



**ZAKAT**  
FOUNDATION  
of AMERICA

*The Leader in Empowering Lives Through Zakat*

January 5, 2012

TO: Office of Information and Regulatory Affairs  
United States Agency for International Development (USAID)  
Submitted via email to OIRA\_Submission@omb.eop.gov

**Re: Notice of Proposed Information Collection Requirements Submitted to OMB for Review Vol. 76 Fed. Reg. No. 235, page 76359, OMB Number 0412-0577, DS Form No. AID 500-13, Partner Information Form**

Dear Sir or Madam:

I am writing on behalf of Zakat Foundation of America (ZF) to comment on the proposed information collection. Our organization's mission as an international charity organization is to address the immediate needs and ensure the self-reliance of the poorest people around the world.

We share the goal of protecting USAID and State Department resources from diversion to terrorist groups, but believe that the Partner Vetting System (PVS) is not the right approach to accomplish this goal. Our reasons are set forth below:

**1. Evaluate whether the proposed information collection is necessary for the proper performance of PVS**

Unless there are significant changes in the design of PVS, the fundamental problems that lead 175 nonprofits to file comments opposing it in 2007 remain. Among the groups opposing PVS were InterAction, the Global Health Council and the International Center for Not for Profit Law. In addition, in 2010 the President's Advisory Council on Faith-Based and Neighborhood Partnerships recommended that the government work with nonprofits to create an alternative it.

PVS is a solution in search of a problem. There is no evidence that USAID funds are flowing to terrorist organizations through NGOs. The USAID Office of the Inspector General found no such diversion in exercising its oversight of programs in USAID's sensitive West Bank/Gaza portfolio for 2006 and 2007, when PVS was proposed. According to the Inspector General, "OIG oversight activities during this period did not identify any instances where terrorist organizations received USAID funds." Nor has it reported finding such diversions elsewhere.<sup>1</sup>

**2. Evaluate the accuracy of State's estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used**

There is insufficient information provided to allow us to give an adequate response to the Federal Register notice. Both the State Dept. and USAID notices on the burden of information collection were published without USAID publishing any details about the pilot program. At a September briefing with NGOs USAID stated that such details would be released for public comment when it announced the pilot. Its failure to do so puts the cart before the horse and leaves the public at a significant disadvantage in commenting on the proposed information collection burden.

<sup>1</sup> See USAID Office of Inspector General Semiannual Report to the Congress, October 1 2006 – March 31, 2007, available online at <http://www.usaid.gov/oig/public/semiann/sarc0307.pdf> [page 18]



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concerns. If implemented as described, the pool of effective local partner organizations is likely to shrink due to their withdrawal due to objections to turning their employees' personal information over to the intelligence agencies of a foreign government.

Rather than pursue a pilot program based on a fundamentally flawed design, the Department of State and USAID should work with the nonprofit sector to devise a vetting process that is effective, accurate and respects the neutrality of NGOs. This would be consistent with the 2010 recommendation of the President's Advisory Council on Faith-Based and Neighborhood Partnerships.

Yours truly,

Khalil Demir  
Executive Director, Zakat Foundation of America