



PERSONNEL AND
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

JUN 20 2025

**MEMORANDUM FOR ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS
DIRECTOR, DEFENSE HEALTH AGENCY
DIRECTOR, DEFENSE HUMAN RESOURCES ACTIVITY
DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR CIVILIAN
PERSONNEL POLICY**

SUBJECT: Payments Under the Helping American Victims Afflicted by Neurological Attacks Act of 2021

Reference: (a) Title 22, United States Code
(b) Title 32, Code of Federal Regulations, Part 49
(c) Department of Defense Instruction 6025.23, "Health Care Eligibility Under the Secretarial Designee (SECDES) Program and Related Special Authorities," September 16, 2011, as amended

This memorandum provides operational guidance concerning administration of the procedures in reference (b) that are applicable to requests for the Helping American Victims Afflicted by Neurological Attacks Act of 2021 (HAVANA Act) payments pursuant to section 2680b(i) of reference (a). The Deputy Assistant Secretary of Defense for Civilian Personnel Policy (DASD(CPP)) is responsible for policy oversight of the Department's HAVANA Act payment program and for taking final agency action on requests for payment. The Director, Defense Human Resources Activity (DHRA), through the Defense Civilian Personnel Advisory Service (DCPAS), is responsible to administer the program pursuant to reference (b) and this operational guidance.

1. Documentation Review

DCPAS will collect and review applications that have been submitted, using the DD Form 3220, "Eligibility Questionnaire for HAVANA Act Payments," claim form, to the HAVANA Act email address (dodhra.mc-alex.dcpas.mbx.dod-havana-act@mail.mil). Individuals applying on behalf of a covered employee or covered dependent must provide documentation demonstrating the individual is authorized to act on behalf of the applicant. If the DD Form 3220 is unsigned, incomplete, or lacking sufficient supporting information, DCPAS will notify the applicant by memorandum of the need for additional information.

DCPAS will not act on an application until all required documentation is received. Failure of the applicant to submit requested information within 60 calendar days from the date of the DCPAS memorandum will result in the application being administratively closed. DCPAS will send a memorandum to the applicant informing the applicant that the claim is closed and will be re-opened and processed once the required documentation or information is received.

2. Validation of Incident and Employment Affiliation

DCPAS may consult with offices within the Office of the Secretary of Defense to determine whether the incident causing the injury was in connection with war, insurgency, hostile act, or terrorist activity. For applications involving incidents that have been designated by DoD as “other incidents” under section 2680b(j) of reference (a), DCPAS will request that the applicant or the Director, Defense Health Agency, provide a designation letter pursuant to reference (c) to validate that an incident at a particular location has been reported and the covered employee or covered dependent is authorized to receive medical care from DoD in relation to the incident. If the covered employee or covered dependent was under the security responsibility of the Secretary of State at the time of the incident, DCPAS will coordinate with the Department of State to determine whether the incident has been or should be designated by the Secretary of State for purposes of section 2680b(i) of reference (a). Additionally, DCPAS will coordinate with the relevant DoD employing organization to validate that the covered employee or covered dependent was authorized (e.g., on orders) to work or reside near the location of the designated incident at the time of the incident.

3. Adjudication

DCPAS will analyze complete applications and develop written findings and recommendations. Following a legal review by the DHRA Office of General Counsel (OGC), DCPAS will provide the findings and recommendations to the Director, DCPAS for action. If the application is approved, DCPAS will notify the applicant by memorandum. If the application is disapproved, DCPAS will notify the applicant by memorandum, providing the reasons for the disapproval and the appeal procedures.

4. Payment Process

The Director, DHRA, will fund, process, and document for reporting purposes all HAVANA Act payments. To process payments, DCPAS will send an SF 3881, “Automated Clearing House (ACH) Vendor/Miscellaneous Payment Enrollment Form,” to the applicant with instructions for completing the form and submitting it to the HAVANA Act mailbox (dodhra.mc-alex.dcpas.mbx.dod-havana-act@mail.mil). Upon receipt, DCPAS will forward the completed SF 3881 to the DHRA Comptroller’s Office to build an account, approve and certify payment documents in the Defense Agency Initiative system and transmit the matter to the Defense Finance and Accounting Service for payment.

5. Appeals Process

Applicants may appeal denial of an application for payment to the DASD(CPP) within 60 days of the date of the notification of the denial by submitting a written appeal to the HAVANA Act mailbox (dodhra.mc-alex.dcpas.mbx.dod-havana-act@mail.mil). The appeal must explain why the applicant believes the decision was erroneous or unlawful.

DCPAS will review the appeal and request additional information as necessary. DCPAS will analyze the appeal and develop written findings and recommendations. Following a legal

review by the DHRA OGC, DCPAS will provide the findings and recommendations to the DASD(CPP). The DASD(CPP) will consider the applicant's appeal and make a written final decision. If the appeal is approved, DCPAS will notify the applicant and initiate the payment process as stated above. If the appeal is disapproved, DCPAS will provide a copy of the final decision to the applicant.

A handwritten signature in black ink, reading "Jules W. Hurst III". The signature is written in a cursive style with a large, stylized "J" and "H".

Jules W. Hurst III
Performing the Duties of the Under Secretary of
Defense for Personnel and Readiness