarkation. As such, there must not be enduring Navy storage of donated HA goods. Goods will not be kept in storage in Navy facilities for longer than 90 days unless they have been validated as a forthcoming CCDR requirement. Otherwise such goods must be removed from Navy storage. Navy service-wide transportation (SWT) funding must not be used for line haul shipment of donated HA goods from the storage location to the port of embarkation or return to the non-federal entities. Use of CCDR HA funding for line haul to the port of embarkation is permissible per reference (h).

(c) Per law and regulation, the Navy administrative chain of command cannot execute the DoD HA mission in a CCDR's area of responsibility by distributing or using donated HA goods for the benefit of the host nation population. Distributing donated HA goods is solely within the responsibility and authority of the CCDRs under chapter 6 of reference (f).

(d) A Navy vessel shipping donated HA goods to a foreign nation in a CCDR's area of responsibility is simultaneously in the administrative and operational chains of command. When conducting the PH logistical support function, the Navy administrative chain of command cannot intrude upon the CCDR's operational responsibility and authority for HA mission execution. As a preventative measure, the PH logistical support function must cease upon arrival of the donated HA goods at the intended port of disembarkation in the host nation.

d. Funding. CNO funds logistic expenses incurred by PH using the Operation and Maintenance, Navy appropriation.

5. Responsibilities

a. CNO N4

(1) Provide funding for manpower and operations of PH.

(2) Ensure that a triennial financial audit of PH government funding is conducted and provided to NAVSUPSYSCOM for review to ensure efficient allocation of resources.

b. Director, International Engagement (OPNAV N52)

(1) Provide strategic policy guidance for PH and international engagement priorities.

(2) Coordinate with CNO N4 and Commander, NAVSUPSYSCOM, on significant policy issues affecting PH, including decisions related to the allocation of donated HA goods when CCDR demand for donated HA goods exceeds available supply.

(3) Ensure that the PH mission, policies, and procedural guidance are fully consistent with national security objectives, applicable law, regulations and DoD HA policies.

c. NAVSUPSYSCOM

(1) Establish PH procedures and implementation of PH activities while maintaining activities consistent with applicable law, regulations, and DoD HA policies.

(2) Develop an implementing instruction for PH organization, operations, and procedures. This instruction must, at a minimum, provide detailed roles and responsibilities within NAVSUPSYSCOM for conduct of PH; step-by-step processes in receiving, storing, and transporting donated HA goods; and oversight responsibilities to ensure PH compliance with references (c), (d), (e) and (h) through (k).

(3) Submit, no later than 31 December, an annual report to the Vice Chief of Naval Operations, copy to CNO N4 and Deputy Chief of Naval Operations for Operations, Plans, and Strategy (CNO N3/N5), that outlines the donated HA goods received, stored, and transported (space-available) in the previous fiscal year. The report will indicate the specific CCDR HA requirement that the donated HA goods supported or are intended to support. For donated HA goods that remain in temporary storage at the end of the fiscal year, the report must indicate the date that storage in the Navy supply system commenced and the estimated date of transportation, return to the non-federal entities, or appropriate disposal.

(4) Negotiate and conclude a memorandum of understanding (MOU) with domestic donor organizations that address the respective responsibilities of the donor and U.S. Navy with respect to the receipt, temporary storage, and transportation of the donated HA goods. MOUs must properly implement the requirements of references (a) through (k) and will be coordinated with CNO N3/N5 and CNO N4 prior to conclusion.

(5) Support the Global Logistics Support (GLS) Office of General Counsel in providing specific legal guidance for the PH Office concerning its interface and engagement with the donor non-federal entities.

d. NCCs

(1) Identify current and future CCDR HA requirements and the types of goods or materials that are necessary to execute planned HA missions.

(2) Engage the PH office by ensuring the NAVSUPSYSCOM embedded planner assigned to the NCC and the NAVSUPSYSCOM GLS operations officer are invited to CCDR mission planning conferences and meetings. The NAVSUPSYSCOM embedded planner and GLS operations officer will coordinate and pass mission requirements for donated HA goods and materials to the PH office.

e. NAVSUPSYSCOM GLS

(1) Oversee the daily execution of the PH mission, ensuring compliance with the governing authorities and NAVSUPSYSCOM guidance.

(2) Report to NAVSUPSYSCOM the necessary items listed in subparagraph 5c(3) to complete the annual report to the Vice Chief of Naval Operations.

f. NAVSUPSYSCOM GLS PH

(1) Report to Commander, NAVSUPSYSCOM GLS, or his or her designee.

(2) Interface with domestic donor organizations and non-federal entities per references (i) through (k), and any valid MOUs with NAVSUPSYSCOM.

(3) Interface with the NCC NAVSUPSYSCOM embedded planner and GLS operations officer to receive and coordinate requirements for donated HA goods in support of defined CCDR HA missions.

(4) Ensure donated HA goods received, temporarily stored, and transported meet current CCDR HA mission requirements.

(5) Work with NAVSUPSYSCOM GLS operations officer to arrange afloat transportation of donated HA goods on a space-available basis with the cognizant mission commander.

(6) Request, via NAVSUPSYSCOM, guidance from CNO N3/N5 or CNO N4 if conflicting requirements demand prioritization of available resources.

(7) Support NAVSUPSYSCOM with the annual report submission outlined in subparagraph 5c(3).

(8) Maintain a current inventory of all donated HA goods within the PH operation listing the items description, quantity, location, date of receipt from the donor non-federal entities, date of expected shipment to CCDR or date of proper disposal, or return to the donor non-federal entities.

g. NCCs and GLS Commands. Upon PH request, assign a member the collateral duty of PH coordinator to support the security, storage, and transportation of donated HA goods.

h. Mission and Operational Commanders. Transport donated HA goods on a space-available basis, providing donated HA goods the same accountability and care as government property.

i. Participating Domestic Non-Federal Entities. Voluntarily support the objectives and functions of PH, pursuant to the provisions of a MOU with NAVSUPSYSCOM by donating HA goods required by the CCDR. PH will accept donated HA goods only from domestic non-federal entities that enter into a valid MOU with NAVSUPSYSCOM. Non-federal entities retain title to all donations intended for PH distribution.

6. Procedural Guidance

a. Requirements. Requirements for donated HA goods to meet CCDR mission needs will be agreed upon by the CCDR mission commander staff and NCC NAVSUPSYSCOM embedded planner through the mission planning process. The NCC NAVSUPSYSCOM embedded planner will pass the requirements to the NAVSUPSYSCOM GLS operations officer who will pass the validated requirement to the PH office. PH will only accept at Navy storage facilities, or other activities, donated HA goods that meet the documented requirements of a CCDR HA mission.

b. Receipt

(1) PH will coordinate with the storage facility and domestic non-federal entities operating under a valid MOU with NAVSUPSYSCOM regarding the transportation and delivery to temporary storage of donated HA goods that support CCDR mission requirements.

(2) Donated HA goods must be externally marked with the contents, the CCDR mission for which the donated HA goods are intended, the date the goods were received from the non-federal entities, and a point of contact for the donating non-federal entities.

(3) The Navy storage location will provide only those services associated with maintaining the storage location (heat, light, fire protection, etc.).

c. Temporary Storage. Donated HA goods must not be stored in Navy facilities for longer than 90 days and must be validated as a forthcoming CCDR HA requirement or removed from Navy storage. Exceptions to this requirement must be approved by NAVSUPSYSCOM, and endorsed by NAVSUPSYSCOM GLS.

d. Transportation

(1) Transportation to Navy temporary storage locations is the responsibility of the non-federal entities providing donated HA goods.

(2) Transportation from the Navy temporary storage location to the mission activity transporting donated HA goods in support of a CCDR HA mission will be coordinated by PH.

(3) Transportation in support of the CCDR HA mission may be provided by naval vessels on a space-available basis and will be coordinated with the NCC command staff executing the CCDR HA mission and the transporting naval vessel.

(4) Transportation by the NCC naval vessel will end at the port of debarkation in the host nation. Distribution of donated HA goods within the host nation is solely within the responsibility and authority of the CCDRs under chapter 6 of reference (f).

e. Accounting


(1) Donated HA goods remain the property of the donating non-federal entities with the Navy assuming custody, but neither title nor ownership, of the donated HA goods. Donated HA goods must not be entered into any Navy accountable property system of record such as the Navy Enterprise Resource Program.

(2) Per PH mission authorities, restraints and constraints in subparagraph 4c the cessation of Department of the Navy responsibilities upon arrival of donated HA goods at the intended point of debarkation necessitates that customs clearances and any other duties, fees, tariffs, or charges of any kind are the responsibility of the CCDR. The Department of the Navy will not pay duties, fees, tariffs, or charges of any kind in support of the introduction of donated HA goods into the host nation.

f. Audits. NAVSUPSYSCOM will perform such audits as necessary to ensure PH complies with the requirements of references (a) through (k) and this instruction.

g. Interfacing with Donor Non-Federal Entities. NAVSUPSYSCOM GLS PH personnel will only accept donated HA goods from domestic non-federal entities that have entered into a valid MOU with NAVSUPSYSCOM. Pursuant to a valid MOU, PH personnel may inform non-federal entities that have offered to support PH what requirements CCDRs have for HA missions without violating the prohibition against solicitation in reference (i).

7. Action. Commands assigned responsibilities in this instruction must take appropriate action to achieve stated responsibilities and ensure the success of PH objectives.
8. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per Secretary of the Navy Manual 5210.1 of January 2012.
9. Review and Effective Date. Per OPNAVINST 5215.17A, CNO N3/N5 will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, DoD, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will automatically expire 5 years after effective date unless reissued or canceled prior to the 5-year anniversary date, or an extension has been granted.
10. Information Management Control. OPNAV RCS 5726-6 has been assigned to the data collection contained in subparagraphs 5c(3) and 5e(2).



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Releasability and distribution:

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