

**STATE, FOREIGN OPERATIONS, AND RELATED
PROGRAMS APPROPRIATIONS FOR FISCAL
YEAR 2020**

TUESDAY, APRIL 9, 2019

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 3:00 p.m., in room SD-138, Dirksen Senate Office Building, Hon. Lindsey Graham (Chairman) presiding.

Present: Senators Graham, Blunt, Moran, Lankford, Daines, Leahy, Durbin, Shaheen, Coons, Murphy, and Van Hollen.

DEPARTMENT OF STATE

OPENING STATEMENT OF SENATOR LINDSEY GRAHAM

Senator GRAHAM. The subcommittee will come to order.

Thank you, Secretary Pompeo, for coming.

Our hearing today is on the President's fiscal year 2020 funding request and budget justification for Department of State. I'd like to welcome two new members of the subcommittee staff, Katherine Jackson and Sarita Vanka.

So your written testimony, Mr. Secretary, will be accepted for the record. I will make a short opening statement, and the floor will be yours, after Senator Leahy.

Your budget proposal is 21 percent below the fiscal year 2019 enacted level. It ain't happening.

So this is the budget. The biggest reduction is in State—is in our account. I think you've done a great job, Mike, as Secretary of State. I've been to Iraq and Afghanistan 54 times. You've been there a lot. The one thing I've learned, you're never going to win this war against radical Islam by dropping bombs alone.

Count me in with what Secretary Mattis said years ago, if you cut the State Department's budget, you need to buy more ammo. The best thing to do to defeat this radical ideology is invest in the lives of others. A small schoolhouse in a poor region of Afghanistan, Iraq, Syria, you name the location—Africa—can do more damage to radical Islam than any bomb. Giving a woman a say about the future of her children is absolutely imperative to win this conflict. Developmental aid has proven to be a wise national security investment. The President's Emergency Plan for AIDS Relief (PEPFAR) alone has saved millions of young Africans from certain death from AIDS, and the story goes on and on and on and on.

I'm a pretty hawkish guy, but I believe in the International Affairs Budget Function 150 account, and I really do thank you, Mr. Secretary. I think you've done a wonderful job dealing with complicated issues all over the world, giving the President sound advice. It's up to him to take it. I appreciate the President listening. Sometimes we disagree, but I've never had anyone, as President of the United States, reach out and talk to more people than President Trump. Sometimes that's good, sometimes it's not, but he's subject to changing his mind, and he has, in my view, done a very good job of being a better friend to our allies and put our enemies on notice. And, Secretary Pompeo, thank you for the job you do, the time you spend away from your family, and I think you represent our country exceedingly well.

Senator Leahy.

STATEMENT OF SENATOR PATRICK J. LEAHY

Senator LEAHY. Thank you very much, Mr. Chairman. And I'll say my former neighbor at the times of the week that I'm in Virginia.

I was actually tempted to submit my opening statement from last year's hearing because very little has changed, as we see, in the President's budget request. Like last year, we are still presented with damaging funding cuts. I don't see any explanation for them. We've therefore heard the same vocal opposition to this request from the private sector, from national security experts, and from a lot of Democrats and Republicans in the Congress.

Mr. Secretary, on a positive note, I appreciate that you've lifted the hiring freeze at the State Department. You've begun to address the vacancies that were created before you took the job, which actually you couldn't have lifted the hiring freeze if we had accepted the President's fiscal year 2019 proposal. But there's not much else that's changed. We've been asked to consider the proposed funding levels not compared to ongoing operations in progress, but to the previous year's request as though nothing has happened in the world since then. Those comparisons are irrelevant, and that proposal was rejected by Republicans and Democrats alike in the Congress last year.

Many of the initiatives, though, that the administration has touted, which I think are good initiatives, women's economic empowerment, the Indo-Pacific Strategy, the President has touted those, but they were made possible only because we rejected the cuts in the previous budget. We need to face reality that not only does the request cut most of the programs highlighted by the administration and its own priorities, but with cuts totaling \$11.5 billion, virtually every program funded by this subcommittee is negatively affected.

And I would note that in my years on this subcommittee, both as Chairman and as Vice Chairman, the bill usually comes out with unanimous votes or nearly unanimous vote, but that's because you have programs like Fulbright scholarships, food security, law enforcement, countering Russian influence, reducing poverty and human trafficking, assisting refugees, empowering women. These are important programs, but the President will use slogans like "America First," but the budget says the opposite.

Now, the administration has highlighted some important programs, like PEPFAR, as we all do, but you can't explain how if you cut PEPFAR and other programs that cut—combat HIV/AIDS by \$1.7 billion, it's one thing to say you support these programs, but then you cut it. I don't know how that advances U.S. interests when the administration talks about having to make choices, is it a choice of benefits, is actually a choice that is what this country wants to make knowing that it will mean countless lives lost that could have been saved? I'd like to think that we are in favor of saving lives, not losing them.

The administration talks about preserving U.S. global leadership, so please explain in more than a talking point about burden sharing, how refusing to pay our assessments at the U.N., costs that we're obligated to pay, how does that enhance U.S. leadership?

When the administration talks about curbing migration, explain why cutting the funds that we appropriate to address the causes of migration makes sense.

And when the administration talks about standing up for American values, and rightly calls—I agree with the administration when they call Nicolás Maduro a tyrant, but then how do you explain why a dictator, like Egypt's President El-Sisi, a dictator, is favored at the White House, Russia's President Putin, North Korea's Kim Jong-un, and Turkey's President Erdoğan are praised as strong leaders, and the Saudi Crown Prince, who everyone knows was involved with the murder of an American citizen, is treated as an indispensable friend and ally?

So every year we have an opportunity to reassure the world that the United States, as I believe it should be, is defender of the universal rights of free expression, of free and fair elections, of apply the rule of law to the rich and powerful, but words are not enough. I've traveled to a number of these places with Senator Graham. He's a good friend. And we've seen that you can't condemn some tyrants while praising others. And if you cut programs that reinforce American values, American values, it sends the opposite message.

So I hope that once again, Mr. Chairman, that the Congress can try to be the conscience of the Nation, provide the funding for international diplomacy, develop that we know are so important, and remember, as you said, plus Secretary Mattis said, if you're going to cut this, buy more bullets.

Senator GRAHAM. Thank you, Senator Leahy.

The floor is yours, Mr. Secretary.

STATEMENT OF THE HON. MIKE POMPEO, SECRETARY OF STATE

Secretary POMPEO. Thank you very much, Chairman Graham, Ranking Member Leahy, distinguished Members of the subcommittee. I won't read my entire statement, but I do have a few minutes, so I want to just walk through now. Two years of the administration, I am now 9 days short of 1 year of my time as Secretary of State.

Senator GRAHAM. The longest serving member of the Cabinet, right?

[Laughter.]

Secretary POMPEO. I'm reclaiming my time.

When the Trump administration first took office, the United States of America faced a series of threats. We faced a China that wanted to spread its model of economic corruption, increase its military power, and perfect its Orwellian control of populations. We face in Iran a revolutionary regime that wanted to dominate the Middle East and had a guaranteed pathway to nuclear weapons following a truly bad nuclear deal. We faced a Russia that had invaded Ukraine and had captured Crimea. We faced a North Korea nuclear missile proliferation threat, and we faced a terror threat that spanned continents. We faced petty dictators in the world, like Maduro in Venezuela and Assad in Syria.

The Trump administration has recognized the seriousness of the challenges and we responded. I'd like to take a few minutes to talk about how we've approached this. We think this has truly benefited the American people and their security.

First, the Trump administration sees the world as it is, not as we wish it to be. We've leveled with the American people and our friends and partners about the threats that we face. This honesty has produced growing bipartisan consensus on Capitol Hill about the need to confront Chinese aggression. It produced a unanimous consensus inside of NATO that arms control agreements like the INF Treaty are worthless if only one party adheres to its terms. It produced broad international support for the brave people of Venezuela. Basing policy on reality, we recognize Jerusalem as Israel's capital, and we recognize Israel's sovereignty over the Golan Heights. That's why the State Department designated the Islamic Revolutionary Guard Corps a terror organization on Monday. We must recognize reality.

Second, we've used creative diplomacy to build coalitions to confront our enemies because we neither can nor should do everything ourselves. We convinced our NATO allies to spend significantly more on their own defense. We rallied the Defeat ISIS Coalition, a coalition of over 80 countries, to dismantle the caliphate in Iraq and in Syria.

In Warsaw, we convened more than 60 countries to discuss the common threats and shared opportunities in the Middle East that included Arab and Israeli leaders talking to one another. We're getting the Middle East Strategic Alliance off the ground. We built the Indo-Pacific Strategy to do a real pivot to Asia. We supported our hemispheric partners in the Organization of American States (OAS) and Lima Group as they work to support the Venezuelan people. And we forged a global coalition at the United Nations to impose the toughest ever sanctions on North Korea.

Third, we're focused on outcomes. This administration promised to dismantle the ISIS caliphate, and we've done it. We promised to confront China for its trade practices and call them out on human rights violations, and we've done it. We promised to exit the Iran nuclear deal to exert pressure on Tehran to change its murderous ways. We've done that, too. We're working every day to protect our citizens at home and abroad and advance American prosperity and values and to support our allies and partners overseas.

Finally, when I first became Secretary, I promised to put diplomacy at the forefront of defending U.S. national security and advancing our interests. I think I've done that, too.

Here's what's happened in my 11-plus months. We lifted the hiring freeze for family members as well. This was a no-brainer. We brought 2,000 family members who are eligible for employment back onto our team. Our promotion rates in the foreign services, which were cut in 2017 across the board by 40 or 50 percent, are now growing again. New foreign service officer and foreign service specialist classes are beginning. Fifty-five senior leaders have been confirmed by the Senate since my first day. Thank you for that. More to follow I hope.

I'm holding a small group of events all across the world, including here in Washington. I call it "Meet With Mike." My team can hear from me. We listen to many, many voices directly.

And back in the States, I've traveled some to tell the State Department story here in America to convince Americans why diplomacy matters. I've also been recruiting.

And my recommendation to the President and Senate, recognize four individuals to become career ambassadors: David Hale, Phil Goldberg, Michele Sison, and Dan Smith. The rest of our team knows that these are people that we can all look up to.

There is much more to say, but I'll end here. But for discussion in the administration, foreign policy and the \$40 billion budget request for State Department and USAID for 2020.

And with that, I look forward to your questions.

[The statement follows:]

PREPARED STATEMENT OF HON. MIKE POMPEO

Chairman Graham, Vice Chairman Leahy, and distinguished Members of the subcommittee:

I appreciate the opportunity to discuss the administration's fiscal year 2020 budget request for the State Department and the U.S. Agency for International Development.

To support our National Security Strategy and achieve our foreign policy goals, the President has submitted an fiscal year 2020 budget request of \$40 billion for the State Department and USAID.

The proposed request will allow us to protect our citizens at home and abroad, advance American prosperity and values, and support our allies and partners overseas.

It will promote partner countries' economic and security self-reliance as they begin to transition away from U.S. assistance programs, which the American people have generously underwritten for decades.

We make this request mindful of the burden on American taxpayers, and our obligation to deliver exceptional results on their behalf.

In an era of great power competition, the State Department and USAID's work is key to our security, the protection of our freedoms, and the promotion of American values.

China is proactively applying its power and exerting its influence in the Indo-Pacific region and beyond. Under President Trump's leadership, the United States is responding decisively to China's aggressive actions. The United States' future security, prosperity, and leadership depends on maintaining a free, open, and secure Indo-Pacific. To advance the Indo-Pacific strategy, the budget request nearly doubles U.S. foreign assistance resources targeting this crucial area compared to the fiscal year 2019 request.

Russia poses threats that have evolved beyond external or military aggression, and now include influence operations targeting America and the Western world. This budget prioritizes countering Russian malign influence in Europe, Eurasia, and Central Asia, and further strengthens the Department's own systems against malign actors.

Our diplomatic efforts toward the final, fully-verified denuclearization of North Korea are the most successful that have ever been undertaken. We remain committed to that goal. This budget provides for our diplomatic outreach to continue,

and to continue implementation and enforcement of sanctions until we achieve our objective.

We know that the Islamic Republic of Iran's authoritarian regime will continue to use their nation's resources to proliferate conflict in Iraq, Yemen, Syria, and beyond. It will continue to bankroll terrorist groups like Hamas and Hezbollah.

The United States will therefore work together with our allies and partners to counter Tehran's aggressive actions to undermine peace and security in the Middle East and beyond.

As the people of Venezuela continue to fight for their freedom, the budget request includes funding to support democracy and prosperity in Venezuela. The budget also requests new authority to support a democratic transition in Venezuela, including transferring up to \$500 million to foreign assistance accounts.

The budget also delivers on the President's commitment to optimize the effectiveness of our outdated and fragmented overseas humanitarian assistance. It ensures the United States will remain the world's largest single donor of humanitarian assistance. The proposal maximizes the impact of taxpayer dollars, helps more beneficiaries, and delivers the greatest outcomes by consolidating our humanitarian programming in a new bureau at USAID. This budget request also preserves the State Department's lead role on protection issues, as well as the U.S. refugee admissions program. Further, through available funding in 2019 and 2020, the United States will have on average approximately \$9 billion available per year to support overseas humanitarian programs, maintaining the highest level of U.S. overseas humanitarian funding ever.

President Trump has made the protection of religious freedom a key priority at home and abroad. The fiscal year 2020 budget supports our efforts to continue U.S. leadership in the promotion of global religious freedom and the protection of persecuted religious and ethnic minorities all around the world. This July, the State Department will host the second annual Ministerial to Advance Religious Freedom.

American assistance is helping to reverse the devastation and suffering caused by ISIS and associated terrorist groups. But much work remains to be done. Working by, with, and through local partners and community leaders, our assistance programs clear explosive remnants of war to help keep families safe, restore access to critical health and education services, improve economic opportunities, and more.

As we work to promote economic growth, the fiscal year 2020 budget includes a request for \$100 million for a new Fund at USAID for the White House-led Women's Global Development and Prosperity Initiative. Through the Fund, we will work to find and scale proposals that advance women's economic empowerment across the developing world, in support of the Initiative's goal of reaching 50 million women by 2025.

There are few efforts as important to this administration and to the safety and security of the American people as border security. The State Department and USAID budget request will strengthen visa vetting, and improve our targeting of illicit pathways that transnational criminal organizations use to traffic people, drugs, money, and weapons into our Nation.

President Trump has made it clear that U.S. foreign assistance should serve America's interests, and should support countries that help us to advance our foreign policy goals. This budget therefore maintains critical support for key U.S. allies, including Israel, Jordan, Egypt, and Colombia, among others.

The fiscal year 2020 request also includes \$175 million for a Diplomatic Progress Fund. These funds will be used to respond to new opportunities arising from potential progress in diplomatic and peace efforts around the world.

Finally, the diplomatic challenges we face today are compounded by rapid advancements in technology and an ever-changing media environment. We need our colleagues to be safe, prepared, and ready to take on any challenge at a moment's notice. The fiscal year 2020 budget will fully fund State and USAID's current workforce levels, enabling us to take on emerging policy challenges. We are also modernizing our human resources, IT infrastructure, and organizational structures to stay on the cutting edge of 21st century innovation.

We must continue to put American interests first and remain a beacon of freedom to the world. With the support of Congress, and through the strategic, efficient use of resources, this budget will do just that.

Thank you.

Senator GRAHAM. Well, thank you very much. We'll do 6-minute rounds for questions. We've got a hard stop at 4:30. Do the math. We'll try to plow through and have some time for a second round if possible. But thank you for coming.

If the subcommittee restores the funding, if we reject the budget and go back to the last year's budget, could you spend the money wisely?

Secretary POMPEO. Yes.

Senator GRAHAM. Thank you. Outcomes. One, I think you're doing a great job. Morale is better. You're spending a lot of time explaining the State Department to people here at home. I think you should travel more in the United States. That's hard to ask of a guy who spends his life on an airplane, but it's really important to tell the State Department's story, and I think you do it very well.

AFGHANISTAN

Afghanistan. The outcome is peace with dignity for women in Afghanistan. Is that correct?

Secretary POMPEO. That's correct. Also making sure that America's counterterrorism interests are protected as well.

Senator GRAHAM. So we have two goals: make sure that people like ISIS and Al Qaeda types, who will never come to the peace table, they do not recapture, take over, Afghanistan. Correct?

Secretary POMPEO. That's correct, sir.

Senator GRAHAM. And if we reintegrate the Taliban back into the Afghan community writ large, that we do so on our terms, not theirs.

Secretary POMPEO. That's correct.

SYRIA

Senator GRAHAM. Thank you. Syria. The stabilizing force that we're talking about will have more Europeans, and our numbers will go down in terms of boots on the ground. Is that correct? Is that the proposal?

Secretary POMPEO. That's the discussion that's underway; yes, Senator.

Senator GRAHAM. Do you agree with me that having a stabilizing force is the best insurance policy against the return of ISIS?

Secretary POMPEO. The President has directed we do everything necessary to ensure that there is not an ISIS 3.0 or, frankly, the disasters in Idlib don't befall us.

Senator GRAHAM. Right. Do you agree with me that having a stabilizing force in northeastern Syria will prevent Iran from coming down and taking over their oil?

Secretary POMPEO. It is an important part of our overall Middle East strategy, including our counter-Iran strategy.

Senator GRAHAM. So containing Iran would include having a policy in Syria that would keep them from benefiting from our withdrawal.

Secretary POMPEO. That's right. That's one piece of it; yes, Senator.

Senator GRAHAM. Okay. So there is a small contingent of forces down at Al-Tanf that interdicts the flow of weapons from Beirut to Tehran. Is that correct?

Secretary POMPEO. It also performs important counterterrorism mission as well.

Senator GRAHAM. Okay. So I think keeping that contingent there is a good outcome for America because we want to protect Israel against an increasingly armed Syria.

TURKEY

Turkey is a NATO ally with plenty of problems. Have you told Turkey that if they deploy the S-400, they can't be part of the F-35 program?

Secretary POMPEO. Yes.

FRAGILE STATES AND THE SAHEL

Senator GRAHAM. Okay. When it comes to Africa, are you familiar with the Final Report of the Task Force on Extremism in Fragile States entitled "Preventing Extremism in Fragile States: A New Approach", February 2019, conducted by the United States Institute of Peace?

Secretary POMPEO. I am.

Senator GRAHAM. In terms of outcome, do you believe that when it comes to Sahel and other regions, you pay now or you pay later?

Secretary POMPEO. It is a difficult place, and I have seen legislation that's proposed for Fragile State, and legislation that has been proposed, and the objective there is something the State Department agrees with.

NORTH KOREA

Senator GRAHAM. Thank you. When it comes to North Korea, what is the objective—the outcome we seek?

Secretary POMPEO. The outcome is a fully verifiably denuclearized peninsula and greater peace, less risk, and conventional means, and hopefully a brighter future for the North Korean people as well.

VENEZUELA

Senator GRAHAM. In Venezuela, what's the outcome?

Secretary POMPEO. We will continue to support democracy for the Venezuelan people along with our partners in the region.

Senator GRAHAM. What's the prospect of that happening anytime soon?

Secretary POMPEO. I try to stay out of the prediction business.

Senator GRAHAM. Fair enough.

Secretary POMPEO. The things I can control, the efforts that we're making, I think are working in the right direction. I think we have supported the properly designated leader, Juan Guaidó, in a way that has been good at helping build out what the Venezuelan people have demanded, and our partners in the region have been spectacular as well.

IRAN

Senator GRAHAM. When it comes to Iran, the designation of the Islamic Revolutionary Guard Corps as a Foreign Terrorist Organization: do you think that's justified? Obviously, you do or you wouldn't have done it.

Secretary POMPEO. I do.

Senator GRAHAM. Give us 15 seconds why.

Secretary POMPEO. It continues to raise the cost for Iranian terror around the world. It recognizes a basic reality: it's a terror group. We should not forget I had a group of a handful of folks who were held in 1979. It was originally 52 folks, 444 days. They reminded me that many of the Iranian leaders today are the very individuals that beat them, blindfolded them, handcuffed them, in the American Embassy in Tehran. This is a long-time challenge pushing back against Iran, and the designation we made yesterday will further restrict their access to wealth to spread terror around the world.

Senator GRAHAM. Do you agree with me that of all the nation states on the planet, Iran is near the top of the list, if not top, in terms of being destabilizing and destructive?

Secretary POMPEO. Absolutely.

Senator GRAHAM. So the outcome that we seek against Iran is what?

Secretary POMPEO. We laid out 12 things we asked the Iranian leadership to do, and we are supporting the Iranian people and helping to change the desires and the actions of the Iranian government.

ISRAEL

Senator GRAHAM. When it comes to Israel, the outcome we seek is what?

Secretary POMPEO. Tell me what you're thinking there, Senator?

Senator GRAHAM. When it comes to Israel, what is the outcome—

Secretary POMPEO. They're a great partner, a great ally. They're the premier democracy in the Middle East. They're a great partner and important for American national security and a great partner more broadly as well.

Senator GRAHAM. Well, thank you for the terrific job you and your folks are doing in very difficult circumstances and in dangerous places. And to me, the State Department people who are in USAID and other places are risking their lives for a noble cause.

Thank you.

Senator Leahy.

FOREIGN LEADERS

Senator LEAHY. Thank you. Mr. Secretary, you were quoted in the press referring to Nicolás Maduro as a tyrant after he ordered his army to block the entry of humanitarian aid. I think you'll find every single Senator here, Republican and Democrat, would agree with you. But I think we also have to be consistent if we're going to be taken seriously. Would you agree that your description of Maduro also applies to North Korea's leader, Kim Jong-un?

Secretary POMPEO. Sure. I'm sure I've said that.

Senator LEAHY. What about Egypt's President Sisi?

Secretary POMPEO. You know, I would not use that characterization.

Senator LEAHY. Okay. Even though he locked up political opponents who claimed victory after a sham election?

Secretary POMPEO. Senator, there's no doubt that it's a mean nasty world out there, but not every one of these leaders is the same. Some of them are trying to wipe entire nations off the face of the earth, and others are actually partnering with us to help keep Americans safe. There's a difference among leaders. You might call them "tyrant," you might call them "authoritarian," but there's a fundamental difference, and, therefore, a fundamental difference in the way the United States should respond.

Senator LEAHY. I just want to make sure I've got it straight. Maduro is a tyrant. Kim Jong-un is a tyrant. Sisi has changed the constitution, locking up thousands of political opponents and dissidents to try to stay in power, holding journalists and others, but he is not a tyrant.

Secretary POMPEO. We have not been remotely bashful. You simply need to read the State Department's Human Rights Report about calling out human rights violations. Everywhere and always we are entirely consistent with respect to that, and we use tools in America's arsenal to push back against that wherever they can, different tools, different places, different challenges.

Senator LEAHY. Of course, the President calls him a great friend as a tool to push back on him?

Secretary POMPEO. The President gets to choose his own words how he speaks about these people. There is no doubt the Egyptians have been an important security partner helping us take down terror threats in the Sinai that have reduced risk to the United States of America. There is no doubt about that, and for that, I am deeply appreciative of President Sisi. He has also been remarkably good with respect to religious freedom. I had a chance to travel there, see it. He has been a remarkable beacon in the Middle East for religious freedom.

Senator LEAHY. Does he do the same for press freedom?

Secretary POMPEO. We've called out the places where President Sisi has not treated the press in the way that are consistent with America's values. We are not bashful about that. He is here today. I met with him yesterday. We talked about these very issues yesterday, asking him to do better, asking him to, certainly with respect to Americans, do better as well.

Senator LEAHY. Do you think he will?

Secretary POMPEO. I hope so. We certainly placed it squarely on something that we're demanding from—

Senator LEAHY. I think the thousands of political opponents and dissidents he's locked up hope he will do better.

Secretary POMPEO. I'm sure they do, Senator.

CUBA

Senator LEAHY. The career officials at the Office of Foreign Assets Control (OFAC) determined that the major league baseball could enter into an agreement with the Cuban Baseball Federation so that they can have the safe entry of Cuban players into major league baseball, so to stop the human trafficking of players up here. I think the final agreement was entered into under the Trump administration. And now the Trump administration has torn that up and said that they—they won't change.

Secretary POMPEO. We gained additional information which made very clear that the beneficiary of these deals were people that weren't advancing democracy, weren't advancing the very human rights that I know, Senator, you are so concerned about, and we wanted to stop that. We wanted money not to go to those individuals. That's why we changed.

Senator LEAHY. So are you going—

Secretary POMPEO. New data, new facts, new policy.

Senator LEAHY. Are you going to do the same with Egypt, Saudi Arabia, or has that—

Secretary POMPEO. We'll use every appropriate tool to try and change behavior every place we find it inconsistent with American values.

GLOBAL MAGNITSKY ACT

Senator LEAHY. Well, let me go to one of those. Chairman Graham and I and our counterparts in the Foreign Relations Committee and I think 18 other Senators requested the President—this was last October—to make a determination on the imposition of sanctions under the Global Magnitsky Act with respect to the murder of Jamal Khashoggi. He's not done so even though the Magnitsky Act explicitly requires him to. Are we in violation of that law?

Secretary POMPEO. No.

Senator LEAHY. Why?

Secretary POMPEO. We are continuing to pursue facts just as with the other individuals that we sanctioned under Global Magnitsky. We, the United States Government, sanction under Global Magnitsky when we find the facts. We will apply the law appropriately. We've done so consistently during my entire time as Secretary of State.

Senator LEAHY. Well, the facts, I remember without going into classified things here, I remember coming out of one of the meetings of it. It wasn't, as you said, it wasn't a smoking gun, it was a smoking saw.

Senator GRAHAM. Yes, that was pretty good, a smoking saw.

Senator LEAHY. Okay. You applied losses explicitly, that the Secretary of State has credible information, not proof, but credible information that a foreign official has committed a gross violation of human rights, they're ineligible to enter the United States. You denied entry to 16 Saudis for their involvement. If the Crown Prince ought to travel to the U.S., and you've read the same intelligence that Senator Graham and I have, would you then deny him entry?

Secretary POMPEO. My commitment and President Trump's commitment from the first time we learned of the murder of Jamal Khashoggi is that we would apply the facts as we learned them to the law as it exists to everyplace, and that we would continue to pursue the facts as well so we got to the right answer.

Senator LEAHY. Okay, but you didn't answer my question.

Secretary POMPEO. That's what we'll do. If he seeks to come here, that's what we'll do.

Senator GRAHAM. Absolutely.

Senator LEAHY. So then my other question is for the record, and I hope this time when I submit questions for the record, they will actually get answered.

Secretary POMPEO. I'll do my best, Senator.

Senator GRAHAM. Thank you, Senator——

Senator LEAHY. You didn't last time, but thank you.

Senator GRAHAM. Thank you, Senator Leahy.

Senator MORAN.

Senator MORAN. Chairman, thank you.

DEMOCRATIC REPUBLIC OF THE CONGO

Secretary, welcome. Thank you for your service and your presence with us today. Travel with me, if you would, around the globe. Let me start with the Democratic Republic of the Congo for a home State issue. Michael Sharp was assassinated. He's a U.N.—was a U.N. worker in the Democratic Republic of Congo. He comes from Kansas. That occurred in March of 2017. There is evidence to believe that the assassination was conducted by the security forces of the previous President, Joseph Kabila. We have had, as recently as last month, conversations with the U.N. Secretary. I and others are dissatisfied with the U.N. investigation. What, if any, role has the State Department or will the State Department play in the attempt to provide justice for Mr. Sharp's family?

Secretary POMPEO. So if I may speak without talking about the particular case, but I'll tell you what we do in instances just like this one. I'm happy to give you a briefing on exactly what we've done in this particular instance, but the State Department is always involved when there's an incident like the one you described. We work with the local law enforcement as to other elements of the United States Government to try and get the facts. Where there is a U.N. investigation, as you described here, we work to push the U.N. to get it right, to make sure, too, that they have the resources they need in the theater in that space to get it right, too. We work to help them develop relationships and carry out conversations so that we can get answers for the American people, in this case, a Kansan.

Senator MORAN. Mr. Secretary, if you would, or someone at your—your bequest, on your behalf, visit with me about this specific case, I would welcome the conversation.

Secretary POMPEO. Yes, sir. Absolutely.

Senator MORAN. Thank you.

SAUDI ARABIA

Mr. Secretary, let's go to Saudi Arabia. We know they have detained American citizens in the past, have done so as recently as last week. This is behavior that I would put to other countries that we would find very objectionable. Would you agree that these actions are unacceptable and warrant consequences? What's—what's the plan?

Secretary POMPEO. Yes. Anytime someone wrongfully detains an American citizen, there has to be an American response.

Senator MORAN. And we have had that response, or that response is occurring?

Secretary POMPEO. I have spoken to the senior leadership in the Kingdom of Saudi Arabia from the King on down about every instance where we have found human rights abuses, wrongful detentions, or even the fact that we believe one of those events may have occurred, and in every conversation, we continue to do that.

Senator MORAN. Mr. Secretary, have you seen any evidence of changing behavior or hope for change in behavior?

Secretary POMPEO. I'll give an example. The work that we're doing in Yemen to try and get a decrease in the violence in Stockholm, the Saudis were instrumental in getting that agreement completed. It was good. It created opportunity for there to be foodstuffs and medicine could move through the port of Hudaida. We have not yet successfully been able to implement that, but the Saudis have invested and committed resources, and the Crown Prince himself has worked to try and implement that agreement as an example of something that the Kingdom of Saudi Arabia has been doing to reduce violence, protect Americans, and keep us all safe.

MIDDLE EAST

Senator MORAN. Mr. Secretary, let's go to the Middle East. There needs to be a focus, in my view, on promoting good governance and economic opportunity in the liberated areas from ISIS so as to deny ongoing support to the groups that would comprise ISIS. What's the current status of rebuilding those areas that were liberated from ISIS?

Secretary POMPEO. Senator, not much progress has been made to date, but not only the United States, but European countries and others have lined up resources to begin to do that. There is still not a whole lot of real estate in Syria where it's possible to begin to do even stabilization, let alone reconstruction. It's still pretty difficult. But our team, the State Department team, is on the ground there working to create the conditions where we can begin to do the things we need to do, first the stabilization operation, so that we can prevent the resurgence of these terror activities, both in eastern Syria and in western Iraq.

Senator MORAN. How about Egypt? The administration is—what—what is the administration doing to stop Egypt from purchasing Russian SU-35 jets? What sanctions, as required by law, will State implement against the Egyptians if they carry through with that purchase?

Secretary POMPEO. We've made clear that if those systems were to be purchased, that statute CAATSA would require sanctions on the regime. We have received assurances from them that they understand that, and I'm very hopeful that they will decide not to move forward with that acquisition.

Senator MORAN. That's good to hear.

VENEZUELA

Mr. Secretary, Venezuela, in our own hemisphere, I assume will need billions of dollars in reconstruction assistance to repair its infrastructure. There's a request for authority to transfer \$500 million, but I assume more money will be required. What are—what are your expectations, and what are we doing with our friends and allies in regard to Venezuela's future?

Secretary POMPEO. Yes. Once we're successful in supporting Venezuelan democracy, there will be billions of dollars of investment required. The Maduro regime over coming on now years and years has destroyed the infrastructure there, including the oil infrastructure that is the capacity of great wealth for their people. I've seen numbers that range from \$10 to \$50 billion worth of investment. It will come from the United States, but largely from other countries around the world, too. The Europeans are anxious to participate in that. I'm convinced that each of the some 50 countries that are with Juan Guaidó will participate in that. And then I'm also very hopeful that the private sector, that we'll be able to create conditions, rule of law conditions, sufficient that countries will be comfortable that they won't have their equipment and people nationalized yet one more time in Venezuela, and they can return to make the real investments that it will take to ultimately stand up to Venezuelan economy.

Senator MORAN. Mr. Secretary, thank you for your testimony.

Senator GRAHAM. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman. I thought my more senior Senator on my left was to be next, but I appreciate——

Senator GRAHAM. I've got the list. I'll check——

Senator SHAHEEN. I appreciate walking in first. Thank you.

Senator GRAHAM. It was a photo finish, but we looked at the tape.

[Laughter.]

PEOPLE'S REPUBLIC OF CHINA

Senator SHAHEEN. Mr. Secretary, thank you for being here. I am puzzled, however, because you talked in your opening remarks about the threat from China, and you also talked about the importance of diplomacy, which I very much appreciate. I think, as you point out, you have refocused on the importance of our State Department employees and the great work that our American diplomats do around the world. And yet the State Department's proposed budget, as the chairman has pointed out, requests the largest drop for any Cabinet Department by total dollars, and by percentage, it's 24 percent.

And yet at the same time, we have seen over a period of the last few years an increase in the Chinese diplomatic budget. So from 2011 to 2017, China nearly doubled its budget. I know you know these numbers. Their spending increased by 12.3 percent in 2018. Just last month before the Chinese Parliament, Beijing presented a budget for 2019 that would increase foreign affairs spending by another 7.4 percent. American diplomats are already outnumbered 5 to 1 by Chinese diplomats doing economic and commercial work in Africa and elsewhere. And we hear from ambassadors of many of these countries who say to Members of Congress they'd rather do business with the U.S., but they can't find us.

So I just wonder if you can talk about how this soft power dynamic is influencing our ability to win our competition with China.

Secretary POMPEO. So it is the case that the Chinese use multiple tools of soft power. Their diplomats are a small part of that. But they don't as neatly separate their private sector from their diplomatic sector; frankly, for that matter, from their military as

well. And if you looked at the resources they are providing to the military, you would see numbers that were similarly aggressive or demonstrated aggressiveness around the world, and then you'd see investment in places like Africa, Asia, South Asia, places that you might not have expected them.

The administration has taken this threat seriously. I'll be honest, we're late, America is late. I think Europe was late to recognize this threat, too. But are now very focused on this, and I don't want to take up a lot of time, but we have a number of programs, including the BUILD Act that was passed last year that I am convinced we'll begin to turn the corner, but it's going to take determination.

Senator SHAHEEN. Thank you, Mr. Secretary. I don't want to interrupt, but I appreciate that. I'm on the subcommittee, so I know that we passed the BUILD Act. But I guess what I'm trying to reconcile here is the commitment that you say exists, and yet it's not reflected in the budget request for the State Department. So I just—I think this subcommittee feels differently about the need to support diplomacy and the State Department budget, and I hope, as you said to the Chairman, that you will make good use of whatever dollars that we fund.

FAMILY PLANNING

I want to switch topics, if I can, to the expansion of the Mexico City policy. I know that you and I disagree about women's reproductive rights, but I thought we agreed about the importance of ensuring that people could get access to health care. And yet what we've seen from the expansion of this Mexico City policy where we have reports about the impact is a real negative impact on maternal health, on families.

We have, according to Marie Stopes International, they currently have a funding gap of \$50 million as a direct result of this policy, and that translates to 1.4 million fewer women with access to contraception services, 600,000 more unsafe abortions, 4,600 avoidable maternal deaths, the Mozambican Association for Family Development will lose 60 percent of its budget next year, 10 of its 20 health clinics will close, and 30 percent of its staff will be laid off. In Swaziland, the group has lost a quarter of its funding, and as a result, is now only able to serve 4 towns out of 14. In Botswana, 60 percent of funding is under threat. And while one clinic has already closed, seven others have scaled back to a bare minimum.

So, in fact, despite some of the previous testimony that I've seen, the data is unmistakable. This is having a huge impact on the health of women and families around the world. And so how can—I mean, I think we can all agree that we want to ensure that the United States' policies support health care for people in this country, and yet this policy is undermining that for women. Can you justify why you think this is in fact helping and not hurting?

Secretary POMPEO. Senator, the policies that I announced now a couple weeks back don't reduce funding for health care by a single dollar, not one dollar. There was not a budgetary announcement in there. Every single dollar that was program spend appropriated will continued to be program spend appropriated. What I was seeking to do was close loopholes in the policy that were permitting end runs around the Mexico City policy that prevents taxpayer dollars

from going to abortions and abortion-related services. That's the mission, and while doing so in a way that preserves all of the resources that are there for health care.

Senator SHAHEEN. But, in fact, that hasn't been the outcome, and as you point out, you are, as the Secretary of State, focused on outcomes, and the outcomes of this expanded policy is very clear, it's shown up in every independent study that has looked at what the impact of the policy is.

Thank you, Mr. Chairman.

Senator GRAHAM. Thank you.

Senator Blunt.

Senator BLUNT. Thank you, Chairman.

VENEZUELA IMPACT ON COLOMBIA

Thank you, Secretary, for being here. Let's go back to Venezuela a little bit and talk about impact on Colombia. Probably in Colombia, the two biggest problems right now would be the refugees and economic impact of the refugees and the increased production of coca and drugs. So let's talk about that a little bit, and if you want to work that into what we're hoping to do with Peace Colombia, I'd like to hear what those dollar figures might look like on Peace Colombia as well.

Secretary POMPEO. So, Senator, the challenges in Venezuela are absolutely moving their way in and through Colombia. It originally began as a border set of issues, and now have moved even further. You identified the cost of the folks who have fled Venezuela, now some 3 million, so 10 percent, of the population in Venezuela. Our best analysis says there will be another 2 to 2½ million people flee during calendar year 2019, a big burden on Colombia.

It also makes issues of keeping security at the border more difficult, so groups like the National Liberation Army (ELN), the remnants of the Revolutionary Armed Forces of Columbia (FARC), now having more people who are subject to their influence. And then, lastly, it's very difficult for counternarcotics. As these folks come across, it makes the Colombia burden even that much greater. So our efforts in Colombia to support President Duque—I'll actually be there on Sunday of this week to go visit our things we are going to have to revisit as this problem continues to grow. We think we have enough money in the budget to help the Colombians with the things they can actually achieve throughput on during this fiscal year, but it could be as this—if there continues to be an increase in the number of people leaving Venezuela for Colombia, that problem increases, and we might need more resources, it's possible.

Senator BLUNT. Well, I think we need to watch that closely. And there's a point here to where if you're going to reverse what's happened in the last couple years and the increased drug trade and poppy—and poppy growth, the opioid poppy growth, it's a moment where we need to be committed financially as well as with our other—other resources. Colombia in many ways is important to us in South America as maybe Jordan is in the Middle East. I think there's a lot of similarity between they can do things that we would do better than we do them in both cases because they're—they're doing what we'd like to do instead of us being in there giving the directions.

SYRIAN REFUGEES

And so the other refugee, what are we doing with State Department programs to help with the Syrian refugee problem, particularly as it relates to Jordan?

Secretary POMPEO. So you have significant refugees remaining still in Turkey and in Lebanon as well as in Jordan, where we work with the Jordanians to try to create situations on the ground in Syria in certain pockets where there can be a safe and voluntary return. We're only a fraction of the way on the way in being able to actually demonstrate that at a volume that matters to the Jordanians. In the interim, we're providing resources and participating in forums where the Arab states are also contributing significantly to ensuring that Jordan has the resources to take care of those refugees in what is now a multiyear problem. You've got kids who were born in some of those camps who are now, by America's standards, kindergarten age. It's a real challenge.

Senator BLUNT. What about Lebanon and Turkey? The same issue?

Secretary POMPEO. The same set of issues. Each of them has treated the refugees slightly differently, has chosen different approaches. There aren't big camps in Lebanon in the same way there are inside of Jordan. They've dispersed throughout Turkey as well, but each of those three countries has borne an enormous burden from the conflict in Syria.

Senator BLUNT. What are you doing in this budget for Embassy security?

Secretary POMPEO. We think the number that we have proposed is more than adequate for Embassy security.

Senator BLUNT. How does it compare to the number we appropriated last year?

Secretary POMPEO. I don't recall. I would have to go get that number for you. I don't know the number.

INTERNATIONAL RELIGIOUS FREEDOM

Senator BLUNT. Maybe somebody back there has that number while we go to one other issue while they're looking for that, and I'd like to know this number, this year's proposal versus last year's number. And on the religious freedom issues, Ambassador Brownback has taken an aggressive role there—

Secretary POMPEO. Yes.

Senator BLUNT [continuing]. And a broad view of the world in his travels and his efforts.

Secretary POMPEO. He has. We've been working on this all across the world. We've been speaking out recently about the challenges in China to religious freedom, not just the Uyghurs, but even more broadly than that. The absence of religious freedom there is of historic proportions.

Senator BLUNT. And I think Ambassador Brownback really has taken a position on religious freedom versus just the more narrow freedom to worship, and these countries where allow freedom to worship, but don't allow people to express their religion beyond that. And I think that's an important thing for him to do.

I don't know if you've got a number there behind you or not, but I think——

Secretary POMPEO. It doesn't look like I do just yet.

DEPARTMENT OF STATE PERSONNEL

Senator BLUNT. Mm-hmm. Increasingly looking at our embassies, we've been doing that for over 20 years now trying to make them more secure. I think also more concern about security of people—where people live that work in the embassies that are U.S. citizens and part of the State Department family. Anything you want to say about that?

Secretary POMPEO. I'm sorry. Would you repeat your question?

Senator BLUNT. Just also, you know, the concerns of people who are living in countries that we're concerned about and that part of the State Department family.

Secretary POMPEO. Yes. So we've done a handful of things during my 11 months to put in place programs that will improve lives, some on some disability issues for officers who have disabilities. It's proven a challenge in some of the places around the world. I think we're in a better place today. You all have been very generous in providing the resources for us to be able to do that. And each time I go to the Embassy, I have a chance to get down and talk one-on-one with Embassy officers, and I always ask them, "How are the schools? How are the medical facilities here? Do you have the ability to get your place of worship?" and in—for the most part, we're in very, very good shape. Some of them are just very difficult places to serve, and we have shorter time on station as a result of that. I do have the number for you, Senator. The—this is for the—what we list as "Worldwide Security Protection fiscal year 20 Requests Versus 2018 Enacted." The change is up .6 percent. And from fiscal year 2020 requests to the fiscal year 2019 respect, up 2.2 percent.

Senator BLUNT. I want to talk more about that later. And, Chairman, I think I'm out of time right now.

Senator GRAHAM. Thank you, Senator Blunt.

Senator DURBIN. Thank you, Mr. Chairman.

Mr. Secretary, thank you for being——

Secretary POMPEO. Yes, sir.

VENEZUELA

Senator DURBIN. Last year at this time, I was in Caracas, my only visit to Venezuela, meeting with Maduro and Juan Guaidó, coincidentally, during the course of that trip. Little did I realize at the time what 12 months would mean in terms of Venezuela. I saw firsthand, and you undoubtedly heard incredible reports, how miserable life is for the Venezuelans. They face basic deprivations of food and medicine and things that we take for granted. And the political situation has become much more volatile there. It's my understanding that Cubans have been sending in security forces to support the Maduro regime. I'm also told the Russians have sent in some type of new group, such as we saw in eastern Ukraine, to play some role in support of Maduro. It is not a healthy situation. Juan Guaidó's wife came to see me last week, and I believe she also met with the President, talked about the danger to her husband and those who supported him. That was very clear.

So that's why I joined with Marco Rubio about 2 weeks ago in sending a letter to you and the President saying this is the time to protect Venezuelans who are here in the United States. They should not be forced to return to the dangerous conditions in Venezuela. They should be given temporary protected status. I have yet to hear. Can you announce today the good news that these Venezuelans can stay here in the United States?

Secretary POMPEO. I cannot.

Senator DURBIN. Why?

Secretary POMPEO. We are still evaluating how to handle that situation. There is no decision been made by the administration yet.

Senator DURBIN. I don't get this. It is so dangerous, the United States has intervened on a foreign policy basis. We have made it clear we have no use for Maduro, and we believe the Venezuelan people suffer under his leadership. It's—I just sense, Mr. Secretary, that this President's aversion to refugees and immigrants is stopping him from doing the obvious, come to the rescue of Venezuelans in the United States on a temporary basis. Don't force them back into a dangerous, deadly situation. Is there any other explanation you can think of?

Secretary POMPEO. I think this administration has done more for the Venezuelan people than the previous administrations combined.

Senator DURBIN. Well, how about the ones who are here—

Secretary POMPEO. I'm very—I'm very proud of—I'm very proud of what we've done, so I think to suggest we've shortchanged the Venezuelan people is inconsistent with our activities.

Senator DURBIN. Well, you should come to my office and meet with the Venezuelans who are here with their visas expiring. Perhaps you could see there is more we could do, that it's not a great problem. And for the record, we're not full, America is not full. We have room for these Venezuelans and others who desperately need the United States at this moment in their history.

Let me ask you the question. Incidentally, I just was handed a note that the Organization of American States (OAS) voted 18 to 9 to recognize Guaidó's representative as Venezuela's ambassador to the OAS. So the OAS, though they're not always in your good favor, I hope you think positively of them at this moment.

TWO-STATE SOLUTION TO THE ISRAELI-PALESTINIAN CONFLICT

Do you believe that we should have a two-state solution in the Middle East?

Secretary POMPEO. The administration will roll out the plan that Mr. Kushner and Mr. Greenblatt have been working on before too long, and you will see President Trump's vision for how to resolve a problem that's been going on for decades and decades that previous administrations couldn't solve. We are hopeful that we have some ideas that are different, unique, which will allow the Israelis and the Palestinian people to come to a resolution of the conflict.

Senator DURBIN. Draw—draw a historic parallel for me between the decision to say to Israel that they could claim sovereignty over the Golan Heights, a territory that was seized during the 1967 war

from Syria, and the Russian claims that they can claim Crimea because they happened to invade it as well.

Secretary POMPEO. Senator, the two situations could not be more starkly different.

Senator DURBIN. I'd like to hear.

Secretary POMPEO. The Golan Heights was—the Israelis ended up with the Golan Heights as a result of having been attacked. They were on the defense. They were at risk of their very nation being overrun during the Battle of the Valley of Tears, and they defended themselves.

Senator DURBIN. I understand that.

Secretary POMPEO. And they retained that terrain to continue to defend themselves from the murderous regimes in Syria.

Russia, on the other hand, wasn't on the defensive. Russia chose at their own moment in time to go seize land from a people that posed no threat to them whatsoever.

Senator DURBIN. So our diplomatic position is that land seized in the course of a war is then the spoils for those who happen to occupy it.

Secretary POMPEO. I'll say two things about that. So there's international law doctrine on this very point. I—we don't have time to begin to go through it today, but I'm happy to have a team come over and walk you through that element of international law.

But the second thing is just a practical policy matter. If it's the case that there is absolutely no cause for aggression, that is, if you attack and you have some of your land taken as a result of an attack that you undertook, and you get it back just because you didn't succeed, that's a bad incentive system to set up.

Senator DURBIN. So we could claim Iraq, I guess, under that theory.

Secretary POMPEO. Just I—we could probably go through dozens and dozens of examples. You asked me to compare and contrast the situation in the Golan Heights and Crimea.

Senator DURBIN. Mr. Secretary, I just don't—I strongly support a relationship with Israel. I believe the Palestinians need a homeland as well. Two sovereign states, not a threat to one another. And this departure that we've made under this administration I'm afraid puts the future of Israel, as a Jewish democracy, in doubt. I don't think the administration is thinking clearly about how this ends well. Perhaps the people of Israel in this election today will see a different way in the future.

Thank you.

Secretary POMPEO. Thank you.

Senator GRAHAM. Senator Daines.

Senator DAINES. Thank you, Mr. Chairman. Thanks, Mr. Chairman.

And, Secretary Pompeo, it's good to see you.

Secretary POMPEO. Good to see you.

Senator DAINES. And I want to thank you for being here today. I want to thank you and the administration for your unwavering support of Israel. It is much appreciated.

PEOPLE'S REPUBLIC OF CHINA AND TECHNOLOGY

Secretary Pompeo, I want to shift gears and talk about China for a moment. I—as you know, I spent over 5 years living there as an expat for Procter & Gamble, had two kids born in Hong Kong, in fact, back in the 1990s, and led multiple CODELs. I had to visit China as neighbors and continued to see China's growing regional and global influence. It's very apparent.

I believe it's critically important that we, as a nation, are clear-eyed about the challenges as well as the opportunities that the U.S.-China relationship brings. We cannot just view these ongoing negotiations solely through an economic lens as a standard trade dispute. It is imperative we keep in mind China's strategic approach in the long-term goal of becoming the world's superpower.

Secretary Pompeo, as you know, China has developed an advanced innovation ecosystem. It's remarkable truly. I led a group of five Senators last year. We saw companies in Shenzhen and Hangzhou, you know, the Alibabas, the Tencent, JEDI.com, and so forth. They're becoming globally competitive in critical technologies like AI, biotechnology, quantum computing, 5G, and others. This comes with risks both to our national security as well as our economic well-being.

With the latest findings of the U.K.'s National Cybersecurity Center about the significant issues Huawei can cause for the telecom industry, we're starting to acknowledge the risks this administration has been stating for months. Despite these clear risks, some of our allies, including France, Germany, and potentially even the U.K., continue testing and moving towards installing Huawei equipment.

My question, Mr. Secretary, how does the U.S. plan to mitigate the risk of working with countries that continue to deploy Huawei technology in their 5G infrastructure?

Secretary POMPEO. So while it's fairly technical, I'll summarize. Our security leaders don't believe there is a technical mitigation technique that's available today. That is, we may solve the riddle, but the risks of having equipment and network systems collocated with Huawei systems and other Chinese systems is a very, very difficult technical problem. So our solution to mitigating that risk will be not to collocate or not to share American information with countries that choose to put this technology in their systems knowing that the risk that it will wander to China's government is too great. And so America will have to choose another method. We won't be able to share information or participate along with some of our important national security partners if they choose to go down this path of installing this technology.

INTERNATIONAL RELIGIOUS FREEDOM

Senator DAINES. Secretary, I want to shift gears and talk about religious freedom for a moment. Religious freedom is a fundamental human right, and whether it's China's pervasive surveillance, the destruction of thousands of churches and mosques, or the detention of hundreds of thousands in reeducation camps with the Uyghurs out in Xinjiang Province in indefinite detentions. It's critically important that we, as a nation founded on freedom and the

rule of law, bring our influence to bear to advance human rights in China and around the world.

You've stated that China, and I quote, is a league of its own when it comes to human rights violations. What work is your administration actively doing to help protect the human rights of the Uyghur people, ensuring this is a priority in any ongoing discussions with the Chinese government?

Secretary POMPEO. So it is in a league of its own. The work that began in Tibet and now being perfected in Xinjiang is Orwellian in nature, and our efforts are diplomatic. That is, we identify this as something that the Chinese can't continue to do. I had a group of Uyghurs in my office, and this has probably been 2 weeks ago now. Indeed, just after they came, an uncle of one of the young men that visited me was approached by the Chinese government, I'm sure now to worse conditions than they were in before. He had had a meeting with the United States Secretary of State. Our whole team all across the world is very focused on this issue in China.

Senator DAINES. Speaking of going around the world, as you know, Turkey has become one of the few Muslim-majority countries to condemn China's treatment of the Uyghurs. What work has been done to build a coalition to raise and address these human rights violations in Xinjiang Province, particularly with Muslim-majority nations, around the world?

Secretary POMPEO. Not enough yet. There is a great deal more work to do. I am very hopeful that we will get an increased number of Muslim nations who share our view that this is a gross violation of the human rights of Muslims in China, and they will begin to work in the same way we are working to convince the Chinese not to continue these practices. There's a lot more work to do there, Senator.

Senator DAINES. In my view, there is probably only so much we can do unilaterally as it relates to confronting the challenges that we see in China, and I think it's critical we work with our allies and China's neighbors in the region to mitigate China's maligned actions, whether it be in the South China Sea, human rights, or ongoing unfair trade practices.

As you think about some of your strategic goals and engaging with allies in the Indo-Pacific region to proactively counter Chinese efforts to expand its influence, tell me how you think about that right now with our allies there in that part of the world.

Secretary POMPEO. So I actually think this is a place we have made progress. I think the first challenge has always been to identify the threat to make clear to them. Sometimes we had information that was important to share with them about risk. Sometimes they had information to share with us about risk as well. So I think pooling understandings of the threat has been important. I think that has now been socialized in significant ways.

And you now see partners. You see partners in Australia. You see partners in Vietnam. You see work that's done throughout other parts of Southeast Asia, countries that understand this threat, and I think that threat is also beginning to be identified in other places, too, African nations where China is active, Middle Eastern countries where China is moving out full force. Our Indo-

Pacific strategy I am convinced will raise the costs for this Chinese maligned activity.

Senator DAINES. Thank you, Mr. Secretary. I want to thank you, too, when you listed all the outcomes you've accomplished with this administration and your leadership. I am grateful for that. Thank you.

Secretary POMPEO. Thank you, Senator.

Senator GRAHAM. Senator Van Hollen.

Senator VAN HOLLEN. Thank you, Mr. Chairman.

Welcome, Mr. Secretary.

Secretary POMPEO. Hello, sir.

Senator VAN HOLLEN. And I want to associate myself with the remarks the Chairman made with respect to the foreign affairs budget at the beginning of the hearing.

EGYPT

I have to beg to differ with you on the President's meeting with El-Sisi. The President walked out of that meeting and said, quote, I can tell you he's doing a great job. You indicated that part of your responsibilities as Secretary of State was to, quote, work to protect American citizens abroad. I just want to say I don't think anybody that's detaining and putting in prison 20 American citizens is doing a great job.

TURKEY

Let me ask you about Turkey and the F-35s. The Supreme Allied Commander, General Scaparrotti, said recently, quote, if the Russians get the S-400, quote, it's his best military advice that we don't then follow through with the F-35s. As I understood your response to the Chairman, the clear and resolute position of the administration is if Turkey gets delivery of the S-400s, it will not get delivery of the F-35s. Is that correct?

Secretary POMPEO. I have communicated that to them both privately and I will do so again publicly right here.

Senator VAN HOLLEN. Thank you. Would you agree also that if they go through with that \$2.5 billion transaction, which is what the S-400 purchase amounts to, that that would trigger the significant transaction requirements in the CAATSA legislation and require the imposition of sanctions on Turkey?

Secretary POMPEO. If I can avoid making a legal conclusion, that is a very significant transaction.

ISRAELI-PALESTINIAN CONFLICT

Senator VAN HOLLEN. I thank you. So I want to follow up on Senator Durbin's question. And you would agree that you can be pro-American if you don't agree with all the policies of the Trump administration, right?

Secretary POMPEO. Yes, sir.

Senator VAN HOLLEN. And you can be pro-Israel—and there's a bipartisan pro-Israel sentiment in this Congress—if you don't agree with all the policies of the Netanyahu government.

Secretary POMPEO. Critiquing a policy that Israel undertakes is part of our democratic process.

Senator VAN HOLLEN. And we have a democratic process, too, when we disagree with the President, and that still makes us good Americans.

So let me ask you this, Is it still the policy of the United States to oppose Israel's unilateral annexation of any or all of the West Bank?

Secretary POMPEO. Here's what I can say. I'll give the same answer I gave to Senator Durbin. We are in the process of laying down our vision for how to resolve a problem that is——

Senator VAN HOLLEN. So, Mr. Secretary, if I could—if I could ask you, I asked about unilateral—right?—annexation. So that—that, by itself, indicates no agreement with the Palestinians.

Secretary POMPEO. Yes.

Senator VAN HOLLEN. So my question is it sounds like you've already abandoned what has been a bipartisan foreign policy of opposing the annexation of any or part of the West Bank by Israel. Is that what you're telling us today?

Secretary POMPEO. I think we've seen—I think it was Senator Durbin that critiqued our decision on the Golan, where he would characterize that——

Senator VAN HOLLEN. I'm not asking you about the Golan right now.

Secretary POMPEO. Yes. Right.

Senator VAN HOLLEN. I'm asking you about the West Bank.

Secretary POMPEO. Yes, and I'm telling you will—you will see our proposal——

Senator VAN HOLLEN. The polls—the polls are closing right now, right now, in Israel, and things could move very quickly. And as you know, the Prime Minister, as a candidate, said he would annex all or part of the West Bank. He said settlements, and then he said including outposts. And today you cannot tell us what U.S. policy is on this issue.

Secretary POMPEO. Yes. I think, again, I think I've answered the question as I am going to answer the question.

Senator VAN HOLLEN. All right. Do you agree that Palestinians should be extended basic human rights?

Secretary POMPEO. Yes, of course. Our proposal will absolutely have one of its core undertakings making life better for the people that live in the Gaza and in the West Bank.

Senator VAN HOLLEN. And so if you had a one-state solution, since you haven't affirmed support for a two-state solution, would you agree that in a one-state solution Palestinians should have full and equal political and legal rights with other citizens of that state?

Secretary POMPEO. I'm not going to engage in this—ultimately the Israelis and the Palestinians will decide how to resolve this. We'll propose our administration——

Senator VAN HOLLEN. You just talked about we were expecting the deal of the century, and you said the Israelis and Palestinians would have to agree. That——

Secretary POMPEO. That's right.

Senator VAN HOLLEN. Okay. So I asked you about unilateral annexation. That means—that means there is no agreement. And you

can't tell me today whether that's something you support even though that is, as you know, compromising the ability——

Secretary POMPEO. Senator——

Senator VAN HOLLEN [continuing]. To have a two-state solution, which, as you know—let me ask you this, Do you think you can preserve a state that is Jewish and democratic and observes the rights of all its citizens without a two-state solution?

Secretary POMPEO. Senator, you're trying to get us to lay down what our proposal is going to be before we're prepared.

Senator VAN HOLLEN. I'm trying to ask you about our—what our policy is today, Mr. Secretary.

Secretary POMPEO. Which involves—which will be America's policy on these very issues. You have seen our policy to date. We made the decision that I think—I don't know how many—but who voted for to move the Embassy to Jerusalem. Finally, President Trump did it.

Senator VAN HOLLEN. Yes.

Secretary POMPEO. Which was good.

Senator VAN HOLLEN. Which would, of course, as you know, Mr. Secretary, would have been part of any final agreement, and you didn't get anything in exchange with respect to the goals of U.S. policy. President Bush, President Clinton, Presidents—both Bushes, Obama. So let me ask you this, Do you think it advances the peace process to cut off all humanitarian systems to Palestinians?

Secretary POMPEO. You should note that——

Senator VAN HOLLEN. That's a—do you think it advances the peace process to cut off——

Secretary POMPEO. May I answer your question, sir?

Senator VAN HOLLEN. Sure. Yes.

Secretary POMPEO. Senator, you should note that each of the Presidents you identified didn't solve this problem.

Senator VAN HOLLEN. Yes. They——

Secretary POMPEO. Whatever policies they chose failed.

Senator VAN HOLLEN. I understand. And a unilateral solution is not going to do it. I would just leave you, Mr. Secretary, with the example of Turkish occupation of Northern Cyprus where Turkey would be—would argue that they came in to help the Turkish Cypriots at the time. And Mr. Erdogan is going to love what you're saying about the ability to take lands that were occupied through force. It is a dangerous and slippery slope, and when it comes to the West Bank, it will undermine any effort of a peaceful two-state solution.

Senator GRAHAM. Senator Lankford.

Senator LANKFORD. Secretary, great to see you. Thanks for all the work. You've been across a lot of miles for a while and had a lot of meetings and conversations. So thanks for continuing the work.

Secretary POMPEO. Yes, sir.

CENTRAL AMERICA

Senator LANKFORD. Can we shift to Central America for a moment, which is exceptionally important to us, not only in this hemi-

sphere and economically with our trade there, but we're finding out rapidly with immigration.

You go back to 4 years ago, Joe Biden started leading an effort called the Alliance for Prosperity—

Secretary POMPEO. Mm-hmm.

Senator LANKFORD [continuing]. To greatly accelerate investment into Central America. It was my impression after the first year, 4 years ago, that once the State Department pushed out funds, they seemed to just push out funds to as many Federal entities as we had in Central America to get the money out the door, but it didn't seem to be very strategic. There seemed to be some learning from that after that. And then the third year of it, it still seemed to be forcing money out the door rather than being as strategic as it could be.

The administration now has said we're going to try to end foreign assistance, and then it became we're going to review foreign assistance. But I just want to be able to ask for clarification of purposeful of this. It seems to me the Alliance for Prosperity was very focused in on, How do we help develop security, economics improve an area where there is stability and safety, and ending government corruption in that zone to be able to help with whatever we could with mayors and police chiefs and military leaders to be able to help in that corruption?

Give me a quick update of where we're headed on the Alliance for Prosperity in Guatemala, Honduras, and El Salvador in specific.

Secretary POMPEO. Senator, the President concluded—and this is something that I saw when I was in my previous role as well, as Director of the CIA—the President concluded I think in the same way you just described, that these resources weren't very effective, that they may well have been thought out, but they just weren't getting the outcomes.

Senator LANKFORD. Right.

Secretary POMPEO. And then they make—

Senator LANKFORD. Tough—it was tough for us to even get metrics involved.

Secretary POMPEO. Yes, and I think that's remained the case, even for the last year as well, so the first year of this administration, too. The President saying that, and then combined with the challenge of we have not yet been able to convince El Salvador, Guatemala, and Honduras to take seriously this need to control their own borders and to keep their people from moving into Mexico and ultimately across our southern border, that we should stop, take a time out. We've done that, so we have ceased allocating new funds inside of those three countries.

And we will present to each of those three countries a set of requirements. These are the things that are expectations that the United States needs for America's interest. We think also in every case it will be in their own best interest as well. And when we get to that point, we will return to considering whether and how much and under what means and what tools will we use to restart providing them assistance to each of those three countries in the Northern Triangle.

Senator LANKFORD. Okay. They've been tremendous partners with us in interdicting drugs—

Secretary POMPEO. Yes.

Senator LANKFORD [continuing]. In the past, and obviously they have a real willingness to do that because that builds corruption in their own government and their own system as those drugs pass through from South America through Central America and come north. Are we continuing to be able to help them and help them protect us from some of the incoming drugs?

Secretary POMPEO. Senator, it's been hit-and-miss. In places, it has worked. I don't mean to suggest there was nothing that came from this, that it was entirely wasted, but it certainly wasn't the case that there were good metrics, and I'm convinced we can be more effective.

Senator LANKFORD. Okay. We look forward to being—working together on that and to be able to help fix that because we need both them as partners and we need to be able to help them actually step up and engage in the areas that are essential. We want them to be solid economic traders in the days ahead on it.

SYRIA

You've made some recent comments on Assad in Syria. As I visited with some of the refugees in Lebanon a few weeks ago, it was pretty clear from the refugees that I talked to there, they are not going to return until Assad is gone because they are concerned that their children will be conscripted into his army and they will never see them again. And so they are more concerned about Assad than they are of ISIS. How do we help this in the days ahead with what's happening as more and more Arab countries are starting to backchannel in diplomatic relationships with Assad and to try to reestablish diplomatic connections there to be able to help manage what's going on there and still have Assad not as a leader because millions of people won't return if he is?

Secretary POMPEO. So it's a challenge. Let me just step back half a step. So Assad is there. It is the case he still controls just a fraction of his own country, and there is no clear means by which he will achieve anything other than prior state status, certainly from the United States or Europe. So our effort has been to engage in a political process where there can be a path forward for a return to something akin to democracy in Syria under the U.N. resolution. So that's what Ambassador Jeffrey is engaged in each and every day.

As for the refugees, I can't remember if I was there just before you or just after you in Lebanon. I saw the same thing. The Lebanese government is struggling mightily to continue to school, educate, these refugees and to take care of them, to house and clothe them. But I heard the same thing, if we're looking for safe, voluntary return, we're not yet in a position where we can deliver that for several million refugees, not only the million and a half there in Lebanon, but those in Jordan and Turkey as well. I can't tell you we have a clear path forward other than the political process that the Iranians and the Russians continue to foil.

NORD STREAM 2

Senator LANKFORD. Right. The Nord Stream 2 pipeline between Russia and Germany, do you have any progress report on that? Is

Germany still continuing to lean forward into buying their gas from Russia?

Secretary POMPEO. They are.

BURMA

Senator LANKFORD. One last comment is on Burma. Burma has been an ongoing issue for a while. We've listed them as a Country of Particular Concern. Thank you for your work on religious liberty and continuing to be able to focus in on that. That is a growing genocide that has happened there for quite a while. How is State engaging in trying to be able to bring some kind of stability to Burma or to be able to help?

Secretary POMPEO. So our team on the ground is applying pressure everywhere that we can. I met with my Bangladeshi counterpart, a huge challenge for the country of Bangladesh. There is no quick-term fix for that. I don't know if you've ever traveled to Cox's Bazar. This is going to be a year's long challenge. We are also not only using the potential carrots in Burma, but also making clear to them that the things that America is doing for them could stop, and they continue to need our support. And I'm hopeful we can move them in a better direction, not only with respect to religious liberty, but restoring basic freedoms to their people.

Senator LANKFORD. Thank you. Thanks, Mr. Secretary.

Senator GRAHAM. Senator Coons.

Senator COONS. Thank you, Chairman Graham and Ranking Member Leahy, for this hearing.

And thank you, Secretary Pompeo, for your testimony, your service, and congratulations on being a day away from a year, if I heard your opening correct.

Secretary POMPEO. A few more than that, the 26th.

Senator COONS. I agree with many of my colleagues, the Chairman, as well as others, that I think the proposed cuts in the President's budget would handicap America's ability to secure interests at a time of unprecedented challenges. I broadly agree with your identification of the threats and challenges we face. In some cases, we have differences in strategy; in others, we don't. But I am fairly certain that a 24-percent cut to the 150 count overall would not help us meet these challenges.

I don't believe in spending for spending's sake, but I think investing in development, diplomacy, and humanitarian aid can actually save us money in the future.

FRAGILE STATES AND THE GLOBAL FRAGILITY ACT

This February, the United States Institute of Peace Task Force commissioned by this panel with Senator Graham's leadership published a final report of strategies to prevent fragile states from becoming failed states. They consulted closely with the Department of State, Department of Defense, USAID, and its recommendations, including new coordinated governmentwide strategy and innovative funding, a system with metrics, with required performance metrics. And I think it underscores the need for targeted development and diplomacy assistance in addition to security to address the root causes of fragility in places like the Northern Triangle, that we've talked about, like the Sahel.

Senators Graham, Merkley, Young, Rubio, and I have introduced the Global Fragility Act. I was pleased to hear you say that we could count on your support to pass that. I'd be interested in hearing from you if you think this is the right strategy to allow us to act and think more strategically about preventing fragile states from becoming failed states, and if a coordinated investment strategy across development, diplomacy, defense is the right way to go in trying to learn from the last 18 years and the \$6 trillion we've invested in combating extremism.

Secretary POMPEO. I do think that strategy is right. I can't say I read the whole report. I read the executive summary.

Senator COONS. It makes for pretty compelling reading.

Secretary POMPEO. It's compelling reading both in that it's the right plan, and it is the most cost effective way to tackle this problem as well, which I think you referred to as——

Senator COONS. I look forward to working with you on that.

UNITED STATES DEVELOPMENT FINANCE CORPORATION

In the last Congress, the BUILD Act created a new 21st century development finance agency. China is going to be holding its annual "Belt and Road" conference in Beijing next month where it will highlight more press announcements of massive investment. I think the reality of Chinese investment in infrastructure to secure both strategic advantage and economic opportunity is not as rosy as they portray it. I think a number of our allies and of their potential partners are learning that there are hidden costs and hidden challenges to Chinese investment.

As the Secretary of State, you're the chairperson of the new Development Finance Corporation, and I was pleased to see the budget request say you would rely on this new agency to help add to "Prosper Africa," the "Indo-Pacific Strategy," countering Russia malign influence, the "Women's Global Development and Prosperity Initiative."

Could you just share for a few minutes how you plan to use this new agency as a tool of U.S. foreign policy, and how the BUILD Act and our partnering with our key allies in Development Finance projects could provide an American-facing or an American values-based alternative to China's "Belt and Road" initiative?

Secretary POMPEO. Senator, I think you actually captured the most important element of this, is that it's not America trying to do this with just taxpayer dollars; we have private sector partners and international allies and partners. They are very excited about this throughout parts of the world. I think you mentioned "Prosper Africa" as part of this as well, perhaps you didn't, but there are many places where I think the Development Finance Corporation will ultimately deliver real outcomes to counter what China is doing.

We are almost certain to show up with fewer dollars every time than they'll show up with, and the terms of our deal from just a pure economic perspective probably won't compete. But your point about the "Belt and Road" initiative not wearing well over time, and the increased understanding in countries all around the world of the risks associated with taking this Chinese financing or these Chinese projects is ever increasing. And so I think our effort there

with the DFC and the BUILD Act is very timely, and I'm convinced we'll have real successes as a result of it.

Senator COONS. Yes, I'm excited to work with you on it. I think it's a new tool that really has great promise, and I recently spoke to Ambassador Hagerty in Japan. I think it is a way in particular in the Indo-Pacific for us to partner with some of our key allies and to strengthen those alliances.

SYRIA AND IRAN

I have just a few quick points if I could. I agree strongly that we should have a force in Syria to contain Iran. I recognize the President has focused on ending the caliphate on the ground, but I was encouraged by your comment about a direction to prevent ISIS 3.0 from rising, but I, frankly, see independent value in preventing Iran from gaining, sustaining, holding, and expanding a role in Syria, and I think that is well worth our continued engagement at Al-Tanf and elsewhere.

FAMILY PLANNING

I agree with Senator Shaheen. I have a real concern about the Mexico City policy expansion and its actual negative impact. And I'd love to work with you on making sure that impact on maternal and child health is not large and negative. That's something I've spent a lot of time on, in particular, in Africa, and I think there's a gap between closing loopholes and having a real impact on maternal and child health we could work on.

The Bureau of Population, Refugees, and Migration (PRM), my understanding is, directed the closing of the only refugee resettlement site in Delaware, a faith-based organization that had done a lot of good work, and I'd love to review that with you at some point.

AFRICA

Let me close with three quick thoughts about some concerns in Africa. I'm sorry. I also wanted to mention I agree with expanding investment in the Indo-Pacific and was encouraged to see a 90-percent increase over fiscal year 2019, \$1.8 billion in economic and security assistance for the Indo-Pacific Strategy. I thought that was encouraging and would frankly like to work on that.

Secretary POMPEO. Mm-hmm.

Senator COONS. There is right now in Sudan an impressive widespread, ongoing, largely peaceful protest against one of the longest standing strongmen in Africa, and I hope that in countries like Algeria and Sudan, just as we are in Venezuela, that we will find appropriate ways to encourage peaceful transitions of power.

Last, I am concerned about Cyclone Idai and its impact on Mozambique and Zimbabwe. They are making real progress in combating both hunger and cholera with help from USAID and the State Department, but I just want to urge you to not let that one slip off the very large radar screen of threats we all have to take into account. I think the region is looking to whether or not the United States continues to be the sort of leading humanitarian relief partner that they have long counted on us to be.

Secretary POMPEO. Senator, I think I agree with everything you said there. I would add that as challenges that are there today and emerging in Africa, the Ebola outbreak is continuing, and it is something the USAID and World Health Organization and other elements of the USG as well are continuing to be very, very focused on. It's a difficult situation. The security situation there is a real challenge, but it's something that the world I don't think has focused on significantly, and the numbers I see each week don't show that we have our arms around it yet.

Senator COONS. They are going in the wrong direction. If we did not have a vaccine, this would already be dramatically out of control. So we have learned from the last big outbreak, invested in vaccine, but you're right, I agree with you, that is one of the most concerning developments on the continent, and I look forward to hearing more from you and to working in partnership with the Chairman to try and tackle that.

Forgive me for going over my time. Thank you for your answers.

Senator GRAHAM. Senator Murphy.

Senator MURPHY. Thank you very much, Mr. Chairman.

Thank you, Mr. Secretary, for spending so much time with us today. A couple quick comments and then I'll try to squeeze in a few questions. Let me associate myself with the comments that have been made already about this budget. Listen, I just—I think it's bananas. I think there's celebration happening in Beijing and Moscow every time that we telegraph our withdrawal from the world. I don't know that this budget is the one you would write, Mr. Secretary, but cutting democracy by 50 percent and cutting exchange programs by 50 percent, global health programs by \$2 billion just provides this increasing vacuum for others to fill.

And then my second point is on this, I think, interesting exchange you had with Senator Van Hollen about the upcoming plan that the administration is going to present. I think that that would be a satisfactory answer if we were in April of 2017, but we aren't, we're in April of 2019. And the idea that the world doesn't know 2½ years into this administration whether America still stands for a two-state solution or we still stand against the unilateral annexation of the West Bank is what makes people's heads spin.

And so I get that you're not going to go any further in your answer, but we aren't 3 months into the administration, we're 2 years and 3 months into the administration, and that is, in part, what drives a lot of uncertainty in the region about where America stands. And so I will just leave it at that.

THE GOOD FRIDAY AGREEMENT AND BREXIT

On a subject that maybe we can find some agreement on, I just came back from Belfast and Dublin, and we may disagree on the right prescription for Britain moving forward with respect to whether or not they stay in the European Union, but we likely don't disagree on the importance of protecting the Good Friday Agreement, and there is great uncertainty as to what the impact of Brexit would be on the ability to keep that agreement together. It seems like a moment when we should be standing up, Republicans and Democrats, and telling our friends in London that whatever they do, they need to recognize the existing fragility of peace

in Northern Ireland and the importance of protecting that peace process no matter how this agreement with the European Union turns out, and I wanted to get your thoughts on that.

Secretary POMPEO. You did find a place we agree. I don't mean to make light of it. It's an incredibly important agreement, one that has been proven very effective and one that needs to be sustained.

YEMEN

Senator MURPHY. Second, I want to thank you for the investment you made in the peace—the beginnings of peace negotiations in Yemen. You and I have talked about this. And we've also talked about when the right moment is for the United States to play a more active regular role. I think there's a sense in the region that Secretary Mattis was engaged in a daily basis. I have great respect for the U.N. envoy, but it seems, as we're having trouble keeping the Stockholm Agreement together, that it's time for the United States to play a leadership role in maybe a way that we have thus far outsourced to the U.N. Your thoughts on whether it's time for a change in U.S. leadership in this process.

Secretary POMPEO. We might disagree about this. I think we've played a very constructive role. I suppose we could disagree about whether that's a leadership role or not. I certainly think that it has. There are places we're best fit for purpose to achieve the outcome that I think you and I share as our desired end state there. There are places that we're probably not the best face to put in front of that. We've tried to weigh in where it was and stay out where it isn't.

I am very worried about the Stockholm Agreement. I spoke with the U.N. envoy, it's been 3 days ago now. There's still hope. There are a lot of pieces to it. I'm happy to give you the long sordid details, but there are lots of pieces of it. It is not hopeless to think that it will still be implemented, but, frankly, the Houthis have just simply refused to date to agree to a couple of the basic premises which would free up the port there in Hudaida.

Senator MURPHY. Now, I agree that they are clearly much more at fault with respect to the implementation of the agreement. I just think we continue to be the only game in town with respect to the ability to bring the Saudis to the table and the ability to convince the Houthis that there will be an honest broker to make sure that the other side complies with the agreements that they make.

SAUDI ARABIA

Lastly, staying on Saudi Arabia, just a couple points of clarification. You are testifying that you believe the administration is in compliance with the Magnitsky Act because you are still gathering evidence. But the Magnitsky Act, which is a piece of legislation passed by Congress, signed by the President of the United States, doesn't give you the unlimited ability to gather evidence. In fact, it states very clearly that not later than 120 days after receiving a request from the Chairperson and Ranking Member of the appropriate committee, you need to submit a response. And so how do you square this very clear requirement that you have to respond in 120 days with your contention that you have unlimited time to collect evidence?

Secretary POMPEO. So the State Department did submit a response. Indeed I know I've submitted two responses.

Senator MURPHY. Right. But the response has to determine if that person has engaged in the activity, not defer to a later point as to make that determination.

Secretary POMPEO. I think we've fully complied with the statutory requirement.

Senator MURPHY. And, lastly, on the two American citizens that are in custody, Salah Haidar and Bader El-Ibrahim, these are new disclosures of dual citizens that have been imprisoned. These are journalist intellectuals, activists. You mentioned that we can't—there has to be some response, but the only response you mentioned was asking about them with the Saudis. At some point, when they don't answer our requests for release, would we expect some more consequential response from the administration? They're holding Americans prisoner for their political beliefs, and the medical reports out of these prisons suggest that there are some really awful things going on: deprivation of sleep, electrocution, malnourishment. What's the next step here?

Secretary POMPEO. So I'm happy to talk to you privately about the range of things that are under consideration. We take every American citizen who is wrongfully detained as a burden, as a duty, as something that we know we have the responsibility that weighs on us, and we work to achieve their release.

Senator MURPHY. Asking is not the beginning and end of our policy.

Secretary POMPEO. We have lots of tools, lots of different ways to try and get those outcomes. We don't always succeed.

Senator MURPHY. Okay. Thank you, Mr. Chairman.

Senator GRAHAM. Thank you. And we're going to get you out of here right at 4:30. So, Senator Van Hollen, I'll give you 3 minutes, and then I'll close.

Senator VAN HOLLEN. Thank you.

SAUDI ARABIA

Mr. Secretary, just briefly on the—on Saudi Arabia. With respect to the transfer of U.S. nuclear technology in Saudi Arabia, I gather you signed off on the Department of Energy's decision to provide the Part 810 authorizations. Is that right?

Secretary POMPEO. I did. We were part of that conversation.

Senator VAN HOLLEN. Can you tell us when that was?

Secretary POMPEO. I'll get you the answer.

Senator VAN HOLLEN. For the record. Okay.

[The information follows:]

The Bureau of International Security and Nonproliferation, which has responsibility within the Department for civil nuclear cooperation matters, oversaw the Department's review of the seven Saudi Arabia-related Part 810 applications from November 2017 to March 2019 and provided concurrence on each of them to the Department of Energy. These reviews were conducted consistent with U.S. law and standard Department of State practices.

As you know, Saudi Arabia has talked openly about acquiring a nuclear weapon in addition to many of the sort of transgressions we've discussed today. As you know, the United Arab Emirates (UAE) adopted the gold standard. Would you agree that it should

be our position that before we move forward with any kind of nuclear deal with Saudi Arabia, even if we made the decision that that was a wise move, that at the very least they should have the gold standard?

Secretary POMPEO. It's certainly been what we've been pursuing. Right? It's what the administration had been trying to get. That's our goal.

Senator VAN HOLLEN. I understand, Mr. Secretary, but you, of course, will be able to make the decision about whether that's an absolute condition or not, assuming people move forward on the merits. And I would—I hope it would be American policy to require that as a condition if the decision is made to move forward.

Let me briefly just mention two bipartisan bills that have been introduced and ask if you can take a look at them and get back to us.

Secretary POMPEO. Yes, sir.

OTTO WARMBIER BANKING RESTRICTIONS INVOLVING NORTH KOREA
(BRINK) ACT

Senator VAN HOLLEN. One is on—it's called the BRINK Act. Senator Toomey and I introduced it. Is it your position, the administration's position, that as we continue negotiations with North Korea, we should maintain maximum economic pressure?

Secretary POMPEO. Yes.

Senator VAN HOLLEN. Okay. Because there was some confusion, as you know, recently, because the President made a comment and maybe walked it back. But I'm glad to hear that answer because that's exactly what the BRINK Act would do. It would apply the same sanctions regime with respect to North Korea that we did with Iran that helped bring Iran to the negotiating table, applying secondary sanctions. There was a report today about how China had, you know, opened another crossing on the Yalu River with respect to trade, which obviously undermines the economic pressure. So I hope that you will join with us in that effort.

DEFENDING ELECTIONS FROM THREATS BY ESTABLISHING REDLINES
(DETER) ACT

The other measure is the DETER Act. I've introduced that with Senator Rubio. It's designed to make sure that we deter future Russian interference in our elections. And unlike other measures here, which are just adding new sanctions now, it's a prospective sanction. I think sanctions should be designed to try to influence behavior. And the idea is pretty simple: if we catch the Russians again interfering in our elections, they will face swift and severe sanctions. So if you're Putin trying to make that calculation going forward, you will know you have a very heavy price to pay. We introduced it last year, but we're going to be reintroducing it. I think you were very supportive of the concept.

Secretary POMPEO. Mm-hmm.

Senator VAN HOLLEN. Would you support going forward with something like that?

Secretary POMPEO. I would. I know the outlines of the DETER Act, and conceptually I think it makes sense.

Senator VAN HOLLEN. Thank you. I appreciate that. Thank you.

Senator GRAHAM. We've got like 30 seconds. You've been great, by the way.

TURKEY

Turkey, important ally, a lot of problems. Do you support increased economic integration between the American economy and Turkey?

Secretary POMPEO. I do.

AFGHANISTAN

Senator GRAHAM. When it comes to Afghanistan, can you assure this subcommittee and the world that the Afghan government will be a meaningful participant in any peace deal?

Secretary POMPEO. More than that. They will be at the center readily of Afghan led.

LIBYA

Senator GRAHAM. I am going to Italy and Tunisia next week: what should the message be about Libya?

Secretary POMPEO. So we have made clear our expectation that the process, the political process, there will be allowed to come to its fruition and that there shouldn't be bloodshed and violence to resolve this, that there should be a political resolution there at Libya.

Senator GRAHAM. Well, thank you. You've done an excellent job as Secretary of State. I personally appreciate all the effort that you put into your job, the counsel you've given the President, and appearing before the subcommittee today.

We have statements from the Department of State's Office of Inspector General, and the Special Inspector General for Afghanistan Reconstruction that will be made part of the record. Also, a letter from the Comptroller General of the United States regarding "Priority Open Recommendations: Department of State" will be made part of the record.

[The statements follow:]

PREPARED STATEMENT OF STEVE A. LINICK, INSPECTOR GENERAL FOR THE U.S.
DEPARTMENT OF STATE AND THE U.S. AGENCY FOR GLOBAL MEDIA

HEARING TO REVIEW THE FISCAL YEAR 2020 FUNDING REQUEST AND BUDGET JUSTIFICATION FOR THE U.S. DEPARTMENT OF STATE

Chairman Graham, Ranking Member Leahy, and Members of the subcommittee, thank you for requesting my testimony regarding the work of the Office of Inspector General (OIG) for the Department of State (Department) and the U.S. Agency for Global Media (USAGM, formerly Broadcasting Board of Governors). We appreciate your interest in and support of OIG's work.

In this testimony, I will highlight some of our recent work, including our oversight of top management challenges facing the Department and USAGM. I will also discuss priority recommendations and issues, OIG initiatives, and some of the effects of our work.

I. MISSION AND OVERSIGHT EFFORTS

It is my honor to have led OIG since the beginning of fiscal year 2014, and I am pleased to have this opportunity to discuss our work. OIG's mandate is extensive, requiring us to oversee both Department and USAGM programs and operations, which include more than 75,000 employees and over 270 overseas missions and domestic entities. We are responsible for the oversight of more than \$70 billion in De-

partment and USAGM programs and operations, including more than \$14 billion in combined annual appropriations and more than \$18 billion in Department-managed foreign assistance.

Additionally, our mandate is unique in that we are statutorily required to inspect and audit every domestic and overseas operating unit of the Department and USAGM at least once every 5 years. Although this requirement has routinely been waived by Congress due to our limited resources, OIG employs a risk-based approach to planning inspections that allows us to leverage those resources and target them more efficiently. Under this approach, we are focusing on higher risk missions and tailoring inspections to the needs at specific posts.

Our work has resulted in significant monetary and non-monetary benefits for the Department, USAGM, and the American public. I discuss these results in more detail below.

Management and Performance Challenges

In this testimony, I will focus on the Department's top management and performance challenges as identified in the statutorily mandated annual report on this matter. In fiscal year 2018, we noted seven key challenges: the protection of people and facilities; oversight of contracts, grants, and foreign assistance; information security and management; financial and property management; operating in contingency and critical environments; workforce management; and promoting accountability through internal coordination and clear lines of authority.

Protecting People and Facilities

One of OIG's top priorities is overseeing the protection of the Department's greatest asset, its people. The threat of terrorism or physical violence against U.S. diplomats and U.S. diplomatic facilities touches every region of the world. Additionally, natural disasters, environmental hazards, and ordinary crime continually pose risks to the health and safety of Department personnel and their families serving abroad.

Although the Department has made improvements in overseas safety and security since the 2012 attacks on various diplomatic facilities in Benghazi, Libya, our inspection and audit work continues to identify vulnerabilities that put our people at risk. Given the sensitive nature of OIG's work in this area, many of the reports related to safety and security are classified. As these reports pertain to some of our most important work—including, for example, setback and perimeter issues at overseas posts; employees working in unprotected spaces, such as warehouses; and the status of emergency medical supplies at some posts—I encourage you to review those materials in an appropriate setting. This testimony includes only information that is publicly available, much of which relates to the day-to-day work Department employees perform—the safety and appropriateness of the facilities in which they work, the vehicles that they drive, and the places where they live.

Constructing and maintaining safe and secure diplomatic facilities has been an ongoing challenge for the Department and is compounded in regions affected by conflict and humanitarian crises. In terms of existing facilities, our inspection work frequently finds overseas posts that lack comprehensive and routine preventative maintenance programs. In terms of new construction, one significant challenge our work increasingly highlights is the management and oversight of construction contracts. Aside from their substantial cost, they have significant security implications. For example, our work has examined the construction of two buildings at Embassy Kabul. In one audit report, OIG concluded that poor quality assurance and oversight of the construction process resulted in a failure to adhere to electrical and fire safety standards. A follow-up report in fiscal year 2018 also revealed risks to personnel and property due to the improper installation of the Embassy's fire alarm system as part of a major office and residential expansion.

As a general matter, we have found that systemic issues in the Department contribute to our concerns about physical security measures. We have identified places where coordination between the Bureau of Overseas Buildings Operations (OBO) and the Bureau of Diplomatic Security (DS), both of which have responsibilities in this area, could be improved. One longstanding and significant issue on which we have recommended the two bureaus coordinate is the tracking and prioritizing of physical security needs at overseas posts. Although the Department has made substantial progress in this area, as I will discuss later in this testimony, work remains, and that recommendation has not yet been fully implemented.

Another area of OIG focus related to the safety of Department personnel has been the operation of official vehicles overseas. Our fiscal year 2018 inspection work continued to find long-standing deficiencies that pose health and safety risks. These include failure to follow policies related to excessive work hours, lapses in medical clearances for operators of official vehicles, and outdated or absent safety training

for drivers. Finally, we have identified issues related to the Department's residential housing program and overseas posts' emergency preparedness that pose risks to the health and safety of Department personnel. In several fiscal year 2018 inspection reports, we identified posts that had not properly inspected or could not demonstrate they had properly inspected residential properties for health and safety risks before assigning employees to occupy them.

Oversight of Contracts, Grants, and Foreign Assistance

OIG focuses on oversight of contracts and grants, an area where the Department expends substantial resources. The Department's obligations in fiscal year 2018 included approximately \$15 billion for contracted services and the same amount in grants and fixed charges. The Department faces continuing challenges managing its contracts, grants, and cooperative agreements, particularly those that are long-term and complicated. The Department must ensure that contractors and grantees are appropriately selected, work is properly conducted and monitored, objectives of the grant or contract are achieved, and costs are effectively managed. As with ensuring the safety of personnel, management of grants and contracts is especially challenging in conflict areas, which present unique obstacles to effective oversight.

Overall, we have found that the Department can significantly improve its oversight of contracts and grants. As a result, a large percentage of our audit, inspection, and management assistance reports address, at least in part, deficiencies in this area. Additionally, nearly 40 percent of the investigations OIG's Office of Investigations closed in fiscal year 2018 related to contract and grant fraud. At the root of many of these deficiencies are inexperienced and untrained oversight personnel, staff rotations that lead to inefficiency, and complex programs and contracts that simply require more robust oversight. Although the Department has addressed some problems, particularly related to invoice review processes in certain bureaus, we continue to identify widespread weaknesses.

In recent reports, inspectors and auditors have noted that routine contract management tasks, such as validating performance metrics to assess contractor performance and maintaining complete and accurate contract files, were not being performed in compliance with Department guidance and Federal regulations. For example, an audit of food safety controls at Embassy Baghdad found that the Department failed to develop a quality assurance surveillance plan that included measurable and structured performance standards and was unable to provide documentation for over one quarter of required food service inspections.

OIG's audit and inspection reports also highlight circumstances where Contracting Officer's Representatives (CORs) served without proper training or without proper designation, which could affect their ability to ensure adequate oversight of contractors. For instance, in the example above, the CORs assigned to the food services task order we audited—which had an obligated value of nearly \$300 million as of December 2017—had no experience in food safety and received no food safety training before assuming oversight responsibilities. Taking a more systemic view, one management assistance report identified structural issues that contribute to the agency's widespread contract oversight challenges. It reported that the broad dispersal of CORs throughout the Department limits the ability of Contracting Officers and the Office of the Procurement Executive (which provides overall leadership on procurement and Federal award functions) to oversee the performance of CORs who often work in other bureaus and offices, frequently far from Washington, D.C.

Inadequate or unskilled contract oversight can be costly for the Department. During our audit of the Department's aviation program, we found that the Bureau of Medical Services had awarded a sole-source contract based on one contractor's unique capability to conduct aeromedical biocontainment evacuations but subsequently never used the specialized capability. Furthermore, the Contracting Officer later modified the contract so that the Department could use the aeromedical aircraft to shuttle Department employees between Kenya and Somalia as part of routine transportation needs. We concluded that this change in the purpose of the contract constituted such a significant change in its scope that it required full and open competition. As a result of the modification, the Department has used the sole-source contract for other services at higher costs than would have been incurred using competed sources or the Department's own aircraft. In another example, OIG found that contracting personnel for the same food services task order at Embassy Baghdad referenced above did not effectively implement contractually established cost controls to protect the Department's financial interest. We identified approximately \$45 million in questioned costs in this review.

A growing body of OIG's work addresses a particular subset of Department contracts: those for the construction of new diplomatic facilities. These contracts are usually long-term, complex, and high value. Thus, inadequate management and

oversight pose significant financial risks for the Department. One approach intended to reduce costs for high-value contracts is the value engineering program—a systematic process of reviewing and analyzing systems, projects, equipment, facilities, services, and supplies for the purpose of achieving the essential functions at the lowest life-cycle cost consistent with required levels of performance, reliability, quality, or safety. Although Office of Management and Budget policy requires agencies to have a value engineering program, we found the Department had not implemented one outside of OBO. Moreover, in an audit of the OBO value engineering program, we could not complete some planned analysis because of missing documentation that prevented auditors from evaluating the overall effectiveness of the program. Therefore, we concluded that the Department is missing opportunities to consider cost reductions for major procurements, including construction projects.

With regard to grants and foreign assistance programs, we have noted problems with performance monitoring and risk assessment. For example, in an inspection of the Bureau of African Affairs foreign assistance program, we reported a lack of documented processes related to foreign assistance project planning, monitoring and evaluation, and risk management. We concluded that the program did not consistently deploy monitoring and evaluation resources effectively across the bureau and did not coordinate site visits.

Additionally, several fiscal year 2018 reports identified concerns regarding the Department's ability to plan and design foreign assistance programs that meet policy goals. For example, in one Bureau of International Law Enforcement Affairs (INL) foreign assistance program in Central America, our inspection work found that inadequate planning resulted in the acquisition and provision of unusable equipment. Specifically, five helicopters furnished to the host government could not be used for drug interdiction missions—a core focus of the program—because they had been grounded since 2016 as a result of poor maintenance and questionable procurement practices. On a broader scale, an audit of the Department's aviation program found that the Department had not succeeded in permanently increasing host nations' institutional capability to operate programs without U.S. Government assistance. Efforts to do so have faltered primarily because transition plans, including benchmarks, had not been developed and executed with the host countries.

Information Security and Management

The Department depends on information systems and electronic data to carry out essential functions that are critical to its mission. The Department is entrusted with sensitive information, both classified and unclassified, which it processes and stores on those systems. The security of these systems is vital to protecting national and economic security, public safety, and the flow of commerce. IT security and management is a longstanding and significant management challenge for the Department.

As in prior years, OIG's annual assessment of the Department's information security program identified numerous control weaknesses that significantly affected program effectiveness and increased the Department's vulnerability to cyberattacks and threats. Throughout fiscal year 2018, OIG identified various areas where the Department could strengthen its cybersecurity performance. For example, our inspection work noted numerous instances of lapses in the performance of Information Systems Security Officer (ISSO) duties at overseas posts. This is a significant risk because ISSOs are responsible for implementing the Department's information systems security program and for working closely with system managers to ensure compliance with information systems security standards. Several inspections of overseas posts also noted deficiencies in IT contingency planning, which risks ineffective responses to or loss of critical communication during an emergency crisis. Finally, we have repeatedly identified concerns regarding the Department's ability to maintain an accurate inventory of its IT assets.

Two of the issues that contribute to OIG's concerns regarding IT security and management at the Department are the lack of an effective risk management strategy and dispersed authority for IT matters. In particular, the Chief Information Officer (CIO), who is the head of the Bureau of Information Resource Management (IRM), is not well placed in the organization to be fully accountable for information security program issues. For example, DS, which also has information security responsibilities, does not report to the CIO. We continue to recommend that the Department address this decentralized reporting structure so the CIO can effectively manage information security and information security risk management processes for the Department. Although the Department took some steps to improve the CIO's authority, we continue to view the organizational placement of the CIO as a deficiency.

This management challenge is particularly significant because of the uniquely broad effect that information security program weaknesses have on the Depart-

ment's overall programs and operations. Such weaknesses can affect the integrity of financial applications, which, in turn, increases a variety of risks.

Financial and Property Management

Financial management has historically been a challenge for the Department, and we continue to identify wide-ranging concerns related to this issue and to property management.

Weaknesses in the Department's collection, use, and analysis of financial information are a particularly significant manifestation of this challenge. In one notable report from fiscal year 2017, OIG highlighted significant flaws in the Department's processes that set certain cost-of-living allowances for Department employees who are stationed in foreign areas. Our report described a laborious, subjective, and error-prone process for gathering data that has not changed in decades. We estimated that using independent economic data instead of collecting the underlying information on its own would have saved the Department more than \$18 million from fiscal year 2013 to fiscal year 2015 at six of the seven posts audited. Nonetheless, our recommendation to develop and implement a plan to use independent economic data to determine post allowance rates remains unimplemented.

Another fiscal year 2017 report identified significant flaws in the processes the Bureau of Consular Affairs (CA) used to set fees for selected consular services. Specifically, the report noted that the fee-setting methodology did not rely on adequate data and did not fully consider the effects of large carry-forward balances. Furthermore, CA did not have an adequate process to analyze its financial results over time to determine whether adjustments to its fee-setting methodology were required, and it did not have adequate historical data or sound quality processes to assess the data that it did use. The Department is working to address our recommendations that the Department determine a threshold for required carry-forward balances and return excess unobligated balances from consular fees to the Department of the Treasury, which OIG reported as \$284 million, to be put to better use across the Federal Government and to benefit taxpayers.

More recently, we published an audit that found that the Department lacked adequate policies and procedures for evaluating and remitting to the Department of the Treasury excess earnings in its Working Capital Fund accounts. The Working Capital Fund provides a variety of goods and services to Department and other Federal customers through its cost centers, which are funded by reimbursements or advanced payments at rates that will approximate the cost of goods and services provided—that is, they are intended to “break even.” Our audit was unable to determine whether excess earnings should have been transferred to the Department of the Treasury and concluded that the Department is unable to advance the primary purpose of the Working Capital Fund, which is to provide an effective means for controlling costs of goods and services and to encourage cost consciousness and efficiency for users and suppliers of services.

We regularly identify internal control weaknesses at the Department, which is another subset of its financial and property management challenge. Internal control deficiencies span a wide range of Department operations and may be related to unliquidated obligations, acquisition planning, warehouse operations, or oversight of bulk fuel inventory, to name a few examples. In one fiscal year 2018 audit, we found that the Department is not optimally managing aviation resources and that it accordingly spent \$72 million on unnecessary services over a 4-year period. Our audit report noted that a lack of procedures and guidance contributed to insufficient accountability over aircraft equipment and improper disposal of aircraft, placing aviation assets at increased risk for fraud, waste, and abuse.

Lastly, we assess the difficulty the Department faces in tracking and reporting on foreign assistance funds under this challenge. The lack of information on this crucial aspect of the Department's work hinders its ability to manage foreign assistance resources strategically, identify whether programs are achieving objectives, and determine how well bureaus and offices implement foreign assistance programs. I will discuss this further when I highlight our priority issues below.

Operating in Contingency and Critical Environments

We recognize the particular difficulties the Department faces in managing posts and programs in environments characterized by contingency operations or other types of conflict or instability. Because of the security concerns, constant change, and sometimes dramatic swings in personnel and funding that can occur in these environments, every other challenge the Department faces is magnified in these locations.

Managing contracts and foreign assistance can be particularly challenging in contingency and critical environments. In an audit of new construction projects at Em-

bassy Kabul, we found the Department declared new construction substantially complete even though 14 major buildings systems were not fully tested and confirmed to meet the design intent and specified performance requirements. We learned that an unstable security environment and the pressure to move staff into hardened structures contributed to this action, which ultimately resulted in personnel occupying buildings that had a range of ongoing deficiencies, including issues affecting plumbing systems and heating, ventilation, and air conditioning systems. Some of the identified deficiencies created electrical and fire safety issues. Similarly, at Embassy Baghdad, Department officials told us they did not implement a point-of-sale cafeteria system because of a security-related crisis in Iraq and later because of morale concerns. Further, officials told us that they did not restrict access to the dining facility for locally-engaged staff due to contractual limitations. As a result of these weaknesses in oversight, we estimated that the Department inappropriately paid for at least 450,000 meals valued at more than \$4 million.

Financial and property management challenges are also exacerbated in difficult operating environments. For example, in an inspection of the Yemen Affairs Unit—the diplomatic mission established in Jeddah, Saudi Arabia, following the suspension of operations and evacuation of Embassy Sana’a, Yemen, in February 2015—we found that lost records made addressing unliquidated obligations difficult and labor-intensive. Similarly, the inability to return to Yemen created ongoing problems in managing a leased property.

Workforce Management

A challenge we first identified in fiscal year 2017 and again in fiscal year 2018 is workforce management. Across functional areas and geographic regions, OIG found that inexperienced staff, insufficient training, staffing gaps, and frequent turnover contribute to the Department’s other management and performance challenges. These problems afflict programs and operations domestically and overseas and are identified in a range of reports that cover a variety of topics.

Deficiencies associated with oversight of contracts and grants are sometimes connected to these issues. For example, an audit of the Bureau of Near Eastern Affairs’ selection and management of contract oversight personnel illustrated how the Department’s contract oversight and workforce management challenges intersect. We found that the bureau did not consistently nominate CORs with the required certification level and technical expertise to oversee contracts in Iraq and did not always effectively evaluate the performance of contract oversight staff. As a result, we also found deficiencies in COR files and contractor performance monitoring. In another example, we found that in one office in IRM, only one COR was responsible for overseeing 14 complex contracts worth over \$100 million per year in fiscal year 2016 and fiscal year 2017. As a result, we found oversight weaknesses, including approval of invoice payments without appropriately verifying that goods had been received.

More generally, we see that many Foreign Service personnel are assigned management of contracts and grants as a collateral duty but do not receive necessary training. In addition, most Foreign Service employees rotate in and out of posts frequently, and some assignments are as short as 1 year. As a result, many large grants and contracts have multiple employees overseeing them, which leads to a lack of both continuity and accountability.

Another area of concern is significant staffing shortfalls at particular bureaus. For example, our inspection of the Bureau of African Affairs noted the bureau’s profound difficulties in attracting Foreign Service Officers to its overseas posts. The Bureau of South and Central Asian Affairs experiences similar challenges.

Promoting Accountability Through Internal Coordination and Clear Lines of Authority

Another challenge that we first identified in fiscal year 2017 relates to internal coordination and clear lines of authority. We found that poor coordination and vague or dispersed authority are often at the root of some of the Department’s other challenges. This is a concern that affects a wide range of Department functions. It is often implicated in problems particular to certain Department programs or projects, and it is likewise relevant to some of the Department’s more longstanding and systemic difficulties, including ensuring physical and information security, both of which I mentioned previously.

In one fiscal year 2018 report, OIG found that the Department had not effectively implemented its non-financial management control program. Although Department policy gave overall responsibility for designing this program to the Bureau of the Comptroller and Global Financial Services (CGFS), the Department’s Comptroller stated that the policy did not accurately reflect the entities responsible for particular tasks and that such obligations were actually split between CGFS and the

Office of Management Policy, Rightsizing, and Innovation. We concluded that, nonetheless, the two entities had not coordinated or maintained close communication and did not have the same understanding of their respective obligations. This report illustrates how unclear lines of responsibility make it more difficult for the Department to manage its overall risks.

Additionally, in a review of passport seizures at Embassy Sana'a, Yemen, we found that diffused and overlapping legal responsibilities at the Department—along with the lack of a single decision maker with clear authority for resolving differing viewpoints—contributed to the prolonged and difficult search for a resolution.

II. PRIORITY RECOMMENDATIONS AND ISSUES

Many of our recommendations are specific to particular posts or programs, but others address more systemic issues that have the potential to improve overall operations of the Department and USAGM.¹ With respect to the Department, we believe that the following recommendations, all of which have been previously issued by OIG and suggest changes in the Department's processes, would go far in addressing the most important management challenges.

As to physical security, OBO and DS have overlapping responsibilities for crucial physical security issues. As described above, OIG recommended that the bureaus develop and implement formal, standardized processes to prioritize physical security needs. Follow-up work found that the Department has made significant progress on this recommendation by developing and populating a physical security deficiencies database to collect all deficiencies at overseas posts. Nonetheless, it has not yet implemented a process to prioritize, fund, and plan for security upgrades in a systematic, deliberate way.

On the topic of IT, we have reported on deficiencies with the Department's risk management strategy for the past 5 years, and we continue to urge the Department to implement a strategy to identify, assess, respond to, and monitor risk. Although a Cyber Risk Office was established in the Bureau of Information Resource Management, we found little had been accomplished on a strategy as of the issuance of our annual information security program audit report in October 2018. An effective organization-wide approach would enable the Department to understand its current risk profile, identify opportunities to improve risk management, and communicate risk. As described previously, other key outstanding IT recommendations also relate to the organizational placement of the CIO. We will monitor whether these steps are sufficient to ensure that the Department properly manages its information security risk.

Another longstanding issue relates to the tracking of foreign assistance. In a 2017 compliance follow-up review, we found that the Department had not complied with 2015 recommendations to implement a comprehensive plan for tracking and reporting foreign assistance funding. Without such a system, the Department cannot make data-driven decisions. We accordingly recommended that the Deputy Secretary issue clear requirements for the data needs of senior Department policymakers and prioritize the Department's efforts related to foreign assistance tracking and reporting. The Department took sufficient action to close this recommendation in April 2018. In fiscal year 2020, however, we plan to follow up on how the Department has developed and implemented plans to address foreign assistance management, including legal and regulatory oversight needs and external reporting requirements.

To reiterate, I treat these issues as a priority in large part because they relate to the systemic concerns that we have identified as key management challenges. Attention to these issues—particularly the need for coordination and clear lines of authority—will go far in addressing specific deficiencies identified in individual reports.

III. OIG INITIATIVES

My tenure as Inspector General began at the outset of fiscal year 2014, and since that time, we have undertaken a number of initiatives meant to make the most of our limited resources to further our oversight mission. Soon after my arrival, we began to issue management assistance reports and management alerts that are in-

¹During my tenure, we have issued numerous reports on USAGM programs and operations. Many challenges we have identified are similar to those affecting the Department, including information security and management, financial and property management, and grants management. For example, we recently reported that USAGM has not fully developed and implemented an effective organization-wide information security program to identify, protect, detect, respond to, and recover from information security weaknesses using risk-based decisions. Additionally, we noted USAGM's noncompliance with some of its reporting responsibilities in the Improper Payments Act and the Digital Accountability and Transparency Act.

tended to alert senior Department leadership to significant issues that require immediate corrective action. These reports allow us to bring issues that we identify in the course of fieldwork to the Department's attention quickly, without waiting for the conclusion of our overall work. We also established the Office of Evaluations and Special Projects (ESP) shortly after my arrival. ESP complements the work of OIG's other offices by improving our capacity to focus on broad, systemic issues.

In August 2016, OIG established its own IT network. Before we made this change, our IT infrastructure was part of the Department's own unclassified network, which meant that vulnerabilities in that network directly affected us. Moreover, the contents of our unclassified network could be easily accessed by the Department and potentially compromised, a situation that placed our independence at unnecessary risk and did not reflect best practices within the IG community.

More recently, to further enhance our commitment to transparency, we have begun posting to our website monthly reports regarding our unclassified recommendations, which include the total number of open recommendations as well as the number of recommendations closed in the previous month. Additionally, we provide relevant congressional committees monthly information on unclassified, classified, and sensitive but unclassified recommendations.

We also continue to fulfill our responsibilities related to whistleblower protection. In addition to conducting outreach to educate Department and USAGM employees on the rights and protections available to whistleblowers, our whistleblower protection coordinator oversees investigations of allegations of retaliation filed by employees of contractors, subcontractors, grantees, subgrantees, and personal services contractors.

IV. EFFECTS OF OIG'S WORK

Through our audits, evaluations, inspections, and investigations, OIG returns substantial value to U.S. taxpayers. In my first 5 years as Inspector General (fiscal year 2014–fiscal year 2018), we issued more than 600 reports and identified more than \$1.7 billion in potential monetary benefits, which amounts to a fourfold potential return to taxpayers for every dollar appropriated to OIG.

Additionally, OIG embraces its mission to protect people and information, although these efforts rarely result in a monetary return on investment. By helping the Department improve its security, OIG's work safeguards the lives of people who work in or visit our posts abroad. Our security work is a source of immense pride.

Since 2014, our investigative work has seen consistent and positive growth in administrative actions and criminal convictions associated with our cases. For example, one of our investigations resulted in the conviction and sentencing of a former Department employee to 26 years in prison for conspiring to produce more than a thousand sexually explicit images and videos of minor children in Canada during a 2-year period. Another investigation led to a Department contract company agreeing to pay a nearly \$1 million administrative settlement to resolve allegations that it knowingly provided false information to the Department. Our special agents determined that the company did not comply with contractual obligations to ensure that U.S. Embassy local guard force personnel were adequately trained to contract specifications. Finally, a joint investigation with the Department's Bureau of Diplomatic Security resulted in the sentencing by a foreign court of three Department locally employed staff, along with three local foreign national citizens, to probation. The court also ordered restitution of \$460,000 to the Department as well as various fines. The individuals participated in a large-scale theft of approximately \$2.3 million in diesel fuel from Embassy Tbilisi, Georgia. In addition, 11 individuals were debarred, and post management terminated six employees. At least two pensions were withheld, resulting in approximately \$46,500 in funds put to better use.

In recent years, we have also observed notable improvements on specific aspects of Department programs and operations. Regarding the physical security deficiencies database I mentioned previously, the Department has completed the majority of past-due physical security surveys and populated the deficiencies database, and the work done thus far has already made the database a useful tool. As I emphasized with respect to our priority recommendations, though, the Department must still implement a method for prioritizing those deficiencies, and this vital aspect of our recommendation should be addressed as soon as possible. The Department has also developed an e-filing document management system for Contracting Officer's Representatives to store contract files that had previously been kept in hard copy. Although the development of the e-filing system has been an important step toward providing effective contract file inventory control, the Department has not required its use. We advised the Department to issue guidance mandating use of the system. In response to our audit and inspection of the armored vehicle pro-

gram, which illustrated program management deficiencies and health and safety issues, the Department has made a number of improvements to the program. For example the Department established mandatory training for all overseas professional drivers, developed and implemented an armored vehicle program plan and hired a program manager, developed a system to ensure that posts are reassessing the need for armored vehicles at posts, and established an oversight mechanism to ensure posts are performing the reassessment.

V. CONCLUSION

In conclusion, I want to again thank Chairman Graham, Ranking Member Leahy, and the Members of the subcommittee for inviting my testimony. I also want to emphasize that OIG's accomplishments are a credit to the talented and committed staff that I have had the privilege to lead, and I also want to thank them for their hard work. I take my statutory requirement to keep the Congress fully and currently informed seriously, and I appreciate your interest in our work.

PREPARED STATEMENT OF JOHN F. SOPKO, SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION

U.S. RECONSTRUCTION EFFORTS IN AFGHANISTAN: KEY HIGH-RISK AREAS TO PERSIST INTO FUTURE

Chairman Graham, Ranking Member Leahy, and Members of the subcommittee,

This statement explains the fiscal year 2020 budget request for the Special Inspector General for Afghanistan Reconstruction (SIGAR). The statement describes SIGAR's successes, challenges to accomplishing its mission, and steps taken to overcome or mitigate these challenges. In keeping with the agency's oversight mission, this statement also touches on key management and program challenges facing State, the United States Agency for International Development (USAID), and the Department of Defense (DoD) by noting areas of high risk that SIGAR has identified.

Since fiscal year 2002, Congress has appropriated approximately \$132.3 billion to rebuild Afghanistan.¹ For fiscal year 2020, the President has requested \$533 million in Afghanistan-related funding via the State Department budget.² The President has also requested more than \$4.8 billion in the Department of Defense (DoD) budget to train, equip, and sustain the Afghan National Security and Defense Forces (ANDSF).³ Another \$10.8 billion from previous years' reconstruction appropriations remains available for disbursement.⁴

SIGAR's mission is to ensure that all these funds are spent as effectively and efficiently as possible, and that they are protected from waste, fraud, and abuse. Our enabling legislation also directs SIGAR to keep Congress and the Secretaries of State and Defense informed on reconstruction issues and to offer recommendations for improvement.⁵

Embedded in State's overall request is SIGAR's fiscal year 2020 budget request of \$52.9 million. The amount sought is \$2 million less than provided in each of the last two fiscal years. We believe the requested funding level is adequate to continue meeting SIGAR's congressional mandate. However, the \$2 million reduction does limit SIGAR's ability to adapt to the rapidly changing environment in Afghanistan. Should the U.S. increase its use of "on-budget" assistance (assistance channeled directly to the Afghan government or through multilateral trust funds), it will be vitally important that the ministries have strong accountability measures and internal controls in place. Oversight over those measures and controls will be equally important. SIGAR's experience reviewing bilateral and multilateral on-budget assistance and exposing waste, fraud, and abuse makes it uniquely qualified to review ministries and their ability to handle on-budget assistance. For example, at the request of President Ghani, SIGAR currently is conducting a financial audit of Afghanistan's electric utility, Da Afghanistan Breshna Sherkat (DABS). SIGAR also has a strategy in place for looking at the internal controls of other ministries if asked.

¹ SIGAR, *Quarterly Report to the Congress of the United States*, 1/30/2019, p. 43.

² The White House, *Fiscal Year Budget 2020 Budget of the U.S. Government*, 3/11/2019, p. 72.

³ Department of Defense, *Justification for Fiscal Year 2020 Overseas Contingency Operations Afghanistan Security Forces Fund*, March 2019, p. 6.

⁴ Data as of 12/31/2018. SIGAR, *Quarterly Report to the United States Congress*, 1/30/2019, p. 49.

⁵ Public Law No. 110-181, § 1229.

While the United States continues to support a peaceful resolution to the Afghanistan War, Taliban insurgents are still waging war, and foreign terrorist groups are making their presence felt. Personal safety and obstacles to travel remain key concerns. In other words, the risk of waste, fraud, and abuse of reconstruction funds in Afghanistan has grown, even as the ability to exercise effective oversight is increasingly constrained.

Nevertheless, SIGAR continues to provide aggressive oversight of reconstruction projects and the use of U.S. funds, and has adapted to the more constrained environment by using innovative remote monitoring techniques, including using third-party inspectors to go where SIGAR employees cannot, employing Afghan nationals, and using geospatial monitoring.

FISCAL YEAR 2020 BUDGET REQUEST HIGHLIGHTS SIGAR'S UNIQUE AND CRITICAL ROLE IN OVERSEEING AFGHANISTAN RECONSTRUCTION FUNDS

SIGAR is the only inspector general with interagency authority to audit, inspect, and investigate the activities of *all* U.S. Government agencies and international organizations that receive U.S. funding for Afghanistan reconstruction. As a result, SIGAR can conduct crosscutting reviews of State, USAID, DoD, and other agencies that are involved in reconstruction programs. In addition, SIGAR is the only oversight agency devoted solely to Afghanistan reconstruction, enabling it to examine reconstruction programs and issues in more depth while still producing timely and high-quality work. Further, SIGAR is truly independent. We conduct our oversight autonomously and report directly to Congress and to the Secretaries of State and Defense.

SIGAR currently has the largest oversight presence in Afghanistan, with more auditors, analysts, and investigators in country than any other agency. SIGAR has an authorized staff of 30 employees at U.S. Embassy Kabul and Bagram Airfield.⁶ These employees comprise auditors, inspectors, and investigators, plus management and support staff. In addition, five Afghan citizens support SIGAR's work in Kabul.

Most of SIGAR's deployed staff serve at least 2 years in country. This practice reduces annual turnover compared to other U.S. agencies and mitigates the risk of institutional memory loss. The deployed and local staff are augmented by SIGAR personnel from our Arlington, Virginia offices who frequently travel to Afghanistan on 2- to 8-week temporary assignments.

When SIGAR was established in 2008, the agency created four directorates: (1) Audits and Inspections, (2) Investigations, (3) Research and Analysis, and (4) Management and Support. The Research and Analysis Directorate, originally known as Information Management, produces SIGAR's quarterly report to Congress and other publications. Management and Support provides human resources, budget, information technology, and other support to SIGAR's other directorates and to staff.

Since then, two additional units have been established. In 2012, SIGAR created its Office of Special Projects to examine emerging issues and deliver prompt, actionable reports to implementing agencies and Congress. The team conducts a variety of assessments and produces inquiry and alert letters, reviews, fact sheets, and other products.

In late 2014, SIGAR established its Lessons Learned Program. While audits and inspections typically focus on the planning, execution, and outcome of particular programs and projects, the Lessons Learned more broadly documents U.S. reconstruction objectives, assesses results, and distills this knowledge into recommendations to improve reconstruction efforts in Afghanistan and in future contingency operations. Other Federal agencies and the U.S. military also operate lessons learned units, but SIGAR's Lessons Learned Program is the only one established and positioned to extract and frame lessons from a whole-of-government perspective.

SIGAR'S WORK CONTINUES TO IMPROVE THE EFFECTIVENESS AND EFFICIENCY OF RECONSTRUCTION PROGRAMS, AND TO REDUCE WASTE, FRAUD, AND ABUSE OF FUNDS

SIGAR's investigations, audits, and other work continues to have positive impacts on ongoing and planned reconstruction programs and agency operations. As of March 2019, SIGAR's audits and investigations work has identified some \$2.6 billion in savings and recoveries for U.S. taxpayers. These impacts take several forms. SIGAR does more than simply *identify* waste, fraud, and abuse. It can bring malefactors to justice, and recover money. SIGAR investigators are full-fledged Federal law-enforcement officers with powers of search and arrest. Whether acting on their

⁶The actual number of SIGAR staff residing in Afghanistan is usually fewer than 30, due to reassignments and normal turnover.

own or in coordination with other law-enforcement agencies, they have conducted investigations into cases of bribery, theft, smuggling, money laundering, and other offenses; have made arrests in Afghanistan and stateside; and have referred many Afghans to that country's prosecutors.

As of March 27, 2019, SIGAR had 168 ongoing investigations. At that time, the cumulative results of the SIGAR Investigations Directorate comprised 129 arrests, 174 criminal charges, 135 convictions, and 126 individuals sentenced. The cumulative total from investigations-related criminal fines, restitutions, forfeitures, civil-settlement recoveries, and savings to the government exceeds \$1.5 billion—the equivalent of 27 years' funding for SIGAR at current levels. Investigative work has also led to 928 referrals of companies and individuals for suspension or debarment to prevent them from receiving more U.S. contract awards; about 74 percent of these referrals led to suspension or debarment, not counting a small number of special-entity designations or administrative-compliance agreements.

From 2009 through March 2019, SIGAR had made 952 recommendations in its 333 published audits, alert letters, evaluations, and inspection reports. SIGAR has closed more than 86 percent of its recommendations. These recommendations have, among other things, strengthened contract oversight, management, and compliance; assisted in building and sustaining Afghan government capacity; and improved accountability for on-budget support. SIGAR audits and inspections have resulted in agencies recovering an estimated \$43 million and identified some \$1.1 billion that could be put to better use.

SIGAR's Lessons Learned Program has issued seven reports, including five reports covering corruption, Afghan security forces, private sector development, stabilization, and illicit narcotics. These reports identified 98 findings and lessons and made 78 recommendations to Congress and executive branch agencies. Some of these lessons and recommendations have become public law, while others have garnered high-level interest from executive branch agencies. SIGAR will be publishing several more lessons learned reports in the coming months.

SIGAR also maintains professional and productive working relationships with DoD and its subcomponents and commands, and with State and USAID. In addition, SIGAR coordinates regularly with other inspectors general and the Government Accountability Office to ensure coverage of all aspects of the reconstruction effort and to avoid duplication of effort.

SIGAR HAS TAKEN STEPS TO OVERCOME CHALLENGES TO CONDUCTING ITS OVERSIGHT MISSION

In 2015, the Afghan government took on full responsibility for its own security, U.S. and Coalition forces switched from combat to a train, advise, and assist mission, and the Afghanistan's "Transformation Decade" aimed at achieving self-sufficiency in fiscal and security matters began. In this changed setting of heightened security precautions and reduced access to program and project sites, SIGAR has faced challenges.

To overcome these challenges, SIGAR has hired several Afghan engineers and analysts to assist with audit and inspection work. SIGAR has also signed a cooperative agreement with a well-respected Afghan civil-society organization to conduct site visits, including inspections and engineering assessments of U.S.-funded projects. This Afghan organization's work is subject to generally accepted government auditing standards (GAGAS), and to SIGAR's internal quality-control requirements.

In addition, SIGAR is continuing its financial audit program.⁷ Established in 2012, the program contracts with independent public auditing firms to perform financial audits of completed reconstruction contracts. SIGAR staff oversees the firms' conduct of these financial audits, from notification to final report. To date, SIGAR's financial audits have identified about \$425.3 million in questioned costs, interest, and other amounts payable to the U.S. Government. Funding agencies had disallowed about \$26.6 million in questioned amounts, which are subject to collection. In some cases, when questioned costs are identified, SIGAR investigators review those costs and initiate criminal investigations if appropriate. At the request of

⁷ SIGAR produces two types of audits: (1) financial and (2) performance. Financial audits evaluate completed reconstruction contracts and identify questioned costs, if any, resulting from significant deficiencies in the audited entity's internal controls related to the contracts, and any instances of noncompliance with contract requirements and applicable laws and regulations. *Performance* audits provide objective analysis of the effectiveness and efficiency of reconstruction programs, and make recommendations to improve performance and operations, reduce costs, and facilitate decisionmaking by parties with responsibility to oversee or initiate corrective action for public accountability.

President Ghani, SIGAR currently is conducting a review of Afghanistan's power utility, DABS.

SIGAR HAS UPDATED THE AREAS OF HIGH RISK TO THE SUCCESS OF THE U.S.
RECONSTRUCTION EFFORT IN AFGHANISTAN

In 2014 and 2017 SIGAR issued its *High-Risk List* to call attention to program areas and elements of the U.S.-funded reconstruction effort in Afghanistan that are especially vulnerable to significant waste, fraud, and abuse. In March SIGAR released the 2019 edition of the *High-Risk List*, which calls attention to areas of the U.S. reconstruction effort in Afghanistan that are at serious risk of waste, fraud, abuse, mismanagement, and even program failure. With negotiations underway that could lead to the end of America's longest war, this report differs from our prior two reports by identifying risks to the reconstruction effort that might persist or arise in the event of a hoped-for peace agreement.

The new *High-Risk List* focuses on program areas and elements of the reconstruction effort that are (1) essential to success; (2) at risk of significant and large-scale failure due to waste, fraud, or abuse; and (3) subject to the control or influence of the U.S. Government. Applying these criteria, SIGAR identified eight high-risk areas:⁸

- Widespread Insecurity
- Underdeveloped Civil Policing Capability
- Endemic Corruption
- Sluggish Economic Growth
- Illicit Narcotics Trade
- Threats to Women's Rights
- Reintegration of Ex-Combatants
- Restricted Oversight

Three of these areas—economic growth, women's rights, and reintegration—are new to the *High-Risk List*. Additionally, the critical issue of sustainability appears as a facet of each high-risk area. Sustainability is a long-standing concern in reconstruction; shortcomings in finance, staffing, institutional capacity, technology and technical skills, political will, and other issues individually or in combination can undermine the Afghan government's ability to maintain programs once foreign support has decreased or withdrawn.

WIDESPREAD INSECURITY

Since 2001, the main goal of the U.S. intervention in Afghanistan has been to prevent the country from reverting to a safe haven for al-Qaeda and other extremist groups that threaten the United States and other countries.⁹

With or without a sustainable peace settlement or a local or nationwide ceasefire between the Taliban and the ANDSF, Afghanistan will continue to need a security force to protect the Afghan population from internal and external threats, provide a policing function to respond to criminal activity, and control its borders. Any political settlement entails the risk that not all subordinate groups will abide by an agreement made by their organization's leadership.

The ANDSF will also continue to be constrained by capability and sustainability challenges. In a post-settlement environment, depending on the terms of an agreement, there may also be the challenge of integrating former Taliban fighters into the national security forces and society (see the reintegration section of this testimony). These issues could become more acute should international financial and military support decline sharply before, during, or after peace talks between the Afghan government and the Taliban.

According to DoD, Resolute Support (RS), and U.S. Forces-Afghanistan (USFOR-A), the ANDSF currently face critical capability gaps in key areas that hinder the force's effectiveness and readiness and may continue to do so in the future, including force manning; personnel accountability and pay systems; logistics and maintenance; institutional training; persistent threat from Islamic State; and stalemated control of districts, population, and territory.

Questions for Policymakers

- What would the American contribution to any ongoing train, advise, and assist effort for the ANDSF be in a post-peace deal environment when the active insurgent threat to the ANDSF might be reduced or significantly diminished?

⁸ HRL 2019, p. 9.

⁹ DoD, *Enhancing Security and Stability in Afghanistan*, 12/2018, pp. 8–9.

- If the United States were to drastically decrease its train, advise, and assist mission, how might DoD continue to ensure the ANDSF is capable of defending Afghanistan and ensure U.S. national security interests in the region are protected?
- In a possible post-peace deal environment, if the United States had a reduced role in training, advising, and assisting the ANDSF and/or providing less financial and military support to it, what would be the risks to the gains made in key areas, such as the expansion and improvement of the Afghan Air Force and the Afghan Special Security Forces?
- Are the various ANDSF components properly trained and equipped to function in peacekeeping and other roles required in a post-reconciliation environment? What type of future investment, financial and otherwise, would the United States need to make to ensure the ANDSF components function in these various capacities?
- In a possible post-settlement environment, how would former Taliban fighters be integrated into the ANDSF?
- Are U.S.-funded materiel (such as vehicles and aircraft) and computer-based technology programs (such as Afghan Personnel Pay System and CoreIMS) independently sustainable by the ANDSF? If not, what is the plan to address this, and what are the projected dates for when the ANDSF will be capable of sustaining them?

UNDERDEVELOPED CIVIL POLICING CAPABILITY

With the possibility of a peace settlement coming into view, and based upon SIGAR's work to date, there is no comprehensive strategy for how the United States and Coalition partners will align its nationwide police advising mission to support Afghan rule of law and civil policing.¹⁰ Following a political settlement, Afghan police, rather than the army, are likely to be *the* element responsible for everyday security and will serve as a direct link to the Afghan government in local communities. The underdeveloped civil policing capabilities of the Afghan National Police (ANP) thus present a risk to long-term stability of the Afghan government.¹¹

Unlike the Afghan National Army (ANA), a significant share of ANP personnel costs are paid through the U.N.-administered Law and Order Trust Fund for Afghanistan (LOTFA), to which the United States has historically been the largest contributor, although not in fiscal year 2018. The LOTFA mechanism relieves some financial pressure on the United States by spreading the ANP funding burden to the Coalition.¹²

SIGAR's 2017 lessons learned report, *Reconstructing the Afghan National Defense and Security Forces: Lessons from the U.S. Experience in Afghanistan*, found that police development was treated as a secondary mission for the U.S. Government, despite the critical role that ANP was intended to play in implementing rule of law and providing static, local-level security nationwide. SIGAR also found that the United States lacks an institutionalized capability to develop foreign police forces in a high-threat environment.

SIGAR's quarterly reports track ANP reconstruction metrics, some of which seem to show that the ANP has sustained itself or even improved in important areas such as organizational structure, the number of security incidents involving the ANP, personnel strength, and personnel accountability since SIGAR's last *High-Risk List* was published in January 2017. Challenges, of course, remain in all of these areas.

SIGAR is scheduled to initiate a new lessons learned report in 2019 focused on the development of the ANP and a civil policing function in Afghanistan.

Questions for Policymakers

- Given the lack of U.S. emphasis on civil policing in Afghanistan since 2001, what is the U.S. strategy for coordinating with allies and the Afghan government to implement professional civil policing?
- The Afghan government generated approximately \$2.5 billion in domestic revenues in fiscal year 2018. Currently, ANP sustainment costs for fiscal year 2019 are about \$1.1 billion, of which the Afghan government is scheduled to contribute \$207 million from its domestic revenues (the rest of ANP sustainment

¹⁰ SIGAR, *Reconstructing the Afghan National Defense and Security Forces: Lessons From the U.S. Experience in Afghanistan*, SIGAR 16-62-LL, 9/2017, viii-ix, pp. 122–123.

¹¹ SIGAR, *Reconstructing the Afghan National Defense and Security Forces: Lessons From the U.S. Experience in Afghanistan*, SIGAR 16-62-LL, 9/2017, viii-xix; SIGAR conclusion based on analysis of available data sources, 3/2019.

¹² SIGAR, *Quarterly Report to the United States Congress*, 1/2019, p. 68.

- costs are covered by the U.S. and Coalition nations). In a post-reconciliation environment, how can the ANP be sustained at a cost of \$1.1 billion a year?
- U.S., Afghan, and Coalition officials and researchers have accused the ANP of multiple types of corruption, including corruption related to narcotics trafficking and reconstruction contracting.¹³ In a post-reconciliation environment in which the drawdown in U.S. and Coalition advisers makes oversight even more challenging, how will the U.S. Government and Coalition partners ensure that continued security assistance is not directed to corrupt ANP officials?
- In a post-reconciliation Afghanistan, what is the U.S. strategy for facilitating the rule-of-law—including ANP warrants and arrests—in remaining high-threat districts?
- As part of a peace agreement and efforts to reintegrate the Taliban, what role in civil policing might former Taliban play?

ENDEMIC CORRUPTION

Corruption remains an enduring risk to the U.S. mission in Afghanistan. SIGAR's September 2016 Lessons Learned Program report on corruption found that corruption substantially undermined the U.S. mission in Afghanistan from the very start. SIGAR concluded that failure to effectively address the problem means U.S. reconstruction programs, at best, will continue to be subverted by systemic corruption and, at worst, will fail.¹⁴ Despite many anticorruption efforts, the problem persists. According to DoD, "corruption remains the top strategic threat to the legitimacy and success of the Afghan government."¹⁵

As of January 2019, the Department of Justice (DOJ) reported some progress by Afghanistan's Attorney General in pursuing major crimes as a result of the U.S. Embassy demanding accountability. However, in a January 2019 report covering July–September 2018, DOJ said the Afghan government is still slow to prosecute corruption cases and has a poor record of prosecuting powerful and influential actors.¹⁶

In January 2019, State said the U.S. Embassy's new corruption-related Compact benchmark priority for the Afghan government is to increase transparency at Afghan special courts, the Anti-Corruption Justice Center, the Counter Narcotics Justice Center (CNJC), and the Justice Center in Parwan (JCIP). The U.S. Embassy continues to emphasize such anticorruption measures as executing warrants, prosecuting high-profile corruption cases, and collecting on Kabul Bank cases.¹⁷

In the security sector, the Combined Security Transition Command-Afghanistan (CSTC-A) said corruption remains pervasive throughout the Afghan security forces. This corruption, they added, harms the battlefield effectiveness of the Afghan security forces by diverting resources meant for fighting units and by creating negative perceptions of the Afghan government, undermining the Afghan government's legitimacy and reconciliation efforts.¹⁸

Questions for Policymakers

- What are reasonable expectations for Afghan government anticorruption-related results given competing challenges of regime stability and reform?
- In the event of a peace settlement, how could the U.S. Government restructure its reconstruction assistance and programs to promote compelling anticorruption programs in Afghanistan? Does that calculus change for an Afghan government that includes the Taliban?
- What will be the impact of fewer international troops and reduced assistance on the ability of the Afghan government to fight corruption?
- Are reform benchmarks so vague and/or bland that they have no meaningful impact against rampant institutional corruption?
- Should the United States consider imposing financial penalties or other consequences should Afghan reform benchmarks not be met?

¹³ *The Atlantic*, "Our Man in Kandahar," 11/2011; United Nations Office on Drugs and Crime, *Afghanistan's Drug Industry: Structure, Functioning, Dynamics, and Implications for Counter-Narcotics Policy*, 11/2006, p. 102.

¹⁴ SIGAR, *Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan*, 9/2016.

¹⁵ DoD, *Enhancing Security and Sustainability in Afghanistan*, 6/2018, p. 38.

¹⁶ SIGAR, *Quarterly Report to the United States Congress*, 1/30/2019, pp. 130–131.

¹⁷ SIGAR, *Quarterly Report to the United States Congress*, 1/30/2019, p. 132.

¹⁸ CSTC-A is tasked with training, advising, and assisting the Afghan security institutions. SIGAR, *Quarterly Report to the United States Congress*, 1/30/2019, p. 134.

SLUGGISH ECONOMIC GROWTH

The U.S. Government's current Integrated Country Strategy (ICS) for Afghanistan states that no U.S. efforts in Afghanistan—including the fundamental objective of preventing further attacks by terrorists on the U.S. homeland—can be sustained without a growing licit Afghan economy.¹⁹ While a sustainable peace agreement could boost business confidence and investment, and therefore improve growth prospects substantially, peace also carries its own set of challenges.²⁰ Despite its centrality to U.S. objectives—and its continued importance even if a peace agreement is reached—licit economic growth remains relatively low and Afghanistan remains heavily reliant on donor support. This raises questions about whether Afghanistan will be able to achieve the long-term stability and economic self-reliance that are key reconstruction goals.²¹

In its 2018 Lessons Learned Program report on private sector development and economic growth, SIGAR found that despite significant U.S. effort, estimated poverty, unemployment, and underemployment had not been reduced substantially; further, corruption had undermined the legitimacy of the Afghan state.²² Moreover, despite near double-digit growth over the first decade of reconstruction, the Afghan government faced a substantial budget shortfall in 2014 when international military expenditures in country declined rapidly as U.S. and Coalition forces drew down.²³ Ultimately, SIGAR determined, economic gains in the first decade of reconstruction were heavily subsidized by donor support and therefore unsustainable.²⁴

While a lasting peace agreement could fundamentally improve Afghanistan's prospects, its greatest economic challenge today remains identifying sustainable sources of growth, according to the World Bank.²⁵ Additionally, a peace agreement is unlikely to immediately overcome the many enduring barriers to economic growth. These include limited skilled labor, the lingering effects of near-continuous conflict over multiple decades, deficits in physical and institutional infrastructure, heavy reliance on foreign donor support, and widespread corruption.²⁶

Questions for Policymakers

- How will U.S. economic development programming adjust to a potential peace settlement?
- If a sustainable peace settlement is reached, how will economic development programming simultaneously support the reintegration of former fighters, the possible return of Afghan refugees from Pakistan, and the large number of returnees from Iran?
- To what extent will current Afghan laws, rules, regulations, and policies concerning economic growth continue to apply if a peace agreement materializes?
- Are current interventions to increase Afghanistan's economic growth positioned to have a sustained impact after they end?
- What would the economic effects be of a drawdown of U.S. military and civilian personnel from Afghanistan?

¹⁹ State, *Integrated Country Strategy: Afghanistan*, 9/27/2018, pp. 2–3.

²⁰ International Monetary Fund, *Fourth Review under the Extended Credit Facility Arrangement, Request for Modification of Performance Criteria, and Request for Extension and Rephasing of the Arrangement*, 11/20/2018, p. 8.

²¹ IMF, *Fourth Review under the Extended Credit Facility Arrangement, Request for Modification of Performance Criteria, and Request for Extension and Rephasing of the Arrangement*, 11/20/2018, p. 24; USAID, "Economic Growth—Afghanistan," 9/2018, <https://www.usaid.gov/afghanistan/economic-growth>, accessed 9/14/2018; Government of Afghanistan, *Realizing Self-Reliance: Commitments to Reforms and Renewed Partnership*, 12/2014, p. 4.

²² SIGAR, *Private Sector Development and Economic Growth—Lessons from the U.S. Experience in Afghanistan*, 4/2018, viii–ix; SIGAR, *Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan*, 7/2016, p. 75.

²³ U.S. Institute of Peace (USIP), *What Can Be Done to Revive Afghanistan's Economy?*, 2/2016, pp. 3, 8; SIGAR, *Quarterly Report to the United States Congress*, 1/30/2019, pp. 149, 153.

²⁴ SIGAR, *Private Sector Development and Economic Growth—Lessons from the U.S. Experience in Afghanistan*, 4/2018, viii.

²⁵ USIP, *What Can Be Done to Revive Afghanistan's Economy?*, 2/2016, p. 3; World Bank, "The World Bank in Afghanistan," no date, <https://www.worldbank.org/en/country/afghanistan>, accessed 9/14/2018.

²⁶ Asian Development Bank, Chair's Summary of Meeting of the Board of Directors, "Country Partnership Strategy Afghanistan, 2017–2021—Achieving Inclusive Growth in a Fragile and Conflict-Affected Situation," 10/31/2017; SIGAR, *Private Sector Development and Economic Growth: Lessons from the U.S. Experience in Afghanistan*, 4/2018, ix; World Bank, *Afghanistan Poverty Status Update Progress at Risk*, 5/2017, p. 7; USIP, *Afghan Economic Policy, Institutions, and Society Since 2001*, 10/2015, p. 6.

THE ILLICIT NARCOTICS TRADE

Since 2002, the United States Government has provided \$8.9 billion to thwart narcotics production and trafficking in Afghanistan. Yet Afghanistan remains the global leader in opium cultivation—a distinction it has held since the late 1990s, according to opium-cultivation data from the United Nations Office on Drugs and Crime (UNODC).²⁷ The illicit opium trade hinders the Afghan government's efforts across numerous sectors, including security, governance, and economic and social development.²⁸

A SIGAR lessons learned report published in June 2018 found that U.S. counter-narcotics programs have not resulted in long-term reductions in opium poppy cultivation or production. The findings in SIGAR's lessons learned report prompted the Senate Caucus on International Narcotics Control to request that SIGAR conduct a thorough review of the U.S. Government's current counternarcotics efforts in Afghanistan. That review is ongoing.

Addressing Afghanistan's illicit drug trade appears to have fallen off the international agenda since 2017. In September 2018, the State Department informed SIGAR it was no longer developing a stand-alone U.S. counternarcotics strategy for Afghanistan that had previously been under review. According to State, counternarcotics efforts are now interwoven into the administration's South Asia strategy.²⁹ USAID said it will no longer design or implement programs to address opium poppy cultivation.³⁰ DoD does not have a counternarcotics mission in Afghanistan, but until recently has pursued a counter-threat-finance mission.³¹ In February 2019, DoD reported that the counter-threat-finance campaign ceased at the end of 2018.

Questions for Policymakers

- Given the poor performance of many U.S. counternarcotics programs over the past 17 years, can the U.S. Government support effective counternarcotics programs after a peace accord?
- Can capacity-building programs strengthen Afghan government institutions to prevent the country's collapse into a narco-state?
- How would a potential peace accord with the Taliban impact opium cultivation and production in Afghanistan?
- Will counternarcotics operations targeting insurgent groups be carried out during a ceasefire or after a peace settlement?
- Which tools are the most effective in curbing opium cultivation and battling the narcotics trade? How can existing tools be improved or new ones devised?
- Which type of economic programs will provide the most employment opportunities for farmers and discourage opium cultivation?
- How can U.S. agencies better coordinate counternarcotics efforts in Afghanistan in order to achieve U.S. goals and objectives?

THREATS TO WOMEN'S RIGHTS

Improving the quality of life and the status of Afghan women has been a key goal of the United States and the international donor community since 2002. The United States has committed at least \$1 billion for gender-related programs in Afghanistan and spent another \$1 billion on programs for which the advancement of women was a component.³² Since the Taliban regime was overthrown in 2001, millions of Afghan women have voted, and some women now occupy prominent positions in Afghan society. Sixty-three women are members of parliament (out of 320 seats); 68,000 women are instructors in schools and universities; 6,000 women serve as judges, prosecutors, defense attorneys, police, and soldiers; about 10,000 women are doctors, nurses, or other healthcare professionals; and 1,150 women entrepreneurs have invested \$77 million in their businesses.³³ Nonetheless, in 2018, the United Nations ranked Afghanistan 153rd out of 160 countries for gender equality—despite a constitution that nominally protects women's rights.³⁴

²⁷ Funding as of December 31, 2018. UNODC, *2006 World Drug Report, Volume I: Analysis*, p. 57.

²⁸ GIROA, *Afghanistan National Development Strategy 1387–1391 (2008–2013)*, p. 42.

²⁹ State, INL, response to SIGAR data call, 9/21/2018.

³⁰ USAID, OAG, response to SIGAR data call, 3/20/2018.

³¹ DoD, USFOR-A, response to SIGAR vetting, 7/13/2018; DoD, response to SIGAR vetting, 7/16/2016.

³² SIGAR, *Quarterly Report to the United States Congress*, 10/30/2016, p. 3.

³³ USIP, *Afghanistan Talks: No Women, No Peace*, 3/1/2019.

³⁴ United Nations Development Programme, *Human Development Indices and Indicators 2018 Statistical Update*, p. 40; UNDP, "Gender Inequality Index (GII)," no date, <http://hdr.undp.org/>

The prospect of a peace agreement with the Taliban raises new concerns about the sustainability of the gains Afghan women have made over the past 17 years. Some experts believe that a precipitous withdrawal of U.S. forces could lead to the deterioration of political and economic freedoms, however limited, currently enjoyed by women in Afghanistan.³⁵ Official Taliban statements involved in the peace negotiations confirm such risks. For example, despite some signals the Taliban may be open to more liberal policies regarding women, the Taliban's chief negotiator called the current Afghan constitution (providing the same rights to men and women) an obstacle to peace and demanded a new Afghan constitution based on "Islamic principles, national interests, historic pride, and social justice."³⁶

Questions for Policymakers

- What can the United States do to ensure that women's rights, as currently enshrined in Afghan law, are protected in a post-peace agreement environment in which the Taliban may become part of the Afghan political system?
- In talks with the Taliban, how is the United States promoting "the meaningful participation of women in mediation and negotiation processes seeking to prevent, mitigate, or resolve violent conflict" and the "physical safety, economic security, and dignity of women and girls" as called for in the Women, Peace, and Security Act of 2017 (Public Law No. 115–68)?
- How can DoD, State, and USAID better track the outcomes of gender advancement programming in Afghanistan, determine any causal connection between U.S. gender programming and those outcomes, and become better stewards of U.S. taxpayer dollars spent on these programs?

THE CHALLENGE OF REINTEGRATION

The U.S. and Afghan governments agree that the best way to ensure lasting peace and security in Afghanistan is to achieve reconciliation and a sustainable political settlement with the Taliban.³⁷ While current estimates for the number of active Taliban fighters vary, the nominee for commander of U.S. Central Command, Lieutenant General Kenneth McKenzie Jr., put the figure at 60,000 fighters.³⁸ If a comprehensive peace agreement is reached, these ex-combatants will need to transition to a sustainable livelihood and peacefully reintegrate into Afghan society. There may also be efforts to demobilize and reintegrate members of other illegal armed groups.

Successfully reintegrating these tens of thousands of former fighters into society—a complex and long-term process with social, economic, political, security, and humanitarian dimensions—will be critical for Afghanistan to achieve lasting peace and stability.³⁹

The mixed record of reintegration efforts undertaken in dozens of countries since the late 1980s suggests that similar efforts in Afghanistan will likely face significant challenges.⁴⁰ SIGAR assesses that the nature and extent of those challenges will depend largely on the peace process itself, its level of inclusivity, trust among the parties, the degree to which reintegration issues are decided in an agreement or deferred, and numerous other factors. For example, a weak economy with few job opportunities would complicate reintegration. Ongoing insecurity, political uncertainty, poor social cohesion within a population traumatized by decades of war, and weak governance and rule of law will probably pose serious challenges to reintegration efforts.⁴¹ Further, donor fatigue regarding Afghanistan could be a concern.

SIGAR is currently making a thorough investigation of reintegration issues for a forthcoming Lessons Learned Program report to be published later this year.

en/content/gender-inequality-index-gii, accessed 3/4/2019; *The National Interest*, "Afghan Women are In Charge of Their Own Fate," 2/27/2019.

³⁵ Center for Strategic and International Studies (CSIS), *Finishing Strong: Seeking a Proper Exit from Afghanistan*, 2/2019, pp. 1, 5.

³⁶ Alemarah, "Complete Transcript of Speech Delivered by Delegation of Islamic Emirate in Moscow Conference," 2/5/2019.

³⁷ SIGAR, *Quarterly Report to the United States Congress*, 7/30/2018, p. 112.

³⁸ DoD, "Advance Policy Questions for Lieutenant General Kenneth F. McKenzie Jr., USMC, Nominee for Commander, United States Central Command," 12/4/2018, p. 9.

³⁹ UNDP, *Practice Note: Disarmament, Demobilization, and Reintegration of Ex-combatants*, 2011, p. 11.

⁴⁰ UK Foreign & Commonwealth Office, "Reintegration and Reconciliation in Conflict: Experience and Lessons," July 2016, p. 2.

⁴¹ U.N., *Operational Guide to the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS)*, 2014, pp. 33–34.

Questions for Policymakers

- What lessons can be gleaned from prior reintegration initiatives in Afghanistan?
- What transferable lessons can be gleaned from reintegration initiatives in other countries, such as Colombia, Sierra Leone, Somalia, and El Salvador?
- Should the international community encourage Afghan negotiators, during a potential peace process, to include the reintegration of ex-combatants as a focused area of discussion?
- If a reintegration program were established, what entities would be responsible for designing, implementing, and funding it, and what role would the United States play in reintegration efforts?
- Do donors have the appetite to commit to a series of long-term, post-conflict reintegration activities, and the ability to effectively implement such activities?
- Will a future peace agreement include details regarding the integration of former insurgents into state security forces?
- How should U.S. agencies adjust current assistance and programming to ensure that these are conducive to potential reintegration efforts?
- Can sufficient employment be created in the licit rural economy in order to encourage re-integrees to return to rural areas, rather than migrate to already overstressed urban centers?

RESTRICTED OVERSIGHT

Oversight of the U.S. reconstruction effort in Afghanistan, already difficult, may become even more challenging if substantial numbers of U.S. military and civilian personnel withdraw following an Afghan peace settlement.⁴² Accessing reconstruction project sites and programs in Afghanistan is already difficult due to deteriorated security. Site access would continue to be challenging should a potential peace agreement not actually lead to a cessation of hostilities—a possible outcome about which several experts have written in recent months.⁴³ Moreover, a reduced footprint for U.S. agencies operating in Afghanistan could exacerbate ongoing problems with contract oversight, such as spotty compliance, documentation and accountability, as well as institutional memory loss.⁴⁴

Since 2002, the United States has provided nearly \$14.6 billion in on-budget assistance to the Afghan government. This includes about \$9.2 billion to Afghan government ministries and institutions, and about \$5.4 billion to three multinational trust funds—the World Bank’s Afghanistan Reconstruction Trust Fund (ARTF), the United Nations Development Programme’s Law and Order Trust Fund (LOTFA), and the Asian Development Bank’s Afghanistan Infrastructure Trust Fund (AITF).⁴⁵

SIGAR’s experience shows that as the United States provides more reconstruction funds on-budget, whether through bilateral transfers or disbursement via multilateral trust funds, it will be vital that Afghan ministries have strong accountability measures and internal controls in place because external visibility into the use of funds is likely to shrink. Oversight of those measures and controls will be equally important.

In Afghanistan’s conflict setting, where rules are not rigorously observed and documentation is often incomplete and unverifiable, having personnel physically present and able to move about the country is essential for effective oversight. Otherwise, it is difficult to determine whether training is effective, equipment is operable, clinics are stocked with medicines, schools are open, or buildings are safe and functional.

Questions for Policymakers

- What levels of U.S. military and civilian personnel would best protect U.S. on- and off-budget funds to the Afghan government should a peace settlement be reached?
- If more (or most) U.S. assistance to the Afghan government moves on-budget as a result of a negotiated peace settlement, whether through bilateral transfers

⁴² SIGAR, *Quarterly Report to the United States Congress*, 1/30/2019, pp. 9–10, 69, 80, 148, 169, 179.

⁴³ CSIS, “Afghanistan as Vietnam Redux: Bomb, Declare Peace, and Leave?” 1/17/2019, p. 7; Brookings, “The U.S.-Taliban negotiations breakthrough: What it means and what lies ahead,” 1/29/2019.

⁴⁴ SIGAR, “Challenges to Effective Oversight of Afghanistan Reconstruction Grow as High-Risk Areas Persist,” Statement of John F. Sopko for the Senate Committee on Appropriations, Subcommittee on the Departments of State, Foreign Operations, and Related Programs, 2/24/2016, p. 14.

⁴⁵ SIGAR, *Quarterly Report to the United States Congress*, 1/30/2019, p. 47.

or disbursement through multilateral trust funds, what are the best oversight mechanisms to make the waste, fraud, and abuse of U.S. reconstruction funds more difficult, and more likely to be spotted?

- Have agencies taken appropriate steps to use third-party monitors, remote sensing, increased access to Afghan documentation and officials, or other tools to maintain acceptable levels of oversight, and have they reported the limitations of these methods to Congress? How will a possible reduction of U.S. military and civilian personnel after a potential peace agreement affect agency oversight plans?
- How can Congress and U.S. implementing agencies focus their oversight on reconstruction program outcomes rather than on easy measures of activity or outputs? How will a possible reduction of U.S. military and civilian personnel after a potential peace agreement affect this?
- When reviewing U.S. military and reconstruction footprints in conflict areas, how can the U.S. Government ensure sufficient number of qualified, experienced, and certified contract officers and technical representatives are deployed, especially in high-risk missions like Afghanistan?

CONCLUSION

No one disputes that after 40 years of war, peace would be a blessing for the long-suffering people of Afghanistan. And no one knows at this point what the specific terms of an acceptable peace deal would look like. But as the topical sections of SIGAR's 2019 *High-Risk List* indicate, even a broadly popular agreement might present risks to Afghanistan's reconstruction and to its long-term viability as a nation-state.

If large-scale withdrawals of U.S. operational and oversight personnel occur, the stewardship of U.S. taxpayer funds and achievement of reconstruction goals could suffer. If widespread corruption is not adequately addressed, the effectiveness of programs, the perceived legitimacy of the Afghan state, and the willingness of donors to continue their assistance could all suffer. If economic development stalls, accommodating new entrants to the labor force, including returning refugees and former government and insurgent fighters, could prove a daunting task. If women's rights and progress are not respected, and if the rule of law is not upheld, equitable and effective governance could fail. And if new security arrangements do not provide for fair and effective policing while standing ready to quash any resurgence of terrorism, then all other aspects of reconstruction could ultimately fail.

As discussions progress, Members of the U.S. Congress and of executive agencies should consider the "day after" a peace agreement and be on the alert for unexamined assumptions, overlooked details, unintended consequences, concealed agendas, and other issues that could turn a wished-for peace deal into another sort of conflict.

An opportunity for peace exists. How it is embraced, shaped, and nurtured will determine if Afghanistan is to avoid further decades of conflict that might result in it once again becoming a danger to the international community. As Congress considers ways to reduce or avert these dangers, we at SIGAR stand ready to assist in any way we can.

Thank you for the opportunity to submit a written statement for the hearing record. SIGAR shares your commitment to protecting U.S. funds from waste, fraud, and abuse and is committed to assisting Congress, U.S. agencies, and other stakeholders by continuing to provide aggressive and independent oversight of the reconstruction effort, and by offering recommendations and lessons based on that work.

PREPARED STATEMENT OF THE COMPTROLLER GENERAL OF THE UNITED STATES
 “Priority Open Recommendations: Department of State”



U.S. GOVERNMENT ACCOUNTABILITY OFFICE

441 G St. N.W.
 Washington, DC 20548

Comptroller General
 of the United States

April 5, 2019

The Honorable Michael R. Pompeo
 Secretary of State
 U.S. Department of State
 2201 C Street, NW
 Washington, D.C. 20520

Priority Open Recommendations: Department of State

Dear Secretary Pompeo:

The purpose of this letter is to provide an update on the overall status of the Department of State's (State) implementation of GAO's recommendations and to call your personal attention to open recommendations that should be given high priority.¹ In November 2018, we reported on a government-wide basis that 77 percent of our recommendations made in fiscal year 2014 had been closed as implemented.² State's recommendation implementation rate for the same time frame was 91 percent. As of March 2019, State had 101 open recommendations.³ Fully implementing these open recommendations could significantly improve State's operations.

Since our February 2018 letter, State has implemented 10 of our 20 open priority recommendations. We believe these efforts have improved the security and safety of diplomatic personnel and facilities overseas, improved State's ability to track Antiterrorism Assistance trainees' return to home countries and their use of delivered training, and mitigated the risk of staff fraud by employees of refugee resettlement support centers.

State has 10 open priority recommendations remaining from those we identified in our February 2018 letter. We ask your continued attention on these remaining recommendations. We are adding eight new recommendations as priorities this year related to data quality, the administration of hardship pay, and embassy construction. This brings the total number of open priority recommendations to 18. (See the enclosure for details on each.)

State's 18 open priority recommendations fall into the following six major areas.

¹Priority recommendations are those that GAO believes warrant priority attention from heads of key departments or agencies. They are highlighted because, upon implementation, they may significantly improve government operations, for example, by realizing large dollar savings; eliminating mismanagement, fraud, and abuse; or making progress toward addressing a high-risk or fragmentation, overlap, or duplication issue.

²GAO, *Performance and Accountability Report: Fiscal Year 2018*, GAO-19-1SP (Washington, D.C.: November 2018).

³Sensitive and classified recommendations are tracked separately.

Security of Overseas Personnel and Facilities: Of the 18 open priority recommendations, eight are related to the security and safety of personnel serving overseas. State concurred with these eight recommendations and reported some steps taken to address them.

Fully implementing our two priority recommendations on personnel security could help ensure State personnel are prepared to operate in dangerous situations. In March 2014, we recommended that State take steps to ensure that U.S. civilian personnel are in compliance with the Foreign Affairs Counter Threat (FACT) training requirements. State has taken action to clarify agency responsibilities and plans to verify FACT compliance. To fully implement these recommendations, State needs to complete and carry out its plans to monitor and verify compliance with the FACT training requirement for permanent and temporary personnel.

Fully implementing our three priority recommendations on physical security at overseas posts could improve the safety and security of personnel serving overseas, particularly in high-threat locations. For example, in July 2015, we recommended that State take steps to clarify existing standards and security-related guidance for diplomatic residences. Although State has conducted a review of existing security standards for diplomatic residences, State needs to complete its efforts to update these standards and take several additional actions to improve its ability to identify and mitigate risks and enhance security policies.

Fully implementing our three recommendations related to transportation security, such as those related to armored vehicles, could improve State's efforts to manage transportation-related security risks overseas. In October 2016, we recommended that State take steps to enhance its efforts to manage such security risks, including by improving its related guidance and developing monitoring procedures. Although State implemented a shared site for reporting and monitoring each post's armored vehicle fleet, State needs to create consolidated guidance that specifies transportation security requirements to ensure that posts comply with State's armored vehicle policy.

Security Assistance: Every year the United States provides billions of dollars in assistance to other nations in the form of security equipment and technical assistance. In April 2016, we recommended that State develop time frames for establishing policies and procedures to help the U.S. government provide a more reasonable level of assurance that equipment is not transferred to foreign security forces when there is credible information that a unit has committed a gross violation of human rights. State concurred with this recommendation and reported that it drafted standard operating procedures for conducting equipment vetting globally. To fully implement this recommendation, State needs to finalize its revised guidance for overseas posts that are responsible for vetting foreign security forces prior to transferring equipment to them.

Information Technology: One open priority recommendation, if fully implemented, could improve information technology at State. In May 2016, we found that State spent approximately 80 percent of its information technology budget on operating and maintaining older systems. For example, three of State's visa systems were more than 20 years old. The software for one of these systems was no longer supported by the vendor, creating challenges related to information security. We recommended that State identify and plan to modernize or replace legacy systems. State concurred with the recommendation. According to State, it is developing a plan for modernizing and migrating each eligible system to the cloud by the end of fiscal year 2019.

Data Quality: By fully implementing three priority recommendations we are adding this year, State could improve the quality of foreign assistance data, including data on democracy assistance, and ensure consistency in published information.

In August 2016, we found that the data on ForeignAssistance.gov were incomplete and did not report over \$10 billion in disbursements and about \$6 billion in obligations provided by the 10 reporting agencies. We made two recommendations that State undertake a review of efforts to ensure data quality and develop additional guidance for agencies updating ForeignAssistance.gov with verified data. State concurred with these recommendations and is working with the U.S. Agency for International Development (USAID) to consolidate data collection efforts and discuss data quality and reporting requirements. State needs to continue its coordination with USAID and OMB to (1) determine next steps for consolidating processes and data collection efforts to maximize efficiencies and (2) develop additional guidance that considers current challenges to updating ForeignAssistance.gov with verified data.

By fully implementing the third data-related priority recommendation, State could improve the ability of the Bureau of International Narcotics and Law Enforcement Affairs (INL) to reliably report democracy assistance data to Congress. In December 2017, we found that democracy assistance data from this bureau were miscoded or incomplete in some cases. State concurred with this recommendation. Although State reported that INL enhanced the accounting system of record and established new processes to improve data reliability, State needs to demonstrate that INL's enhanced accounting system addresses data reliability issues, such as miscoding and missing data.

Administration of Hardship Pay: When fully implemented, two priority recommendations could improve State's administration of hardship pay and its ability to identify and recover improper payments related to hardship pay. In September 2017, we recommended that State assess the cost-effectiveness of its policies and procedures for stopping and starting hardship pay and analyze available data to identify posts at risk of improper payments for hardship pay, among other things. State concurred with the recommendations and reported that it is working to identify changes in policy that would result in greater efficiencies and is planning to utilize the Overseas Personnel System to centrally collect and analyze arrival and departure data. To fully address these recommendations, State needs to provide documentation that the efforts are complete and that the actions have enabled the department to more easily identify and prevent improper payments.

Embassy Construction: By fully implementing three priority recommendations, State could improve budgetary decision-making as well as better align Bureau of Overseas Buildings Operations (OBO) staffing levels and capacity with workforce needs for its Capital Security Construction Program (CSCP). In September 2018, we recommended that State determine the estimated effects of cost inflation on planned CSCP embassy construction capacity and time frames and update this information for stakeholders on a regular basis, such as through the annual budgeting process. We also recommended State provide an analysis for stakeholders identifying those embassies that still need to be replaced to meet State's security standards and estimating total CSCP costs and projected time frames needed to complete those projects. In addition, we recommended State conduct an OBO-wide workforce analysis to assess staffing levels and workload capacity needed to carry out the full range of OBO's mission goals, to include the CSCP. State concurred with the recommendations and described several actions planned or under way to address these issues. To fully implement these recommendations, State needs to provide documentation that it has completed these efforts.

- - - - -

In March, we also issued our biennial update to our high-risk program, which identifies government operations with greater vulnerability to fraud, waste, abuse, and mismanagement or the need for transformation to address economy, efficiency, or effectiveness challenges.⁴ Our high-risk program has served to identify and help resolve serious weaknesses in areas that involve substantial resources and provide critical service to the public.

Several government-wide high-risk areas have direct implications for State and its operations, including (1) enhancing the government-wide security clearance process, (2) ensuring the cybersecurity of the nation, (3) improving management of information technology acquisitions and operations, and (4) better managing federal real property. We urge your attention to the government-wide high-risk issues as they relate to State. Progress on high-risk issues has been possible through the concerted actions and efforts of Congress, the Office of Management and Budget (OMB), and the leadership and staff in agencies, including within State.

Copies of this report are being sent to the Director of OMB and appropriate congressional committees; the Committees on Appropriations, the Budget, and Homeland Security and Governmental Affairs, United States Senate; and the Committees on Appropriations, the Budget, and Oversight Reform, House of Representatives. In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

I appreciate State's continued commitment to these important issues. If you have any questions or would like to discuss any of the issues outlined in this letter, please do not hesitate to contact me or Jason Bair, Acting Director, International Affairs and Trade, at bairj@gao.gov or (202) 512-6881. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Our teams will continue to coordinate with your staff on all of the 101 open recommendations. Thank you for your attention to these matters.

Sincerely yours,



Gene L. Dodaro
Comptroller General
of the United States

Enclosure

cc: Michael T. Evanoff, Assistant Secretary of State, Bureau of Diplomatic Security
Karen E. Mummaw, Acting Chief Information Officer, Bureau of Information Resource Management
Kirsten D. Madison, Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs
William E. Todd, Acting Under Secretary for Management and Deputy Under Secretary for Management
Christopher H. Flaggs, Comptroller, Bureau of the Comptroller and Global Financial Services
Addison Davis IV, Director, Bureau of Overseas Buildings Operations

⁴GAO, *High-Risk Series: Substantial Efforts Needed to Achieve Greater Progress on High-Risk Areas*, GAO-19-157SP (Washington, D.C.: March 2019).

Enclosure

Priority Open Recommendations to the Department of State

Security of Overseas Personnel and Facilities

Countering Overseas Threats: Gaps in State Department Management of Security Training May Increase Risk to U.S. Personnel. GAO-14-360. Washington, D.C.: March 10, 2014.

Recommendation: To strengthen State's ability to ensure that U.S. civilian personnel are in compliance with the Foreign Affairs Counter Threat (FACT) training requirement, the Secretary of State should take steps to ensure that management personnel responsible for assigning personnel to designated high-threat countries consistently verify that all assigned U.S. civilian personnel under chief-of-mission authority who are required to complete FACT training have completed it before arrival in the designated high-threat countries.

Actions Needed: State concurred with this recommendation. Despite some action to clarify agency responsibilities, to fully implement this recommendation, State still needs to take steps to ensure that U.S. civilian personnel under chief-of-mission authority who are required to complete FACT training have completed it before arrival in designated high-threat countries.

Recommendation: To strengthen State's ability to ensure that U.S. civilian personnel are in compliance with the FACT training requirement, the Secretary of State should monitor or evaluate overall levels of compliance with the FACT training requirement among U.S. civilian personnel under chief-of-mission authority who are subject to the requirement.

Actions Needed: State concurred with this recommendation. In November 2017, officials indicated that State planned to monitor and evaluate overall levels of compliance with the FACT training requirement by generating an annual report to verify assigned personnel's compliance with the requirement. However, State has yet to generate and review such a report.

Acting Director: Jason Bair

Contact information: bairj@gao.gov or (202) 512-6881

Diplomatic Security: State Department Should Better Manage Risks to Residences and Other Soft Targets Overseas. GAO-15-700. Washington, D.C.: July 9, 2015.

Recommendation: To enhance State's efforts to manage risks to residences, schools, and other soft targets overseas, the Secretary of State should direct the Bureau of Diplomatic Security (DS) to institute procedures to improve posts' compliance with requirements for conducting residential security surveys.

Actions Needed: State concurred with this recommendation. State is developing a global standardized residential survey program that, according to officials, will give DS officials at State headquarters and security officers at posts the ability to access and audit security surveys for all residential holdings. To fully implement this recommendation, DS needs to finalize and start using the global standardized residential survey program.

Recommendation: To enhance State's efforts to manage risks to residences, schools, and other soft targets overseas, the Secretary of State should direct DS to take steps to clarify existing standards and security-related guidance for residences. For example, DS could conduct a comprehensive review of its various standards and security-related guidance for residences and take steps to identify and eliminate gaps and inconsistencies.

Actions Needed: State concurred with this recommendation. To fully implement this recommendation, State needs to complete the process of updating the standards and guidance to address identified gaps and inconsistencies.

Recommendation: To enhance State's efforts to manage risks to residences, schools, and other soft targets overseas, the Secretary of State should direct DS to develop procedures for ensuring that all residences at posts overseas either meet applicable standards or have required exceptions on file.

Actions Needed: State concurred with this recommendation. State is developing (1) a global standardized residential survey program that, according to officials, will give DS officials at State headquarters and security officers at posts the ability to access and audit security surveys for all residential holdings and (2) a system to track exception requests and approvals. To fully implement the recommendation, State needs to complete these two systems and start using them.

Acting Director: Jason Bair

Contact information: bairj@gao.gov or (202) 512-6881

Diplomatic Security: State Should Enhance Its Management of Transportation-Related Risks to Overseas U.S. Personnel. GAO-17-124. Washington, D.C.: October 4, 2016.

Recommendation: To enhance State's efforts to manage transportation-related security risks overseas, the Secretary of State should direct DS to clarify whether or not the Foreign Affairs Handbook's (FAH) armored vehicle policy for overseas posts is that every post must have sufficient armored vehicles, and if DS determines that the policy does not apply to all posts, articulate the conditions under which it does not apply.

Actions Needed: State concurred with this recommendation. State is currently revising this policy and expects to publish the updated version in the FAH by the end of 2019.

Recommendation: To enhance State's efforts to manage transportation-related security risks overseas, the Secretary of State should direct DS to develop monitoring procedures to ensure that all posts comply with the FAH's armored vehicle policy for overseas posts once the policy is clarified.

Actions Needed: State concurred with this recommendation. State reported in April 2017 that it implemented a shared site for reporting and monitoring information about each post's armored vehicle fleet. Once State's armored vehicle policy for overseas posts is clarified, State can use this reporting system to ensure that all posts comply with the armored vehicle policy requirements.

Recommendation: To enhance State's efforts to manage transportation-related security risks overseas, the Secretary of State should direct DS to improve guidance for Regional Security Officers, in coordination with other relevant State offices and non-State agencies as appropriate, on how to promote timely communication of threat information to post personnel and timely receipt of such information by post personnel.

Actions Needed: State concurred with this recommendation. State is currently developing a communications system to share emergency and threat information with all post personnel. State expects the system to be deployed to all posts by the end of 2019.

Acting Director: Jason Bair

Contact information: bairj@gao.gov or (202) 512-6881

Security Assistance

Security Assistance: U.S. Government Should Strengthen End-Use Monitoring and Human Rights Vetting for Egypt. GAO-16-435. Washington, D.C.: April 12, 2016.

Recommendation: To strengthen compliance with the Leahy laws and implementation of State's human rights vetting process and to help ensure that U.S. funded assistance is not provided to Egyptian security forces that have committed gross violations of human rights, as State works to implement a revised version of the International Vetting and Security Tracking system (INVEST) that is expected to help facilitate equipment vetting, the Secretary of State should develop time frames for establishing corresponding policies and procedures to implement a vetting process to help enable the U.S. government to provide a more reasonable level of assurance that equipment is not transferred to foreign security forces, including those in Egypt, when there is credible information that a unit has committed a gross violation of human rights.

Actions Needed: State concurred with this recommendation. In response, State provided revised guidance for equipment vetting in Egypt and developed draft standard operating procedures for conducting equipment vetting globally. In September 2018, State reported that the operating procedures were being reviewed internally and were expected to be finalized in early 2019. To fully implement this recommendation, State needs to finalize and share these operating procedures with all U.S. missions overseas.

Acting Director: Brian Mazanec

Contact information: mazanecb@gao.gov or (202) 512-5130

Information Technology

Information Technology: Federal Agencies Need to Address Aging Legacy Systems. GAO-16-468. Washington, D.C.: May 25, 2016.

Recommendation: To address obsolete information technology investments in need of modernization or replacement, the Secretary of State should direct the Chief Information Officer to identify and plan to modernize or replace legacy systems as needed and consistent with the Office of Management and Budget's (OMB) draft guidance, including time frames, activities to be performed, and functions to be replaced or enhanced.

Actions Needed: State concurred with this recommendation and stated that it planned to work with OMB upon the publication of OMB's guidance to identify opportunities for modernization. In February 2019, State said that the department would approve a plan for modernizing and migrating each eligible system to the cloud by the end of fiscal year 2019. State cannot fully implement this recommendation until it finalizes such a plan.

High-Risk Area: Ensuring the Cybersecurity of the Nation.

Director: Carol Harris

Contact information: harrisc@gaio.gov or (202) 512-4456

Data Quality

Foreign Assistance: Actions Needed to Improve Transparency and Quality of Data on ForeignAssistance.gov. GAO-16-768. Washington, D.C.: August 24, 2016.

Recommendation: To improve the quality of the data published on ForeignAssistance.gov and help ensure consistency in published information, the Secretary of State should, in consultation with the Director of OMB and the U.S. Agency for International Development (USAID) Administrator, undertake a review of the efforts to date on ensuring data quality.

Actions Needed: State concurred with this recommendation. In response, State met with USAID and completed a joint report in 2018 on efforts to consolidate processes and data collection efforts to maximize efficiencies. OMB is currently reviewing this report. However, to fully implement this recommendation, State will need to finalize the review process and ensure that the quality of the data published on ForeignAssistance.gov has improved.

Recommendation: To improve the quality of the data published on ForeignAssistance.gov and help ensure consistency in published information, the Secretary of State should, in consultation with the Director of OMB and the USAID Administrator, develop additional guidance that takes into consideration current challenges to updating ForeignAssistance.gov with verified data.

Actions Needed: State concurred with this recommendation. State co-hosted an interagency meeting with OMB and USAID in 2017 to discuss data quality and reporting requirements. However, to fully implement this recommendation, State needs to develop additional guidance that would take into consideration current challenges to updating ForeignAssistance.gov with verified data.

Director: David B. Gootnick

Contact information: gootnickd@gaio.gov or (202) 512-3149

Democracy Assistance: State Should Improve Accountability Over Funding; USAID Should Assess Whether New Processes Have Improved Award Documentation. GAO-18-136. Washington, D.C.: December 14, 2017.

Recommendation: The Secretary of State should direct the Bureau of International Narcotics and Law Enforcement Affairs (INL) to identify and address factors that affect the reliability of its democracy assistance data, such as miscoded or missing data.

Actions Needed: State concurred with this recommendation, and in response, reported that INL enhanced the accounting system of record and established new processes to improve data reliability. To fully implement the recommendation, State needs to demonstrate that INL's enhanced accounting system addresses data reliability issues, such as miscoding and missing data.

Director: David B. Gootnick

Contact information: gootnickd@gao.gov or (202) 512-3149

Administration of Hardship Pay

Overseas Allowances: State Should Assess the Cost-Effectiveness of Its Hardship Pay Policies. GAO-17-715. Washington, D.C.: September 13, 2017.

Recommendation: The Undersecretary of Management should assess the cost-effectiveness of State's policies and procedures for stopping and starting hardship pay for employees who temporarily leave their assigned overseas posts.

Actions Needed: State concurred with this recommendation, and reported that the department is assessing the cost-effectiveness of the current policy and working to identify changes in policy or execution that would result in greater efficiencies. To fully implement the recommendation, State needs to provide documentation that it has completed this effort.

Recommendation: The department's Comptroller should analyze available diplomatic cable data from overseas posts to identify posts at risk of improper payments for hardship pay, identify any improper payments, and take steps to recover and prevent them.

Actions Needed: State concurred with this recommendation. According to State, it continues to identify and seek repayment of improper payments and communicate the importance of timely actions to the regional bureaus and posts to ensure improper payments do not occur. In addition, the Bureau of the Comptroller and Global Financial Services (CGFS) supports the roll out of the Overseas Personnel System, which will centralize the collection of arrival and departure data for the calculation of improper payment notification and risk analysis. To fully implement the recommendation, the Bureau of Human Resources needs to finalize the roll out of the Overseas Personnel System, and CGFS needs to provide documentation that the system allows it to more easily identify and prevent improper payments.

Acting Director: Jason Bair

Contact information: bairj@gao.gov or (202) 512-6881

Embassy Construction

Embassy Construction: Pace Is Slower Than Projected, and State Could Make Program Improvements. GAO-18-653. Washington, D.C.: September 25, 2018.

Recommendation: The Secretary of State should determine the estimated effects of cost inflation on planned Capital Security Construction Program (CSCP) embassy construction

capacity and time frames and update this information for stakeholders on a regular basis, such as through the annual budgeting process.

Actions Needed: State concurred with this recommendation. State reported in December 2018 that it is developing an estimate and that it plans to update this information through the annual budgeting process. To fully implement the recommendation, State needs to provide documentation that it has completed this effort.

Recommendation: The Secretary of State should provide an analysis for stakeholders identifying those embassies that still need to be replaced to meet State's security standards and estimating total CSCP costs and projected time frames needed to complete those projects.

Actions Needed: State concurred with this recommendation. In December 2018, State reported that it is planning to develop a cost estimate and projected timeline for constructing the remaining 161 facilities that do not have a new embassy or consulate compound. To fully implement the recommendation, State needs to provide documentation that it has completed this effort.

Recommendation: The Secretary of State should ensure that the Director of the Bureau of Overseas Buildings Operations (OBO) conducts an OBO-wide workforce analysis to assess staffing levels and workload capacity needed to carry out the full range of OBO's mission goals, to include the CSCP. Such an assessment could provide a basis for broader stakeholder discussion of OBO's human capital needs and potential prioritization of activities.

Actions Needed: State concurred with this recommendation. In December 2018, State reported that it is developing a statement of work and determining available contracting options to conduct an OBO-wide workforce analysis to address GAO's recommendation. To fully implement the recommendation, State needs to provide documentation that it has completed this effort.

Acting Director: Brian M. Mazanec

Contact information: mazanecb@gao.gov or (202) 512-5130

(103217)

ADDITIONAL COMMITTEE QUESTIONS

Senator GRAHAM. Any questions for the record should be submitted no later than Friday, April 12. Our next hearing will be on April 30 with USAID Administrator Mark Green.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED TO HON. MICHAEL POMPEO

QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

Question. Your budget request States that educational and cultural exchanges “advance U.S. foreign policy and national security goals,” “provide enormous benefits to the American people and economy,” and “are central to the Department’s diplomatic engagement efforts.” Why then would you propose to cut these exchange programs by 56 percent below the fiscal year 2019 enacted level?

Answer. The administration’s budget request makes efficient and effective use of available resources. The State Department’s overall mission to engage foreign publics on behalf of the United States remains unchanged. I will continue to prioritize engagement with emerging world leaders through U.S. Government-sponsored exchanges. The fiscal year 2020 budget request continues support for core global programs such as Fulbright and the International Visitor Leadership Program, while focusing resources on programs that support administration initiatives. Academic, professional, youth, and cultural exchange programs will remain effective foreign policy tools.

Question. Your budget request states that educational and cultural exchanges “advance U.S. foreign policy and national security goals,” “provide enormous benefits to the American people and economy,” and “are central to the Department’s diplomatic engagement efforts.” What is the specific justification for cutting the Fulbright Program by 48 percent and youth leadership initiatives by 61 percent?

Answer. Contingent on enacted funding, I will base any future adjustments in educational and cultural exchanges on the most efficient and effective use of those resources. U.S. Government-sponsored exchange programs will continue to empower and influence important audiences at home and abroad through academic coursework, leadership training, professional development, mentoring, networking, and follow-on support. Both the Fulbright program and our three regional youth initiatives—the Young African Leaders Initiative, the Young Southeast Asian Leaders Initiative, and the Young Leaders of the Americas Initiative—will continue to play an important role in cultivating the next generation of world leaders.

Question. I am sure you have visited refugee camps, as I and many of us have. You’ve seen the misery, and the numbers of refugees and other displaced persons due to violence and natural disasters is at an all time high. In the past year the crisis in Venezuela has exploded, with thousands of people fleeing each day. What is the specific justification for cutting refugee and disaster assistance by 35 percent below the fiscal year 2019 level?

Answer. The President’s fiscal year 2020 budget request consolidates our overseas humanitarian programming, implementation, and oversight into one account. The request of \$6.3 billion for humanitarian assistance (including resettlement) enables the United States to remain the largest single donor. The request calls on other countries to increase contributions and restructures our overseas humanitarian programming to allow the United States to respond seamlessly to evolving humanitarian needs. The request will allow the U.S. to remain the world’s largest single donor of humanitarian assistance and to robustly address needs for Syria, Yemen, and other major crises around the world. When combined with all available resources, average annual funding available for fiscal year 2019 and fiscal year 2020 of around \$9 billion roughly matches the highest-ever annual level of U.S. overseas humanitarian programming. I am also working on implementing a strategy intended to get other donors to step up and increase their share of global humanitarian funding and reduce the burden on American taxpayers.

Question. On October 10, I, Chairman Graham, our counterparts on the Foreign Relations Committee, and 18 other Senators requested the President to make a determination on the imposition of sanctions under the Global Magnitsky Act, with respect to the murder of Jamal Khashoggi. He has not done so, even though the Magnitsky Act explicitly requires him to. When pressed on the fact that the law has an explicit deadline, you then stated that two documents were submitted to meet

the requirement, neither of which was the required determination. That also contradicts the administration's initial position, which was that "the President maintains his discretion to decline to act on congressional committee requests when appropriate." On what basis is the President in compliance with the law? If the law were changed to require the Secretary of State to make the determination, would you comply?

Answer. The administration has taken significant actions to promote accountability in this case, including by imposing sanctions on 17 Saudi government officials under the Global Magnitsky sanctions program. Section 1263(d) of the Global Magnitsky Human Rights Accountability Act addresses certain Congressional committee requests for determinations and reports by the President on whether a foreign person has engaged in an activity described in Section 1263(a) of the Act. The authorities under Section 1263(d) have not been delegated by the President to the Secretary of State and thus the Department is not in a position to make such a determination or report. I am not in a position to speculate on any potential future amendments to the Act.

Question. The annual appropriations bill includes section 7031(c), which says explicitly that if the Secretary of State has "credible information"—not proof—credible information, that a foreign official has committed a gross violation of human rights, that person is ineligible to enter the United States. You have applied that law to deny entry to 16 Saudis for their involvement in the crime. If the Crown Prince sought to travel to the U.S., would you let him in?

Answer. While the Department of State cannot comment on a hypothetical visa application, we will ensure that all visa applicants who may be subject to section 7031(c) undergo appropriate review prior to the issuance or denial of a visa.

Question. The annual appropriations bill includes section 7031(c), which says explicitly that if the Secretary of State has "credible information"—not proof—credible information, that a foreign official has committed a gross violation of human rights, that person is ineligible to enter the United States. The November 2018 Treasury sanctions announcement includes information that 17 Saudi officials were involved in the murder of Jamal Khashoggi, meaning the Secretary of State had credible information about each of these individuals last November. Why did it take 5 months to apply 7031(c) to these individuals, when the law does not allow for such discretion in timing?

Answer. Section 7031(c) is separately administered from the Global Magnitsky sanctions program under Executive Order 13818, which implements and expands upon the Global Magnitsky Human Rights Accountability Act (the Act) and provides the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, with the authority to make designations. Designation under one authority does not automatically trigger the applicability of the other authority. Due to the need to treat each case individually, it can take time for the Department to prepare the information and analysis needed for the Secretary to make determinations under section 7031(c). We intend to devote further training and resources to the exercise of this authority.

Question. The annual appropriations bill includes section 7031(c), which says explicitly that if the Secretary of State has "credible information"—not proof—credible information, that a foreign official has committed a gross violation of human rights, that person is ineligible to enter the United States. Why hasn't the Saudi Consul General who was sanctioned in November been listed as ineligible to enter the United States pursuant to section 7031(c) in addition to the other 16 of 17 Saudi officials referenced above?

Answer. Multiple authorities exist that may make an individual ineligible to enter the United States on human rights grounds, including authorities in the Immigration & Nationality Act Section 212(a)(3)(E), Presidential Proclamation 8697, and Section 7031(c) of the State Appropriations Act. We note that the standard for designation under Executive Order 13818, which implements and expands the Global Magnitsky Human Rights Accountability Act, is different than the standard for designation under Section 7031(c). The Department cannot comment on any specific case until a decision has been made to publicly identify an individual under 7031(c)(1)(B).

Question. Eleven individuals were indicted in connection with the murder, five of whom will reportedly face the death penalty if convicted. Do you know the identities of those eleven individuals? Do you know the identity of the "local collaborator"?

Answer. The Department is aware of the identities of the 11 individuals indicted by the Saudi Arabian Public Prosecutor's Office. The U.S. Embassy in Riyadh is closely monitoring the ongoing trial of these individuals and continues to urge Saudi authorities to conduct transparent, credible judicial procedures surrounding the hei-

nous murder of Jamal Khashoggi. The State Department's Bureau of Near Eastern Affairs would be pleased to brief you and your staff in an appropriate setting.

Question. Last week, nine more writers and activists were arrested, including two Saudi-American citizens. One is the son of a prominent women's rights activist who was recently released after spending a year in prison. Have you called for the release of these latest victims of the Crown Prince's crackdown?

Answer. The Department remains deeply concerned by the detention of activists and dissidents in Saudi Arabia and takes all allegations of abuse seriously. I, along with U.S. Embassy officials in Riyadh and senior Department leadership in Washington, consistently urge the Government of Saudi Arabia to ensure freedom from unlawful or arbitrary detention, and transparency and fair trial guarantees in the legal process. U.S. Embassy Riyadh is actively seeking consular access to the two detained U.S. citizens to ensure their well-being.

Question. The Treasury Department's November 2018 sanctions announcement includes the following paragraph: "This operation was coordinated and executed by his subordinate Maher Mutreb, and involved participation of at least 14 other Saudi government officials: Salah Tubaigy; Meshal Albostani; Naif Alarifi; Mohammed Alzahrani; Mansour Abahussain; Khalid Alotaibi; Abdulaziz Alhawsawi; Waleed Alsehri; Thaar Alharbi; Fahad Albalawi; Badr Alotaibi; Mustafa Almadani; Saif Alqahtani; and Turki Alsehri." Did any of these individuals, or associated individuals, receive training from a Memphis, Tennessee company called Tier One Group, with funds provided by the USG?

Answer. No U.S. foreign assistance to Saudi Arabia was used to fund training for these Saudi government officials by the Tier 1 Group.

Question. Do you agree that it is in the interest of U.S. national security, and global security, for the United States to be a leader in the United Nations, and that our influence derives, in part, from paying what we owe to the U.N.?

Answer. Yes, I agree that being a leader at the United Nations is in the national interest. The United States will continue to be the largest financial contributor to the United Nations and other international organizations. We will make every effort to project U.S. leadership and the advancement of U.S. ideals.

Question. I understand you want other countries to pay more of the costs of the U.N. We do too. But each country has an assessed share and this administration agreed to the current U.N. budget. Why is the administration proposing a cut of 33 percent, nearly \$479 million, below what we owe for the U.N. regular budget? Nations, and that our influence derives, in part, from paying what we owe to the U.N.?

Answer. The administration is proposing reductions in funding in an effort to spur long-needed reforms and promote more equitable burden-sharing. By demanding fiscal discipline, the United States is encouraging the U.N. to rethink the way it operates. The President's budget request reinforces the expectation that the U.N., and other international organizations in which the United States participates, must become more efficient and effective.

Question. For U.N. peacekeeping, this administration is proposing to pay at a rate of only 16 percent when we owe 27.9 percent, even though the U.S. has already racked up more than \$700 million in arrears to the U.N.—money we owe but have not paid. These are missions the U.S. has voted for and that don't require deployment of Americans. Do you plan to pay these arrears, and do you believe the Congress should lift the statutory cap on U.S. peacekeeping contributions to enable you to pay our full dues? If not, why not?

Answer. I believe that other countries should take on more of the burden for financing U.N. peacekeeping operations. As the President said in his remarks to the U.N. General Assembly last September, the administration does not intend to pay more than 25 percent of UN peacekeeping costs.

Question. According to one advocate for funding to combat HIV/AIDS, "the President's budget stands in stark contrast to his February State of the Union pledge to 'defeat AIDS in America and beyond.' Proposed cuts . . . would risk resurgence of the world's deadliest infectious diseases—AIDS, tuberculosis and malaria. This proposed budget is more than just a funding cut. If enacted, it would signal a rapid retreat in U.S. global health leadership" How do you respond to that?

Answer. The United States continues to be the single largest donor to global HIV/AIDS, tuberculosis (TB), and malaria relief efforts. The fiscal year 2020 budget includes \$6.3 billion—more than 23 percent of the overall fiscal year 2020 foreign assistance request for the State Department and USAID—to support key global health efforts such as the U.S. President's Emergency Plan for AIDS Relief (PEPFAR); the Global Fund to Fight AIDS, TB and Malaria; the President's Malaria Initiative; and other global health programs. These resources allow PEPFAR to help control the HIV/AIDS epidemic globally by achieving goals articulated in the administration's PEPFAR Strategy for Accelerating HIV/AIDS Epidemic Control (2017–2020).

Question. For reasons that have not been explained, the administration is proposing to reduce the U.S. share of contributions to the Global Fund from 33 percent to 25 percent. How does the administration reconcile this cut with its prior support for 33 percent? Won't this reduce pressure on other donors to increase their commitments?

Answer. The U.S. Government is planning to pledge up to \$3.3 billion over 3 years (fiscal year 2020–fiscal year 2022) to the Global Fund's next replenishment cycle, subject to the availability of appropriated funds, with a commitment to match other donors at a rate of \$1 from the United States for every \$3 pledged from other donors. This new approach to the U.S. pledge's matching ratio demonstrates continued U.S. global leadership, specifically in the fight against HIV/AIDS, tuberculosis, and malaria, but also pushes other donors to contribute a greater share of resources to address these public health challenges.

Question. Do you support amending the Anti-Terrorism Clarification Act in a way that preserves the ability of U.S. citizens who lost loved ones in terror attacks to pursue civil claims in U.S. courts?

Answer. The administration is deeply concerned about U.S. victims of terrorism and strongly supports their rights to seek just compensation for their injuries. This concern has featured prominently in our discussions with Congress about the implications of the Anti-Terrorism Clarification Act (ATCA).

Question. Will your staff meet with the victims and their lawyers to see if there is an amendment that protects the claims of U.S. terror victims, and does not restrict humanitarian and development aid for the Palestinians?

Answer. The Department has spoken and met with a wide range of stakeholders in the Anti-Terrorism Clarification Act (ATCA). We particularly value the input we have received on the views of U.S. victims of terrorism. We look forward to continued discussion with Congress and other stakeholders on the implications of ATCA.

Question. Do you agree that any peace agreement with the Taliban must include enforceable protections of the rights and safety of Afghan women, who were systematically persecuted and brutalized by the Taliban when they were in power?

Answer. As the Department's annual report on human rights demonstrates, there is still a long way to go to ensure these rights are protected in the rural regions of Afghanistan, particularly where the Taliban exerts influence. That is why it is essential that all parties to the talks engage directly with Afghan women and Afghan women activists to ensure their concerns and priorities are addressed. Special Representative Ambassador Zalmay Khalilzad and Ambassador John Bass have been strong advocates for the inclusion of women and their perspectives in any dialogue among Afghans about Afghanistan's future. In addition, consistent with the Women, Peace and Security Act of 2017, Ambassador Khalilzad in his discussions with the Taliban is vigorously pressing the group's leadership to respect the rights and promote the safety of Afghan women and include them in future peace talks.

Question. How will the U.S. ensure that, given recent press reports that Afghan women have so far been excluded from negotiations with the Taliban? Will you obtain a commitment from the Afghan government to include them?

Answer. It has long been the U.S. position that the full empowerment of women and girls is essential to Afghanistan's future security and prosperity. Formal negotiations between the Afghan government, other Afghan leaders, and the Taliban have not yet begun. In discussions with Afghan government, opposition, and civil society leaders, Special Representative Ambassador Zalmay Khalilzad and Ambassador John Bass have strongly and successfully advocated for the participation of Afghan women as these leaders prepare for negotiations with the Taliban.

Question. What is the administration's Central America policy?

Answer. The Department wants to see a safe and prosperous Central America and is urging governments to address security, governance, and economic drivers of illegal immigration and illicit trafficking. We expect the governments to take more steps to improve border security; combat human smuggling and human trafficking, especially related to children; receive and reintegrate their returned citizens; and dissuade their people from immigrating illegally. In Belize, Costa Rica, and Panama, we promote economic prosperity, regional security, and governance. In Nicaragua, we support democratic actors and early, free, and fair elections.

Question. Do you agree that any person has a right under international law to seek asylum in another country?

Answer. The Universal Declaration of Human Rights, which is a non-binding instrument, sets forth that, except in cases of prosecution for non-political crimes or acts contrary to the purposes and principles of the United Nations, everyone has the right to seek and enjoy asylum in other countries. Neither the 1951 Convention relating to the Status of Refugees nor its 1967 Protocol refers to a "right to seek asylum," but, subject to limited exceptions, they oblige States parties to protect individ-

uals who meet the definition of a “refugee” from refoulement. The United States encourages other governments to incorporate refugee protection standards into national laws and policies, and supports the mandate of the U.N. High Commissioner for Refugees.

Question. What specific actions have you told the Central American governments they must take in order to reduce the exodus of migrants and be eligible for U.S. assistance?

Answer. The Northern Triangle governments need to be more effective in preventing illegal immigration to the United States. We are actively engaging the governments on additional steps they can take to improve border security; combat human smuggling and human trafficking, especially related to children; receive and reintegrate their returned citizens; and implement public messaging campaigns to dissuade illegal immigration to the United States. Likewise, we continue urging these governments to make needed reforms to improve citizen security, increase economic growth, improve democratic governance, and combat corruption and impunity.

Question. Are you asking these governments to arrest their citizens to prevent them from fleeing to another country to seek asylum?

Answer. No. However, the Northern Triangle governments are not doing enough to prevent illegal immigration to the United States. We are actively engaging the governments on additional steps, in accordance with their domestic laws and international obligations, they can take to improve border security; combat human smuggling and trafficking, especially related to children; receive and reintegrate their returned citizens; and implement public messaging campaigns to dissuade illegal immigration to the United States. We also continue to urge the governments to make needed reforms to improve citizen security, increase economic growth, improve democratic governance, and address corruption and impunity.

Question. How does your policy distinguish between aid to governments and aid through other entities to meet the needs of vulnerable people?

Answer. The Northern Triangle governments need to be more effective in preventing illegal immigration to the United States. We are actively engaging with the governments on additional steps they can take to improve border security; combat human smuggling and human trafficking, especially related to children; receive and reintegrate their returned citizens; and implement public messaging campaigns to dissuade illegal immigration to the United States. Likewise, we continue urging these governments to make needed reforms to improve citizen security, increase economic growth, improve democratic governance, and address corruption and impunity.

Question. (Jessikka Aro award). Why should we accept the State Department’s claim that this was just an innocent mistake, when emails and other evidence points to the contrary? Who made the decision to rescind the award, and why?

Answer. A number of errors were made in the nomination and approval process of Ms. Jessikka Aro. Ms. Aro should not have been notified that she was an awardee in the absence of a comprehensive review, which is a prerequisite for the nomination process. We commit to improving the process moving forward.

Question. Sharing biological samples and their derived digital information, such as pathogen genetic sequences, is crucial for effective response to infectious diseases. In the past, this type of sharing of pathogens has been mostly routine under World Health Organization rules. But governments are increasingly refusing to share disease samples. For example for over a year, the Chinese government withheld samples of a rapidly evolving influenza virus from U.S. researchers. That meant they were not able to conduct research on the virus in the event we needed vaccines or treatments. This obviously has potentially far reaching consequences for the health of people everywhere. Are you aware of this, and if so what steps is the Department taking to address it?

Answer. The State Department coordinates with Federal agencies, including the Department of Health and Human Services (HHS), to engage stakeholders and promote rapid, consistent, and systematic access to pathogens, as prioritized in the National Biodefense Strategy. We expect to discuss emerging challenges with timely pathogen sharing at the May 2019 World Health Assembly. China committed in 2017 to maintain a clear process for sharing novel influenza viruses with pandemic potential (IVPP). In 2018, China shared with the U.S. Centers for Disease Control and Prevention six H7N9 samples and one H7N9 candidate vaccine virus. The Department continues to work closely with HHS to press China to share IVPP in accordance with its commitments.

Question. One of the points of agreement from the Singapore Summit between President Trump and North Korean Leader Kim Jong Un related to recovering American POW/MIA remains from the Korean War. I am told there are at least 20

Vermont veterans of that war who are still unaccounted for. This POW/MIA agreement is reportedly being handled on a track separate from the nuclear issue. Are these discussions progressing? Have you been satisfied with the level of North Korean cooperation?

Answer. Since the Singapore Summit, the United States and North Korea have cooperated on the return of 55 sets of human remains believed to be those of Americans who fell on the battlefields of North Korea more than 60 years ago. Building on this success, we are continuing to engage North Korea on the resumption of joint recovery operations. We also continue to call for the immediate repatriation of those already identified, to achieve closure for every American family.

Question. Last May, June, September, and December I wrote to you about the application of the Leahy Law in Israel. I have written similar letters concerning the application of the Leahy Law in other countries. The reason I have written four times in the past 11 months is that none of your responses even attempted to answer my questions. I received your one page reply to my September letter at the end of March—over half a year later—and it failed to answer any of my questions. When can I expect to receive specific answers to my questions?

Answer. Several issues raised in our correspondence regarding application of the Leahy Law in Israel remain under active investigation by Israeli authorities and continue to be the subject of active internal consultations in the Department. My team is ready to brief your staff at their convenience.

Question. The Leahy Law requires you as the Secretary of State to establish and update procedures to “ensure that for each country the Department of State has a current list of all security force units receiving United States training, equipment, or other types of assistance.” Does the Department maintain such lists, including for units that receive U.S. equipment? If the Department does not know which units receive U.S. assistance, how can the Department claim to fully comply with the Leahy Law?

Answer. The Department maintains records of units that receive U.S. training assistance through Leahy vetting requests submitted in the International Vetting and Security Tracking (INVEST) system. In addition, the Department annually requests that embassies submit to the Department a list of any security force units in their country that received assistance but were not vetted through INVEST.

Question. Does the Department of State have a “current list of all security force units receiving United States training, equipment, or other types of assistance” for the following countries: Bahrain, Colombia, Egypt, Guatemala, Honduras, Indonesia, Iraq, Israel, Kenya, Mexico, Morocco, Nigeria, Pakistan, Philippines, Saudi Arabia, UAE? Please provide the lists.

Answer. The Department maintains records of units that receive U.S. assistance through Leahy vetting requests submitted in the International Vetting and Security Tracking (INVEST) system. In addition, the Department annually requests that posts submit to the Department a list of any security force units in their country that received assistance but were not vetted through INVEST. The Department is committed to the implementation of the Leahy Law and would be pleased to offer a brief on the sensitive issue of units receiving U.S. assistance in an appropriate setting.

Question. Prior Secretaries of State have refused to provide U.S. assistance to foreign governments until such government agreed to provide the names of the security force units that would receive U.S. assistance. Will you likewise deny U.S. assistance—whether training, equipment, or other types of assistance—to governments that refuses to provide the specific names of each unit that will receive assistance so they can be vetted?

Answer. Current Leahy vetting procedures require the identification of the units receiving training assistance. The Department routinely denies the provision of training assistance when unit identification information is not provided. The Department is currently developing guidance for vetting cases of non-training assistance.

Question. Sometimes the United States provides assistance to foreign security forces in a manner that a specific individual or unit cannot be vetted, such as a transfer of a large amount of ammunition or weapons to a foreign military for distribution. In those cases, the only way to ensure compliance with the Leahy Law is to maintain a current list of units that are ineligible to receive that assistance, share the list with the partner government, and make sure they do not transfer the assistance to those ineligible units. Do you agree? If not, why not?

Answer. The Department continues internal consultations on issues related to vetting under the Leahy law of U.S. equipment provided to a country's security force units and intends to complete those consultations as soon as possible. Maintaining lists of ineligible units is one way to address the requirements of the Leahy Laws.

There are, however, circumstances where sharing such information with the partner governments may not be feasible. The Department is prepared to brief your staff once our internal consultations are completed.

Question. The Leahy Law requires that in every case in which the Secretary determines that the Department has credible information that a security force unit has committed a gross human rights violation the Secretary shall, “to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.” Since January 20, 2017 how many times has the Department offered assistance pursuant to this provision, and what was the foreign government’s response?

Answer. Since January 2017, it has been practice for the Department to offer assistance each time an Embassy informs a foreign government that assistance has been withheld from a security forces unit consistent with the State Leahy Law. This offer of assistance to foreign governments is not to replace Leahy-applicable assistance, but to help the government take effective measures to bring the responsible members of the security forces to justice. In 2017, the Department informed foreign governments around the world that assistance was withheld 58 times, and in each instance, the relevant Embassy made an offer of assistance. The host governments had varied responses, ranging from refusal of assistance to a request to discuss options of working with prosecutors or other parts of the government’s judiciary.

Question. Do you agree that “credible information” includes information provided by media sources, multilateral agencies, and NGOs with a record of “past accuracy and reliability” as stated on the Department of State website?

Answer. As a general matter, yes. However, the Department considers each report on its own merits. In evaluating any information, we also consider a number of other factors, including: how the original source of any report obtained the information (e.g., personal knowledge, witness interviews, government records, etc.); known political agenda, if any, of a source; corroborative information that confirms part or all of the allegation; information that contradicts part or all of the allegation; history of an individual or security unit and known patterns of abuse/professional behavior; and the level of detail of the gross violation of human rights (GVHR) allegation, including detail in identification of the GVHR, perpetrator (or link to an operational unit), and victim.

Question. Do you agree that the use of reporting by a media source, multilateral agency, or NGO in the Department’s Annual Reports on Country Human Rights Practices indicates that the Department considers that source to have a record of “accuracy and reliability”?

Answer. Yes. However, the Department considers each report on its own merits. In evaluating any information, we also consider a number of other factors, including: how the original source of any report obtained the information (e.g., personal knowledge, witness interviews, government records, etc.); known political agenda, if any, of a source; corroborative information that confirms part or all of the allegation; information that contradicts part or all of the allegation; the history of an individual or security unit and known patterns of abuse/professional behavior; and the level of detail of the gross violation of human rights (GVHR) allegation, including detail in identification of the GVHR, perpetrator (or link to an operational unit), and victim.

Question. Do you agree that it is not necessary for the Department to independently verify or obtain directly the information cited in reports of media sources, multilateral agencies, or NGOs with a record of “past accuracy and reliability” for the information to be treated as presumptively “credible” under the Leahy Law, absent specific factors in a given case to suggest that in that particular case the information may not be correct (e.g., specific information in the possession of the Department that contradicts the report from the media source, multilateral agency, or NGO)?

Answer. Yes, the Department agrees that independent verification or direct knowledge of information from a reliable source is not always necessary to conclude that information is credible for the purposes of the Leahy laws. However, such verification or direct knowledge, where available, is helpful in determining whether a given report constitutes “credible information” for Leahy purposes.

Question. Recently the Department’s Office of the Inspector General (OIG) conducted a review of the operations of the Bureau of Democracy, Human Rights and Labor (DRL) including the Department’s Leahy vetting process. What specific steps have you taken or will you take to address the OIG’s concern that the Department lacks a system to ensure that U.S. Embassies are complying with their Leahy Law obligations?

Answer. The Department is committed to the Leahy vetting process and has been working to enhance the INVEST system. In response to the OIG’s recommendations,

the Department is developing a policy to provide for regular quality assurance checks of vetting decisions; has instituted a procedure to ensure that embassies have complied with the duty to inform host governments of units denied assistance under the State Leahy law; and has promulgated a policy requiring training implementers to verify the identities and unit affiliations of training attendees.

Question. Please list all instances in which the U.S. Government has determined that a foreign security force unit which was previously denied assistance under the Department of State Leahy Law, or the Department of Defense Leahy Law, and has subsequently found to have been “remediated” and eligible for assistance. For each such unit please describe why it was denied assistance and what remediation steps were taken.

Answer. There have been 12 instances in which the Secretary has determined that foreign governments have taken effective steps to bring responsible members of security forces to justice under the Department of State Leahy Law. I defer you to the Department of Defense to report on those units it has determined to have been remediated under its Leahy Law. The State Department has provided the appropriate Congressional committees with individual reports that provide details regarding why each unit was denied assistance and how the government of such country took effective steps to bring the responsible members of the security forces unit to justice.

Question. What does the State Department Office of the Legal Adviser believe constitutes “assistance” under the Leahy Law? Does the State Department Office of the Legal Adviser interpret “gross human rights violations” to include violations of International Humanitarian Law?

Answer. Section 620M of the Foreign Assistance Act of 1961 (FAA) prohibits the U.S. Government from furnishing assistance authorized under the FAA or the Arms Export Control Act to any unit of a security force of a foreign country if the Secretary of State has credible information that such unit has committed a gross violation of human rights (GVHR). Such assistance can include training or equipment authorized under those authorities. In considering whether to provide assistance to a foreign security forces unit, the Department assesses whether there is credible information that a unit has committed a GVHR. In some circumstances, the same conduct could be both a violation of international humanitarian law and a GVHR.

Question. In your certification to Congress regarding civilian casualties in Yemen, you stated that Saudi Arabia has only violated agreements with the United States concerning the use of U.S.-origin defense articles and services “with rare exception.” Did those end use violations involve use of U.S. weapons against other than legitimate military targets or re-transfers or both?

Answer. The “rare exception” reference did not pertain to any alleged violations of use against other than legitimate military targets. The Department did not authorize transfers of U.S.-origin weapons from Saudi Arabia or the UAE to Yemen or other forces in Yemen. We continue to investigate these allegations. Saudi Arabia and the UAE have been cooperative with our investigation. If the articles were intentionally transferred without the Department’s written consent, we will determine the appropriate next steps for any repercussions or procedures to mitigate future transgressions.

Question. In your certification to Congress regarding civilian casualties in Yemen, you stated that Saudi Arabia has only violated agreements with the United States concerning the use of U.S.-origin defense articles and services “with rare exception.” Section 3 of the Arms Export Control Act requires the suspension in transfers or deliveries of defense articles and services to governments that have violated end use agreements unless the President certifies that there is a national security need to continue the assistance. Have you provided the required certification for Saudi Arabia?

Answer. In all cases, we notify Congress of any violations reportable under Section 3(c) or 3(e) of the Arms Export Control Act and, as has been our practice, provide information on how it was addressed with the foreign government, including any remedial steps that have been taken. With respect to Saudi Arabia, there has not been a violation that resulted in a determination of ineligibility.

Question. In recent years, Congress has directed the State Department to dedicate \$9–\$10 million annually to implement section 620M of the FAA. What has this funding supported since January 20, 2017? How many full time Leahy Law vetting staff are working in DRL? How does this number compare to the number of full time equivalents working at this in 2016? What is the caseload per staff? Does this funding support vetting staff in other bureaus or in embassies?

Answer. Since January 2017, funding to implement section 620M of the FAA has principally been expended for salaries and support costs of Leahy vetting, and costs associated with development of INVESTc, the cloud-based successor to INVEST.

DRL salaries/support costs include one full time equivalent position in DRL who is a full-time vetter and six others who spend the majority of their time on Leahy vetting and policy issues; eight full-time contract vetters; two contractors who assist as advisors on Leahy law implementation; and eight IT contractors. The funding also supports eight contractors in the Department's regional bureaus and 12 overseas positions in the WHA bureau who are a mix of contractors, eligible family members, and locally employed staff. In 2016, DRL had four full-time equivalents and seven contractors performing vetting. The caseload per vetting employee in DC is roughly 25,000 to 30,000 cases per year.

Question. An equipment vetting policy was put in place at Embassy Cairo following a GAO report in 2016–2017. That policy has since been discontinued. Why?

Answer. All security assistance, including to Egypt, is subject to the Leahy laws. Units that commit gross violations of human rights are ineligible for assistance. Leahy Vetting standard operating procedure requires that all recipients of equipment assistance be screened. The Department continues to develop and implement procedures to enhance vetting of equipment and other non-training assistance in line with GAO recommendations.

QUESTIONS SUBMITTED BY SENATOR RICHARD J. DURBIN

Question. What is the administration's strategy to secure the release of unjustly detained Turkish-American NASA scientist Serkan Golge and U.S. Consulate General Istanbul local employees Metin Topuz and Mete Canturk?

Answer. I will continue Mission Turkey's ongoing engagement to ensure fair, timely treatment of all detainees and press for the immediate release of all those held arbitrarily, including Serkan Golge, Metin Topuz, and Mete Canturk. I am committed to taking whatever steps necessary to ensure the fair resolution of these cases. I will continue to raise the cases of wrongfully detained U.S. citizens and local employees of the U.S. Mission in Turkey at the highest levels.

Question. Given Turkey's reliance on Western commercial and international financial institutions, why has the administration not deployed the United States' considerable economic leverage over Turkey to obtain the release of our citizen and local employees?

Answer. I will take whatever steps we deem necessary and effective to ensure the fair resolution of the case of U.S. citizen and NASA scientist Dr. Serkan Golge and our detained locally employed staff, including applying pressure or leverage, economic or otherwise, as appropriate. I will also continue to raise the cases of wrongfully detained U.S. citizens and local employees of the U.S. Mission in Turkey at the highest levels. Securing the freedom of our wrongfully detained U.S. citizens and local staff in Turkey has been and continues to be a priority for me since I became Secretary, and I will not rest until they are released.

Question. By all public accounts it appears that Finnish investigative journalist Jessikka Aro was going to be one of this year's winners of the Department of State's International Women of Courage Awards. However, her award was apparently rescinded late in the process under questionable circumstances. Can you please clarify what happened, specifically if any such actions was taken because of her defense of freedom of the press?

Answer. A number of errors were made in the nomination and approval process of Ms. Jessikka Aro. Ms. Aro should not have been notified that she was an awardee in the absence of a comprehensive review, which is a prerequisite for the nomination process. We commit to improving the process moving forward.

Question. What are the Department's projections for the next 10, 20, and 50 years for increased refugee and migration flows due to climate change, and what steps are being taken to address climate refugees?

Answer. The Department has not generated any out-year projections regarding how climate or weather may affect the movements of different populations. Additionally, "climate" is not a basis for refugee status under the 1951 Convention relating to the Status of Refugees or its 1967 Protocol.

QUESTIONS SUBMITTED BY SENATOR JEFF MERKLEY

Question. The Columbia River Treaty is currently in negotiations with Canada to ensure flood protection in the Columbia River Basin. The Columbia Basin tribes worked closely with stakeholders, including the State Department, when the Regional Recommendation was developed in 2013. Tribal priorities were included in that recommendation, and included ecosystem management, such as implementation of the Endangered Species Act and maintaining salmon populations, as well as

respecting tribal rights. Secretary Pompeo, will you commit to maintaining the terms of the regional recommendation in treaty negotiations?

Answer. We continue to use the 2013 U.S. Entity Regional Recommendation as a guide in our ongoing negotiations with Canada. Consistent with the Regional Recommendation, we seek opportunities to improve ecosystem cooperation for the benefit of fish and wildlife in both countries in a manner that appropriately balances this desired outcome with other objectives.

Question. Columbia Basin tribal nations were not included as part of the negotiating team, even though they have been included on negotiating teams for past treaties, such as the Pacific Salmon Treaty. I would also like to point out that Canada's First Nations have been made formal members of the Canadian negotiating advisory team, which allows them to provide input each negotiation session. Will you commit to using tribal policy and expertise for informed decisionmaking during negotiations?

Answer. The Department has benefited from the advice and perspectives of tribal leaders and experts since the Regional Recommendation was submitted on the modernization of the treaty regime. Once negotiations began in May 2018, we scheduled discussions with tribal leaders and staff before and after each round of negotiations and quarterly meetings in the Basin. We have conducted these consultations within a framework developed in concert with Columbia Basin tribes, who provide expertise and perspectives that inform our negotiation positions.

Question. You have committed to restore State Department hiring levels to where they were at the end of 2017: 10,503 for the Civil Service and 13,676 for the Foreign Service. As of the end of 2018, those numbers stood at 10,140 for the Civil Service and 13,764 for the Foreign Service. For the Civil Service, that amounts to a 3.5 percent decrease off 2017 levels and a full 10 percent when compared to 2016. If additional funds were to be appropriated for the American Salaries Account for fiscal year 2020, would you commit to dedicating a percentage of that increase to recruiting the next generation of national security professionals into the Department—such as through the landmark Presidential Management Program (PMF), returning Peace Corps Volunteers, Rangel and Pickering Fellows, Veterans Recruitment Authorities, and other more flexible hiring authorities?

Answer. The Department expects to continue hiring exceptional people under the auspices of these successful programs and would be pleased to enhance our candidate pools as funding permits. For example, Pickering and Rangel Fellowships are critical recruitment programs that continue to provide outstanding candidates for Foreign Service Officer positions. The PMF program has provided the Department with a wealth of diverse Civil Service talent. We also plan to fill certain staffing needs with employees with noncompetitive eligibility including veterans, military spouses, persons with disabilities, family members, and former Peace Corps employees.

Question. You have committed to restore State Department hiring levels to where they were at the end of 2017: 10,503 for the Civil Service and 13,676 for the Foreign Service. As of the end of 2018, those numbers stood at 10,140 for the Civil Service and 13,764 for the Foreign Service. For the Civil Service, that amounts to a 3.5 percent decrease off 2017 levels and a full 10 percent when compared to 2016. What is the current level of Civil Service and Foreign Service staff?

Answer. Current employment through March 2019 is 13,770 for the Foreign Service and 10,023 for the Civil Service. Foreign Service levels are actually higher than 2016 or 2017 levels. By the end of the fiscal year, we expect Civil Service employment levels to increase as a result of more aggressive Department-wide hiring strategies. Foreign Service employment is expected to increase since there are additional intake classes planned for the remainder of the year. As we look toward the new fiscal year, we continue to expect Civil Service employment to increase commensurate with need and are committed to reaching the employment numbers supported by the Department's appropriation.

Question. You have committed to restore State Department hiring levels to where they were at the end of 2017: 10,503 for the Civil Service and 13,676 for the Foreign Service. As of the end of 2018, those numbers stood at 10,140 for the Civil Service and 13,764 for the Foreign Service. For the Civil Service, that amounts to a 3.5 percent decrease off 2017 levels and a full 10 percent when compared to 2016. Is the hiring level for the end of 2018 for the Foreign Service—13,764—inclusive of spouses of Foreign Service personnel? If so, what is the sub-set number of Foreign Service spouses?

Answer. The full-time permanent employment figures for the Foreign Service cited above do not include spouses of Foreign Service personnel. Foreign Service spouses employed by the Department would be shown as Eligible Family Member (EFM)

employees. EFM employment has increased from its lowest point during the hiring freeze of 1,500 to over 2,300 as of March 31.

Question. You have committed to restore State Department hiring levels to where they were at the end of 2017: 10,503 for the Civil Service and 13,676 for the Foreign Service. As of the end of 2018, those numbers stood at 10,140 for the Civil Service and 13,764 for the Foreign Service. For the Civil Service, that amounts to a 3.5 percent decrease off 2017 levels and a full 10 percent when compared to 2016. Do you believe that greater flexibility in hiring authorities, such as delegating to you direct-hiring authority (DHA) for critical needs positions at the State Department, as well as allowing for a certain percentage of positions to be filled through the excepted service, will help advance the goal of returning to fiscal year 2017 hiring levels?

Answer. Direct hiring authority (DHA) will help the Department attract and retain talented individuals to the Department of State, particularly in hard to recruit skill categories like IT. In addition to DHA, the Department is looking at other initiatives such as recruitment incentives to help attract additional candidates. These initiatives will help ensure the Department will be able to return to authorized employment levels.

Question. As the administration undertakes negotiations with Russia on nuclear arms control, I am concerned about the Department's staffing and expertise in this highly technical field. Former Bush administration Arms Control, Verification and Compliance (AVC) Assistant Secretary Paula DeSutter testified before the House Armed Services Committee that the arms control bureau is "losing staff." Please provide me the following information. Have you or your senior officials, such as Under Secretary Thompson conducted any formal or informal "exit interviews" to ascertain why the Bureau is losing staff? If so, please inform us as to the results.

Answer. In June 2014, the Department's Office of Inspector General issued report ISP-I-14-14A, "Inspection of the Bureau of Arms Control, Verification, and Compliance." One aspect reviewed was "Workforce Development and Succession Planning." OIG reported 48 percent of the workforce would be eligible to retire by 2019. The Bureau's Assistant Secretary is implementing the OIG recommendations, including a robust professional development program and strategic hiring process, to ensure we hire and retain the next generation of arms control and verification experts.

Question. As the administration undertakes negotiations with Russia on nuclear arms control, I am concerned about the Department's staffing and expertise in this highly technical field. Former Bush administration Arms Control, Verification and Compliance (AVC) Assistant Secretary Paula DeSutter testified before the House Armed Services Committee that the arms control bureau is "losing staff." Please provide me the following information. Do you concur with Ms. DeSutter, that the Bureau is "losing staff"? If so, are there any plans to make up for the loss in staff and their highly technical expertise?

Answer. In June 2014, the Department's Office of Inspector General issued report ISP-I-14-14A, "Inspection of the Bureau of Arms Control, Verification, and Compliance." One aspect reviewed was "Workforce Development and Succession Planning." OIG reported 48 percent of the workforce would be eligible to retire by 2019. Hiring of specialized subject-matter experts in this competitive field has a long lead-time. The Bureau's Assistant Secretary has sought to implement OIG recommendations through greater integration of technical experts and recruiting technical experts to ensure we maximize employment opportunities and promote professional development.

Question. As the administration undertakes negotiations with Russia on nuclear arms control, I am concerned about the Department's staffing and expertise in this highly technical field. Former Bush administration Arms Control, Verification and Compliance (AVC) Assistant Secretary Paula DeSutter testified before the House Armed Services Committee that the arms control bureau is "losing staff." Please provide me the following information. What was the total number of Washington DC-based full-time equivalents (not including Schedule C positions) as of January 2017 in the AVC Bureau and what is the current number?

Answer. In June 2014, the Department's Office of Inspector General issued report ISP-I-14-14A, "Inspection of the Bureau of Arms Control, Verification, and Compliance." One aspect reviewed was "Workforce Development and Succession Planning." OIG reported 48 percent of the workforce would be eligible to retire by 2019. Hiring of specialized subject-matter experts in this competitive field has a long lead-time. The total number of Washington DC-based full-time equivalents in the AVC Bureau as of January 2017 was 113. The current total number of Washington DC-based full-time equivalents in the AVC Bureau is 94.

QUESTIONS SUBMITTED BY SENATOR CHRIS VAN HOLLEN

Question. Did the Department of Energy seek the Department of State's concurrence on issuing seven Part 810 authorizations to allow U.S. companies and persons to transfer certain nuclear energy technology and information to Saudi Arabia, as required under Part 810 of Title 10, Code of Federal Regulations, which implements section 57 b.(2) of the Atomic Energy Act of 1954?

Answer. Yes.

Question. Did the Department of State concur with each of the seven Part 810 authorizations? When did the Department of State concur with each of the seven Part 810 authorizations? Who at the Department of State reviewed the seven aforementioned Part 810 authorizations? Who at the Department of State has authority to provide concurrence on Part 810 authorizations?

Answer. The Bureau of International Security and Nonproliferation, which has responsibility within the Department for civil nuclear cooperation matters, oversaw the Department's review of the seven Saudi Arabia-related Part 810 applications from November 2017 to March 2019 and provided concurrence on each of them to the Department of Energy. These reviews were conducted consistent with U.S. law and standard Department of State practices.

Question. What were the specific contents of the Part 810 authorizations? What do the authorizations allow the U.S. to engage in?

Answer. Part 810 authorizations authorize the transfer of nuclear-related technical assistance, subject matter expertise, and data. I refer you to the Department of Energy for questions regarding the specific contents of the authorizations.

Question. Which U.S. companies and persons received Part 810 authorizations to transfer certain nuclear energy technology and information to Saudi Arabia?

Answer. I refer you to the Department of Energy for questions regarding the content of Part 810 authorizations.

Question. Did the Department of State have any concerns regarding the transfer of nuclear energy technology and information to Saudi Arabia pursuant to Part 810 authorizations?

Answer. The Bureau of International Security and Nonproliferation oversaw the State Department's review of Part 810 applications for transfers of civil nuclear technology to Saudi Arabia, consistent with U.S. law and standard Department of State practices, and concurred on the authorizations.

Question. To what extent has the Secretary of State led nuclear cooperation negotiations with Saudi Arabia, as required under section 123 of the Atomic Energy Act of 1954?

Answer. The Bureau of International Security and Nonproliferation, under the direct guidance of the Secretary of State, is leading the negotiations on a civil nuclear cooperation agreement with Saudi Arabia with the concurrence and technical assistance of the Department of Energy and in consultation with the Nuclear Regulatory Commission.

Question. What have been the extent of the Department of State officials' meetings, communications, or other interactions with Saudi Arabian officials and/or representatives of any Saudi Arabian non-governmental organizations or commercial entities regarding nuclear cooperation with the United States? What has been the nature of these interactions, and what specific forms of nuclear cooperation have been discussed?

Answer. The Department of State has engaged in consultations with Saudi Arabian government officials regarding civil nuclear cooperation since 2012. With Saudi Arabia, the Department of State: leads negotiations for a civil nuclear cooperation agreement pursuant to Section 123 of the Atomic Energy Act, as amended; communicates regarding the benefits of civil nuclear cooperation with the United States and the importance of engaging in civil nuclear cooperation only with the highest standards of nuclear safety, security, and nonproliferation; and coordinates to obtain governmental nonproliferation and peaceful-use assurances for transfers of civil nuclear technology under 10 CFR Part 810 prior to the Secretary of Energy authorizing those transfers.

Question. To what extent have Department of Energy officials jointly planned or involved Department of State officials in interactions with Saudi Arabia regarding nuclear cooperation?

Answer. In accordance with standard procedures, the Departments of State and Energy jointly plan their interactions with Saudi Arabia regarding nuclear cooperation.

Question. What diplomatic efforts has the Department of State undertaken to induce Saudi Arabia to rescind its Small Quantities Protocol with the International

Atomic Energy Agency (IAEA) and bring into force an Additional Protocol to its Comprehensive Safeguards Agreement with the IAEA?

Answer. We encourage all countries, particularly those with nuclear programs, to adopt the current standards for IAEA safeguards, including by bringing an Additional Protocol into force, and as applicable, by modifying or rescinding the outdated version of the Small Quantities Protocol. We have regularly and consistently raised the Additional Protocol with Saudi interlocutors in bilateral engagements, including negotiations on a 123 agreement.

Question. What diplomatic efforts has the Department of State undertaken to induce Saudi Arabia to commit to forgoing uranium enrichment as a condition of concluding a Section 123 nuclear cooperation agreement with the United States?

Answer. All 123 agreements include, at a minimum, the requirements listed in Section 123 of the Atomic Energy Act, as amended. Beyond these requirements, the United States has a longstanding policy of limiting the spread of enrichment and reprocessing capabilities around the world and will continue to seek the highest nonproliferation standards possible in all future 123 agreements, including restrictions on enrichment and reprocessing.

Question. In addition to making severe cuts to U.S. assessments for the U.N. and U.N. peacekeeping operations, your budget request also proposes eliminating the International Organizations and Program (IO&P) account, an important source of voluntary funding for U.N. agencies that provide humanitarian relief, development assistance, and promote human rights and gender equality around the world. One of these agencies is the U.N. Children's Fund (UNICEF), which received \$137.5 million for its core budget from the account in fiscal year 2019. UNICEF provides long-term humanitarian and development assistance to children and mothers. UNICEF is involved in a number of critical initiatives, working to help increase the number of girls enrolled in school worldwide and providing clean water, sanitation, educational support, and nutritional assistance to children in disaster zones and war-torn regions around the world, including Syria, Iraq, Yemen, the Central African Republic, and South Sudan. UNICEF is also responsible for procuring vaccines that reach 45 percent of the world's children, saving the lives of 2.5 million children each year. The U.S.—under both Democratic and Republican administrations—has long been the top funder of these efforts, and the Trump administration itself has supported them since it came into office. Why then has the administration chosen to target this important humanitarian agency?

Answer. The International Organizations and Program account is only one of numerous U.S. Government sources of voluntary funding for international organizations. State Department and USAID funding may still be provided to U.N. organizations and programs, such as UNICEF, if they are selected as implementing partners to execute specific foreign assistance programs, such as humanitarian or health programs.

Question. The State Department's fiscal year 2020 budget justification states that you are "committed to promoting U.S. leadership in international organizations as a means of countering actions by countries that do not share U.S. national security interests and values." While not named explicitly, it is safe to say that one of these countries is almost certainly China, which is actively seeking to expand its profile and influence at the U.N. As the tenth largest contributor to U.N. peacekeeping operations and the second largest financial contributor to the U.N.'s peacekeeping and regular budgets, Beijing is increasingly in a position to do just that. This past summer, for example, China aggressively pushed for the elimination of a large number of critical human rights monitoring posts in U.N. peacekeeping missions. This is a clear indication of China's growing leverage at the U.N., as well as its willingness to use its financial clout to push back against some of the bedrock principles of the liberal international order long championed by the United States. By diminishing our role in important multilateral institutions and discussions, and financially undercutting activities that advance our interests, aren't we in effect providing China with an opening to even further expand its clout at the U.N.?

Answer. The fiscal year 2020 budget request ensures that the United States will continue to be the largest financial contributor to international organizations. We will make every effort to project U.S. leadership and the advancement of U.S. ideals, including by thwarting the efforts of other countries, such as China, to advance objectives that are contrary to U.S. national interests.

Question. The State Department's fiscal year 2020 budget justification states that you are "committed to promoting U.S. leadership in international organizations as a means of countering actions by countries that do not share U.S. national security interests and values." While not named explicitly, it is safe to say that one of these countries is almost certainly China, which is actively seeking to expand its profile and influence at the U.N. As the tenth largest contributor to U.N. peacekeeping op-

erations and the second largest financial contributor to the U.N.'s peacekeeping and regular budgets, Beijing is increasingly in a position to do just that. This past summer, for example, China aggressively pushed for the elimination of a large number of critical human rights monitoring posts in U.N. peacekeeping missions. This is a clear indication of China's growing leverage at the U.N., as well as its willingness to use its financial clout to push back against some of the bedrock principles of the liberal international order long championed by the United States. Given that international leadership and influence are built as much on sustained engagement and long-term investments in development, how does a substantial reduction in the international affairs budget counter countries—like China—that seek reduced U.S. influence at international forums like the U.N.?

Answer. Through the strategic funding and programming included in the fiscal year 2020 budget request, the United States will continue to be the largest financial contributor to international organizations. We will ensure that our nation is fully engaged in the regions of the world upon which our national security and future prosperity depend. We will make every effort to project U.S. leadership and the advancement of U.S. ideals in our programming and engagement with multilateral forums, including by thwarting the efforts of other countries, such as China, to advance objectives that are contrary to U.S. national interests.

Question. In fiscal year 2018, the State Department withheld \$18.9 million from its U.N. regular budget payments to express disapproval of the Office of the U.N. High Commissioner for Human Rights (OHCHR). OHCHR plays a critical role in advancing U.S. human rights priorities: for example, the Office helps implement and coordinate international investigations into human rights abuses authorized by the UNHRC in a number of countries, including North Korea, Iran, Syria, Yemen, Myanmar, Belarus, DR Congo, and South Sudan, among others. These activities help raise international awareness of human rights violations, magnify the voices of human rights defenders and civil society organizations working on the ground, and serve as a useful tool for applying pressure to repressive governments. Your policy of withholding funding is especially confounding given that the State Department itself has publicly expressed support for the work of OHCHR. In a statement provided to *The Guardian* in March, one of your spokespersons noted that, "The United States remains engaged in the work of the U.N. High Commissioner for Human Rights . . . and strongly supports those special procedures and mandates that have proven effective in illuminating the most grave human rights environments, including in Iran and DPRK." How do you account for the gap between your Department's financial decisions on the one hand and statements of support for OHCHR on the other? If the Office is engaging in activities that this administration supports and has deemed important to U.S. interests, what sense does it make to withhold funding?

Answer. Following withdrawal from the U.N. Human Rights Council in fiscal year 2018, there was a decision to withhold assessed funding that was, in part, going to support human right mandates and activities that do not advance U.S. national interests. At the same time, Department voluntary contributions have continued for those mandates and activities that do advance U.S. national interests. This approach ensures that Department funding aligns with national priorities.

Question. Since January, *The Guardian* has twice reported that the administration has stopped cooperating with U.N. special procedures, upending decades of established practice whereby the State Department has responded to queries from mandate-holders and facilitated country visits. Back in January, nine U.S.-based NGOs, led by Freedom House, sent you a letter expressing concern that this apparent shift in posture would negatively impact our country's ability to promote human rights abroad and send a bad signal to authoritarian regimes, whose policies are frequently targeted for scrutiny by the U.N. As the letter notes, the credibility of special procedures "depends on applying the same international standards to all countries, including democracies that may have robust national oversight mechanisms of their own . . . Halting U.S. engagement with U.N. special rapporteurs would set a dangerous precedent that repressive regimes are likely to copy and exploit. The eventual result could be a breakdown of the international human rights architecture that the United States helped to create as a means of strengthening American security, promoting American values, and ensuring a freer, more stable, and more prosperous world." Could you clarify State's stance on this issue?

Answer. We continue to cooperate with U.N. special procedures that are determined to be in the U.S. national interest. Given the broad range of mandates and requests, we prioritize interactions that maximize the promotion of U.S. objectives. In February, the Department met twice with the Special Rapporteur for extrajudicial, summary, or arbitrary executions to discuss the Global Magnitsky program and the killing of Jamal Khashoggi. Department officials and our Missions in

New York and Geneva have also met with numerous mandate holders, including the Independent Expert on the Central African Republic and the Special Rapporteurs on Myanmar and freedom of religion or belief, among others.

Question. Recently there have been some interesting developments at the U.N. with regards to human rights in Saudi Arabia. In January, Agnes Callamard, the U.N. special rapporteur on extrajudicial, summary or arbitrary executions, announced that she would be heading an independent international investigation into the murder of Saudi journalist Jamal Khashoggi, with the goal of determining “the nature and the extent of states’ and individuals’ responsibilities for the killing.” She is due to report to the UNHRC on her findings in June. In March, during the UNHRC’s 40th regular session, 36 countries—including all members of the European Union—released a joint statement condemning Saudi Arabia for its “continuing arrests and arbitrary detentions of human rights defenders,” use of counter-terrorism laws to quash dissent, and for its lack of cooperation with Ms. Callamard’s investigation into the Khashoggi killing. Led by Iceland—the country that assumed our seat on the Council when we pulled out last June—the statement was, according to Human Rights Watch, “the first-ever collective action” at the UNHRC criticizing the Saudis over their human rights record. Notably, the U.S. did not sign on to the joint statement. What signal does the U.S.’s absence from these initiatives send regarding this administration’s commitment to improving the human rights situation in Saudi Arabia? Is the promotion of human rights in Saudi Arabia a priority for this administration? Does the United States support Agnes Callamard’s investigation of the murder of Mr. Khashoggi? If so, how will the United States support this investigation given its absence from the UNHRC?

Answer. We remain deeply concerned by the murder of Jamal Khashoggi and the ongoing detentions of Saudi citizens engaged in peaceful activism. Department officials have met twice with Ms. Callamard to discuss U.S. actions related to Mr. Khashoggi’s death and we welcome her findings. While we did not join the joint statement on Saudi Arabia following our principled withdrawal from the U.N. Human Rights Council, we take all allegations of human rights violations and abuses seriously and have publicly recommended changes to Saudi practices to protect against arbitrary arrests, extrajudicial detention, and unlawful killings.

Question. U.N. humanitarian agencies are playing an essential role in responding to the crisis in Yemen, where nearly 75 percent of the population is reliant on some form of humanitarian aid. The World Food Program (WFP), for example, is working to reach 12 million people per month with food and nutritional assistance, while UNICEF is working to ensure access to clean water and education for children and the U.N. Population Fund (UNFPA) has integrated nutrition assistance for pregnant women into its reproductive health and safe delivery services. Nevertheless, violence and a lack of access allowed by the parties to the conflict remain significant obstacles to reaching more people. What concrete actions is the administration taking to convince the Saudis and Emiratis to do more to ensure humanitarian access for the U.N. and international NGOs?

Answer. The administration engages the Saudis and Emiratis at all levels on this issue—through private bilateral engagements and other opportunities such as meetings of the U.N. Verification and Inspection Mechanism stakeholders and the Yemen Quad (U.S., United Kingdom, Saudi Arabia, and the UAE). Hudaydah and Saleef ports remain open and operational, and humanitarian actors are continuing to import assistance for tens of millions of Yemenis utilizing these key entry points. We will continue to urge all parties to the conflict to fully implement the Sweden Agreement and increase humanitarian and commercial access to all of Yemen’s ports of entry and throughout Yemen so that critical food, fuel, and medicine reaches the neediest Yemenis.

Question. Last year, the administration ended all U.S. funding for the U.N. Relief and Works Agency for Palestine Refugees (UNRWA), an organization that provides a number of critical services, including education, healthcare, and food aid to destitute Palestinian refugees in the West Bank, Gaza, Jordan, Lebanon, and Syria. While UNRWA was ultimately able to pull together enough funds from other donor countries to avert having to close its schools or health clinics last year, the loss of its largest donor has left the organization in an extremely precarious position. Last summer, a bipartisan group of seven former U.S. Ambassadors to the U.N. sent you a letter calling for the restoration funding, noting that organization’s funding challenges “has national security ramifications for our closest allies, including Israel and Jordan.” This view has been echoed by former Israeli security officials, one of whom—former IDF Spokesperson Lt. Col. (ret.) Peter Lerner—wrote that, “By weakening UNRWA and, consequentially, the Palestinian population even further, without a real administrative alternative, I believe that Palestinians will be even more susceptible to extremism and violence. This will not contribute to security or

stability in the region.” Are you concerned about the possibility of greater security disruptions in places like Gaza? Did the administration take these warnings into consideration when it made its decision last year?

Answer. We made it clear when we provided our final contribution of \$60 million in January 2018 that the United States would no longer bear a disproportionate share of UNRWA’s costs, and other countries must step up and do their part to advance regional security and stability. UNRWA continues to operate with an unsustainable business model, tied to an expanding community of beneficiaries. Palestinians deserve better than a service provision model that operates in permanent crisis mode. We continue to work closely with Israel and key regional partners on ways to improve economic and humanitarian conditions in Gaza. Hamas is primarily responsible for those conditions, having put its own interests above those of Gaza’s residents.

Question. The State Department’s fiscal year 2020 budget justification states that, “The role and size of the U.N. Mission in South Sudan (UNMISS) will likely increase somewhat, in order to appropriately respond to the severe security and humanitarian situation and to support the fledgling commitment from South Sudanese parties to engage in peace processes.” Nevertheless, that same document requests a nearly one-third cut in U.S. funding for the mission. If the administration does, as your own department suggests, plan to vote for an expansion of UNMISS on the Security Council, what rational basis is there for underfunding it?

Answer. U.N. peacekeeping operations, including the U.N. Mission in South Sudan (UNMISS), are effective mechanisms to address global challenges to international peace and security. However, the U.N. needs to complete reforms to achieve more efficient operations, and other U.N. member countries must assume more of the financial burden. The United States is focused on supporting Secretary-General Guterres’ peacekeeping reform efforts and is working with U.N. member states to create a “culture of performance” in U.N. peacekeeping. Doing so will ensure that U.S. taxpayer resources are used in the most cost-effective manner.

Question. In what the U.N. has termed a “textbook example of ethnic cleansing,” hundreds of thousands of Rohingya, a stateless Muslim minority group in Myanmar, were driven from their homes into neighboring Bangladesh by an organized campaign of violence and persecution beginning in August 2017. While the U.N. and international NGOs have only been granted limited access to Myanmar’s northern Rakhine state, the epicenter of the violence, they are playing a crucial role in meeting the needs of Rohingya refugees in Bangladesh. WFP has provided food aid—including rations and vouchers—to nearly 900,000 Rohingya, as well as nutritional support to over 200,000 malnourished children and pregnant and nursing women. UNFPA midwives have screened more than 500,000 women, provided dignity kits to more than 110,000 women, and delivered over 5,600 babies safely. UNHCR has also developed new sites in Bangladesh to help house displaced Rohingya, including building latrines and wells, distributing shelter-building materials, and constructing major roads and access points to ease living constraints. Does the administration plan to continue to support these kinds of humanitarian efforts? Given that it remains far too dangerous for Rohingya refugees to return home, do you think it is important for the U.N. to continue providing humanitarian assistance to these vulnerable populations?

Answer. The United States has led the donor response to the Rakhine State crisis since it began in August 2017. As of April 9, 2019, the United States has provided more than \$494 million in humanitarian assistance in Bangladesh and Burma. The President’s fiscal year 2020 budget request includes plans for continued U.S. leadership in the humanitarian response to the Rakhine State crisis, as well as to support the humanitarian needs of long-displaced Burmese elsewhere in the region. It is important for the international community to continue providing humanitarian assistance to vulnerable populations affected by the Rakhine State crisis while durable solutions are being pursued, given that conditions in Rakhine State are not yet conducive for voluntary, safe, dignified, and sustainable returns.

Question. The U.N. peacekeeping mission in the Central African Republic (MINUSCA) has helped the country make some important strides. In 2016, for example, CAR organized, with robust U.N. support, peaceful and credible presidential and legislative elections, replacing a previous government that had been in office on an interim basis. While MINUSCA’s work has helped to preserve calm in some areas of the country, the security situation has deteriorated in northern and eastern CAR, with a patchwork of armed groups fighting each other for control of resources and targeting civilians. The capital, Bangui, has also recently been rocked by an increase in violence, which has included attacks on churches and mosques. This has led to sharp increases in displacement and humanitarian needs over the last year. The State Department’s budget request states that, “The role and size of MINUSCA

will likely remain unchanged until the government gains the capacity to fully assume its responsibilities to protect civilians, ensure the viability of the state, and prevent violence.” What is the administration doing to strengthen CAR’s government and ensure that MINUSCA has the resources and support it needs to fulfill its mandate?

Answer. During President Touadera’s visit this month, I stressed that we will remain a partner to the government of the Central African Republic (CAR). We provide training and equipment to the CAR military and are helping the CAR government rebuild and professionalize its internal security forces, corrections system, and judiciary, including the Special Criminal Court. We continue to support implementation of the peace agreement and to seek justice for those who threaten the peace, stability, or security of CAR. We remain closely engaged with the U.N. in Bangui and New York, and continually evaluate MINUSCA’s performance in line with the five U.S. peacekeeping principles in order to ensure the mission is adequately resourced, fit to task, and performing effectively.

Question. Does assistance to United Nations Development Program (UNDP) advance U.S. policy goals in Iraq? Will the U.S. continue to support these programs?

Answer. UNDP’s programs significantly contribute to U.S. policy goals of a sovereign, stable, and prosperous Iraq that is free from foreign interference and capable of disrupting ISIS and other terrorist networks. In the post-ISIS era, UNDP is coordinating with the Iraqi government on drafting a U.N. Development Assistance Framework. The framework will define goals and benchmarks for reconstruction and development from 2020 to 2024. We have provided \$265 million to UNDP’s Funding Facility for Stabilization for Iraq since 2015, not including an additional \$100 million recently announced for Anbar. The assistance will accelerate the return of IDPs and rebuild lives through essential services.

Question. Since the Foreign Affairs Manual change went into effect, visa denials on public charge grounds have skyrocketed four-fold. Is that because the change has made it easier for consulates to conclude that immigrants are likely to become public charges? Did the State Department conduct any studies or analyses of whether visa applicants, their family members, or prospective sponsors would decline public benefits as a result of the Foreign Affairs Manual change? If so, please produce those studies to the Committee. If not, why not?

Answer. At this time, given ongoing litigation regarding the changes made to the FAM guidance on public charge the Department cannot provide information that may be the subject of proceedings in that litigation.

The Department maintains data associated with immigrant and nonimmigrant visa applicants found ineligible under public charge grounds. Attached are immigrant and nonimmigrant refusals under the public charge ground of inadmissibility aggregated by the nationality of the applicant and the post that adjudicated the visa. This data represents refusals for fiscal year 2017, fiscal year 2018, and year-to-date for fiscal year 2019.

Question. Since the Foreign Affairs Manual change went into effect, visa denials on public charge grounds have skyrocketed four-fold. Which officials or staff within the State Department were involved in the decision to revise the Foreign Affairs Manual? Did State Department officials or staff consult with other Federal agencies or offices, including the Department of Homeland Security, the Department of Justice, the Department of Agriculture, the Department of Health and Human Services, the Social Security Administration, and/or the White House? If so, please list the relevant Department officials, staff, and other agencies, and describe any meetings, communications, or other contacts.

Answer. At this time, given ongoing litigation regarding this matter, the Department cannot provide information that may be the subject of proceedings in that litigation.

Question. Since the Foreign Affairs Manual change went into effect, visa denials on public charge grounds have skyrocketed four-fold. Does the State Department maintain data concerning the number of visa denials under the “public charge” ground of inadmissibility broken down by racial or ethnic group, consular office, country of origin, or any other categories? If so, please provide those disaggregated figures to the Committee.

Answer. At this time, given ongoing litigation regarding this matter, the Department cannot provide information that may be the subject of proceedings in that litigation.

Question. Since the Foreign Affairs Manual change went into effect, visa denials on public charge grounds have skyrocketed four-fold. Has the State Department or individual subcomponents or units of the Department, including individual consular offices, disseminated additional guidance, instructions, memoranda, training, or other information regarding the application of the “public charge” ground of inad-

missibility since January 20, 2017? If so, please provide those documents to the Committee.

Answer. At this time, given ongoing litigation regarding this matter, the Department cannot provide information that may be the subject of proceedings in that litigation.

Question. There have been reports that immigrants are turning down public benefits because of fear that they will face immigration penalties. Did the State Department weigh that risk when deciding whether to revise its Foreign Affairs Manual? Did it actually conduct any studies of the effect of its actions on families and children?

Answer. At this time, given ongoing litigation regarding this matter, the Department cannot provide information that may be the subject of proceedings in that litigation.

Question. Last month the U.N. concluded the 63rd Commission on the Status of Women, and adopted final agreed conclusions. The U.S. consistently advocated for removing references to sexual and reproductive healthcare from the outcome. This administration has argued they have other priorities, like economic empowerment and entrepreneurship. How can women develop and lead their own businesses and participate in the economy if they are not able to have autonomous control of their own bodies, supported by comprehensive access to sexual and reproductive healthcare?

Answer. Protecting and respecting the sanctity of human life, empowering women, and valuing women's dignity are not mutually exclusive concepts. This Administration is committed to promoting economic opportunities for women and girls while protecting and respecting the sanctity of life around the globe.

Question. Youth around the world and in the United States, face great challenges in terms of their sexual and reproductive health and rights, such as unintended pregnancies and gender based violence. Comprehensive sexuality education and the full range of healthcare services are critical to ensure that young people, including adolescent girls, can make informed decisions and lead healthy lives free of violence now and into their futures. The public is deeply concerned by U.S. statements last month at the U.N. Commission on the Status of Women falsely claiming that these programs promote abortion for teens, and that the U.S. was promoting "abstinence only until marriage" programs under the guise of "sexual risk avoidance," when these programs are proven to be ineffective, medically inaccurate, stigmatizing and harmful to the health and rights of young people. How will you and future leadership at the U.S. Mission to the U.N. address this and ensure the U.S. is supporting evidence-based, medically accurate comprehensive sexuality education and sexual and reproductive health services for young people in future negotiations impacting the health and rights of young people?

Answer. The United States fully supports culturally sensitive, age-appropriate, optimal health-focused sex education that encourages parent-child communication. Moreover, as the world's largest bilateral funder of family planning, the United States remains committed to helping women and adolescents thrive.

Question. The vast majority of U.S. assistance to the Northern Triangle does not go to the governments directly—instead, it goes to international organizations, non-profits and local civil society organizations that are working to build capacity and improve livelihoods on the ground. And these programs are working—for example, USAID's agricultural investments in Honduras have helped lift 90,000 people out of extreme poverty. What is the rationale for cutting off funding that is going directly to assist these vulnerable communities? What improvements would the Administration like to see to these programs? Please provide specific examples.

Answer. The Northern Triangle governments need to be more effective in preventing illegal immigration to the United States. We are actively engaging with the governments on additional steps they can take to improve border security; combat human smuggling and human trafficking, especially related to children; receive and reintegrate their returned citizens; and implement public messaging campaigns to dissuade illegal immigration to the United States. Likewise, we continue urging these governments to make needed reforms to improve citizen security, increase economic growth, improve democratic governance, and address corruption and impunity.

SUBCOMMITTEE RECESS

Senator GRAHAM. The subcommittee stands adjourned.

[Whereupon, at 4:31 p.m., Tuesday, April 9, the subcommittee was recessed, to reconvene subject to the call of the Chair.]