

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Bruno Kosheleff, RD

DATE: April 22, 1978

FROM : Richard B. Scott, DP

SUBJECT: On Understanding the GOA Regulations that Effect the
Organization of Hand-Labor for the Helmand Drainage Project:
A Possible Solution

Problem: Through Phase I, the GOA regulations that relate to the hiring and contracting of hand-labor for the Helmand Drainage Project have been a block to experimenting with and developing an incentive system, without a clear and detailed understanding on the part of USAID/SCS as to what these regulations actually say. At one point, apparently, HAVA came to Kabul and requested the Ministry of Planning to allow changes or dispensation from application of some aspects of these regulations but it was never completely clear as to what the targeted regulations were or what changes were sought. Until USAID is clear on what the regulations are and until someone outlines where some of the regulations are possibly flexible in application, an incentive system is not likely to be developed for the hand-laborers. The information on these regulations being supplied by HAVA personnel has at times been contradictory.

Recommendation: USAID should carefully search out a trained and dependable Afghan lawyer of mature years and with fluent articulate English, preferably who has been a government civil servant in the past, perhaps retired, and thus is familiar with government regulations. A person with all these characteristic may be difficult to find but this configuration should be the goal. He should be put on a PSC for a period of 3 to 6 months to review all relevant regulations, confer with the various ministries that use these specific regulations, and those that monitor their use. He should then submit a report of his total findings, and in this context make suggestions as to what the possibilities are for developing a system of contracting, piece-work and/or incentive plan that comes closer to meeting the project's needs than are presently operational. He would then be responsible to work with the project and HAVA to implement the recommendations.

If the regulations are as limiting as they are presented to be, the fully analyzed system might be used as a basis to present a new case for alteration of these regulations, since they must be as binding on other organizations/ministries as they are on the Drainage Project. If they are also unalterable, the project has problems and can seek a solution somewhere else but at least a complete try will have been made and USAID will have documented knowledge of what the full situation is.



Mr. Kosheleff, RD

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Shairzay and I have spent some time in considering this suggestion and have come to the conclusion that the selection of the right person is the key but in a situation where the first and every contact made will state an ability to accomplish the task, the selection will be problematical. We would be willing to discuss this further at your convenience.

cc:

Mr. Rogers, AD/DP
Mr. Standish, CDE
Mr. Geter, SCS/Lash
Mr. Cylke, DD