



PVS and RAM: Background and Advocacy

The Partner Vetting System (PVS) was created with the intent to help prevent U.S. Agency for International Development (USAID) funds from being used to benefit terrorists, their supporters or those affiliated with them. The Department of State (DOS) likewise created a parallel initiative called RAM – Risk Analysis and Management. Prior to launching both programs globally, Congress mandated that USAID and DOS carry out a joint partner vetting pilot program. While on the face of it PVS and RAM are well intended, their implementation may create more problems than they solve.

PVS and RAM require NGOs that apply for awards from USAID and DOS to submit detailed biographical information on key individuals. Key individuals are defined as anyone who has the ability to divert award funds. This includes the principal and deputy principal officers, program manager or chief of party and any other person with significant responsibilities for the administration of the activities or resources. PVS and RAM also require NGOs that issue sub-grants with these awards to gather similarly detailed biographical information on the key individuals of partner organizations, in some cases including vendors and individual beneficiaries. Before USAID or DOS will disburse the award funds, this biographical information is vetted against classified U.S. government counterterrorism databases. If there is a match made between an applicant organization or its key individuals and one or more names in the U.S. government databases, and if USAID or DOS determines the match is of significant concern, the award the NGO applied for will be denied. Matches can be appealed within seven days, but the government is not required to provide any information about the match on which to base the appeal. Biographical information from matches can be used to update the classified government databases.

As of July 2015 USAID began implementing a **five-country pilot** in **Guatemala, Kenya, Lebanon, the Philippines and Ukraine** which will end in September 2016. DOS has been implementing RAM in the same pilot countries since 2012 and has not provided a clear end date to the pilot. This is in addition to other countries where vetting similar to PVS and RAM has been in effect for a number of years, including the **West Bank and Gaza (2006), Afghanistan (2011), and Iran (2013)**, as well as **Syria**, to which PVS and RAM have been applied since late 2015. At the conclusion of the pilot programs, Congress has required that USAID and DOS evaluate PVS and RAM implementation in the pilot countries. Based on the pilot and the evaluation results, USAID and DOS may choose to apply PVS and RAM to a far greater number of countries, if not globally.

Origin of PVS and RAM

PVS was proposed as a rule by USAID leadership on the last day of the Bush administration, January 19, 2008. The in-coming Obama administration did not overturn it. In 2012, DOS began implementing its version of PVS called RAM. Three factors appear to have led to this: the recent availability of classified terrorism databases as a tool; a general suspicion of NGOs; and pressure from some members of Congress.

From the outset, a group of InterAction members initiated a series of dialogues with U.S. government counterparts. By 2013 it was thought that compromise had been achieved. Before that compromise was formalized, however, USAID leadership changed and the PVS five-country pilot that had been postponed for three years moved forward.

Actions You Can Take

Fill out the [survey](#)!

Results will be used to create a parallel evaluation to USAID's that includes issues of primary concern to NGOs.

Send the survey to colleagues!

We need input from local, national and international colleagues with firsthand PVS experience.

Inform others!

Talk about and share information with staff and colleagues.

www.interaction.org/NGOspace

Primary Concerns

As managers of resources that come from the U.S. government, individuals, foundations and the private sector, NGOs are equally concerned that tax-payer funds not be used to harm others. For many years U.S. NGOs have vetted staff and partners against databases maintained by the U.S. Department of Treasury's Office of Foreign Assets Control, by the U.S. government's General Services Administration, and by the United Nations Security Council. NGOs also strive to build long-term relationships with local staff and partners who can provide even greater insight and advice on local dynamics. After nearly a decade of consultations and negotiations between USAID and NGOs, the final rule issued by USAID in July 2015 failed to adequately address the primary concerns that implementation of partner vetting could result in:

- First, increased suspicion of U.S. international NGOs and their local staff and partners as intelligence gathering arms of the U.S. government, the result of which could be an increased risk of harm or death. This may be particularly harmful to humanitarian and democracy, rights, and governance groups.
- Second, the loss of current and future local partners who choose not to risk their safety or reputation to carry out USAID or DOS funded work.
- Third, the inefficiencies and inconsistencies in the implementation of PVS and RAM that result in detrimental programming delays and are an ineffective use of taxpayer dollars. This may, for example, obstruct humanitarian groups from delivering emergency assistance during a crisis.
- Fourth, the potential for violation of data protection or privacy laws and the risk of prosecution in countries of operation that do not allow the cross-border transmission of the information required by PVS and RAM.

Progress

Over the eight years of negotiations with U.S. government counterparts there have been successes worth noting.

- Limits on the information that can be added to counter-terrorism databases to those individuals deemed confirmed matches only.
- Scaling back of the initial implementation of PVS from a global program to five pilot countries.
- Exemptions, albeit ad hoc, for awards issued during sudden onset humanitarian crises. The right to vet at a later date, however, still exists.
- Introduction of direct vetting as an option for a select group of awards under the pilot program.

Advocacy Asks

InterAction members strongly prefer the option of replacing PVS and RAM and working with USAID and DOS to develop an alternative set of tools more appropriate to the job. Short of this, however, they continue to advocate for changes that they hope will increase staff security, improve the inefficient and inconsistent administrative processes, and preserve the neutrality, impartiality and independence of U.S. NGOs and their local partners. Specifically, these asks are:

- Exempt awards for the particularly sensitive work of democracy, rights and governance groups;
- Exempt awards during humanitarian crises;
- Exempt small sub-awards;
- Exempt where NGOs risk violating data protection or privacy laws in countries of operation;
- Make direct vetting an option so sub-awardees submit key individual information directly to USAID;
- Create a clear scope and process for the implementation of PVS and RAM;
- Limit the number of countries subject to PVS and RAM;
- Reduce the time and cost burden of PVS and RAM compliance; and
- Create a far more transparent denial and appeal process for database matches.

InterAction is a U.S.-based coalition of over 180 international development and humanitarian assistance non-governmental organizations (NGOs). We represent large and small, religious and secular NGOs. InterAction's mission is to eliminate extreme poverty, uphold human rights, safeguard a sustainable planet and ensure human dignity for poor and vulnerable populations. Our members implement programming globally with both private and government funding.