



ACT-IAC

Acquisition Community of Interest (COI)

C-SCRM Acquisition Working Group (AWG)

“Vetting Vendors Using Government Restricted Vendor Lists”

Presented by:

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Collaboration. Leadership. Education.

Over 40 years of government and industry collaboration improving mission outcomes, sharing best practices and building relationships that last a lifetime.

COMMUNITY



10,000

Government leaders in technology, acquisition, financial management, human capital management and mission programs



10,000

Corporate leaders committed to improving mission outcomes across government

Working Groups

Collaboration opportunities on emerging trends and topics

- C-SCRM AWG
- Climate Change
- National Use Case & Solutions Library (NUSCL)

Institute for Innovation

Connect, learn, and share your innovation challenges and successes with other innovators

COI's

Communities of Interests (COI's) are functionally aligned and focused on delivering projects, plans and thought leadership

- Acquisition
- Customer Experience
- Cybersecurity
- Emerging Technology
- Evolving the Workforce
- Health
- IT Management & Modernization
- Networks & Telecommunications

Small Business Alliance

Providing activities, engagement, and networks exclusively tailored to meet the needs of small businesses



FIE TEAMS

Federal Insights Exchange (FIE) is focused on future agency opportunities, strategies and plans



- | | |
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| • Agriculture | • Interior |
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| • Education | • Trans-
portation |
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| • GSA | • VA |
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ACT-IAC Academy

Offering the government and member companies reduced rates and outstanding content for training

EVENTS



For a complete list of our conferences, forums, summits, and webinars, visit actiac.org.

Professional Development



C-SCRM AWG Purpose and Objectives



PURPOSE

To convene subject matter experts to exchange information related to cybersecurity and acquisition integrity and provide government with best practices and lessons learned. This Working Group will be the public-private volunteer committee counterpart of the government-only C-SCRM Acquisition Community of Practice (ACoP).



Objectives



Provide a forum for Government-Industry collaboration to drive shared understanding regarding current and future C-SCRM acquisition policies, needs, and opportunities



Develop and build consensus regarding next generation policies, approaches, or techniques that could be implemented across agencies to reduce risk and position both Government and Industry for success



Capture findings and best practices documentation, playbooks, or policy recommendations that can be broadly distributed within the community



Support the Government's newly established C-SCRM Acquisition Community of Practice (ACoP)

Vetting Vendors Using US Government Restricted Vendor Lists

- Acquisition restrictions information (e.g. Section 889 , export control, import restrictions, FCC restricted vendors, and GIDEP) is available and scattered across different agencies
- Deliverable focus a summary of these lists including what agency has the authority to add/remove companies, who maintains the list, what the impact is to acquisitions and if the product is already in the US Gov't inventory or in use in the federal government.

Identifying Restricted Vendors



Sanctions List Search

Specially Designated Nationals and Blocked Persons list ("SDN List") and all other sanctions lists administered by OFAC, including the Foreign Sanctions Evaders List, the Non-SDN Iran Sanctions Act List, the Sectoral Sanctions Identifications List, the List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions and the Non-SDN Palestinian Legislative Council List. Given the number of lists that now reside in the Sanctions List Search tool, it is strongly recommended that users pay close attention to the program codes associated with each returned record. These program codes indicate how a true hit on a returned value should be treated. The Sanctions List Search tool uses approximate string matching to identify possible matches between word or character strings as entered into Sanctions List Search, and any name or name component as it appears on the SDN List and/or the various other sanctions lists. Sanctions List Search has a slider-bar that may be used to set a threshold (i.e., a confidence rating) for the closeness of any potential match returned as a result of a user's search. Sanctions List Search will detect certain misspellings or other incorrectly entered text, and will return near- or proximate matches, based on the confidence rating set by the user via the slider-bar. OFAC does not provide recommendations with regard to the appropriateness of any specific confidence rating. Sanctions List Search is one tool offered to assist users in utilizing the SDN List and/or the various other sanctions lists; use of Sanctions List Search is not a substitute for undertaking appropriate due diligence. The use of Sanctions List Search does not limit any criminal or civil liability for any act undertaken as a result of, or in reliance on, such use.

[Download the SDN List](#)

[Sanctions List Search: Rules for use](#)

[Visit The OFAC Website](#)

[Download the Consolidated Non-SDN List](#)

[Program Code Key](#)

Use the [Consolidated Screening List Search Engine](#).

The Consolidated Screening List (CSL) is a list of parties for which the United States Government maintains restrictions on certain exports, reexports, or transfers of items. Below, under "Tools" are links to the CSL search engine, downloadable CSL files, and the CSL Application Programming Interface (API), all consisting of the consolidation of multiple export screening lists of the Departments of Commerce, State, and Treasury.

Learn more about recent [Russia sanctions and other export control updates](#).

Timeline – Getting Started



May 2023 - Topic briefed at the public/private Software and Supply Chain Assurance forum

June 2023 – Topic briefed to the federal acquisition community in the GSA-led Acquisition Community of Practice

Audience included

- Multiple members of the Federal Acquisition Security Council (FASC)
- Interagency representatives from GSA, OMB, DHS, DoD, Commerce, CISA, NIST, ODNI, USAID, State, etc.), industry, and academia representatives that we should pursue the scope described in the paper.

July 2023 - Working Group (AWG) is announced with volunteers

- An initial unclassified list of sources was provided to the team

Workstream Timeline



July 2023

Team assembled

January 2024

First Draft Published and Circulated – Recognized Gaps, Paper and Supporting List Documentation

April 2024

Second Draft Published and Circulated with AI input – Requested ACT-IAC AI policy

July 2024

Near Final Draft Published and Circulated without AI input – (no substantive content)

September 2024

Received final feedback Government and Industry

December 2024

Published on ACT IAC web site, *Identification and Use of Restricted and Sanctioned Entity Lists: Enhanced Vendor Vetting to Improve Acquisition Decisions*

Working Group Approach



- Starting August 2023 - industry and government volunteers met weekly – started with initial unclassified lists identified and assigned tasks
- Expanded list from initial 10 identified to 40
- Created a detailed spreadsheet on the lists that would accompany the research paper and make analysis easier – (point in time view)
- Further categorized lists: Technology Bans, Export/Import Controls, Sanctions, Exclusions and International

Research Results



- 1) White paper plus Master spreadsheet formed with data on each list: **40**
(Category, Name, Maintains, Links to data, Policy, Portals, Access options, Delivery Type)
- 2) Separated Vendor Lists into following categories: Technology Bans **(9)**, Export/Import Controls **(5)**, Sanctions **(14)**, Exclusions **(2)** and International **(9)**
- 3) **6** Government Portals; table view of which lists can be accessed from each (2 or more)
Many different formats to access lists: APIs, search portals, HTML, XML, text, pdf, Excel, ODT, ODS
(include table matrix that outlines which forms for each list)

Research Paper Objectives



- 1. Clarification:** To demystify the current landscape of US Federal and International acquisition, import/export, and financial restrictions, sanctions and prohibited vendor sources, delivering a clear understanding of the compilation of the lists, and some details about each list.
- 2. Awareness:** To educate stakeholders on navigating the array of restrictions effectively, and how to use them to inform risk-based sourcing decisions and potential mitigation prioritization.
- 3. Accessibility:** To expose methods to access the variety of restricted lists and in which formats.
- 4. Advancement:** To advocate for the optimization of restricted list management, championing policies that bring forth standardization and transparency to procurement processes.

Challenges Identified



- Knowing which lists to vet against for the type of acquisition or supplier partnership
- Validation that vetting is comprehensive, and sources are complete
- Legal and economic concerns if inadequately attest to DFAR and FAR acquisition contractor regulations - Not all lists are easy to find
- Small business impacts of adhering to growing number of vendor acquisition compliance checks
- Lack of conformity of list access methods and how to find the vendor restricted information
- Overwhelming amount of user search portals with duplication of restricted vendor lists for industry to comprehend

Conclusion



- **Consolidation:** The creation of a government-wide centralized repository for restricted and prohibited vendors to streamline the vetting process and foster consistent compliance across agencies.
- **Accessibility:** The enhancement of digital interfaces and search functionalities ensuring that restricted list information is transparent, user-friendly, and accessible to all stakeholders within the procurement ecosystem.
- **Timeliness:** The implementation of mechanisms for real-time updates and alerts, guaranteeing that procurement officials operate with the most current information to make informed decisions.
- **Education and Training:** The provision of targeted training and educational resources aimed at equipping procurement personnel with the necessary tools and knowledge to navigate the evolving landscape of acquisition restrictions effectively.
- **Technological Advancements:** The adoption of cutting-edge technologies to automate and secure procurement processes, reduce human error, and enable more robust risk assessment and compliance verification.
- **Stakeholder Engagement:** The fostering of a collaborative culture where feedback loops and stakeholder input are integral to continuous improvement processes.

What next?

- Please share this paper and accompanying restricted vendor list
<https://www.actiac.org/documents/identification-and-use-restricted-and-sanctioned-entity-lists-enhanced-vendor-vetting>
- Your feedback as to whether it would be helpful to continue exploration of this topic
 - Continued transparency – centralized and updated list (provided one point in time view)
 - Need Government and Industry Involvement

Work Stream Contributors



US Government Restricted List Identification and Management

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APPENDIX



List Categorization



Category	Definition	#	Examples
Technology Bans	The restricted lists categorized under technology bans represent prohibitions or controls enacted by governments, organizations, or authoritative bodies on the implementation, development, or utilization of designated technologies or tech-based apparatuses. These bans are implemented to impede the procurement, ownership, or application of select technological instruments or frameworks	9	Tiktok, NDAA Section 889
Export / Import Controls	These controls encompass US governmental regulations that monitor and limit the transfer of merchandise, services, and technologies across international frontiers. The objectives of these controls include safeguarding national security, arresting the dissemination of sensitive technologies, and upholding adherence to international trade accords. Export controls curtail the transfer of products or technologies to designated nations or entities, whereas import controls manage the importation of goods into the United States, frequently via the imposition of tariffs, quotas, or restrictions on certain articles. Such measures are instituted to reconcile the nation's economic interests with its security imperatives.	5	BIS Entity List
Sanctions	Government sanctions constitute formal punitive or constraining actions enforced by a government against another nation, person, or organization. The nature of sanctions can vary, embracing trade embargoes, economic constraints, travel prohibitions, or diplomatic maneuvers, and they serve as instruments of foreign policy to realize targeted political or diplomatic goals.	14	OFAC Foreign Sanctions Evaders (FSE) List
Exclusions	A government exclusion, also known as debarment, pertains to the deliberate measures undertaken by governmental authorities to disqualify or bar individuals, corporations, or entities from involvement in governmentsanctioned contracts, initiatives, or functions	2	SAM Exclusions
International	A compilation of international vendor restricted lists, each categorized according to the classifications of the US lists	9	UN Sanctions

Knowing which lists to vet against for the type of acquisition or supplier partnership

Gap identified: Lack of a comprehensive government-managed list of relevant sanctions and restrictions lists that can be used to inform acquisition decisions along with access instructions.

Possible Actions: It is recommended that both industry and government include in their vetting procedures as many of these lists as possible until more specific guidance is given. It is also recommended that agencies educate industry on which lists are a required vetting as part of the acquisition or import/export policy in a clear manner.

Challenge

Validation that vetting is comprehensive, and sources are complete

Gap Identified: No easy or centralized way to confirm that the vendor restricted list is up-to-date and complete as many refer to other locations including subscribing to email or linking to a different web site to check for additions, modification and deletions which can be cumbersome and confusing; additionally, if regulation exists to vet vendor affiliates, like with 889, it is unclear that the source has the most up-to-date listing of affiliates. There is an inherent risk associated with not having the most current information.

Possible Actions: It is recommended that Government prioritizes publishing a centralized up-to-date and easy to access vendor list that includes what is required or optional and the value.

Challenge



Legal and economic concerns if inadequately attest to DFAR and FAR acquisition contractor regulations

Gap Identified: High potential for error if the entity name vetted/search against the lists is misspelled, not the legal business name, or is a trade style. There isn't a unique identifier to confirm the information entered for that entity is correct and up to date. Unclear on how the government is verifying that the information from industry attestations is correct. In addition, it would be helpful to understand for acquisition professionals when mergers and acquisitions occur so they can conduct the appropriate due diligence.

Possible Actions: It is recommended that Government considers a unified onboarding approach to uniquely identify entities to better vet and monitor.

Challenge



Small business impacts of adhering to growing number of vendor acquisition compliance checks

Gap Identified: Small businesses may not have the financial resources or the technical savviness to adequately comply with the acquisition requirements which could cause great economic impacts if they did not expose a “restricted” supplier in the vetting phase which could cause contract fulfillment challenges or avoidance of responding to a request for proposal due to fear of non-compliance

Possible Actions: It is recommended that Government considers creating a unified location for small businesses to conduct due diligence.

Lack of conformity of list access methods and how to find the vendor restricted information

Gap Identified: As illustrated in the table provided in the document there are numerous formats and locations of these lists with varying degrees of updates and search tools. In addition, not all lists are publicly available for industry to utilize due to the sensitivity of the information which puts a more intensive responsibility on Government to screen throughout all acquisition life cycle stages. We also provided information on relevant international lists from Five Eye partners, the UN, and EU that may help inform decisions about global suppliers.

Possible Actions: It is recommended that Government prioritizes publishing a centralized up-to-date and easy to access vendor list that includes what is required or optional and the value.

Challenge



Overwhelming amount of user search portals with duplication of restricted vendor lists for industry to comprehend

Gap Identified: As illustrated in the table included there are numerous search portals with access to the same restricted vendor lists. It is unclear which is more up to date, or which is the source of truth for the lists for industry to query against. To summarize the portals available for convenient access the following table shows which lists are available through the Agency hosted portals.

Possible Actions: It is recommended that Government prioritizes publishing a centralized up-to-date and easy to access vendor list that includes what is required or optional and the value.