

September 30, 2013

Michael Gushoe, M/0AA/P
USAID /Washington
1300 Pennsylvania Ave NW
Washington, DC 20523

**Re: Notice of Proposed Rulemaking RIN 0412-AA71 Partner Vetting in
USAID Assistance
(78 Fed. Reg. No. 168, page 53375)**

Dear Mr. Gushoe,

On behalf of Mennonite Central Committee U.S., I am submitting comments on this proposed information collection. Mennonite Central Committee (MCC) is a worldwide ministry of Anabaptist churches, responding to basic human needs and working for peace and justice. MCC works in approximately 60 countries worldwide.

We are strongly opposed to terrorism and the use of violence, but do not believe that the Partner Vetting System and pilot program, as they are currently conceived, is the right approach to ensure that U.S. government resources are not diverted toward violent ends.

Our concerns include:

PVS presents significant challenges to organizations such as ours that work in the area of peacebuilding and conflict resolution. Conflict resolution programs must engage with key stakeholders in local communities in order to be effective. If such people are found to have undefined "linkages" or "affiliations" with terrorists, they will be excluded, thereby diminishing the effectiveness of the program.

PVS undermines the neutrality and independence of NGOs by creating the perception that they are engaged in intelligence gathering. The primary security protection for NGOs such as Mennonite Central Committee derives from the support and relationships that we have built over years in local communities. Undermining this trust will make our work much more difficult to carry out, and can also lead to increased security concerns in areas of high risk.

Perceptions and concerns about the PVS program could impact all organizations operational in a given area. As a U.S. organization that does not currently receive USAID funding, we could nonetheless be impacted by the negative reaction to PVS information collection in areas where we operate. This can lead to increased security threats in areas of active conflict.

The vetting criteria are vague and overbroad, extending to those “affiliated” with or with “linkages” to terrorists. Linkage could be interpreted so broadly that a person could fail vetting on the basis of activities s/he does not support or control, such as that of a family member, former employer or neighbor. This can lead to discrimination or profiling based on discriminatory factors, such as race, religious affiliation, nationality or political opinion.

PVS does not indicate clearly whether or not program beneficiaries will be affected, leading to potential violation of the principles of international humanitarian law. For example, the announcement says that the Risk Based Analysis will consider the likelihood that individuals “linked” to terrorists may “benefit” from the program. Under these criteria, a baby could be denied medical or food assistance because s/he is “linked” to someone “affiliated” with terrorism.

Data collected by PVS could be used to implicate human rights defenders. The data collected by PVS will go into the Terrorist Screening Center database, including personal information about people with no connection to terrorism. Since the TSC shares information with other agencies and foreign governments, governments could acquire and use this information against human rights defenders within their borders.

We appreciate the opportunity to provide comment on the new regulations and ask that you take these concerns into account as you evaluate the pilot program. If you have further questions, I can be reached at rachelleschlabach@mcc.org or (202) 544-6564, ext. 112.

Thank you for hearing our concerns.

A handwritten signature in cursive script, appearing to read 'Rachelle Schlabach'.

Rachelle Lyndaker Schlabach
Director, Washington Office
Mennonite Central Committee U.S.