

Johnson, Beverly(M/AS/IRD)

From: Mary Mares [mares@freedomhouse.org]
Sent: Friday, September 21, 2007 4:48 PM
To: Johnson, Beverly(M/AS/IRD)
Cc: Denale, Jeffrey A(SEC/OD); Heneghan, Phil(M/CIO/CISO); sdudley@omb.eop.gov; afraas@omb.eop.gov; drostker@omb.eop.gov
Subject: Notice of Public Informatio Collection, Federal Register, Vol. 72, No. 140, July 23, 2007 Title: Partner Vetting System, Type of RView: NEW Information Collection
Attachments: demNGO response #3 (2).pdf

Please see attached.

September 21, 2007

SUBMITTED VIA EMAIL TO bjohnson@usaid.gov

Ms. Beverly Johnson
Bureau for Management
Office of Administrative Services, Information and Records Division
U.S. Agency for International Development
Room 2 07-106, RRB
Washington, D.C. 20523

RE: Notice of Public Information Collection, Federal Register, Vol. 72, No. 140, July 23, 2007
Title: Partner Vetting System
Type of Review: NEW Information Collection

Dear Ms. Johnson:

The comments provided herein are submitted in response to the announcement published in the *Federal Register* on July 23, 2007, (Vol. 72, No. 140, p. 40110) proposing to collect information from all individuals and organizations receiving USAID awards for a Partner Vetting System (PVS). The undersigned respectfully reiterate their concerns about the PVS as expressed in their August 27, 2007, comment letter in response to the *Federal Register* notice of July 17, 2007, and their concerns about the requested exemptions to the Privacy Act as noted in their September 18, 2007, comment letter in response to the *Federal Register* notice of July 20, 2007.

In response to the above-referenced announcement, we respectfully submit the following comments.

(a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility

USAID has not demonstrated that the current procedures and requirements are insufficient or ineffective in complying with Executive Order 13224. The one instance cited by USAID in public discussions whereby funds were provided to the Islamic University of Gaza, which was later determined to have connections to Hamas, does not reflect a problem with existing certification or vetting procedures, but rather a lapse in judgment that would not be ameliorated by the PVS.

Further, in terms of functions, USAID is the principal U.S. agency that provides assistance to countries and advances U.S. foreign policy objectives by supporting economic growth,

agriculture and trade; global health; and democracy, conflict prevention and humanitarian assistance. It is not a law enforcement or intelligence gathering agency.

Therefore, we assert that the proposed collection of information is not necessary for the proper performance of the functions of USAID.

(b) Accuracy of the burden estimates

We find the burden estimates provided in the above-referenced notice inaccurate and woefully underestimated.

First, the notice states that USAID "intends to collect information from approximately 2,000 individuals and/or officers of nongovernmental organizations." It also states that USAID anticipates that there will be 2,000 respondents annually. Individuals/officers and respondents are not synonymous. Respondents refer to the number of organizations (PVOs, NGOs and contractors) and individuals (personal service contractors) that would respond to an inquiry. In terms of actual respondents, while there is no up-to-date information available on USAID's website on the total number of organizations (PVOs, NGOs and contractors) and individuals to whom the Agency provides awards, we anticipate that it is more than 2,000. Therefore, based on the broad definition of "principal officers" listed in the July 17, 2007, notice on the establishment of the PVS, we respectfully submit that the number of individuals on whom USAID would collect information would be significantly higher than 2,000.

Second, the notice estimates the total annual responses also as 2,000. This implies that each organization/individual (respondent) would only respond once per year. Given that the majority of organizations submit several proposals each year to USAID, this figure is also inaccurate.

Third, USAID calculates that each response will take only 15 minutes (2,000 responses divided by 500 hours annually). Given that the proposed data collection form and all of the data elements that would be contained were not provided, it is not possible to assess the amount of time required to complete the information collection request.

In using our organizations (seven respondents) as an example and a conservative determination of the number of individuals who would be considered "principal officers" and of the estimated time (30 minutes), we calculated the following:

Number of responses per year:	between 20 and 50
Number of individuals per response:	between 25 and 42
Number of individuals vetted annually:	between 500 and 2,100
Total annual hourly burden:	between 250 and 1,050 per organization

These figures do not take into account changes in personnel during the course of a year or the much broader language of "other employees," which implies that any and all employees of an organization are subject to the vetting procedures of the PVS.

In addition, if one took this a step further to estimate the cost to organizations to simply complete the forms, conservatively it would be an estimated cost of between \$5,112 and \$25,200 (estimate based on an hourly rate of \$24 for an individual with an annual salary of \$50,000 – benefits not factored). This does not take into consideration any costs an organization would incur to establish an internal information system or to hire staff to manage the data, particularly given the sensitive nature of the personal data.

Based on the above, we contend that the burden estimates provided in the notice are inaccurate and unrealistic.

- (c) Ways to enhance the quality, utility and clarity of the information collected and**
(d) Ways to minimize the burden of the collection of information on the respondents,
including the use of automated collection techniques or other forms of information
technology

Given that the data collection form has not been released and that the data elements are not clearly defined and include such nebulous phrases as “includes but is not limited to,” “other employment data,” and “other employees,” we find that it is not possible to respond cogently to these inquiries.

We support the objective of ensuring that the USAID funds we receive are not provided to entities or individuals associated with terrorism. However, based on the lack of demonstrated need for the PVS for the proper performance of the functions of USAID, the fact that USAID is not a law enforcement or intelligence gathering agency, the potential impact on programs and U.S. foreign policy such a system would have, and the lack of clarity on the information to be collected, we respectfully request that the PVS be withdrawn.

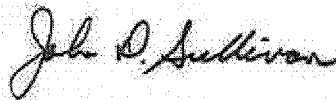
Sincerely,



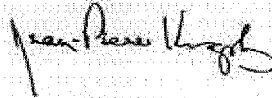
Ellie Larson
Executive Director
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Solidarity AFL-CIO (Solidarity Center)



Jennifer L. Windsor
Executive Director
Freedom House



John D. Sullivan
Executive Director
Center for International Private Enterprise



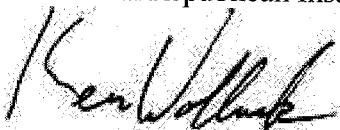
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