



February 9, 2012

Submitted electronically via oira_submission@omb.eop.gov

Desk Officer for Department of State
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

RE: Public Notice 7753 | DS-4164, OMB Control #1405-XXXX | DS-4184, Risk Analysis and Management (RAM)

Dear Sir or Madam:

I write on behalf of Church World Service, a cooperative ministry of 37 U.S.-based Christian denominations that provides development, disaster relief, and refugee assistance around the world, in order to provide comments related to the proposed pilot information collection program, Risk Analysis and Management, to vet potential U.S. State Department grantees and contractors. I will address comments on the necessity of the proposed information collection, as well as the accuracy of burden estimates.

Church World Service operates programs worldwide, leveraging millions of dollars in private funds in conjunction with State Department funds. Like the State Department, we are committed to ensuring that development and humanitarian funding does not inadvertently benefit terrorists or their supporters. We believe, however, that the proposed information collection represents an unnecessary burden. As part of our existing vetting system to help ensure that USG and private funds are not misappropriated, we comply with certification procedures in which the names of all of our staff and sub-grantees are checked against the Department of Treasury Office of Foreign Assets Control master list of Specially Designated Nationals and Blocked Persons, the State Department and FBI exclusion lists, and the list of debarred and suspended parties. In addition, we rely upon relationships built over many years with local partners and communities to help ensure that staff and sub-grantees are not affiliated with terrorist or criminal organizations. We have used these processes for years, and have effectively vetted thousands of staff members and sub-grantees. We have no reason to believe that our current vetting practices and processes are ineffective.

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Participating Denominations and Communions: African Methodist Episcopal Church African Methodist Episcopal Zion Church Alliance of Baptists American Baptist Churches U.S.A. Apostolic Catholic Church Armenian Church of America (including Diocese of California) Christian Church (Disciples of Christ) Christian Methodist Episcopal Church Church of the Brethren Community of Christ The Coptic Orthodox Church in North America The Episcopal Church Evangelical Lutheran Church in America Friends United Meeting Greek Orthodox Archdiocese of America Hungarian Reformed Church in America International Council of Community Churches Korean Presbyterian Church in America Malankara Orthodox Syrian Church Mar Thoma Church Moravian Church in America National Baptist Convention of America National Baptist Convention, U.S.A., Inc. National Missionary Baptist Convention of America Orthodox Church in America Patriarchal Parishes of the Russian Orthodox Church in the U.S.A. Philadelphia Yearly Meeting of the Religious Society of Friends Polish National Catholic Church of America Presbyterian Church (USA) Progressive National Baptist Convention, Inc. Reformed Church in America Serbian Orthodox Church in the U.S.A. and Canada The Swedishborgian Church Syrian Orthodox Church of Antioch Ukrainian Orthodox Church in America United Church of Christ The United Methodist Church

Because the State Department has yet to make public the description of the pilot program, it is impossible to judge the accuracy of the burden estimate. Without clarification on the types of awards that will be subject to the information collection, or on the frequency with which the information will be collected, we cannot possibly estimate the burden required to comply with a regulation that has not been defined. For example, in Kenya, we operate the Resettlement Service Center under a \$12 million annual State Department contract, processing the cases of all sub-Saharan African refugees being considered for resettlement to the U.S. through the U.S. refugee program. We have no way of knowing whether this award would be subject to the new Risk Analysis and Management program, which of our 240 staff members would be considered “key individuals,” or how often we would need to conduct vetting of those employees. Noting that the vetting program was Congressionally-mandated as a joint pilot with USAID, we had hoped that the information collection form would be designed for use in both agencies. That this is not the case presents yet an additional burden, as we will need to prepare multiple forms.

Moreover, we are deeply concerned about the apparent expansion of the information collection to countries beyond the pilot program. Not only does this expansion suggest that one of the pilot’s objectives—the “validation of [the] risk-based model”—is a foregone conclusion, it raises grave concerns in areas where public sentiment regarding foreign presence is particularly precarious, such as Pakistan and Afghanistan. Present in Pakistan and Afghanistan since 1954, Church World Service leverages \$500,000 in State Department funds against \$1 million in private fundraising to support programs in disaster relief, education, health, livelihoods, water/sanitation, and peace and governance. These programs could face significant obstacles and even closure were the information collection program to expand to Pakistan or Afghanistan before undergoing an effective and independent evaluation.

Church World Service remains committed to the appropriate use of the federal and private funds with which we are entrusted, but we believe that requiring the collection of additional, personal information about potential staff members and partner organizations for the State Department’s use would be an unnecessary burden. Moreover, it could adversely affect both the State Department and Church World Service, along with other NGOs, as described our key objections:

1) Perception that NGOs are a source of intelligence for U.S. government rather than independent and neutral actors

To effectively implement the State Department’s foreign assistance and relief programs, Church World Service relies on people-to-people, nongovernmental interaction. Maintaining our independence and neutrality are essential to building and preserving trust with local community groups and individuals. Particularly in countries in which foreign governments are perceived to be undermining the host country’s sovereignty, Church World Service’s independence and neutrality are crucial to achieving positive, sustainable program outcomes. As part of the Risk Analysis and Management program, the collection of employee and local partner personal information could be vetted against secret U.S. government lists—which have been criticized for inaccuracy—and this information could be permanently on file. With our staff collecting this information, local perceptions may be that Church World Service directly collects intelligence information for the U.S. government.

Such a perception could limit our ability to build and preserve trust with local communities, as well as jeopardize our basic principles of neutrality and independence.

2) *Increased security risks for staff and local partners*

We believe that collecting personal information for the Risk Analysis and Management Program may increase security risks for our employees and local partner organizations. As described above, the perception that Church World Service is collecting information on behalf of U.S. law enforcement and intelligence agencies works to undermine the neutrality and trust upon which we rely for our staff's safety, especially in dangerous and politically sensitive contexts. Instead of managing risk, the Risk Analysis and Management information collection may actually increase the risks of violence against our staff.

In addition to facing acts of violence from members of the communities in which they work, Church World Service and other NGO staff face potential loss of livelihood should the information collection return a negative finding. In our work in Kenya, we have seen refugees permanently barred from resettlement in the U.S. with neither explanation nor recourse, based on the submission of information similar to that being required in Risk Analysis and Management Program. This lack of transparency could raise fears among our staff that they will be dismissed from their employment. Additionally, given the State Department's use of secret U.S. government lists and the lack of understanding of how the information collection will be used or shared, staff will likely fear encounters with law enforcement.

3) *Individuals and local partners discouraged from working with American NGOs*

Requiring individuals to provide personal data to the State Department and knowing that this information is checked against intelligence sources and maintained in non-public records will likely discourage both U.S. citizens and host country nationals to work for State Department funded organizations, such as Church World Service. The operation of the Resettlement Service Center in Kenya relies upon the coordinated efforts of highly skilled staff. The reluctance or refusal of potential employees and partner organizations to work with us will ultimately affect our ability to engage the best possible teams to implement projects. We will also face legal difficulties if we are forced to breach host country laws to supply information about host country nationals as part of the Risk Analysis and Management Program.

4) *Duplication of existing screening processes that increase administrative burden*

Collecting and maintaining the large amounts of personal data necessitated for the Risk Analysis and Management Program will require Church World Service to establish highly secure data management systems as well as hire additional employees to collect and manage the data. The cost for such new systems and staff are substantial and are often not included as allowable grant expenses. To help lighten this burden, the State Department should coordinate reporting requirements and use similar vetting mechanisms to those already in place.

We recognize the need to prevent the diversion of U.S. funds from their intended purposes. However, we believe that the proposed Risk Analysis and Management information

collection is an overly burdensome and duplicative process that does little to protect the integrity of U.S. funds and much to undermine the humanitarian and development principles with which they are given.

Thank you for the opportunity to provide comments on this issue.

Best regards,



Executive Director and CEO
Church World Service