

# **Exhibit A**



**United States Department of State**  
*Bureau of Population, Refugees, and Migration*  
*Washington, D.C. 20520*

January 24, 2025

Mr. Guillermo Birmingham  
HIAS Inc.  
1300 Spring Street Suite 500  
Silver Spring, MD 201910-3634

REF: SPRMCO24CA0215; SPRMCO24CA0255; SPRMCO24CA0262; SPRMCO24CA0277;  
SPRMCO24CA0278; SPRMCO24CA0292; SPRMCO24CA0328; SPRMCO22CA0311;  
SPRMCO24CA0325; SPRMCO24CA0348; SPRMCO24CA0354; SPRMCO24CA0349

Consistent with the President's Executive Order on Reevaluating and Realigning United States Foreign Aid, the U.S. Department of State, Bureau of Population, Refugees, and Migration hereby notifies the recipient that, consistent with the terms of the award(s), the referenced award(s) are immediately suspended as of January 24, 2025. Award(s) may no longer effectuate agency priorities and are suspended pending a Department-wide review of foreign assistance programs. Decisions whether to continue, modify, or terminate award(s) will be made following this review.

Effective immediately upon receipt of this Notice of Suspension the Recipient must stop all work under the award(s) and not incur any new costs after the effective date cited above. The Recipient must cancel as many outstanding obligations as possible.

To comply with the Executive Orders on Ending Radical and Wasteful Government DEI Programs and Preferencing and Initial Recissions of Harmful Executive Orders and Actions, Recipients are hereby notified that no U.S. Government funds may be used to promote "diversity, equity, and inclusion" (DEI) at any level or in any activity, regardless of partner or program location. Any use of PRM funding to promote DEI must cease immediately, including activities that were previously authorized by PRM. Your certification that all such activities funded by U.S. Government funds have ceased is required immediately by emailing the grants officer for your award and copy [PRM-Comp-Mgt@State.gov](mailto:PRM-Comp-Mgt@State.gov). We understand that you may be receiving multiple emails from various grantors requesting this certification. Recipients must reply to this letter by email.

Recipients may submit payment requests for legitimate expenses incurred prior to the date of this Notice of Suspension or legitimate expenses associated with this Notice of Suspension.

Recipients are reminded that any changes to award terms and conditions, as well as costs must be approved by a grants officer. The program officer does not have authority to approve award costs or program changes.

If you have any other questions regarding the suspension, please contact me at [DeninoPM@state.gov](mailto:DeninoPM@state.gov).

Sincerely,

Philip Denino  
Grants Officer

# **Exhibit B**



**Department of State**

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**Termination Notification**

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NOTICE OF TERMINATION

February 03, 2025

HIAS

Mr. Guillermo Birmingham  
1300 Spring Street Suite 500  
Silver Spring, MD 201910-3634

REF: SPRMCO24CA0334

The U.S. Department of State hereby notifies the recipient that this award is immediately terminated as of February 03, 2025. This award no longer effectuates agency priorities and is terminated in accordance with the U.S. Department of State Standard Terms and Conditions and 2 CFR 200.340.

A modification to your award to codify this termination was processed in MyGrants and countersigned on your behalf to reflect the termination of this award on January 31, 2025.

Effective immediately upon receipt of this Notice of Termination the Recipient must stop all work on the program and not incur any new costs after the effective date cited above. The Recipient must cancel as many outstanding obligations as possible.

This termination is for the entirety of the award. In compliance with 2 CFR 200.343, the grants officer will issue a final modification to the award adjusting for costs that result from financial obligations which were properly incurred by the recipient or subrecipient before the effective date of termination, and not in anticipation of it.

Final performance and financial reports are due 120 days after the termination date.

Sincerely,

Philip Denino  
Deputy Comptroller (Grants Officer)

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# **Exhibit C**



**Department of State**

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**Termination Notification**

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NOTICE OF TERMINATION

February 04, 2025

HIAS

Mr. Guillermo Birmingham  
1300 Spring Street Suite 500  
Silver Spring, MD 201910-3634

REF: SPRMCO24CA0325

The U.S. Department of State hereby notifies the recipient that this award is immediately terminated as of February 04, 2025. This award no longer effectuates agency priorities and is terminated in accordance with the U.S. Department of State Standard Terms and Conditions and 2 CFR 200.340.

A modification to your award to codify this termination was processed in MyGrants and countersigned on your behalf to reflect the termination of this award on February 04, 2025.

Effective immediately upon receipt of this Notice of Termination the Recipient must stop all work on the program and not incur any new costs after the effective date cited above. The Recipient must cancel as many outstanding obligations as possible.

This termination is for the entirety of the award. In compliance with 2 CFR 200.343, the grants officer will issue a final modification to the award adjusting for costs that result from financial obligations which were properly incurred by the recipient or subrecipient before the effective date of termination, and not in anticipation of it.

Final performance and financial reports are due 120 days after the termination date.

Sincerely,

Philip Denino  
Deputy Comptroller (Grants Officer)

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# **Exhibit D**





**Welcome the stranger.  
Protect the refugee.**

## RESPONSE TO NOTICE OF TERMINATION

February 5, 2025

Philip Denino  
Deputy Comptroller (Grants Officer)  
Bureau of Population, Refugees, and Migration  
The U.S. Department of State

REF: SPRMCO24CA0334

Mr. Denino:

We have received your communication dated February 3, 2025 purporting to terminate award number SPRMCO24CA0334, where you also note that you have countersigned the modification codifying the termination on our behalf. We respectfully point out that the U.S. Department of State does not have authority to countersign anything on our behalf and we do not consent.

We also object to the award termination given that the U.S. Department of State has failed to provide any evidence indicating that the termination is authorized by law or compliant with recent court injunctions enjoining federal agencies from pausing, freezing, impeding, blocking, canceling, or terminating any awards or obligations on the basis of the Office of Management and Budget Memorandum M-25-13 or on the basis of the President's recently issued Executive Orders. We request that you reconsider the Department's termination action as not in accordance with applicable law.

Please also accept this notice as our intent to appeal the Department's termination decision. To that end, we request that you provide us with internal points of contact to effectuate that appeal.

Respectfully,

GUILLERMO A BIRMINGHAM, CPA  
Chief Financial Officer

# **Exhibit E**

**Kristen Strain**

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**From:** Guillermo Birmingham  
**Sent:** Wednesday, February 5, 2025 5:15 PM  
**To:** DeninoPM@state.gov  
**Cc:** David Weiss; Mark Hetfield; Elisabeth Sigler; Kristen Strain  
**Subject:** Response to Notice of Termination SPRMCO24CA0334  
**Attachments:** RESPONSE TO NOTICE OF TERMINATION SPRMCO24CA0334.pdf

Mr. Denino,

We acknowledge receipt of your memorandum dated 4 February 2025 referencing the subject PRM award.

**We do not consent to your countersigning the modification on our behalf.** Additionally we are informing you that we object to the award termination because of a failure to provide any evidence indicating the action is authorized by law or compliant with the recent court injunctions enjoining federal agencies from taking this action on the basis of the Office of Management and Budget Memorandum M-25-13 or on the basis of the President's recently issued Executive Orders.

Given the above, we request you reconsider this termination action.

Respectfully,

Guillermo Birmingham

**Guillermo A Birmingham, CPA**

*Interim Chief Financial Officer*

[hias.org](https://hias.org) | C 202-230-2225

**HIAS** Welcome the stranger. Protect the refugee.

# **Exhibit F**



**United States Department of State**  
*Bureau of Population, Refugees, and Migration*  
Washington, D.C. 20520

February 03, 2025

Mr. Guillermo Birmingham  
HIAS  
1300 Spring Street Suite 500  
Silver Spring, MD 201910-3634

REF: SPRMCO24CA0215

Consistent with the President's Executive Order on Reevaluating and Realigning United States Foreign Aid, the U.S. Department of State, Bureau of Population, Refugees, and Migration hereby notifies the recipient that, consistent with the terms of the award(s), the referenced award(s) are immediately suspended as of January 24, 2025. Award(s) may no longer effectuate agency priorities and are suspended pending a Department-wide review of foreign assistance programs. Decisions whether to continue, modify, or terminate award(s) will be made following this review.

Effective immediately upon receipt of this Notice of Suspension, the Recipient must stop all work under the award(s) and not incur any new costs after the effective date cited above. The following are **exempt** from this Notice of Suspension:

- Emergency food assistance and administrative expenses, including salaries, necessary to administer such assistance already within the scope of the referenced award; and
- Life-saving humanitarian assistance during the period of the review supporting activities in Chad, subject to further limitations conveyed by the PRM grants officer.

Implementers of existing life-saving humanitarian assistance programs should continue or resume work subject to the following directions. This resumption is temporary in nature, and except by separate waiver or as required to carry out this waiver, no new contracts shall be entered into.

(a) For purposes of this waiver, life-saving humanitarian assistance applies to core life-saving medicine, medical services, food, shelter, and subsistence assistance, as well as supplies and reasonable administrative costs as necessary to deliver such assistance.

(b) This waiver does not apply to activities that involve abortions, family planning, conferences, administrative costs other than those covered by (a) above, gender or DEI ideology programs, transgender surgeries, or other non-life saving assistance.

(c) Migration and Refugee Assistance (MRA) funding may only be used to support activities under section (a) and for repatriation of third country nationals to their country of origin or safe-third country.

In addition, the Recipient must cancel as many outstanding obligations as possible.

Recipients must limit activities to those allowed under the exemptions listed above. Life-saving humanitarian assistance is assistance which mitigates imminent threats to safety or well-being. During the period of review, payment requests must be submitted on a reimbursable basis and accompanied by a certification that expenses incurred meet an exemption listed in this Notice of Suspension.

To comply with the Executive Orders on Ending Radical and Wasteful Government DEI Programs and Preferencing, Initial Recissions of Harmful Executive Orders and Actions and Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, Recipients are hereby notified that no U.S. Government funds may be used to promote “diversity, equity, and inclusion” (DEI), gender ideology or provide for any medical procedure, treatment, or drug for the purpose of conforming an individual’s appearance to that of the opposite sex at any level or in any activity, regardless of partner or program location. Any use of PRM funding to promote DEI or gender ideology must cease immediately, including activities that were previously authorized by PRM. Unless previously submitted, your certification that all such activities funded by U.S. Government funds have ceased is required immediately by emailing the grants officer for your award and copy [PRM-Comp-Mgt@State.gov](mailto:PRM-Comp-Mgt@State.gov). We understand that you may be receiving multiple emails from various grantors requesting this certification. Recipients must reply to this letter by email.

Recipients may submit payment requests for legitimate expenses incurred prior to the date of this Notice of Suspension or legitimate expenses associated with this Notice of Suspension.

Recipients are reminded that any changes to award terms and conditions, as well as costs must be approved by a grants officer. The program officer does not have authority to approve award costs or program changes.

For awards referenced above, this letter supersedes previous letters issued by the PRM grants officer. Additional letters may be sent as updates to Department guidance or exemptions authorized under the Executive Order are approved.

If you have any other questions regarding the suspension, please contact me at [DeninoPM@state.gov](mailto:DeninoPM@state.gov).

Sincerely,

Name  
Grants Officer

# **Exhibit G**



## Kristen Strain

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**From:** Kristen Strain  
**Sent:** Tuesday, February 11, 2025 1:42 AM  
**To:** Kristen Strain  
**Subject:** FW: Revised Suspension Letter for HIAS Chad SPRMCO24CA0215  
**Attachments:** Suspension Letter for Foreign Assistance-PRM 2025-02-03 - HIAS Chad SPRMCO24CA0215.pdf

**From:** "Denino, Philip M" <[DeninoPM@state.gov](mailto:DeninoPM@state.gov)>  
**Date:** February 3, 2025 at 2:57:44 PM EST  
**To:** Guillermo Birmingham <[guillermo.birmingham@hias.org](mailto:guillermo.birmingham@hias.org)>  
**Cc:** PRM-Comp-Mgt <[PRM-Comp-Mgt@state.gov](mailto:PRM-Comp-Mgt@state.gov)>, "Manlowe, James S" <[ManloweJS@state.gov](mailto:ManloweJS@state.gov)>, "Meyerzon, Jessica" <[MeyerzonJ@state.gov](mailto:MeyerzonJ@state.gov)>, "Norris, Amanda V" <[NorrisAV@state.gov](mailto:NorrisAV@state.gov)>, Thuba Roush <[thuba.roush@hias.org](mailto:thuba.roush@hias.org)>, Timothy Bamwita <[timothy.bamwita@hias.org](mailto:timothy.bamwita@hias.org)>, "Ongwae, Alderin (Nairobi)" <[OngwaeA@state.gov](mailto:OngwaeA@state.gov)>, "Karnes, Ryan D (Quito)" <[KarnesRD@state.gov](mailto:KarnesRD@state.gov)>, "Amador, Molly M" <[AmadorMM@state.gov](mailto:AmadorMM@state.gov)>, "Alavi, Aamir" <[AlaviA@state.gov](mailto:AlaviA@state.gov)>, Eden Siskind <[eden.siskind@hias.org](mailto:eden.siskind@hias.org)>, Sabrina Lustgarten <[sabrina.lustgarten@hias.org](mailto:sabrina.lustgarten@hias.org)>, "Nagy, Emma M (Panama)" <[NagyEM@state.gov](mailto:NagyEM@state.gov)>, "Geiger, Jeffrey (Guadalajara)" <[GeigerJ1@state.gov](mailto:GeigerJ1@state.gov)>, Fatou Jobe <[fatou.job@hias.org](mailto:fatou.job@hias.org)>, Tatyana Rapaport <[Tatyana.Rapaport@hias.org](mailto:Tatyana.Rapaport@hias.org)>, David Weiss <[david.weiss@hias.org](mailto:david.weiss@hias.org)>, Mark Hetfield <[mark.hetfield@hias.org](mailto:mark.hetfield@hias.org)>, Beth Oppenheim <[beth.oppenheim@hias.org](mailto:beth.oppenheim@hias.org)>, Alice Robertson <[alice.robertson@hias.org](mailto:alice.robertson@hias.org)>, Alicia Wrenn <[alicia.wrenn@hias.org](mailto:alicia.wrenn@hias.org)>, Erik Gabriel <[erik.gabriel@hias.org](mailto:erik.gabriel@hias.org)>, Lucy Kiama <[lucy.kiama@hias.org](mailto:lucy.kiama@hias.org)>  
**Subject:** Revised Suspension Letter for HIAS Chad SPRMCO24CA0215

### EXTERNAL EMAIL

Dear HIAS colleagues,

Please see the revised suspension letter outlining guidance from PRM on compliance with Executive Orders. This letter supersedes previous letters issued by the PRM grants officer. Additional letters may be sent as updates to Department guidance or additional exemptions authorized under the Executive Order are approved.

PRM will follow up shortly to set up a meeting to discuss the specific HIAS programming in Chad that falls under the exemption for life-saving humanitarian assistance.

Philip Denino  
Deputy Comptroller  
Bureau of Population, Refugees and Migration  
U.S. Department of State  
(771) 204-4958  
[DeninoPM@state.gov](mailto:DeninoPM@state.gov)

# **Exhibit H**

**Kristen Strain**

**From:** Guillermo Birmingham  
**Sent:** Friday, February 7, 2025 2:03 PM  
**To:** Denino, Philip M  
**Cc:** PRM-Comp-Mgt; Manlowe, James S; Meyerzon, Jessica; Norris, Amanda V; Thuba Roush; Timothy Bamwita; Ongwae, Alderin (Nairobi); Karnes, Ryan D (Quito); Amador, Molly M; Alavi, Aamir; Eden Siskind; Sabrina Lustgarten; Nagy, Emma M (Panama); Geiger, Jeffrey (Guadalajara); Fatou Jobe; Tatyana Rapaport; David Weiss; Mark Hetfield; Beth Oppenheim; Alice Robertson; Alicia Wrenn; Erik Gabriel; Lucy Kiama; Kristen Strain; Lucy Kiama  
**Subject:** RE: Revised Suspension Letter for HIAS Chad SPRMCO24CA0215

Mr. Denino,

I am writing in response to your Notice of Suspension dated February 3, 2025 (the “Notice”), to provide an overview of HIAS’ activities conducted in Chad pursuant to PRM award SPRMCO24CA0215 that are exempt from the 90-day suspension expressed in President Trump’s executive order, Reevaluating and Realigning U.S. Foreign Aid, which suspended foreign assistance pending a Department review of foreign assistance.

We understood this Notice to be guidance to our organization that we should stop all work under the grant unless it is exempted from suspension as “existing life-saving humanitarian assistance” defined by the Department as “core life-saving medicine, medical services, food, shelter, and subsistence assistance, as well as supplies and reasonable administrative costs as necessary to deliver such assistance.”

**We interpret this PRM Notice to mean that we should NOT stop work that we, in good faith, assess to be lifesaving. We assess the following work in Chad, funded by PRM, to be lifesaving humanitarian assistance, and covered by a self-executing waiver pursuant to the terms of this Notice.**

Grant Objective	Activity
<b>OBJECTIVE 1 - Improve the safety and wellbeing of vulnerable women and girls by strengthening prevention mechanisms against sexual abuse and exploitation.</b>	<b>Activity 1.2:</b> Provide management.
	<b>Activity 1.7: Support to income generating activities (IGAs) for women at risk, including GBV survivors. On this component, we will be focusing on lifesaving aspects of it which involve emergency cash assistance</b>

<p><b>OBJECTIVE 1</b> - Improve the safety and wellbeing of vulnerable women and girls by strengthening prevention mechanisms against sexual abuse and exploitation.</p>	<p>Activity 1.8: Support to women and girls at risk, including survivors of abuse and exploitation, through perma gardening initiatives.</p>
<p><b>OBJECTIVE 2:</b> Prevent and respond to child protection risks and needs by strengthening existing protection systems and providing specialized child protection services in line with child protection minimum standards.</p>	<p>Activity 2.2: Provide child protection case management services for vulnerable and at-risk children.</p>
<p><b>OBJECTIVE 2:</b> Prevent and respond to child protection risks and needs by strengthening existing protection systems and providing specialized child protection services in line with child protection minimum standards.</p>	<p>Activity 2.7: Provide safe, accessible, child-friendly spaces (CFS).</p>
<p><b>OBJECTIVES 1 &amp; 2:</b> Cross-cutting Emergency Supplies</p>	<p>Other activity costs: Provide emergency assistance food and non-food items to newly arriving vulnerable refugees.</p>
<p><b>OBJECTIVE 3:</b> Support Refugees and host communities to meet their immediate needs and access meaningful socioeconomic inclusion opportunities through appropriate livelihoods, financial assistance, and vocational training services.</p>	<p>Activity 3.1: Implement the graduation Model Approach (GMA) in southern Chad. Under this component, we will focus only on...</p> <p>Activity 3.2: Food Security and nutrition interventions to improve the availability, access, and consumption of nutritious food...</p>

Please let me know if you or anyone at PRM has any questions or concerns about this.

Respectfully,

Guillermo Birmingham

**Guillermo A Birmingham, CPA**

*Interim Chief Financial Officer*

[hias.org](http://hias.org) | C 202-230-2225

**HIAS** Welcome the stranger. Protect the refugee.

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**From:** Denino, Philip M <DeninoPM@state.gov>

**Sent:** Monday, February 3, 2025 2:57 PM

**To:** Guillermo Birmingham <guillermo.birmingham@hias.org>

**Cc:** PRM-Comp-Mgt <PRM-Comp-Mgt@state.gov>; Manlowe, James S <ManloweJS@state.gov>; Meyerzon, Jessica <MeyerzonJ@state.gov>; Norris, Amanda V <NorrisAV@state.gov>; Thuba Roush <thuba.roush@hias.org>; Timothy Bamwita <timothy.bamwita@hias.org>; Ongwae, Alderin (Nairobi) <OngwaeA@state.gov>; Karnes, Ryan D (Quito) <KarnesRD@state.gov>; Amador, Molly M <AmadorMM@state.gov>; Alavi, Aamir <AlaviA@state.gov>; Eden Siskind <eden.siskind@hias.org>; Sabrina Lustgarten <sabrina.lustgarten@hias.org>; Nagy, Emma M (Panama) <NagyEM@state.gov>; Geiger, Jeffrey (Guadalajara) <GeigerJ1@state.gov>; Fatou Jobe <fatou.job@hias.org>; Tatyana Rapaport <Tatyana.Rapaport@hias.org>; David Weiss <david.weiss@hias.org>; Mark Hetfield <mark.hetfield@hias.org>; Beth Oppenheim <beth.oppenheim@hias.org>; Alice Robertson <alice.robertson@hias.org>; Alicia Wrenn <alicia.wrenn@hias.org>; Erik Gabriel <erik.gabriel@hias.org>; Lucy Kiama <lucy.kiama@hias.org>

**Subject:** Revised Suspension Letter for HIAS Chad SPRMCO24CA0215

## EXTERNAL EMAIL

Dear HIAS colleagues,

Please see the revised suspension letter outlining guidance from PRM on compliance with Executive Orders. This letter supersedes previous letters issued by the PRM grants officer. Additional letters may be sent as updates to Department guidance or additional exemptions authorized under the Executive Order are approved.

PRM will follow up shortly to set up a meeting to discuss the specific HIAS programming in Chad that falls under the exemption for life-saving humanitarian assistance.

Philip Denino  
Deputy Comptroller  
Bureau of Population, Refugees and Migration  
U.S. Department of State  
(771) 204-4958  
[DeninoPM@state.gov](mailto:DeninoPM@state.gov)

# Exhibit I

## Kristen Strain

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**From:** Kristen Strain  
**Sent:** Tuesday, February 11, 2025 2:23 AM  
**To:** Kristen Strain  
**Subject:** FW: Follow-up to our call about Chad HIAS 24CA0215

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**From:** Denino, Philip M <[DeninoPM@state.gov](mailto:DeninoPM@state.gov)>  
**Sent:** Tuesday, February 4, 2025 2:08 PM  
**To:** Guillermo Birmingham <[guillermo.birmingham@hias.org](mailto:guillermo.birmingham@hias.org)>  
**Cc:** Lucy Kiama <[lucy.kiama@hias.org](mailto:lucy.kiama@hias.org)>; Erik Gabriel <[erik.gabriel@hias.org](mailto:erik.gabriel@hias.org)>; Meyerzon, Jessica <[MeyerzonJ@state.gov](mailto:MeyerzonJ@state.gov)>; Manlowe, James S <[ManloweJS@state.gov](mailto:ManloweJS@state.gov)>; Norris, Amanda V <[NorrisAV@state.gov](mailto:NorrisAV@state.gov)>  
**Subject:** Follow-up to our call about Chad HIAS 24CA0215

### EXTERNAL EMAIL

Hello HIAS Colleagues,

As I mentioned during our call this morning, we are in a fluid situation. At the end of our call we had agreed that HIAS would provide a list of activities and budget believed to be compliant to the Exemption.

We have now been given guidance that PRM will not be providing any additional information regarding the application of the waivers/exemptions to activities. At this time, I can only refer you to the Revised Suspension Memo to guide you in resuming activities. As we received additional guidance, I will send it to you.

I did not have the email address for Sabrina or Kristen. Please forward this message to them.

Philip Denino  
Deputy Comptroller  
Bureau of Population, Refugees and Migration  
U.S. Department of State  
(771) 204-4958  
[DeninoPM@state.gov](mailto:DeninoPM@state.gov)

# **Exhibit J**



## Kristen Strain

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**From:** Guillermo Birmingham  
**Sent:** Monday, February 10, 2025 11:17 AM  
**To:** Philip M Denino  
**Cc:** Erik Gabriel; Sabrina Lustgarten; Tatyana Rapaport; Timothy Bamwita; Kristen Strain; Elisabeth Sigler; David Weiss  
**Subject:** Re: Payment Processing timelines

Thanks. As you can imagine this is concerning given the statements of the Secretary of State who publicly questioned the intelligence of organizations who couldn't figure out how to request waivers, etc. The lack of guidance coupled with the payment processing slow down is contributing to the inability of aid organizations to provide the life saving services depicted in the exemptions depicted in the SOS communication. In addition, as I'm sure your agency is aware, tens of thousands of aid workers have been laid off globally and in the United States. Even if an exemption is granted it has no effect until resources are released to provide the services.

Best Regards

Guillermo  
**Guillermo A Birmingham, CPA**  
*Interim Chief Financial Officer*  
[hias.org](http://hias.org) | C 202-230-2225

**HIAS** Welcome the stranger. Protect the refugee.

On Feb 10, 2025, at 10:53 AM, Denino, Philip M <DeninoPM@state.gov> wrote:

### EXTERNAL EMAIL

I can't provide guidance. It was determined much higher than me.

Phil

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**From:** Guillermo Birmingham <guillermo.birmingham@hias.org>  
**Sent:** Monday, February 10, 2025 10:51 AM  
**To:** Denino, Philip M <DeninoPM@state.gov>  
**Cc:** Erik Gabriel <erik.gabriel@hias.org>; Sabrina Lustgarten <sabrina.lustgarten@hias.org>; Tatyana Rapaport <Tatyana.Rapaport@hias.org>; Timothy Bamwita <timothy.bamwita@hias.org>; Kristen Strain <kristen.strain@hias.org>; Elisabeth Sigler <elisabeth.sigler@hias.org>; David Weiss <david.weiss@hias.org>  
**Subject:** RE: Payment Processing timelines

OK...I know you may not be able to answer but I will ask regardless: Do you have guidance you can share on what would qualify as "emergency payments"?

Thanks

Guillermo

**Guillermo A Birmingham, CPA**

*Interim Chief Financial Officer*

[hias.org](https://hias.org) | C 202-230-2225

**HIAS** Welcome the stranger. Protect the refugee.

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**From:** Denino, Philip M <[DeninoPM@state.gov](mailto:DeninoPM@state.gov)>

**Sent:** Monday, February 10, 2025 10:49 AM

**To:** Guillermo Birmingham <[guillermo.birmingham@hias.org](mailto:guillermo.birmingham@hias.org)>

**Cc:** Erik Gabriel <[erik.gabriel@hias.org](mailto:erik.gabriel@hias.org)>; Sabrina Lustgarten <[sabrina.lustgarten@hias.org](mailto:sabrina.lustgarten@hias.org)>; Tatyana Rapaport <[Tatyana.Rapaport@hias.org](mailto:Tatyana.Rapaport@hias.org)>; Timothy Bamwita <[timothy.bamwita@hias.org](mailto:timothy.bamwita@hias.org)>; Kristen Strain <[kristen.strain@hias.org](mailto:kristen.strain@hias.org)>; Elisabeth Sigler <[elisabeth.sigler@hias.org](mailto:elisabeth.sigler@hias.org)>; David Weiss <[david.weiss@hias.org](mailto:david.weiss@hias.org)>

**Subject:** RE: Payment Processing timelines

**EXTERNAL EMAIL**

Mr. Birmingham,

I don't know anything about USAID issuing payments. We were able to make some emergency payments on Friday which Treasury would have dispersed today.

The timeline for "new normal" payments is still being worked out. As of now, I still do not know all the details of the new process, but there is an understanding at high levels that it needs to be worked out soon.

Phil

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**From:** Guillermo Birmingham <[guillermo.birmingham@hias.org](mailto:guillermo.birmingham@hias.org)>

**Sent:** Monday, February 10, 2025 10:27 AM

**To:** Denino, Philip M <[DeninoPM@state.gov](mailto:DeninoPM@state.gov)>

**Cc:** Erik Gabriel <[erik.gabriel@hias.org](mailto:erik.gabriel@hias.org)>; Sabrina Lustgarten <[sabrina.lustgarten@hias.org](mailto:sabrina.lustgarten@hias.org)>; Tatyana Rapaport <[Tatyana.Rapaport@hias.org](mailto:Tatyana.Rapaport@hias.org)>; Timothy Bamwita <[timothy.bamwita@hias.org](mailto:timothy.bamwita@hias.org)>; Kristen Strain <[kristen.strain@hias.org](mailto:kristen.strain@hias.org)>; Elisabeth Sigler <[elisabeth.sigler@hias.org](mailto:elisabeth.sigler@hias.org)>; David Weiss <[david.weiss@hias.org](mailto:david.weiss@hias.org)>

**Subject:** Payment Processing timelines

Philip,

We have been hearing from colleagues across the aid community that they have been receiving payments as of today. Some from USAID (BHA) and others from DoS. If this is correct, does that mean you have a better understanding of the timeline required to receive

payment under the new process? If so, do you have any idea specifically to the invoices we have pending?

Thanks,

Guillermo

**Guillermo A Birmingham, CPA**

*Interim Chief Financial Officer*

[hias.org](https://www.hias.org) | C 202-230-2225

**HIAS** Welcome the stranger. Protect the refugee.

# **Exhibit K**



**Department of State**

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**Termination Notification**

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NOTICE OF SUSPENSION AND/OR TERMINATION

February 7, 2025

HIAS INC  
Sabrina Lustgarten  
1300 SPRING STREET SUITE 500  
SILVER SPRING, MD 20910-3634  
UNITED STATES

REF: SAQMIP23GR0213; EMPOWER

Dear Sabrina:

The U.S. Department of State hereby notifies the Recipient that this award is immediately terminated. Award activities were suspended per the suspension notice issued on January 24, 2025. This award no longer effectuates agency priorities and is terminated in accordance with the U.S. Department of State Standard Terms and Conditions and 2 CFR 200.340.

This termination shall be further codified through an amendment to the award reflecting the termination date.

Effective January 24, 2025, upon receipt of the Notice of Suspension the Recipient was directed to stop all work on the program and not incur any new costs after the effective suspension date cited above. The Recipient must cancel as many outstanding obligations as possible.

A final performance report and financial report is due 120 days after the issuance of this termination notice.

Sincerely,  
*Selina Holt*  
Selina Holt

Grant Officer

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# **Exhibit L**



Welcome the stranger.  
Protect the refugee.

RESPONSE TO NOTICE OF TERMINATION

February 7, 2025

Selina Holt  
Deputy Comptroller (Grants Officer)  
Bureau of Democracy, Human Rights, and Labor  
The U.S. Department of State

REF: SAQMIP23GR0213; EMPOWER

Ms. Holt:

We have received your communication dated February 7, 2025 purporting to terminate award number SAQMIP23GR0213; EMPOWER.

We object to the award termination given that the U.S. Department of State has failed to provide any evidence indicating that the termination is authorized by law or compliant with recent court injunctions enjoining federal agencies from pausing, freezing, impeding, blocking, canceling, or terminating any awards or obligations on the basis of the Office of Management and Budget Memorandum M-25-13 or on the basis of the President's recently issued Executive Orders. We request that you reconsider the Department's termination action as not in accordance with applicable law.

Please also accept this notice as our intent to appeal the Department's termination decision. To that end, we request that you provide us with internal points of contact to effectuate that appeal.

Respectfully,

  
GUILLERMO A. BIRMINGHAM, CPA  
Chief Financial Officer

# **Exhibit M**





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## USAID's Implementation of the Funding Pause for Foreign Assistance Programs

Share Bulletin

United States Agency for International Development sent this bulletin at 01/28/2025 04:07 PM EST



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January 28, 2025

## USAID's Implementation of the Funding Pause for Foreign Assistance Programs

Dear USAID Implementing Partners,

In accordance with the President's Executive Order on [Reevaluating and Realigning United States Foreign Aid](#), OMB Memorandum M-25-13 ("Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs"), direction from the Department of State, and the previously issued [Notice on Implementation of Executive Order on Reevaluating and Realigning United States Foreign Aid](#), USAID is working to immediately implement the funding pause for foreign assistance programs, and all Federal financial assistance programs. We recognize that this pause will impact programming, our implementing partners at every tier, and the communities served by foreign assistance-funded activities. To that end, our focus is on ensuring that the funding pause and subsequent reviews are implemented efficiently to ensure full compliance with Presidential direction and policy, and so approved programming can resume as appropriate.

To facilitate this process, USAID has issued additional instructions to all Contracting Officers and Agreement Officers (COs/AOs) on appropriate next steps, timelines, and considerations for implementing the funding pause. This includes guidance on addressing existing awards, pausing or canceling new solicitations and notices of funding opportunity (NOFOs), and refraining from issuing new awards.

### Immediate Actions

To implement the funding pause, this communication from the M/OAA Director in his capacity as the Senior Procurement Executive and Assistance Executive serves as official notice to all implementing partners to:

- 1. Take immediate action to pause implementation of USAID program-funded activities and otherwise refrain from further commitments or expenditures of USAID funding, until further notice.**
2. Confirm receipt and acknowledge the requirements of this notice with the cognizant CO/AO for your award, as soon as possible.

Subject to individual award terms, this notice applies to all awards (e.g., contracts, grants, cooperative agreements, and other funding mechanisms) and funding at every tier, unless an implementing partner has received formal notification from their cognizant CO/AO that their award is covered, in whole or in part, by a current waiver. Prime contractors and recipients are responsible for ensuring subcontractors, subrecipients, and all other sub-tier contractors and awardees similarly comply with this notice.

### What to Expect Moving Forward

Current implementing partners should expect to receive formal notifications and instructions from their COs/AOs imminently, if they have not already. Depending on award type, this may be a stop-work order (contracts) or a suspension or request for bilateral amendment (grants and cooperative agreements). These formal notifications will require implementing partners to pause or mitigate further obligations or cost incurrence, consistent with the terms and conditions of their awards.

As directed by the Executive Order and Department of State, a government-wide comprehensive review of all foreign assistance shall be completed within eighty-five days of January 24, 2025. Once reviews are completed, COs/AOs will promptly communicate award decisions and take appropriate next steps to resume, modify/amend, or terminate awards. Because the funding pause will have schedule and cost implications for implementing partners, COs/AOs will negotiate equitable adjustments as a result of stop work orders, suspension notices, or termination settlements, as appropriate. Implementing partners are encouraged to review their specific award terms and conditions.

Prospective implementing partners should expect all solicitations/NOFOs and any pre-award discussions or negotiations to stop immediately. COs/AOs may issue formal amendments to solicitations/NOFOs (publicly available on SAM.gov or Grants.gov) or otherwise communicate this pause to implementing partners that have already submitted a proposal or application in response to a funding opportunity.

Once proposed activities are reviewed, COs/AOs will issue subsequent amendments or communications to announce whether or not the solicitation/NOFO or pre-award process will continue, be modified, or canceled.

### Who to Contact

A [copy of this notice](#) has been posted to USAID's [Implementing Partner Notices portals](#). Any questions related to this notice or to actions required for specific awards should be directed to your cognizant CO/AO.

Sincerely,

Jami J. Rodgers  
USAID Senior Procurement Executive and  
Director, Bureau for Management, Office of Acquisition & Assistance

Visit [WorkwithUSAID.gov](https://www.workwithusaid.gov) today to learn more about how to navigate the  
USAID partnership process!

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# **Exhibit N**



**USAID**  
FROM THE AMERICAN PEOPLE

January 31, 2025

To: USAID/BHA Implementing Partners

**Subject: Partial Award Suspension and DEIA Activities under USAID/BHA Awards**

Reference: [President Trump's Executive Orders Reevaluating and Realigning United States Foreign Aid](#); [Reevaluating and Realigning United States Foreign Aid](#); and [DEIA Activities Under Existing USAID Awards](#)

Dear Implementing Partner:

**Partial Award Suspension**

Pursuant to 2 CFR 700.14 or the applicable standard provision (i.e., M.10 Award Suspension and Termination) of your award, the Agreement Officer directs the partial suspension of activities under your award that are not for lifesaving humanitarian assistance, which includes essential medicines, medical services, food, shelter, and subsistence assistance, as well as necessary supplies and reasonable administrative costs to facilitate the delivery of such assistance, in accordance with the referenced notice on [Reevaluating and Realigning United States Foreign Aid](#) and in response to direction from the Secretary of State. BHA interprets this lifesaving humanitarian assistance to include protection services necessary in an insecure environment for the delivery of lifesaving humanitarian assistance. In accordance with the above, the exempted emergency sectors are listed below:

<b>Emergency Sectors Exempted</b>
● Emergency Food Assistance
● Emergency Health
● Emergency Logistics
● Emergency Nutrition
● Emergency Protection
● Emergency Shelter and Settlements
● Emergency Water Sanitation and Hygiene

The details of the partial suspension are as follows:

**(1) Cease Work:** Immediately cease all work related to the award, except as necessary to comply with this notice.

**(2) Minimizing costs:** The Recipient and subawardee(s) must minimize the incurrence of costs allocable to the award during the partial suspension period. Legitimate programmatic expenses incurred prior to January 24, 2025, under existing awards or expenses associated with suspensions or pause-related amendments will be considered for allowability. The determination of how to best minimize the incurrence of cost falls within your discretion and business judgment. No additional USAID guidance is forthcoming at this time.

This partial suspension is effective with the date of this letter and will remain in place until you have been otherwise notified in writing by the Agreement Officer.

**Diversity, Equity, Inclusion, and Accessibility (DEIA) Activities under Existing USAID Awards**

Previously via email dated January 24, 2025, you were asked to cease all DEIA activities under all contracts, grants, cooperative agreements, and other awards, including subcontracts and subawards, and programs domestic and abroad, with awards to be modified or terminated in accordance with award terms and conditions. If you have taken action under your award to cease DEIA-related activities, **please submit a certification via Email with the Subject Line: "DEIA Partner Certification" that your DEIA-related activities have completely ceased and submit to your respective Agreement Officer immediately and the AOR, [IndustryLiaison@usaid.gov](mailto:IndustryLiaison@usaid.gov), and [BHA.GrantsUnit.Admin@usaid.gov](mailto:BHA.GrantsUnit.Admin@usaid.gov) in copy.** The certification should include the name of the activity, the award number, and a clear statement that DEIA-related activities have completely ceased.

Further, please respond with confirmation of receipt of this letter immediately to the Agreement Officer of your award, referencing the award number(s) and activity name(s), with a copy to your AOR and [BHA.GrantsUnit.Admin@usaid.gov](mailto:BHA.GrantsUnit.Admin@usaid.gov). Please submit a separate confirmation for each award.

Sincerely,

Christie Savage  
Acting Supervisory Agreement Officer

Cc: USAID/BHA AORs

# **Exhibit O**

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From: Guillermo Birmingham <guillermo.birmingham@hias.org>  
Sent: Tuesday, February 4, 2025 9:34 AM  
To: Christie Savage <chsavage@usaid.gov>  
Cc: Mark Hetfield <mark.hetfield@hias.org>; Carrie Brekke <carrie.brekke@hias.org>; Elisabeth Sigler <elisabeth.sigler@hias.org>; BHA Grants Unit Admin <bha.grantsunit.admin@usaid.gov>; Sabrina Lustgarten <sabrina.lustgarten@hias.org>; David Weiss <david.weiss@hias.org>; Erik Gabriel <erik.gabriel@hias.org>; James Hauser <james.hauser@hias.org>; Beth Oppenheim <beth.oppenheim@hias.org>; Alice Robertson <alice.robertson@hias.org>  
Subject: Request for Clarification: Partial Award Suspension (720BHA24GR00159)

Dear Ms. Savage,

HIAS acknowledges receipt of the attached Partial Suspension Notice memorandum.

I am writing to request clarification as to whether HIAS' activities, conducted in Venezuela pursuant to BHA awards, are exempt from the 90-day suspension expressed in President Trump's executive order, Reevaluating and Realigning U.S. Foreign Aid, which suspended foreign assistance. To the extent not already exempt, HIAS requests an emergency waiver.

We are in receipt of USAID's Implementation of the Funding Pause for Foreign Assistance, dated January 28, 2025, which served as "official notice to all implementing partners to . . . take immediate action to pause implementation of USAID program-funded activities and otherwise refrain from further commitments or expenditures of USAID funding, until further notice."

The notice further stated that it applies to all awards, grants, cooperative agreements, etc., "unless an implementing partner has received formal notification . . . that their award is covered, in whole or in part, by a current waiver."

We understood this notice to be guidance to our organization that we should stop all work unless otherwise notified by USAID that our work qualifies for a waiver. While we have not received explicit notice that our BHA-funded work in Venezuela qualifies for a waiver, we did receive, on January 31, a notice of "partial award suspension," in which the Agreement Officer directed "partial suspension of activities under your award that are not for lifesaving humanitarian assistance, which includes essential medicines, medical services, food, shelter, and subsistence assistance, as well as necessary supplies and reasonable administrative costs to facilitate the delivery of such assistance...."

We interpret this BHA notice to mean that we should NOT stop work that we, in good faith, assess to be lifesaving. We assess the following work in Venezuela, funded by BHA, to be lifesaving humanitarian aid, and to the extent not already covered by a self-executing waiver, HIAS hereby requests an immediate waiver that would allow this work to continue.

The project, "Multisectoral Assistance and Life-saving Protection Services for Most Vulnerable and At Risk Venezuelans Affected by the Crisis in Venezuela" is designed for the most vulnerable populations in an unstable environment, including survivors of and people at risk of sexual violence and human trafficking, individuals with disabilities, children and adolescents, and the elderly. The focus is to provide comprehensive life-saving protection services and multisectoral assistance to save lives and protect people.



The project includes emergency response in the sectors of protection, water, sanitation and hygiene and health.

The protection sector includes emergency and multisectoral activities in the sub-sector of child protection for children at risk, services for survivors/cases of sexual violence and human trafficking, and psychosocial support services for the elderly and people with disabilities at risks. These sub-sectors activities include case management services, psychosocial support services, safe spaces for children, information and legal advice, follow up and referrals, food assistance, in-kind assistance and services.

The health sector includes the provision of health services and support to victims of sexual violence and people with disabilities, through the sub-sector essential health services, pharmaceuticals and medical commodities and health systems support. The sub-sector, Essential Health Services, includes the provision of clinical health services to victims of sexual violence, and physical and functional rehabilitation services for people with disabilities. The sub-sector, Pharmaceuticals and Medical Commodities, includes the provision of non-restricted medical equipment and supplies/low-complexity assistive devices and support products to people with disabilities. The sub-sector, Health Systems Support, includes training of health personnel (doctors and nurses) on the clinical management of sexual violence victims and management and care of persons with disabilities.

The WASH sector includes the promotion of healthy water consumption and sanitation and hygiene practices, to mitigate public health risks that could affect vulnerable populations and communities. The sub-sector, Water Supply, includes the distribution of ceramic household filters for water treatment at the household level and water quality monitoring. This activity is complemented by the promotion of HWTS methods included in the hygiene promotion activities. The sub-sector, Hygiene Promotion, includes information and sessions for vulnerable households and communities on hygiene promotion, disease prevention, protection risks associated with poor sanitation and hygiene practices, and participatory hygiene promotion initiatives with HWTS methods for safe household (HH) water treatment and storage.

Project: Multisectoral Assistance and Life-saving Protection Services for Most Vulnerable and At-risk Venezuelans Affected by the Crisis in Venezuela:

The project aims to provide life-saving protection services and multisectoral assistance to vulnerable and at-risk Venezuelan individuals, including survivors and those at risk of sexual exploitation and violence and human trafficking, children and adolescents, elderly, and the disabled. The project includes emergency response in the sectors of protection, water, sanitation and hygiene and health. The protection sector includes the following sub-sectors and protection emergency activities:

**Child Protection:** Implementation of a multi-sector emergency response for children and adolescents at-risk and survivors of child violence, as well as their parents and caregivers. The response includes case management services, psychosocial support services, safe spaces for children, information and legal advice, follow up and referrals, food assistance, and in-kind assistance and services.

**Sexual Violence and Exploitation Response:** Implementation of a multi-sector emergency response for people at risk and survivors of domestic violence, sexual violence, sexual exploitation, and human trafficking. The response includes case management services, psychosocial support services, information and legal advice; follow up and referrals, food assistance and in-kind assistance and services.

**Psychosocial Support Services (PSS):** Implementation of multi-sectoral emergency response protocols to assist vulnerable people at risk such as the elderly and disabled. The response includes psychosocial support services,

information, and legal advice; follow up and referrals; food assistance; in-kind assistance and services; and strategies to access communities and identify of cases at risk.

The Health Sector includes the provision of health services and support to victims of sexual violence and people with disabilities.

Essential Health Services: Provision of clinical health services to victims of sexual violence and health services for vulnerable and at-risk people with disabilities, contributing to their health care, protection and well-being.

- Provision of clinical care to victims of sexual violence following the standard National Protocol for the Clinical Management of Sexual Violence (2022).
- Provision of physical and functional rehabilitation services for people with disabilities, including physiotherapy, based on an analysis of context and personal needs.

Pharmaceuticals and Medical Commodities:

-Provision of pharmaceutical and medical supplies (not paid for by this project/BHA funds but mentioned in the project) as part of the clinical care of sexual violence and aligned to the National Protocol for the Clinical Management of Sexual Violence;

-Provision of BHA EAG's non-restricted medical equipment and supplies/low-complexity assistive devices and support products that will be delivered within the framework of rehabilitation processes to people with disabilities.

Health Systems Support: Training of health personnel (doctors and nurses) with a defined curriculum and set learning objectives to achieve knowledge in the Clinical Management of Sexual Violence Protocol and Management and Care of Persons with Disabilities and their Caregivers.

The WASH sector includes the promotion of healthy water consumption, sanitation and hygiene practices through a protection and community-based approach, to mitigate health risks.

Water Supply: Distribution of ceramic household filters for water treatment at HH level and water quality monitoring. This activity is complemented by the promotion of HWTS methods included in the hygiene promotion activities.

Hygiene Promotion: Promotion of appropriate WASH practices and behavior change methodologies. Training sessions for community leaders on hygiene promotion and its relationship to well-being, including information on disease prevention and protection risks associated with poor sanitation and hygiene practices; participatory hygiene promotion initiatives with HWTS methods for safe household (HH) water treatment and storage.

Given that these activities have real impact and life or death consequences for our clients, we request an immediate response from BHA, making clear which projects are already covered by a standing waiver and which projects BHA will issue waivers for prospectively.

Best Regards,

Guillermo

Guillermo A Birmingham, CPA Interim  
Chief Financial Officer [hias.org](https://www.hias.org) | C 202-  
230-2225

HIAS Welcome the stranger. Protect the refugee.