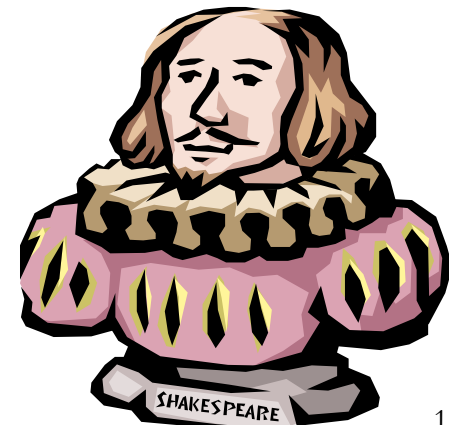

USAID / West Bank & Gaza Mission Order No . 21

*“To vet or not to vet.....that is the
question”*



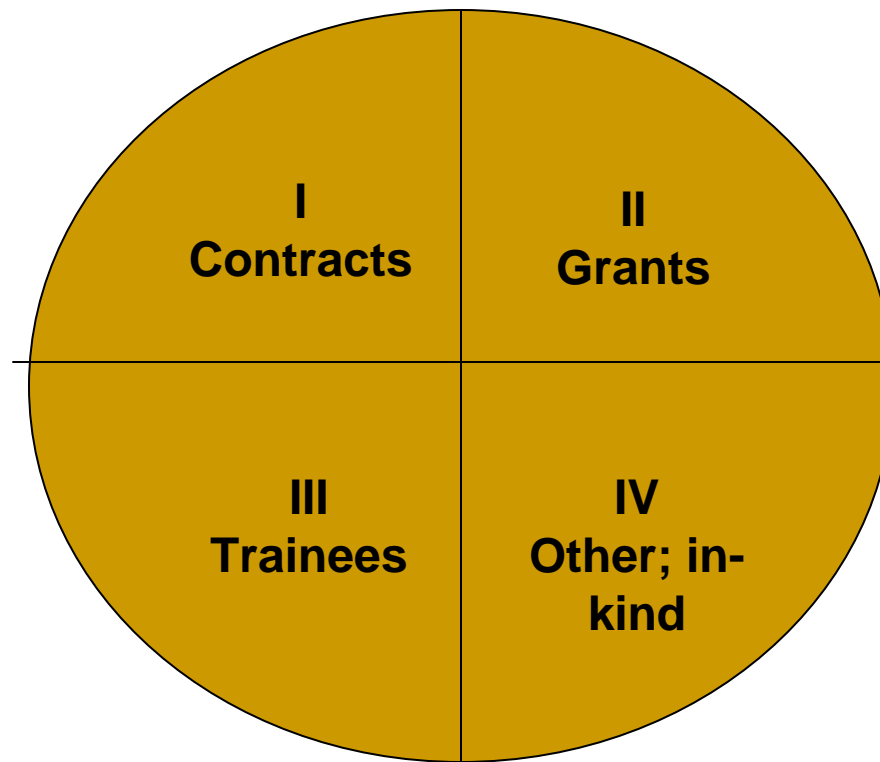
Purpose of Mission Order No. 21

- The purpose of the Mission Order is to describe and update procedures to ensure that the Mission's assistance program does not inadvertently provide support to entities or individuals associated with terrorism.

Why do we vet?

- **VETTING** – Prior to the obligation of funds appropriated by this Act under the heading “Economic Support Fund” for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which he has determined to be involved in or advocating terrorist activity.
- **PROHIBITION** – None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

The Type of Award



Contractors and subcontractors



- Any non-US organization or individual
- Amount of contract in excess of \$25,000
 - Housing or office space leases apply to this rule
- Cumulative for multiple awards to same organization or individual within 12-month period
 - Monthly Subaward Report

MO 21: V.A.(1); (p.3)

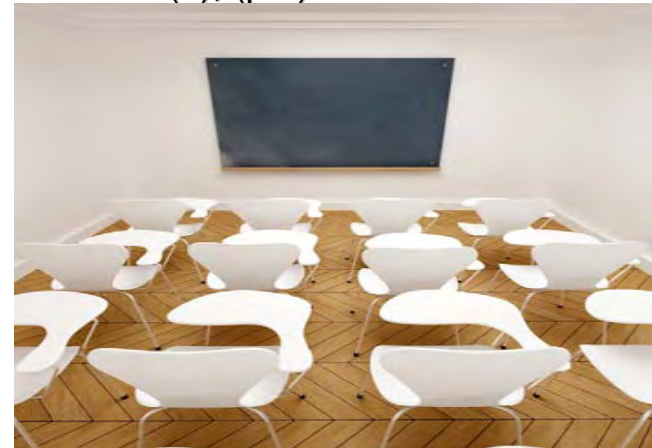
Recipients of Assistance Instruments

- Any non-US organization or individual proposed to receive cash or in-kind assistance
 - Exception: Public International Organization (PIO)
- No minimum dollar amount

MO 21: V.A.(2); (p.3)

Trainees

- Non-US individuals who USAID finances:
 - Training, study tours, or invitational travel in the U.S. or third country ~ duration does not matter
 - Training in West Bank or Gaza lasting more than 5 consecutive work days (MO 21: V.A. (3); (p.4))



Other Direct Recipients of cash or In-Kind Assistance



- Vetting is required when other forms of cash or in-kind assistance (including technical assistance) are provided directly to one or more specifically identified persons or entities. (MO 21: V.A. (4&5); (p.4)
 - Exceptions:
 - No Vetting Required :
 - Individuals receive jobs under employment generation activities
 - Vendors of goods or services acquired by USAID contractors and grantees in the ordinary course of day
 - Ultimate beneficiaries of cash or in-kind assistance, such as food, water, medical care, micro-enterprise loans, shelter, etc. provided the total value of assistance **per occasion** does not exceed:
 - \$1,000 for assistance to an individual
 - \$2,500 for assistance to an organization
 - \$5,000 for micro-enterprise loans or assistance

Exceptions:

- Even if vetting is not otherwise required under these rules, vetting will be conducted whenever there is a reason to believe that the beneficiary of assistance or the vendor of goods or services commits, attempts to commit, advocates, facilitates or participates in terrorist acts or has done so in the past.

MO 21: V.A (6); (p.4)

Rules on Applicability

- The \$25,000 threshold for contracts and subcontracts is cumulative for multiple awards to the same firm or individual within a 12-month period.
- Vetting applies only to first-tier and second-tier recipients.
- Palestinian government officials are subject to vetting.
- Vetting applies to colleges, universities and other educational institutions
- No one under 16 will be vetted.

MO 21: V.B. (pp.5,6)

Anti-Terrorism Certification (ATC)

- Applies only to non-governmental organizations that receive awards of cash or in-kind assistance
 - The ATC applies to all first-tier and GUC assistance recipients and all second tier assistance recipients of cash assistance, but it does not apply to lower-tier recipients.
 - Does not apply to:
 - Individuals
 - Public International Organizations
 - Host government (including local government units)
 - Contractors
 - Subcontractors

MO 21: VI (p.8)

Mandatory Clauses

- The AAPD prescribes a mandatory provision for inclusion in all solicitations and awards for contracts, grants and cooperative agreements. (Attachment D)
- For grants to the United Nations or UN agencies, the clause shown as Attachment E is used to supplement the standard provision entitled “Terrorist Financing Clause (UN Grants) (May 2003)”.

MO 21: VII (pp.8,9)

Restriction on Facility Names

- Section 7039(c)(1) of the FY2010 Foreign Operations Appropriations Act, provides as follows: “None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.”
- All contracts, subcontracts, grants, cooperative agreements, and subgrants must contain the clause (see Attachment F in Mission Order No. 21)

MO 21: VIII; (p.9)

Cooperation with Government and Government Officials

- Check with CTO when working with government officials

MOST IMPORTANT NOTE

- ALWAYS refer to Mission Order No. 21 to answer vetting questions