



**USAID**  
FROM THE AMERICAN PEOPLE

## Frequently Asked Questions

### ADS 320 – Branding and Marking

March, 2007 (revised)

**Q. May I share this chapter with partners?**

A. Yes! Please feel free to share this ADS chapter with your implementing partners. ADS chapters, as approved agency policy, are public information and freely available to anybody.

**Q. Is there any document/notice that outlines the primary differences between this ADS and previous requirements/interim guidance?**

A. We have strived to make this ADS chapter consistent with previous interim guidance provided in the past year. This chapter revises and makes the interim guidance agency policy, provides more detail and puts all of the branding and marking guidance in one place. One area that may be noticeably different is the acquisition policy directives and required procedures in 320.3.2; this section provides much more, and in some cases, new detail on implementing previously-issued policy and instructions for contracts. As the General Notice stated, we are preparing an Internal Mandatory Reference for contracts that will provide details and instructions for implementation in contracts – that reference must be cleared through the ADS process, so we are not planning a comparison of “before and after” differences at this time.

**Q. Contractors and grantees must not use the USAID identity on their administrative documents (e.g. letterheads and business cards). Can they use a small sized USAID identity at the bottom of their stationary to indicate that they're working on a USAID-funded project?**

A. Contractors and grantees must NOT use the USAID brand mark on their business cards. They may, at their option, use the phrase “USAID Contractor” or “USAID Grantee” as appropriate on their business cards to identify their working relationship with the agency. Concerning letterhead, USAID contractors or grantees may use the USAID brand identity on letterhead; however, they MUST NOT use this letterhead for administrative communications as outlined in ADS 320.3.1.5.

**Q. Marking is not required on contractor/grantee vehicles, offices and office supplies or other commodities used solely for the administration of the project. Does that include their computers, office furniture and such?**

A. Marking is not required on materials used solely for administrative purposes. However, if recipients “mix” use of this equipment to perform administrative functions AND actual assistance delivery, then it should be marked in the same manner as if it were being used solely for assistance delivery.

**Q. Should partners put branding on public ads for employment opportunities with their program?**

A. No. Public ads for employment with the contractor or grantee are considered an administrative communication and are covered under section 320.3.1.5.

**Q. What do we do with the project logos (not contractor but project logos) for contracts that still have several years to run? The logos by now are well established and recognized in the country.**

A. For existing activities, the “old rules” stays in effect until the existing award is amended to add “sufficient incremental funding ... to justify requiring contractors and recipients of assistance awards to complete” the planning documents for branding and marking. However, it is possible for you to encourage contractors and recipients of assistance awards to brand and mark “discrete program materials and deliverables.” (see ADS 320.3.1.4)

Applying the logic of this section of the ADS to the question about project logos for existing activities that have not had “sufficient incremental funding” added, the “old” rules apply and project logos could continue to be used. However, agency operating units might want to encourage the transition to the new branding regimen.

**Q. So what about project logos for NEW activities?**

A. Section 641 of the Foreign Assistance Act (FAA) of 1961 requires that all programs under the FAA be identified as “American Aid.” USAID has issued the revised ADS 320 and an amended 22 CFR 226 to implement this requirement.

The new USAID brand was designed specifically to meet this requirement. Competing brands (logos) dilute or overshadow the delivery of the message that our assistance is “from the American People.” Therefore, development of separate and unique project logos or identities runs counter to the overarching goal of identifying USAID-funded activities as “from the American People.”

However, please note that when a very close identification between the contractor-implemented project and USAID is desired, creation of a unique “sub-brand” is permissible. See these samples [not necessarily to scale] below:





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## BASIC EDUCATION IMPROVEMENT PROGRAM

### **Q. What is the difference between exceptions and waivers under these new rules?**

A. Exceptions are granted during the award negotiation process. Exceptions (see 22 CFR 226.91 (h) and ADS 320.3.2.5) lay-out USAID's usual, non-emergency practices in not marking certain deliverables for **programmatic** reasons. Exceptions are determined by the AO or CO and should be incorporated into the agreement's Marking Plan. There is not a separate appeal process for the exceptions process; rather the determination is handled through the normal award or administration process.

Waivers, on the other hand are findings by the USAID Principal Officer (the most senior USAID officer in the USAID operating unit, e.g., the Mission Director in the field) that the required USAID marking would pose **compelling political, safety or security concerns** or that the marking of the assistance will have an **adverse effect in the host country**. (see ADS 320.3.2.6 or 22 CFR 226.91 (j)) Adverse waiver requests are appealed to Principal Officer's Assistant Administrator. Only AO and CO have the authority to inform the awardee of the waiver decision.

### **Q. When do I apply these changes to ongoing contracts or grants?**

A. First, it's important to know the effective dates for these changes. The amendments to the Code of Federal Regulations (22 CFR 226) and AAPD 05-11 "Marking Under Assistance Instruments" were effective on January 2, 2006. Any assistance award made since then should be in full compliance with the branding and marking requirements laid-out in this part of USAID's federal regulations. The ADS chapter (ADS 320) became effective immediately upon its issuance on January 10, 2007. Therefore, new acquisition awards should now start including the new branding and marking requirements.

Existing awards are required to include the new branding and marking requirements when sufficient incremental funding is being added to the existing award to require the completion of the required strategies and plans. Generally, the AO or CO will determine that if the incremental funding is minimal and the performance of the award is near completion, then it would not be cost-effective to require full compliance.

However, consideration should be given to requiring the remaining deliverables under existing agreements to follow the branding and marking procedures. And under all circumstances, agency agreements must use the new agency identity and not the old logo or seal.

### **Q. How do I brand when implementing activities with other U.S. government agencies?**

A. When USAID implements activities for other U.S. government agencies or when other U.S. government agencies implement programs on USAID's behalf, our policy is that these activities should be co-branded and co-marked in a manner similar to ADS 320.3.3 – that is of equal size and prominence.

Some USG entities have existing policies on branding and marking of assistance. It is recommended that interagency agreements should address this issue and contain the same information as normally would be found in a Branding Strategy and a Marking Plan.

**Q. Will you provide models for Branding Strategies and Marking Plans?**

A. No. Branding Strategies, Branding Implementation Plans and Marking Plans should all be unique and address the specific circumstances, implementation challenges and working environments that each USAID award faces.

Just as one of the hallmarks and strengths of our assistance is our ability to adapt to the circumstances in the countries where we operate, a truly effective Branding and Marking effort would address specific circumstances on the ground.

For example, branding efforts in societies where the literacy rate is low and the population is largely rural would differ dramatically from an effort in an urbanized, more literate country. While both efforts might share the same branding **goals**, implementation mechanisms and methodologies would be dramatically different. Therefore, such bland and obvious statements such as "send out press releases" or "work with the news media" should be challenged for further detail and scrutinized for appropriateness to the audiences being addressed (i.e., what good would sending out press releases do if the targeted audience is largely illiterate?) This is why the ADS and the federal regulation provides guidance on what subjects should be addressed in the Branding Strategy, Branding Implementation Plan and Marking Plan but does not go into specifics about how to achieve results.

Speaking of results, because branding and marking is an integral part of the agency's acquisition and assistance agreement, it should go without saying that overall evaluation and documentation of the activities results should include the success or failure of the branding efforts outlined in the strategies and plans.

**Please note:** These Frequently Asked Questions were created for USAID employees to provide background and easy reference concerning the USAID branding and marking requirements for acquisition and assistance awards. It should not be construed to be a substitute for the actual policy, rules or regulations.

Please consult ADS chapter 320 ([http://www.usaid.gov/branding/ADS\\_320.pdf](http://www.usaid.gov/branding/ADS_320.pdf)) and 22 CFR 226.91 ([http://www.usaid.gov/branding/final\\_rule.pdf](http://www.usaid.gov/branding/final_rule.pdf)) for the actual text of the agency's regulations on branding and marking.

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