



Kelly Hamilton <kehamilton@usaid.gov>

Fwd: WV Comments in Response to USAID 60-Day Notice of Proposed Information Collection: Partner Information Form (PIF)

1 message

m.rulemaking Mailbox <rulemaking@usaid.gov>
To: Kelly Hamilton <kehamilton@usaid.gov>

Fri, Dec 23, 2022 at 3:37 PM

FYI. Comment 2

----- Forwarded message -----

From: **m.rulemaking Mailbox** <rulemaking@usaid.gov>

Date: Fri, Dec 23, 2022 at 3:32 PM

Subject: Re: WV Comments in Response to USAID 60-Day Notice of Proposed Information Collection: Partner Information Form (PIF)

To: Daniel Assefa - US <daassefa@worldvision.org>

Cc: Grace Murphy - US <GMurphy@worldvision.org>

Hello,

Thank you for your email, confirming receipt. Happy Holidays.

On Mon, Dec 19, 2022 at 4:59 PM Daniel Assefa - US <daassefa@worldvision.org> wrote:

Dear Ms. Buckley:

World Vision, Inc. (WV) respectfully submits the attached comment letter in response to the U.S. Agency for International Development's (USAID) notice of request for public comments ("Notice") re: 60-Day Notice of Proposed Information Collection: Partner Information Form (PIF). See 87 Fed. Reg. 65568 (October 31, 2022).

- *Title of Information Collection:* Partner Information Form.
- *OMB Control Number:* 0412-0577.
- *Form Number:* AID 500-13.

WV affirms USAID for dialoguing with the recipient community so that we each can be effective in our work. We acknowledge and are grateful that USAID has considered previously submitted comments on PVS and on the PIF form. We respectfully request USAID to consider and address our comments and concerns included in the attached letter.

Thank you for your consideration. If you have any questions on our comments, please do not hesitate to contact me at the phone number or email listed below.

Daniel Assefa
Sr. Grant & Contract Officer

Legal Department | Grant & Contract Services

Phone 202.572.6420 | daassefa@worldvision.org
300 I St NE | Washington, DC 20002 USA

World Vision U. S. | www.worldvision.org

World Vision is a Christian humanitarian organization dedicated to working with children, families, and their communities worldwide to reach their full potential by tackling the causes of poverty and injustice.

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Building a better world for children

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December 19, 2022

Ms. Ruth Buckley
Director, Bureau for Management
Office of Management Policy, Budget, and Performance (M/MPBP)
U.S. Agency for International Development
500 D ST, SW
Washington, DC 20547

Submitted via e-mail to: rulemaking@usaid.gov

RE: Comments in Response to U.S. Agency for International Development Federal Register Notice of Request for Public Comment on the 60-Day Notice of Proposed Information Collection: Partner Information Form (87 FR 65568 (October 31, 2022)); OMB Control Number: 0412-0577

Dear Ms. Buckley:

World Vision, Inc. (WV) respectfully submits the following comments in response to the U.S. Agency for International Development's (USAID) notice of request for public comments ("Notice") re: 60-Day Notice of Proposed Information Collection: Partner Information Form (PIF). See 87 Fed. Reg. 65568 (October 31, 2022).

- *Title of Information Collection:* Partner Information Form.
- *OMB Control Number:* 0412-0577.
- *Form Number:* AID 500-13.

WV is grateful for USAID's commitment to advance and to protect U.S. foreign policy interests through the compassionate use of international aid and support of human dignity. This expands stable and free societies, creates markets and trade partners for the United States, and fosters goodwill abroad.

WV affirms USAID for dialoguing with the recipient community so that we each can be effective in our work. We acknowledge and are grateful that USAID has considered previously submitted comments on PVS and on the PIF form.

Our comments are as follows:

- 1) Recommend making direct vetting an option in all contexts, but especially in Afghanistan and in other highly politically sensitive contexts
- 2) Recommend a Separate PIF form with revised Part 3: Certification for subawardees
- 3) Recommend revising the administrative burden on awardees upwards for OMB to properly evaluate the cost/benefit of PVS and the PIF form

1. Recommend making direct vetting an option in all contexts, but especially in Afghanistan and in other highly politically sensitive contexts

USAID requires that any prospective awardee must complete a PIF for itself and for each prospective subawardee. This information is then used by USAID to screen against a classified database used by the US government intelligence agencies to ensure that USAID funds do not go to support the interest of persons and entities that are a threat to national security. Being perceived as an information-gathering agent of the US government usually increases the security risk for NGOs, and there are unfortunately tragic events that have proven that information-gathering, or even being perceived to be information-gathering, for the US government in coordination with US intelligence agencies increases the security risk for NGOs. For example, in 2013, polio vaccine workers employed by NGOs were killed in Pakistan because they were thought to be spies for the US government. Also, threatening the relationships of NGOs with local stakeholders diminishes the ability of NGOs to operate effectively and similarly thwarts USAID's objectives. Moreover, it can pose problems with future re-registration with the local government.

WV and other USAID recipients have historically advocated that USAID adopt a direct vetting approach, whereby subawardees would be required to interact directly and solely with USAID for vetting purposes. By removing the NGO prime recipient from the role of the U.S. Government's data collector of personally identifiable information of key leaders and directors of subawardees, direct vetting would respond to the NGO community's security concerns that stem from violation of the humanitarian principles of independence and neutrality.

We continue to advocate that the role of a prime awardee be limited to notifying a subawardee that it would need to submit its own information to the USAID vetting official and directing it to the appropriate portal or website for information on such vetting. An awardee should not be required to collect and verify PIF information of its subawardees. Also, it should not be required to convey vetting determinations to its subawardees or act as an intermediary concerning such vetting processes. The PIF should specify that a subawardee is responsible for submitting, monitoring, and updating PIF data directly to USAID.

USAID has indicated that direct-vetting was challenging to USAID because of the significant resources necessary for USAID to clarify and validate the information provided by the subrecipients. That USAID has discovered that it is challenging to collect information via direct vetting from foreign and smaller subrecipients should encourage USAID to consider whether placing this significant administrative and security risk burden on prime recipients is truly necessary to achieve USAID's foreign policy objectives. For comparison, most USAID recipients already have heavily invested in systems to prevent diversion of funds, including conducting blocked party screening against government and UN published lists. PVS adds an additional and

unnecessary administrative burden on recipients, while diminishing USAID and recipients' ability to safely and effectively operate in certain contexts.

2. Recommend a separate PIF form with revised Part 3: Certification for Subawardees

As USAID has learned through their experience with direct vetting, it is unreasonable to expect prime awardees to be able to verify the personally identifiable information of third parties in the PIF beyond reviewing documents, typically electronically. Like USAID, prime awardees are not private detectives and have limited resources. Therefore, it is inappropriate, ineffective, and unreasonable to expect the prime awardee to certify to any organization's information except for its own. Further, having a prime awardee certify to the accuracy of another organization's information exposes prime awardees to False Claims Act "lawfare" nuisance suits filed by politically motivated persons. See *The Alarming Rise of Lawfare to Suppress Civil Society: The Case of Palestine and Israel*, Kay Guinane, The Charity & Security Network (September 28, 2021), available at <https://charityandsecurity.org/wp-content/uploads/2021/09/The-Alarming-Rise-of-Lawfare-to-Suppress-Civil-Society.pdf>.

Therefore, WV recommends creating a different PIF form for subawardees whereby the information of subawardee directors, etc. are accompanied by a Part 3: Certification with the following statement (revised portion highlighted):

The prospective subawardee certifies in submitting this form that it has taken reasonable steps in accordance with sound business practices to verify information included in this form and understands that the U.S. government may rely on the accuracy of such information to process this request.

3. Recommend revising the administrative burden upwards for OMB to properly evaluate the cost/benefit of the PIF form and PVS.

Finally, the Notice has estimated that each PIF form should take 1 hour and 30 minutes. This is a gross underestimation of how long it takes to collect, clarify, verify, and submit the form. Even for domestic NGOs collecting information on its domestic personnel and directors, the collection and submission of such information averages half an hour per individual from whom the information is solicited, plus the time it takes to transfer the information and fill out the form (add half an hour), plus the time it takes to clarify any information (anywhere from two minutes to an hour depending on the back and forth), plus the time it takes to submit the form (add ten minutes). Multiply this by the number of Key Individuals submitting information to the awardee, and the total time is significantly higher than 1 hour and 30 minutes. The administrative burden on completing a PIF should be revised significantly upwards. Since OMB is responsible for ensuring that any administrative burden is limited to only that which is necessary to achieve the U.S. government's objectives, the estimated burden should be accurate for the OMB to conduct a proper evaluation.

WV is very much committed to working with USAID to find ways to reduce the risk of USAID-funded activities providing support to entities or individuals deemed to be a risk to national security. However, for the reasons discussed above, WV strongly believes that an awardee should not be required to gather or verify information from a different organization, that each organization should be certifying to the accuracy of its own information and not of other organizations, and that the administrative burden needs to be revised for a more appropriate analysis of the cost and

benefit of PVS and the PIF form. We respectfully request USAID to consider and address our comments and concerns.

Thank you for your consideration. If you have any questions on these comments, please do not hesitate to contact me at 202-572-6300.

Sincerely,

Daniel Assefa

Daniel Assefa
Sr. Grant & Contract Officer
World Vision, Inc.

WV is a Christian relief, development and advocacy organization. For over 60 years we have been committed to working with children, families and communities to overcome poverty and injustice. Inspired by our Christian values, we are dedicated to working with the world's most vulnerable people. We serve close to 100 million people in nearly 100 countries around the world, regardless of religion, race, ethnicity, or gender