

MONEY IS POLICY, PART II: ANALYZING SELECT STATE DEPARTMENT GRANT AWARDS

HEARING

BEFORE THE

SUBCOMMITTEE ON OVERSIGHT AND
ACCOUNTABILITY

OF THE

COMMITTEE ON FOREIGN AFFAIRS
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MONEY IS POLICY, PART II: ANALYZING SELECT STATE DEPARTMENT GRANT AWARDS

Thursday, September 19, 2024

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON OVERSIGHT AND ACCOUNTABILITY,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:02 a.m., in room 2200, Rayburn House Office Building, Hon. Brian Mast (chairman of the subcommittee) presiding.

Mr. MAST. All right. Let's let the Subcommittee of Oversight and Accountability come to order. The purpose of this hearing is to examine the Foreign Assistance Grants process within the Department of State's Bureau of Population, Refugees and Migration and the Office to Monitor and Combat Trafficking in Persons and the Office of International Religious Freedom. I am now going to recognize myself for an opening statement, and then I am going to recognize Ranking Member Crow for an opening statement, and then we will introduce you all. We would love to hear from you all each for about 5 minutes, as well.

OPENING STATEMENT OF CHAIRMAN BRIAN MAST

So this is our second hearing on Foreign Assistance Grants fittingly titled Money is Policy, and that is the reality. Money talks, and it shapes our foreign policy. When we send foreign aid abroad, No. 1, it all comes from the American taxpayer; No. 2, it is usually not Uncle Sam doing the heavy lifting. We are outsourcing that job to external organizations, trusting them to get the mission done in line with America's foreign policy goals and objectives, at least that is what we are led to believe and that is what we hope happens in many circumstances. But something starkly different happens when that theory is put into practice in too many cases. When the State Department cuts a check to an NGO abroad, whether it is Humanists International or the Red Cross or some other group, what those entities then do on the ground effectively becomes U.S. policy paid for by the U.S. taxpayer. They are meant to be implementing U.S. taxpayer policy with the dollars that are given to them by State Department.

Today, we are going to look at both good and bad grants. Unfortunately, because of the way these grants are structured, it seems that, in many cases, from my observation, State Department may not have a clue what its implementing partners are doing or State Department doesn't care what its partners are pushing in terms of

ideological agendas abroad that a large portion of the American people would not be supportive of our Constitution or the State Department knows what is happening and may be ignoring what is happening because they actually support it, even though they may know it is wrong. All three of those are problematic situations if any of them are occurring.

Let's kick things off with something that I have spoke about in length: atheism grant in Nepal. For years, the State Department has swore up and down that Humanists International was not promoting atheist networks, expanding atheism, or promoting atheism in Nepal. This has gone on for years with a back and forth between this committee and the State Department. Deputy Secretary of State for Management and Resources, Richard Verma, came here to this subcommittee, forcefully declared without hesitation State Department was not funding the promotion of atheism in Nepal. But just a month later, that office called me personally to reverse course and, in my opinion, they realized that the ruse was up, that they weren't going to get away with the lies that were being told to us any further. So they had to start digging themselves out of this hole, and they discovered that Humanists International had not actually been straightforward with them. That raises a whole mess of new questions that have yet to be answered properly, and I will have more to say about that later.

Another issue uncovered by this committee's majority concerns illegal immigration policies in places like Mexico. One grant, for instance, went to a group that literally violated the terms of its grant agreement by coaching migrants on how to evade U.S. law. Let me say this in a more plain way: Under Border Czar Kamala Harris, the Biden-Harris administration gave out grants to coach illegals on how to evade U.S. law, on how to get around border patrol, so they could come here and have their lodging, food, health care, other things, paid for by the American taxpayer. That is real. That is something that happened under this administration.

In that circumstance, the State Department tried to stonewall this committee about this grant, as well, just like they did with the atheism in Nepal grant. First, the State Department denied that there was any cause for concern. Then they dug in a little bit more. The State Department backtracked and admitted there was a problem at a certain point. The State Department did not just provide inaccurate information to this committee, the State Department lied to us. We must remember that these are public hearings, and their public hearings in the People's House, which means that if you are lying to us, you are lying to the American people from whom you actually get every single dollar which you may spread around the globe. These people work for you.

So I am going to go back to what I said earlier again. Is the State Department going to claim at some point that they did not know what was being done? Is the State Department going to say that they didn't care what was being done, or is the State Department going to tell us that they knew about it, they knew it was wrong, but they encouraged it to go on anyways because people in the State Department were in support of these radical ideas? No matter which way it goes, it is unacceptable. This is just the tip of the iceberg.

I would say this; I believe this personally: if we had a diplomat abroad or a dollar of foreign aid going anywhere or a kernel of aid somewhere, it should be to make America win. What we have instead is, in too many cases, the State Department fighting to make the world Godless, which is what grants to expand atheism do, or coaching migrants on how to enter our southern border illegally, evading U.S. law.

Let me switch gears for 1 second here in the negative time I have remaining because I have already gone over. The Office to Monitor and Combat Trafficking in Persons, also known as JTIP. JTIP seems to be doing a damn good job of picking solid projects and following up on them in my opinion. We have examined this office, as well. Their work, which targets child trafficking and scam centers, has been a success. They have been transparent throughout this committee. I look forward to hearing more about the success on how JTIP is performing its due diligence to monitor and evaluate the outcomes of the programs that they put in place, and I hope that other parts of State Department can learn lessons both in how to communicate with this committee, these subcommittees, and how to conduct proper oversight of the programs that they are implementing.

And with that, I will recognize Ranking Member Crow for any opening remarks that he may have.

OPENING STATEMENT OF RANKING MEMBER JASON CROW

Mr. CROW. Thank you, Chairman Mast. I am going to start by thanking our witnesses for being here today and for your dedicated public service on behalf of the American people. On this subcommittee, we have a unique opportunity to explore a variety of disparate topics within the jurisdiction of the Foreign Affairs Committee, and we play a unique role in publicly laying out what is working properly as we work to advance our diplomatic and development objectives and what is not. That is always legitimate oversight. That, in my opinion, is our job, and that is productive oversight.

The topic of today's hearing is one that has the potential to fit into that category. It is a chance to have a productive conversation on how to approve the U.S. foreign assistance process and highlight for the American people what robust foreign assistance means for our interests in an area of widespread instability and renewed Great Power Competition. It is a chance to talk about what is working, what is not, and to dispel information about what foreign assistance is and what it is not.

We held a hearing on this topic in June with a private panel. We had what I believe was, at times, a helpful and productive conversation. We heard legitimate suggestions about how to make our foreign assistance more transparent, and we heard about how such assistance advances our national interests. But we also heard unsubstantiated claims of widespread mismanagement and minimal oversight in the misguided narrative that our assistance goes to promoting particular ideologies or belief systems over others.

So I want to begin today in similar fashion that I did at the opening of our committee hearing in June by reiterating a few key facts and expressing my hopes for today's hearing. Key fact number

1: Our foreign assistance programs go through a rigorous process to justify their creation by competitive bidding to find the best implementers for the job, and then they undergo ongoing monitoring and mechanisms to recoup American investment should any kind of waste, fraud, or abuse occur.

Key fact 2: Our U.S. foreign assistance programs do advance our values and interests, many of which have been made explicit by Congress. They do not, by law, push domestic political agendas that they have one belief system or one political party over another. Multiple witnesses have testified to our committee that the Department and its partners clearly understand and take seriously these obligations. They proactively train and take other steps to preempt any violations of the Establishment Clause of the Constitution or any other elements of U.S. law.

Key fact 3: U.S. foreign assistance helps us advance human rights, reduce stability caused by lack of necessities, and create environments that are permissive for U.S. engagement and economic growth. It demonstrates that, when there are global challenges to democracy, to human rights, or to the humanitarian needs of people around the world, that the U.S., not our adversaries, takes the lead.

So that leads me to my goal for this hearing: that we can discuss with the officials responsible for overseeing these programs in their respective bureaus and offices how we can do all these things better, how we can be more transparent, how we can be more efficient, how we can be more effective. That is legitimate oversight. I think we can have that discussion and, hopefully, we can keep it on the rails.

But I also want to be really clear that these claims of lying and misleading, there is simply no evidence to support that. The Department has repeatedly come to us in good faith time and time again. There have been corrections that have been made. There have been additional followups, there's been additional oversight. That is the natural process. But at no time has there been bad faith or lying and misleading, and I will correct the record whenever those assertions are made.

So with that, I appreciate the witnesses for coming in, and I yield back, Mr. Chairman.

Mr. MAST. Thank you, Ranking Member Crow. Pleased to have you all as witnesses today on this and a number of important topics. First of all, we are going to have Hon. Valls Noyes. Thank you for being here today. She is the Assistant Secretary for the Bureau of Population, Refugees, and Migration. Next is Hon. Dyer. She is the Ambassador-at-Large for the Office to Monitor and Combat Trafficking in Persons. And, last, we have Hon. Hussain, who is the Ambassador-at-Large for the Office of International Religious Freedom.

Thank you for being here today. Your full statement will be made a part of the record. I will ask you to keep your spoken remarks to 5 minutes in order to allow time for members to ask their questions. And I now recognize Assistant Secretary Valls Noyes.

STATEMENT OF HON. VALLS NOYES

Ms. NOYES. Good morning, Chair Mast, Ranking Member Crow, and distinguished members of the subcommittee. I am pleased to be here today to talk with you about how the Bureau of Population, Refugees, and Migration, or PRM, implements the Department of State's grants and award management process. PRM is responsible for leading U.S. humanitarian diplomacy. We are the steward of policies and programs that sustain humanitarian responses to unprecedented levels of forced displacement globally. This includes assistance for refugees, stateless persons, conflict victims, and the most vulnerable migrants. We also manage the U.S. Refugee Admissions Program.

As the title of this hearing is Money is Policy, I would like to note at the outset that PRM prioritizes our funding decisions strategically. Then we carefully monitor our programs worldwide to ensure that they meet our policy objectives. We use a variety of tools, including traveling, to evaluate the effectiveness of crisis responses firsthand. As the PRM assistant secretary, I personally take part in these monitoring trips, and it is an honor to see in person how humanitarian assistance so generously provided by the Congress and the American taxpayer is saving lives around the world.

In March, for example, I traveled to Ethiopia and Chad to witness the response to the Sudan displacement crisis, the worst humanitarian crisis in the world. There, PRM is providing critical life-saving assistance, including food, water, sanitation facilities, shelter, medical services, and protection to Sudanese fleeing the conflict. I spoke to refugees who shared stories of their harrowing journeys to Chad, fleeing unspeakable horrors in Darfur. Women and children arrive at the U.N. Refugee Agency site on Chad's border with literally nothing but the clothes on their backs. The human toll is unimaginable.

I also meet regularly with the donor community and with humanitarian actors to coordinate our work. We constantly seek new approaches to address growing gaps between the dire needs and humanitarian responses.

As authorized by the Migration and Refugee Assistance Act, PRM administers and monitors U.S. contributions to international organizations and funds cooperative agreements with non-government organizations, or NGO's. PRM also coordinates closely with USAID on assistance to displace populations, addressing issues related to food security, integration, and other programming.

To implement our NGO programs globally, PRM openly competes assistance award opportunities through publicly advertised notices in accordance with Federal regulations and Department of State policy. My written testimony provides further details, but I will give you a high-level summary of the process. First, we conduct a technical review to determine partners' eligibility. Next, a merit review panel evaluates their submissions. PRM conducts due diligence, including a risk assessment, and then we create a plan to monitor any risks identified. Once these processes are complete, I review and approve, as assistant secretary, PRM awards.

And it is important to note that the majority of PRM funding to NGOs is awarded through cooperative agreements. Such agree-

ments enable greater programmatic oversight and more active collaboration with our partners to implement their projects.

Monitoring is, of course, mandatory for all Department assistance awards. As part of PRM's comprehensive monitoring and evaluation activities, PRM program and grants officers and our teams based in the field conduct site visits and monitoring meetings.

Let me give you some examples of what this looks like in practice in our hemisphere. PRM's humanitarian coordinators based in Mexico make monitoring trips to examine the work in our partners in person and to assess program performance at least twice a month. In addition, as of the end of August, PRM staff based in D.C. had made five monitoring trips to Mexico this year.

During Fiscal Year 2023, our Ecuador-based team conducted 32 monitoring trips to the eight countries that they cover in South America. On their recent trip to Brazil, refugee coordinators travel to five cities to visit each PRM partner and to meet with local government and military officials. In addition to our own field monitoring, PRM supports and accompanies Members of Congress and staff delegations conducting congressional oversight efforts on their trips.

So, in closing, I would like to emphasize my personal commitment and that of PRM to act as responsible stewards of migration and refugee assistance resources generously provided by Congress. This is critical to show American taxpayers that their hard-earned tax dollars effectively meet the humanitarian needs of millions of people around the world affected by conflict, displacement, and statelessness. And as the daughter of refugees myself, this is my way of paying forward what this generous, great country did for my family.

I thank the members of this subcommittee for the opportunity to discuss PRM's lifesaving work done through our grants and other awards, and I look forward to your questions. Thank you.

[The Statement of Ms. Noyes follows:]

**Assistant Secretary Julieta Valls Noyes for the Bureau of Population,
Refugees, and Migration (PRM) Before the House Foreign Affairs
Subcommittee on Oversight and Accountability**

September 19, 2024, 10am

Good morning, Chair Mast, Ranking Member Crow, and distinguished members of the Subcommittee. I am pleased to be here today to talk to you about how the Bureau of Population, Refugees, and Migration (PRM) implements the Department of State's grants and award management process.

CONTEXT

PRM has primary responsibility for leading and formulating U.S. international humanitarian diplomacy. We implement U.S. policy and programming on protection and assistance to refugees, stateless persons, conflict victims, and the most vulnerable migrants. We promote humanely managed, safe, orderly, and regular international migration. We also manage the U.S. Refugee Admissions Program. PRM's core mandate is to provide protection and life-sustaining assistance to meet basic human needs, such as shelter, nutrition, health, water, and sanitation, and to find solutions for displaced persons, including integration in countries of first refuge, voluntary return, or refugee resettlement.

PRM carefully monitors our programming worldwide, using a variety of tools, including traveling to evaluate the effectiveness of crisis responses firsthand. As the PRM Assistant Secretary, I personally take part in these monitoring trips. It's an honor to see in action the humanitarian assistance so generously provided by Congress and U.S. taxpayers.

In March, for example, I traveled to Ethiopia and Chad to witness the response to the Sudan displacement crisis, the largest humanitarian crisis in the world. Over 8 million people are forcibly displaced, 25 million people require humanitarian assistance to survive, and the brutal conflict is increasing those numbers rapidly. The human toll is unimaginable. In response, PRM provides critical life-saving assistance including food, water and sanitation facilities, shelter, medical services, and protection to Sudanese fleeing the conflict. I spoke to refugees who shared stories of their harrowing journeys to Chad fleeing unspeakable horror in Darfur. Women and children arrive at the UNHCR site in Adre on Chad's eastern border with Sudan with literally nothing but the clothes on their back. Since that trip I have briefed Congress on several occasions. I meet regularly with the donor community and humanitarian actors to coordinate on the response and find new approaches to address growing gaps in the humanitarian situation.

In May I travelled to Guatemala where I met with our implementing partners, including the UN Refugee Agency -- UNHCR, the International Organization for Migration, and the Guatemalan Red Cross. There I met a Venezuelan family who arrived in Guatemala in 2018, obtained asylum in Guatemala with PRM-funded UNHCR support, and started a small business making sweets. That family is now integrated into their community Guatemala and is thriving. I also met two Honduran brothers who had attempted to migrate irregularly to the United States and who were kidnapped and extorted twice along the route by criminal gangs who demanded ransom from their families to release them. They were later apprehended and deported by Mexican immigration authorities. The two men sought help to return safely to Honduras and were determined to restart their lives in their own country. PRM worked with partners to facilitate their voluntary return to Honduras. These are just two examples of the many monitoring trips I went on this year.

WORK WITH PARTNERS

As authorized by the Migration and Refugee Assistance Act, PRM administers and monitors U.S. contributions to international organizations (IOs) and funds cooperative agreements with non-governmental organizations (NGOs). While IOs are our primary partners globally, NGOs also play an essential role in humanitarian responses worldwide, complementing activities performed by governments and multilateral institutions and expanding the overall reach of U.S. government humanitarian assistance. NGOs undertake a wide range of assistance projects globally for PRM and for our IO partners, including projects that provide shelter, water, nutrition, and livelihood programs, among others. In all instances, PRM coordinates closely with USAID on assistance to displaced populations, addressing issues related to food security, integration, and other programming.

OVERVIEW OF GRANTS PROCESS

To implement our NGO projects globally, PRM competes assistance award opportunities in accordance with Federal regulations and Department of State policy in a full and open manner. We do so through publicly advertised notices of funding opportunity, demonstrating the Bureau and Department's commitment to transparency and fairness. This process allows us to select those organizations best qualified to effectively and efficiently implement taxpayer-funded programs.

PRM's funding notices outline the key foreign policy priorities and humanitarian needs the proposals must address. We screen all proposals through a technical review to determine whether applicants meet basic

eligibility requirements and have submitted all required documents. As part of the application, applicants are required to submit a risk analysis and monitoring and evaluation plan. PRM actively works with applicants on their monitoring and evaluation plan, objectives, and performance indicators to align them with PRM requirements and priorities.

Next, an impartial merit review panel comprised of a minimum of three people -- representing at least two PRM offices and at times involving experts from other Bureaus, embassy officers, or agencies -- evaluates the submissions. They review the proposals to determine how well they meet U.S. humanitarian and national interest priorities.

After the merit review panel makes its recommendation and prior to making a Federal award, PRM checks whether the organization is eligible for a grant through the System for Awards Management -- or SAM.gov. PRM also reviews organizational audits of the proposed partner and evaluates a project-specific risk assessment submitted by the applicant. We may conduct additional due diligence depending on the individual program and context. For all potential awards, PRM conducts our own risk assessment to identify any significant risks, develop mitigation measures, and adjust program design if necessary. PRM then creates our own plan on how we will monitor any risks identified.

Only once these processes are completed, and following my approval as Assistant Secretary, will PRM issue an award to the partner. The large majority of PRM funding to NGOs is awarded through cooperative agreements, not grants. Such agreements enable more active collaboration and greater programmatic oversight on the implementation of a project than a grant agreement.

Monitoring of all Department assistance awards is mandatory. In PRM, monitoring is a critical aspect of our approach, integrated throughout the lifecycle of our awards. Our goal is to determine three things: (1) Is the recipient's performance and financial management on track? (2) Are they accomplishing the intended activities, goals, and objectives of the program? and (3) Is the recipient complying with statutory requirements? Typically, PRM requires NGO partners to submit written performance and financial reports each quarter. They submit performance indicator data with each report to demonstrate how they are meeting the targets we established for them. In addition, PRM requires final program performance and financial reports, as well as other documents, including annual audits.

PRM funds IO partners through voluntary contributions to global appeals that describe the programming and support needed to meet the needs of forcibly displaced and stateless people. For each and every global appeal that PRM funds, IO partners must submit performance reports on the collective results they have achieved with U.S. and other donor funding. The indicators and targets set out in the appeal are the criteria against which we measure successful performance. Our awards specify the scope of the contribution and our requirements for programmatic, financial, and fraud reporting. We establish mechanisms for monitoring and oversight of the awards, including an annual external audit.

For our IO partners, including UN agencies and their implementing partners, PRM follows Department policies regarding reporting, oversight, and compliance. We assess IO performance in the field through direct monitoring of PRM-funded activities, including site visits such as the ones I described at the beginning of my testimony. We also coordinate regularly with IO counterparts, review their program reports and operational updates, and conduct other evaluations. Meanwhile, we provide institutional oversight of each agency's global processes at the headquarters level

through membership on their governing boards and regular meetings with their leadership.

MONITORING TRIPS

As part of PRM's comprehensive monitoring and evaluation activities, PRM program and grants officers and our teams based in the field conduct site visits and monitoring meetings. During those visits, we talk to people other than the funded partner, including members of the affected population, to get their views on the partner's performance. We learn directly from recipients of PRM-funded aid whether it is meeting their needs and to confirm program and activity implementation. We ask aid recipients whether they know how to report fraud or sexual exploitation. In places where safety or security conditions do not allow direct U.S. government access, PRM has processes in place to provide alternatives for in-person monitoring. These include the use of third-party monitors, remote technologies, and/or more frequent written reporting. That said, PRM staff do make monitoring and evaluation trips to areas and regions that parties to conflict consider to be active conflict zones, including that trip I made to Chad. This is the degree to which we place an emphasis on monitoring and evaluation.

The combined results of all this monitoring inform both current award management and future funding opportunities. PRM requires a review of past performance at least annually before additional funding is approved for a continuing program. PRM also requires staff who manage awards to take one week of bespoke mandatory training on award management and monitoring and evaluation, in addition to other training requirements and offerings throughout the year.

Let me give you some examples of what this monitoring looks like in practice in our hemisphere. PRM's Humanitarian Coordinators based in Mexico make monitoring trips to examine the work of our partners in-person and assess program performance at least twice a month. Our officers in D.C. also go out into the field to monitor. As of the end August, PRM staff had conducted five monitoring trips from D.C. to Mexico this calendar year in addition to the frequent in-country monitoring by our Mexico City-based team. During FY 2023, our Ecuador-based team conducted 32 monitoring trips to the eight countries they cover in South America. On their most recent trip to Brazil, Refugee Coordinators traveled to five cities to conduct site visits with each PRM partner, including IOM, UNHCR, UNICEF, and four NGOs, and to meet with local government and military officials. In addition to our own field monitoring, PRM supports and accompanies CODELs and Staffdels who are conducting congressional oversight efforts.

CONCLUSION

In closing, I'd like to emphasize PRM's and my personal commitment to responsibly managing the Migration and Refugee Assistance resources Congress has generously provided. This is critical to showing American taxpayers that their hard-earned tax dollars are effectively meeting the humanitarian needs of the millions of people around the world affected by conflict, displacement, and statelessness. As the daughter of refugees myself, I know how much my family owes to this great country, and I am determined to fulfill these obligations to the best of my ability. I thank the members of this Subcommittee for the opportunity to discuss PRM's life saving work done through our grants and other awards. I look forward to your questions.

Mr. MAST. Thank you, ma'am. Now recognize Hon. Dyer for her opening statement.

STATEMENT OF HON. CINDY DYER

Ms. DYER. Chairman Mast, Ranking Member Crow, and distinguished members of the subcommittee, thank you for the opportunity to appear before you today to discuss the work of the Office to Monitor and Combat Trafficking in Persons, or the TIP office.

Before discussing our international programs, I want to take a step back to explain the broader work of our office and how that work guides our grants portfolio. One of the core mandates of our office is producing the annual Trafficking in Persons report, or TIP report, which assesses the anti-trafficking efforts of 188 countries and territories. The TIP report also serves to highlight how human trafficking is linked to broader national security challenges from state-sponsored forced labor in the People's Republic of China, Cuba, and the Democratic People's Republic of Korea, to online scam operations that have defrauded Americans out of billions of dollars. The TIP report is central to our grant-making. Our international programs are directly linked to recommendations in the report, which focus on the three Ps of anti-trafficking: prosecuting traffickers, protecting victims, and preventing this crime. And these three Ps are made possible with a fourth P of partnership.

Our annual foreign assistance appropriation of nearly \$76 million is divided into three primary programming streams. The first is our Child Protection Compact (CPC) Partnerships program, to which Congress has appropriated \$12.5 million. These are multi-year bilateral partnerships with other governments to combat child sex trafficking and forced child labor. We have successfully concluded CPCs in Ghana, the Philippines, and Jamaica, and have four currently underway in Peru, Colombia, Mongolia, and Cote d'Ivoire, and we just launched our newest CPC with Romania earlier this week.

The second stream is our bilateral and regional program portfolio, which represents \$48.5 million. These are multi-year projects in specific countries or regions.

The final stream is our Program to End Modern Slavery, or PEMS, program to which Congress has allocated \$25 million. This program helps understand trafficking challenges through cutting-edge resource which is then used to target programming, making it more efficient and effective.

All of our programs are selected through a rigorous review process and in full accordance with relevant procurement regulations and processes. And we notify Congress before obligating funds for all of our grants and regularly brief Authorizing and Appropriations Committee staff on ongoing or upcoming programs.

Each year, we issue about 37 new awards. We currently have 118 active awards, all of which are listed on our public website. Nearly three-quarters of our implementing partners are nonprofit organizations. The rest of our implementing partners are international organizations, including the U.N. Office on Drugs and Crime and the International Labor Organization. We seek to al-

ways be responsible stewards of taxpayer funds, and, of course, we want our programs to be as successful as possible.

After a project is awarded, we work closely with the implementing partner to ensure it stays on track based on established performance indicators. Our program officers regularly conduct site visits. Our office also requires implementers to fund an external evaluation of their own project.

As a result, we have a very strong track record. We take our fiduciary responsibility to the American people extremely seriously, and we want to ensure every single dollar we spend has the greatest impact possible to protect victims, prosecute traffickers, and prevent this abhorrent crime.

I am incredibly proud of the work our office does to combat human trafficking and protect vulnerable children, women, and men around the world from exploitation and abuse and to advance American interests and values. And I am grateful for Congress's strong bipartisan focus on this issue and support for our work. Thank you.

[The Statement of Ms. Dyer follows:]

**Statement of Ambassador Cindy Dyer
Ambassador-at-Large to Monitor and Combat Trafficking in Persons
U.S. Department of State**

**Before the House Committee on Foreign Affairs
Subcommittee on Oversight and Accountability**

“Money is Policy, Part II: Analyzing Select State Department Grant Awards”

Thursday, September 19, 2024

Chairman Mast, Ranking Member Crow, and distinguished members of this subcommittee, thank you for the opportunity to appear before you today to discuss the work of the Office to Monitor and Combat Trafficking in Persons (TIP Office). As a State Department *office*, not a *bureau*, we like to think of ourselves as small but mighty, with our policy, diplomacy, and the subject of today’s hearing—international programs—serving as force multipliers when it comes to global efforts to combat human trafficking.

Our office was created with the passage in 2000 of the bipartisan Trafficking Victims Protection Act (TVPA), in recognition that human trafficking is a heinous crime that exploits vulnerable children, women, and men for forced labor and commercial sex – and combating this crime is a U.S. government priority.

Before discussing our international programs, I want to take a step back to explain the broader work of our office and how that work guides our grants portfolio.

One of the core mandates of our office is producing the annual Trafficking in Persons Report (TIP Report), which assesses the anti-trafficking efforts of 188 countries and territories. This has been an invaluable resource in highlighting human trafficking as a global issue and galvanizing countries to action—and reflects the U.S. government’s commitment to global leadership on this key human rights, law enforcement, and national security issue.

The TIP Report assigns each country a tier ranking, from Tier 1 to Tier 3, reflecting their efforts to combat human trafficking. These rankings carry with them not just diplomatic leverage, but also the potential for foreign-assistance restrictions for countries ranked on the lowest tier, Tier 3.

The TIP Report has also served to highlight how human trafficking is linked to broader national security challenges – from state-sponsored forced labor in the People’s Republic of China, Cuba, and the Democratic People’s Republic of Korea, to online scam operations that have defrauded Americans out of billions. In fact, just last week, the Treasury Department – drawing on information in the TIP Report – imposed sanctions on a Cambodian tycoon and companies he owns for serious human rights abuse related to forced labor in online scam operations. Galvanizing international action against human trafficking is also helping to level the playing field for American companies against foreign competitors who might gain an unfair advantage through the use of forced labor.

The TIP Report is central to our grantmaking. Our international programs are directly linked to recommendations in the Report, which focus on the 3Ps of anti-trafficking: **prosecuting** traffickers, **protecting** victims, and **preventing** this crime. And these three Ps are made possible with a fourth “P” – partnership: Partnership with foreign governments, civil society, the private sector, and survivors, including prioritizing new and innovative ways to incorporate survivor input into federal anti-trafficking policies and programs.

Our annual foreign assistance appropriation of nearly \$76 million is divided into three primary programming streams:

The first stream is our Child Protection Compact (CPC) Partnerships program, to which Congress has appropriated \$12.5 million. These are multi-year, bilateral

partnerships with other governments to combat child sex trafficking and forced child labor. We have successfully concluded CPCs in Ghana, the Philippines, and Jamaica; have four currently underway, in Peru, Colombia, Mongolia, and Cote d'Ivoire; and we just launched our newest CPC, with Romania, earlier this week.

The second stream is our bilateral and regional program portfolio, representing \$38.5 million. These are multi-year projects in specific countries or regions.

The final stream is our Program to End Modern Slavery (PEMS), to which Congress has allocated \$25 million. This program helps understand trafficking challenges through cutting-edge research, which is then used to target programming, making it more effective. The goal is to show a measurable reduction in human trafficking in specific countries, regions, industries, or populations.

All of our programs are selected through a rigorous review process – and in full accordance with relevant procurement regulations and processes. We do this in close coordination with others at State and our interagency colleagues. And we notify Congress before obligating funds for all of our grants and regularly brief authorizing and appropriations committee staff on ongoing or upcoming programs.

Each year we issue about 37 new awards. We currently have 118 active awards, all of which are listed on our public website (<https://www.state.gov/tip-office-project-descriptions/>).

Nearly three-quarters of our implementing partners are non-profit organizations like Save the Children and China Labor Watch. This includes faith-based organizations like International Justice Mission and World Vision, as well as academic institutions like the University of Georgia. The rest of our implementing

partners are international organizations, including the UN Office on Drugs and Crime and the International Labour Organization.

We seek to always be responsible stewards of taxpayer funds, and of course, we want our programs to be as successful as possible. Therefore, monitoring and evaluation is integral to all of our programming – from the initial funding decision through the final close-out assessments – as required by federal regulations. A Results Monitoring Plan, which lays out project goals, performance indicators, and data sources, is required of every proposal and is a critical consideration when making funding decisions.

After a project is awarded, we work closely with the implementing partner to ensure it stays on track, based on established performance indicators. Our program officers regularly conduct site visits. Our office also requires implementers to fund an external evaluation of the project.

As a result, we have a very strong track record. Only one program has been terminated over the past three years, and that was due to a U.S. policy change, not the project's performance, which was strong.

We take our fiduciary responsibility to the American people extremely seriously. Everyone in our office is here because we care deeply about these issues and are committed to the fight against trafficking in persons. And we want to ensure every single dollar we spend has the greatest impact possible – to **protect** victims, **prosecute** traffickers, and **prevent** this abhorrent crime.

I'm incredibly proud of the work our office does to combat human trafficking and protect vulnerable children, women, and men around the world from exploitation

and abuse – and to advance American interests and values. And I am grateful for Congress' strong, bipartisan focus on this issue and support for our work.

Mr. MAST. Thank you, ma'am. I now recognize Hon. Hussain for his opening statement.

STATEMENT OF HON. RASHAD HUSSAIN

Mr. HUSSAIN. Thank you. Good morning, Chairman Mast, Ranking Member Crow, Representative Issa, Representative Dean, and distinguished members of the subcommittee. I have had the honor to serve as U.S. Ambassador-at-Large for International Religious Freedom since 2022, continuing our country's proud tradition of working on a bipartisan basis to protect religious freedom for everyone everywhere.

During my prior time in government, I led an effort to protect Christians and other religious minorities living in Muslim-majority countries, resulting in the landmark Marrakesh Declaration in 2016. This work followed our efforts on the important effort to counter blasphemy laws that are often used to target religious minorities.

I have also worked closely with past U.S. envoys and current U.S. Ambassador Deborah Lipstadt and Second Gentleman Doug Emhoff on countering antisemitism around the world, including by taking delegations of Imams to the Holocaust sites to combat Holocaust denial. I am proud that these efforts were recognized in the endorsements of a number of individuals and groups, including my predecessor Sam Brownback, my predecessor David Saperstein, the American Jewish Committee, the Anti-Defamation League, Christian Solidarity Worldwide, American Baptist Churches, Open Doors USA, and the president of the National Council of Churches. We continue to work on a bipartisan basis with these individuals and organizations and others, including In Defense of Christians where I will be delivering remarks at their annual reception tonight.

The Office of International Religious Freedom's mandate was established by the International Religious Freedom Act of 1998, which passed by an overwhelming bipartisan majority. And our policies and general processes have remained consistent across the past five administrations. The thrust of our work falls in three broad categories: exposing, countering, and preventing religious freedom violations.

First, our work to expose religious freedom violations is focused on our international report that documents religious freedom violations in every country in the world. These reports are read by governments and civil society around the world. In April, in an indictment of two individuals for opening and operating an illegal overseas police station used to target Falun Gong practitioners and other members of the Chinese community on U.S. soil, the DOJ specifically cited the 2021 International Religious Freedom China report, noting that the Chinese Communist Party maintains an extralegal part-run security apparatus to eliminate the Falun Gong movement.

Second, our work to counter religious freedom violations is focused on using our diplomatic and program tools to assist people who have been or are at risk of being persecuted for their beliefs and, third, efforts to prevent persecution focus on addressing the

abuse of laws, such as blasphemy laws, and policies that foster environments where discrimination, harassment, and violence take place. We work on individual cases of oppression, and we are never off the clock, often getting notified in the late hours of the night of individuals who have been arrested or wrongly detained and realizing that every minute that we wait to jump into action can cost someone his or her life.

We do this work whenever and wherever it is needed. Last year, we worked extensively with the Shenzhen Holy Reformed Church, or the Mayflower Church, to protect its members' right to freedom of religion or belief in the face of relentless pressure from the Chinese Communist Party, even after they fled China. On April 7th, I was thrilled to welcome members of this church to the United States, where they celebrated Easter at a Texas church in safety.

Most recently, my office supported the long-negotiated September 5 Nicaraguan political prisoner release. The 135 political prisoners included approximately 60 survivors of religious persecution, including 13 individuals from this group who were affiliated with the Texas-based evangelical organization Mountain Gateway. And we continue other substantial efforts to protect people of all faiths in places such as Burma, Bangladesh, Pakistan, India, Nigeria, and Saudi Arabia.

In recent years, our programs have focused on countering discrimination and abuses targeting members of faith communities around the world, including religious persecution in the Middle East, Asia, Africa, Europe, and the Western Hemisphere. We have worked closely with other offices across the Department to address the dangerous rise in antisemitism; to counter genocides and crimes against humanity impacting members of religious minority populations, including Yezidi, Christians, Rohingya, and Uyghurs, and to combat hatred directed at particular religious communities.

Additionally, our programming support activities such as documenting abuses against members of vulnerable communities; promoting greater mutual respect and tolerance for all in a society; promoting accountability for perpetrators and justice for victims of religious freedom abuses; providing legal assistance and other tangible support to individuals who have been tortured, arrested, or detained on account of their beliefs.

In light of the Establishment Clause of the First Amendment, the State Department does not fund any programs with the aim of promoting or advancing specific religious ideologies or beliefs. Religious-freedom programs provide tools and support to those facing persecution, abuses, harassment, discrimination, and violence on account of their religion, beliefs, or non-beliefs.

IRF's single largest program, by far, is a global emergency fund, which began in 2011. And, since 2020, this fund has helped more than 4,000 individuals in every region of the world and across every religious background escape abuse, harassment, jail, and even death on account of their beliefs.

I thank the members of the Subcommittee for the opportunity to discuss this critical work.

[The Statement of Mr. Hussain follows:]

**Statement of Ambassador Rashad Hussain
Ambassador-at-Large for International Religious Freedom
U.S. Department of State**

**Before the House Committee on Foreign Affairs
Subcommittee on Oversight and Accountability**

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Good morning, Chairman Mast, Ranking Member Crow, and distinguished members of the Subcommittee. I have had the honor of serving as US Ambassador at Large for International Religious Freedom since 2022, continuing our country’s proud tradition of working on a bipartisan basis to protect religious freedom for everyone, everywhere. During my prior time in government, I led an effort to protect Christians and other religious minorities living in Muslim-majority countries, leading to the landmark Marrakesh Declaration in 2016. This work followed our efforts on an important effort to counter blasphemy laws that often target religious minorities. I have also worked closely with past US envoys and current US Ambassador Deborah Lipstadt and Second Gentleman Doug Emhoff on countering Antisemitism around the world, including by taking delegations of imams to the Holocaust sites to combat Holocaust denial. I am proud that these efforts were recognized in the endorsements from a diverse range of individuals and groups, including my predecessors Sam Brownback, David Saperstein, American Jewish Committee, Anti-Defamation League, Christian Solidarity Worldwide, American Baptist Churches, Open Doors USA, and the President of the National Council of Churches.

IRF’s mandate was established by the International Religious Freedom Act of 1998, passed by an overwhelming bipartisan majority, and our policies and general processes have remained consistent across the past five administrations.

The thrust of IRF’s work falls into three broad categories: exposing, countering, and preventing religious freedom violations. First, our work to expose religious freedom violation is focused on our international report that documents religious freedom violations in every country in the world. These reports are read by

governments and civil society around the world. [In an April indictment of two individuals for “opening and operating an illegal overseas police station” used to target Falun Gong practitioners and other members of the Chinese community on U.S. soil, the DOJ specifically cited the 2021 IRF China Report, noting that “the [Chinese Communist Party] maintains an extralegal, party-run security apparatus to eliminate the Falun Gong movement.” Second, our work to counter religious freedom violations is focused on using our diplomatic and program tools to assist people who have been, or are at risk of being, persecuted for their beliefs. And, third, efforts to prevent persecution – the abusive laws and policies that foster environments where discrimination, harassment, and violence take place.

We work on individual cases of repression and we’re never off the clock, often getting notified in the late hours of the night of individuals who have been arrested or wrongly detained. We realize that every minute we wait to jump into action can cost someone his or her life.

We do this work whenever and wherever it is needed. Last year, we worked extensively with the Shenzhen Holy Reformed Church, or “Mayflower Church,” to protect its members’ right to freedom of religion or belief in the face of relentless pressure from the Chinese Communist Party, even after they fled China. On April 7, I was overjoyed to welcome members of this church to the United States, where they celebrated Easter at a Texas church service in safety.

Most recently, my office supported the long-negotiated September 5 Nicaraguan political prisoner release. The 135 political prisoners included approximately 60 survivors of religious persecution, including 13 individuals from this group who were affiliated with the Texas-based evangelical organization Mountain Gateway. And we continue other substantial efforts to protect people of all faiths in places such as Burma, Bangladesh, Pakistan, India, Nigeria, and Saudi Arabia.

My office’s programming is authorized by the Foreign Assistance Act and annual appropriations acts [among other relevant statutes]. IRF manages grants and cooperative agreements primarily with non-governmental organizations (NGOs) and civil society groups, although we also work with international organizations in certain circumstances. IRF has a global mandate that covers individuals from every religion or belief as well as those who do not have a religious faith.

In recent years, IRF programs have focused on countering discrimination and abuses targeting members of faith communities around the world, including religious persecution in the Middle East, Asia, Africa, Europe, and the Western Hemisphere. IRF has worked closely with other offices across the Department to address the dangerous rise in antisemitism; to counter genocides and crimes against humanity impacting members of religious minority populations (including Yazidi, Christians, Rohingya, and Uyghurs) and to combat hatred directed at particular religious communities. Additionally, IRF programs support activities such as documenting abuses against members of vulnerable communities; promoting greater mutual respect and tolerance for all in a society (e.g. through educational efforts or media); promoting accountability for perpetrators and justice for victims of religious freedom abuses; providing legal assistance and other tangible support to individuals who have been tortured, arrested, or detained on account of their beliefs— non-beliefs; and supporting efforts by members of marginalized communities to build up their rights advocacy skills and collaborate with others facing similar restrictions or exclusion to increase the likelihood that such advocacy will bring sufficient pressure to bear in their respective societies to mitigate or end such abuses.

In light of the Establishment Clause of the First Amendment, the State Department does not fund any programs with the aim of promoting or advancing specific religious ideologies, beliefs, or non-beliefs. Religious-freedom programs provide tools and support to those facing persecution, abuses, harassment, discrimination, and violence on account of their religion, beliefs, or non-beliefs. IRF follows a procurement process for its foreign assistance programs that abides by federal rules and regulations as outlined in 2 CFR 200. Except in very few, narrowly defined instances, programs are solicited through open, public calls for proposals, and grants are awarded following extensive internal merit-based review that involves panelists from both within the State Department and interagency.

IRF's single largest program, by far, is the global emergency assistance fund, which began in 2011. Since 2020, this fund has helped more than 4,000 individuals in every region of the world and across every religious background escape abuse, harassment, jail, and even death on account of their beliefs.

I thank the members of the Subcommittee for the opportunity to discuss IRF's critical work through our grants and programs.

Mr. MAST. Thank you, sir. Appreciate your testimony. We are now going to recognize members for about 5 minutes to ask questions, and we hope to have honest and prompt response from you all.

I am going to begin by yielding time to Representative Issa to begin the questioning, and we will go side by side.

Mr. ISSA. Thank you, Mr. Chairman. Madam Secretary, you have had a distinguished career, your career in foreign service. But your department is responsible for giving us knowingly false information, and I want to just go over it quickly.

As the committee did its oversight over the PRM's assistance, we were told and I would ask that she be given copies of this and I will ask that it all be placed in the record, and I will quote. This was in January 2023 and, again, in December 2023. PRM has not funded and does not fund legal representation or counseling related to immigration proceedings. Again, later in December, from the government of Mexico, PRM does not fund legal representation or counseling related to U.S. immigration proceedings and legal assistance provided to those in Mexico is solely for the Mexican legal processes.

At this moment, under the rules of U.S. 18, Title 1001, is that a true statement, either of those?

Ms. NOYES. Congressman, PRM funds——

Mr. ISSA. Ma'am, that is a yes or a no; it really is. Are those true statements?

Ms. NOYES. Yes.

Mr. ISSA. Okay. If you would please give her a copy of this. Are you aware of this packet that was used throughout 2023?

Ms. NOYES. Yes.

Mr. ISSA. Does it limit to legal activities in Mexico, or does it on pages 9, 10, and 11 clearly advise people on how to get asylum in the U.S.?

Ms. NOYES. This packet of information, Congressman, was not funded by PRM. It was funded by the U.N. Refugee——

Mr. ISSA. Was this organization at this time under funding from the United States?

Ms. NOYES. The organization was. This packet was not——

Mr. ISSA. Okay. So one of the problems with the title I mentioned to you is that it makes it a crime to use tricks or mislead. Were you aware of this activity under other funds when you were funding this organization?

Ms. NOYES. Congressman, this slide deck and these briefings were begun before I was confirmed as assistant——

Mr. ISSA. Ma'am, they were going on during these days of those statements. Right in the middle of it, the packet says May 2023 was the revision. I am going to go back to the original question because I think it is the most important question for you today as a Senate-confirmed officer: were you aware of this packet?

Ms. NOYES. I became aware of the packet when we were producing documents for the Congress in response to their request. I——

Mr. ISSA. And what disciplinary actions or other activities do you envision when Congress has been told something in writing that is untrue and then you discover this?

Ms. NOYES. Congressman, again, I repeat, this packet was not funded by PRM. We became aware of it when——

Mr. ISSA. Ma'am, I am going to make something very clear to you. The intent of Congress is not to use the fungibility of money to give an organization that goes out with the people that you are funding and those people and that organization do something inconsistent with what you tell Congress and what your mandate is. Money is fungible. As long as you give to this organization, which I understand you are still funding around the world, and they have a dual purpose and they used that dual purpose to do something that Congress clearly doesn't want. Nowhere in this deck—we will call it U.N. funded for a moment just to humor you. Nowhere in this deck does it suggest that you can seek refuge in Mexico, which, under international law, you have not only a right to but an obligation to. Isn't it true under international law that every refugee in Mexico, if they are not Mexican, is, by definition, eligible to seek refuge there and Mexico is at least one of the countries before the United States.

So at a time in which every individual handed this had traveled into Mexico, a country that would have required visas and/or a claim of asylum to let them in, they were allowed in only because your organizations, along perhaps with the United Nations, was, in fact, funding their trip to the United States? In other words, you were part of conduiting people to circumvent international law. Every one of those people, Haitian, Chinese, whatever, you are so proud of helping had a right and Mexico had an obligation. We circumvented that at Federal taxpayers' expense so they could come to the United States where we were spending \$150 billion in support of this.

Chairman, I have no further questions. I yield back.

Mr. MAST. Thank you, Mr. Issa. And we will do further rounds if you feel as though you have more questions on it. I now recognize Ranking Member Crow.

Mr. CROW. Thank you, Chairman. Well, I had a line of questioning, but I feel really compelled to correct the record here because this last line of questioning was inaccurate and misleading in so many ways.

First of all, this organization, I think people deserve to know that this organization that was the subject of the last round of questioning, HIAS, was actually founded in the wake of the Holocaust. After the Holocaust, the purpose of this organization was founded to help Jewish folks in Europe escape the pogroms of the Soviet Union and actually help bring them to safety after the Holocaust. That is No. 1. No. 2, at no time has the U.S. funded the specific programs that were at issue here, and there is a very big difference between funding an organization and then specific lines of effort. No. 3, the information itself about navigating the Mexican immigration system actually is available on—wait for it—the CBP website of the United States. That is publicly available information on a Customs and Border Protection website. And then the last thing is I just find it very disingenuous, frankly, when my colleagues will question somebody or come after a witness based on transcribed interview testimony and transcripts that they have literally refused over and over again to make public, taking an inter-

view of a witness and then refusing our requests to make that public so that the public can actually see the full context and the full meaning of what happened in those interviews, instead cherry-picking certain parts to attack a witness. So I just wanted to level set that.

And then, Ms. Noyes, would love to give you a minute or two of time to actually address the issues since you didn't really have that opportunity to do so just now.

Ms. NOYES. Well, thank you, Congressman. And I appreciate that, and I do want to reiterate the U.S. Government did not fund the production of these slides. The U.S. Government did fund activities and programs in Mexico to inform immigrants within Mexico of the ability to seek asylum. And, in fact, the Mexican asylum agency has grown by 500 percent. Mexico is now one of the top asylum-receiving countries in the world with over a 140,000 applicants. And all of that has happened as a result of the assistance that has been appropriated by the Congress for PRM and has been very successful. Thank you.

Mr. CROW. Okay. Any other comments from any of the other witnesses on this? Okay. And just to be really clear, since my colleague referenced a component of U.S. law about knowingly making false or misleading statements to the U.S. Government, you have at no time made false or misleading statements to the U.S. Government.

Ms. NOYES. That is correct.

Mr. CROW. All right. Thank you. I do think it is important, actually, this organization that has such an important history, can you just tell folks a little bit about it and what this organization does?

Ms. NOYES. Well, I wouldn't want to speak for HIAS, but they are an important implementing partner for the United States. We have programs with them in several countries around the world. They are also one of the ten resettlement agencies that help in the resettlement of refugees arriving legally in the United States after fleeing persecution and substantial vetting and processing overseas.

They conduct programs on issues like preventing gender-based violence, providing support for medical services and other types of activities. They are a humanitarian agency, as you said, Congressman, founded in response to the pogroms in Russia initially to help Jewish refugees but then they have expanded their activities to support refugees and vulnerable people around the world.

Mr. CROW. And did this organization, in fact, do so, help Jewish refugees escape persecution?

Ms. NOYES. Indeed. I mean, I can't speak for them. I don't know their entire history, but it is a long and distinguished history.

Mr. CROW. Okay. Thank you. I yield back.

Mr. MAST. Thank you, Ranking Member Crow. I am going to wait until round two to ask questions, and I yield my time to Representative Issa.

Mr. ISSA. Thank you, Mr. Chairman. I guess sometimes you have to respond to the correcting of the record by correcting the record. In May, the Department told Chairman McCaul that the deck was used at PRM-funded legal orientation sessions, the sessions provided by HIAS. So we funded the sessions in which they used the

deck. Would you like to correct the record that we didn't fund it? If you fund the meeting and they use the deck, why is it and how is it that you can say you are telling us without trickery or any kind of misleading that this wasn't funded or at least enabled by the U.S. Government, ma'am?

Ms. NOYES. Again, Congressman, we did not fund the production of the deck, but it is accurate that the deck was used in briefings where we were also informing migrants about the ability to seek asylum in Mexico.

Mr. ISSA. Ma'am, it is wonderful that you can—you are a great diplomat because diplomats tell people to go to hell and make them pack and look forward to the trip, I guess, because there is no truth in what you just said. It is extremely clear that if a group, I don't care who printed it or handed it out, a group you were funding and funding waters and transportation and everything else, to bring to an event, host the event under the color of the United States of America, not the United Nations, and then you say, well, we didn't fund it, they got the money fungibly from somewhere else. Ma'am, there is not one American that would believe that.

And, by the way, to look at an organization and say, well, in the past, it had a great history. No question at all. My general counsel and one of my best friends was a refusenik that this organization probably helped his family get out. That's not what this organization is doing today, and it is not what you are paying for. If you fund them and your people see them handing out this deck and pages 9, 10, and 11 are clearly—not one bit of this document helps them stay in Mexico or implies they should. It makes it very clear that, in fact, this is how you circumvent law by what you say to get into the United States. That is just the truth.

I appreciate Ranking Member Crow wanting to correct the record, but the record is the U.S. Government paid for sessions in which, knowingly, this was used. And you still stand behind the statements made to this committee that you do not do it and you were making those statements while people were handing this out at U.S. Government paid-for events; is that correct?

Ms. NOYES. [Speaking off-mic.]

Mr. ISSA. Okay. So why is it that you, I am going to ask you just one more time because maybe Mr. Crow will see the light, why is it you think that that is not somehow using funds if you bring people in and say, here, go ahead and use this deck that tells them how to get to America and then you tell us that you don't in any way facilitate it.

Ms. NOYES. [Speaking off-mic.]

Mr. MAST. Please turn your microphone on.

Ms. NOYES. Sorry about that. We didn't fund the production of the slide deck. It was created in order to provide information to migrants who were participating in the Remain in Mexico program, the migration protection protocols. PRM stopped funding for HIAS in Mexico in 2023. We do no funding for the agency.

Mr. ISSA. Okay. Last, and the chairman has been very kind to give me this time, can you give this committee assurance today that no organization attends U.S. government-funded events in which these migrants are made available and provide similar information today?

Ms. NOYES. Congressman, we are fully cognizant of the requirements in the 2024 Appropriations Act, which stipulates that. We are in full compliance with that. In fact, I sent letters to the heads of all international organizations that we fund to inform them of that stipulation. And so, yes, I can say unequivocally that such briefings are not happening with U.S. Government funding.

Mr. ISSA. Okay. Since I represent a border district, I have about 80 miles of the Mexican border east of San Diego. I go to that constantly. I have led many Members of Congress and attorneys general and so on to them. I have stood at the fence and listened to U.S. government-backed NGO's, including Catholic Charities, talk through the fence and advise people on what to say as they are irregularly entering the United States. So I wish I could believe that you enforced your letters, but I appreciate that you say that you sent letters for that guidance.

Mr. Chairman, thank you so much. Hopefully, the record of correcting the record of correcting the record is now complete.

Mr. MAST. Thank you, Mr. Issa. It was an interesting dialog to me. I understood it to be they had an audience of people and maybe they didn't tell the audience of people this is what is in the deck, but, hey, come up here and, by all means, give this instruction, and you are also getting U.S. dollars for something different is kind of how I understood that. I will have my own time for questions, but it does seem above board.

I recognize Ms. Dean for 5 minutes.

Ms. DEAN. Well, thank you, Mr. Chairman. And thanks for that interpretation of this conversation.

Mr. MAST. You are welcome.

Ms. DEAN. You know, we have an expression that we often use here, which is I associate myself with the remarks of the gentleman who spoke before me. In this case, I am going to say to you three honorable people leading groups that are trying to do good work around the world I do not associate myself with the former line of questioning. I am sorry that we all suffered through that. I would rather focus on the good work that you are doing. Surely, we have an oversight responsibility. I am happy to be a part of that, to make sure that everything that we fund is executed as well as possible with the purpose it was intended for. But I do not associate myself with that kind of tearing down of other people.

Secretary Noyes, in your written testimony, you didn't cite the example today, but I wanted to give you a chance. In your written testimony, you highlighted an example from one of your monitoring trips where a Venezuelan family was able to obtain asylum in Guatemala with the Bureau of Population, Refugees, and Migration-funded support. And they successfully have integrated into the community that they are in and working in in Guatemala. Could you tell us a little bit about that one?

Ms. NOYES. I am happy to do so, Congresswoman. Venezuela is facing a mass migration situation. Six-seven million people have left the country. Ninety-four percent of those people have actually remained in other countries in the Western Hemisphere. They are not coming to the United States.

Ms. DEAN. Ninety-four percent.

Ms. NOYES. Sixteen out of seventeen. And that is, in very large measure, because of the types of activities and programs that PRM is funding. We have, for example, provided funding and assistance, capacity-building, in Colombia, which now hosts and has provided legal status for over two million Colombians. Ecuador, Peru, Brazil are doing the same. Mexico is providing massive amounts of asylum for people from around the world who have arrived in Mexico. Costa Rica has provided safe haven for 600,000 Nicaraguans. PRM is very proud on behalf of the American people to support efforts to support these governments as they seek to integrate people in our hemisphere. We work very hard on responsibility sharing with other governments in our hemisphere.

And, yes, I was delighted to meet that Venezuelan family. They make candy, and they have settled in Guatemala, and they are so happy. I similarly met a Venezuelan migrant in Mexico who settled there and has received asylum there through a program that PRM funded, and he told me now that his favorite food is tacos and he is looking for a nice Mexican girl to settle down and raise a beautiful Mexican family. And there are stories like that all over our hemisphere as a result of American taxpayer-funded programs and activities that I think uphold our values but also our national security in helping to address the worldwide migration crisis and its consequences here in our hemisphere.

So thank you for the question.

Ms. DEAN. And I want to honor the extraordinary work you did in Chad and Sudan and just the devastating suffering that is going on there and the work that you are trying to do there.

With the detail of what you just talked about, this family with their candy company, what does it look like? Can you paint the picture? What does the assistance look like to get a family that kind of placement and thriving, the ability to thrive within a community? And then what impact does this have on the U.S. border?

Ms. NOYES. Absolutely. Happy to do so. PRM funds activities like capacity building for asylum agencies and immigration services in other countries. We can provide support for data base systems or, in Colombia, we funded a system to create new ID cards, like the fraud-proof ID cards, for Venezuelan migrants in Colombia. We provide protection services to make sure that people are receiving protection and care to prevent them from being smuggled or trafficked. We also work very closely again, through our diplomacy and through our work with other governments, in the hemisphere on responsibility sharing to address all of these issues.

So all of this work goes to helping people who have had to flee their countries because they are fleeing persecution or war, violence, gangs, the effects of climate change sometimes. Helping people to settle down and integrate in the country where they find themselves and to find safety and to start a new life there, everyone who starts a new life in another country in our hemisphere is someone who is not coming to our border, and that helps support our national security, as well as our humanitarian objectives.

Ms. DEAN. I see my time has expired, and I apologize I did not get a chance to speak with both of you, but I thank you for your work and I yield back.

Mr. MAST. Thank you, Ms. Dean. The chair now recognizes Mr. Mills.

Mr. MILLS. Thank you, Mr. Chairman. Thank you all for being here today. While I can applaud some of the work that actually USAID and State Department does, I think that we can identify the fact that there has been a continuous problem with the effectiveness, the implementation, and the actual oversight tracking of the grants and grantees that are actually going out there. Would we all agree with that? You wouldn't agree with that? Let me refer you to the 2011 November OIG report that had to do with Afghanistan USAID grantee and sub-grantee programs where they actually had found that where 67 hospitals and schools had been reported, the true findings was what? Three. Three had been built in that entire establishment, and you are going to tell me there is no problem with subcommittee or—sorry—the sub-grantees and grantees when you are talking about people like Creative Associates, DAI, Chemonics, all the USAID implementing partners who have actually admitted that they couldn't track the funding once it went to a sub-grantee? That's not a problem?

Ms. NOYES. Congressman, I am not familiar with this 2011 report that you are citing.

Mr. MILLS. It is actually the USAID OIG report, November 2011. It actually talked about a program called ASI South, the Afghan Stabilization Initiative South. Are you familiar with any ASI programs or the ramp-up, the Regional Afghan Municipality programs, or any of these types of programs?

Ms. NOYES. No, sir. That was 10 years before I joined PRM.

Mr. MILLS. Well, I can tell you that nothing has changed since then. This is short history of grant deficiencies. You know, the State Department engaged in increasingly complex acquisitions procurement-needed services and the Department needs to ensure the contracts for grantees properly shows work and conducted monitored objectives and have problems giving the effectiveness of being contained. That was the OIG in 1917.

In 1918, they talked about oversight weaknesses and mismanagement also increased possibilities that the purpose of the instruments would not actually be met. That was 2018.

In 2019, they actually talk about the Department entities domestically and abroad did not consistently and adequately monitor contract performance, conduct thorough invoice reviews, or oversee grants in foreign assistance programs. That is 2019.

I can continue to go on and provide this list. 2020, 2021, 2022, 2023, and even as recently as this year when the OIG reported that whether its resources are used for core operations or destined for contracts, cooperative agreements or grants that assist programs, the department's ability to manage its significant resources efficiently and effectively continues to remain a challenge for us.

It sounds to me like the OIG continuously, regardless of whether or not it was 10 years prior to you coming or not, over the last 10 years that I can show right here, the OIG reports that you are still having problems tracking utilization of the funding of sub-grantee money; is that not correct?

Ms. NOYES. Sir, I can tell you that the OIG has pointed to PRM's processes as a model. I can tell you that the cooperative agree-

ments that we have with NGO's involve considerable oversight and monitoring, and I can talk about our strong collaboration with OIG, with the Office of the Special Inspector for Afghan Reconstruction. We welcome this oversight. We would like to collaborate with them. We are always looking to improve——

Mr. MILLS. So you are familiar with SIGAR?

Ms. NOYES. Yes.

Mr. MILLS. And you are familiar that SIGAR has reported time after time the misuse and abuse of funding, American taxpayers' funding, like things, as an example, the KHPP, Kandahar Helmand Power Project, that resulted in three-plus billion dollars——

Mr. CROW. Would the gentleman yield? I have a clarifying question.

Mr. MILLS. Sure.

Mr. CROW. Would the gentleman clarify for me are you referring to an OIG report done by the U.S. Agency for International Development (USAID)?

Mr. MILLS. And also the State Department OIG reports.

Mr. CROW. So I think it would be helpful, I think these are melding because you referenced a whole bunch of USAID reports. Obviously, this is a State Department panel——

Mr. MILLS. I understand that, but State Department does actually provide the oversight for USAID; am I not correct in this in some way?

Mr. CROW. I understand that. I think it would be helpful because there is confusion and melding with the questioning. If you could just clarify for the witnesses what you are talking about.

Mr. MILLS. For the gentleman here, do we not only appropriate things under the State and foreign ops budget? Does that include State Department and USAID, and State Department ultimately has the oversight of——

Mr. CROW. Yes, but they are different OIGs.

Mr. MILLS. I understand that. But both OIGs have reported that there is actually an issue with the grantee and sub-grantee programs when it comes——

Mr. CROW. Yes. What I'm asking the gentleman to clarify is, when he is asking questions, if you could just be more——

Mr. MILLS. Let's talk about SIGAR——

Mr. CROW. I am not debating the gentleman. I am just asking the gentleman——

Mr. MILLS. I am reclaiming my time. Reclaiming my time.

Mr. CROW [continuing]. Could clarify which OIG——

Mr. MILLS. Reclaiming my time.

Mr. CROW [continuing]. They are referring to.

Mr. MILLS. Let me ask this question to make it easy: if a grantee fails to comply with the terms of its grant agreement or otherwise violates U.S. law, is the grantee suspended from receiving further U.S. funding?

Ms. NOYES. Yes. And I can give you examples of when we have done that in PRM.

Mr. MILLS. Okay. Can you explain how that process works?

Ms. NOYES. So we have a very robust system of monitoring and evaluation that includes written reports, performance reports, financial reports, desk audits, interviews, site visits as I described

in my testimony. And when, in the course of conducting this oversight, we find that a recipient of U.S. funding, one of our cooperative agreements, is failing to meet the benchmarks that we have agreed on, then we have suspended funding. We did that in—

Mr. MILLS. So can you tell me where we are at then—I appreciate that—with the implements of the atheism grant that was referred to a suspension? Where is that now?

Mr. MAST. Mr. Mills, let me pause you for a minute. Your time is expired, but we are about to move into round two—

Mr. MILLS. In other words, I just assumed that, since the vice chair wanted to claim some of the time, which—

Mr. MAST. I am more than happy to, since it goes to our side, start with you for round two if you want to roll into this. Would you like to—because you can have 5 minutes now if you want.

Mr. MILLS. No, that is all right.

Mr. MAST. Okay. We are going to roll into round two of questions. I will begin with myself. We will continue to go back and forth. I do want to start with something. Under the title of correcting the record with my ranking member, this was a letter from Naz Durakoğlu referencing the numerous times that we spoke about the atheism grant. And, by the way, there was an atheism grant. This is a copy of the atheism grant. It says promoting and defending religious freedom inclusive of atheists, humanists, non-practicing, and non-affiliated individuals. It goes into specifics on it, but you spoke, as well, Mr. Hussain, about there wasn't anything on atheism. There is.

But I want to go to the record of what Naz Durakoğlu sent us. Let's see. All of the times that we asked about it, April 18, June 8, June 19, October 20, November 9, November 29, November 30, all in 2023; February 16, August 3, February 22, March 30 to April 18, 2024; and other hearings that we had here. And here is the short part of the response that I want to read: The Department has since learned that the documents provided by the grantee to the Department and, in turn, the committee were not, in fact, the version of the slides used in the relevant training. I will submit this for the record.

The long and the short of this is State Department, Naz, Secretary Verma all came back to this committee and said, hey, all those times we testified to you or wrote you letters about atheism and that not happening, turns out we were dead wrong and, in fact, the slides actually show they were doing this and, you know, we are telling you that we didn't get the full slide deck from them. So I hope that, as the ranking member said, he would correct the record. He will take that as that is the correction of the record by State Department. They did literally over and over and over tell us the wrong thing, lie to us, whatever you want to call it. That is what happened, and they acknowledged it.

So it has been revealed that the State Department actively promoted atheist and humanist groups and their membership in clear violation of the Establishment Clause. So you stated, Ambassador Hussain, you began in 2022. What month of 2022?

Mr. HUSSAIN. [Speaking off-mic.]

Mr. MILLS. Okay. How many people report to you?

Mr. HUSSAIN. Approximately 40.

Mr. MILLS. Approximately 40. And did you know that this was a violation of the Establishment Clause, or when did you learn of that?

Mr. HUSSAIN. So the program that you have cited, Congressman, was a program that I believe was approved in 2020 internally, and you cited the title of the program. It is a program——

Mr. MILLS. I believe in 1921.

Mr. HUSSAIN. The internal process by which it was created and that it went out in 2021.

Mr. MILLS. Did you know it was a violation of the Establishment Clause?

Mr. HUSSAIN. No.

Mr. MILLS. When did you learn about it?

Mr. HUSSAIN. I learned about the program when I came onboard. I believe it was finalized with the internal department 2020. It started in 2021. I came in. The focus of our——

Mr. MILLS. You learned about it in 1922 when you came onboard, and you didn't jump out and say this is a violation of the Establishment Clause?

Mr. HUSSAIN. The program, as you read correctly, the title is a Program to Defend Religious Freedom of People Around the World, inclusive of atheists and humanists. So it is a——

Mr. MILLS. Did you ever detect any problems with this—in 2022, when you learned about it, at any point were you like I am not sure if this aboveboard, let me at least dig into this a little more? Did that occur at all?

Mr. HUSSAIN. Actually, Congressman, we have had back and forth with the committee, and we take our responsibility to be responsive to oversight very seriously, so there has been a number of letters that have gone back and forth. There is a request to produce documents regarding the NOFO, and we responded to each one of those requests. Then there was a request about documents as a part of the grant as it is being implemented——

Mr. MILLS. I just want to let you know I am happy to let you speak because I am going to take as many rounds as this takes. I don't care if we go to round 20 to get through this, but I am going to have a number of questions. So by all means, speak as long as you want because, actually, right now, you are digging a hole for yourself——

Mr. HUSSAIN. Actually, I appreciate the opportunity to get to the bottom of it, as well, sir, because, as we found out more information, and we found the slide, which the committee requested slides, we immediately went to the implementing partner and asked for those documents, as well. And as soon as they received it, I believe it was on April 17th, we notified—you mentioned the call that you received on April 19th—as soon as we could and then recommend the matter to the Office of Inspector General.

I take very seriously——

Mr. MILLS. Do you think that is the first time that there was a correspondence in that way, like, hey, there is concerns, let's make sure that, you know, you get us the appropriate slides? Would you say that, to your knowledge, that is the first time——

Mr. HUSSAIN. Well, we have quarterly correspondence with our implementing partners. We have written materials that come in, performance evaluations, financial reports. So we are in a rigorous

process of checking in as per our requirements by law to check in with our implementing partners, and we have done that, including through site visits.

As we learned more information about the questions that the committee requested, we have tried our best to provide that information to the committee. And as someone that works on a day-to-day basis on literally saving the lives of people that are suffering around the world, Christians that are being persecuted for blasphemy and apostasy. I mentioned, for example, the recent political prisoners that came from Nicaragua, those that we welcomed from China, individuals that have sentenced to death for leaving their faith, for example. Our focus on a day-to-day basis is to make sure that we are engaging in diplomatic work, that we are also overseeing the many, many programs that we have around the world. We take every single penny seriously.

And so when there was a suggestion to me when I came into this role that perhaps there is promotion of atheism, my initial reaction was it is completely against the law to promote atheism, I do not accept that, or to promote any religious faith in this job. As a person of faith myself, I take very seriously the importance of protecting the religious freedom of all people around the world and the International Religious Act of 1998 requires us to protect the religious freedom of all, including people that don't have any particular belief.

And so my understanding of the grant when I came in is that it was designed to protect the right of individuals not to follow any particular faith. That is something that has been championed by Representative Chris Smith, who has been a tremendous supporter of our efforts and our religious freedom work around the world. He has said himself that he will support the right of individuals to not belong to any particular faith community, and the IRF Act itself says that the freedom of thought, conscience, and religion is understood to protect theistic and non-theistic beliefs and the right not to profess or practice any religion.

So I actually think there is more that we agree on than it might seem. I think we all agree in this room that is our responsibility to protect the religious freedom of all people around the world. That could extend to protecting the rights of people not to believe, and we all believe that promoting any particular religious fact using taxpayer dollars is wrong and it is wrong to promote atheism, it is wrong to promote any particular religious faith using American tax dollars, period, full stop. And that is my belief, and that is how we have tried to execute the work of our office. And if there are times when there is a grantee that has done something that causes concern or has done something otherwise, then it is my responsibility and our responsibility as an office to come to you and to say we have discovered something that may not be in line with that mandate and that responsibility, and it is our responsibility to then report that to the Office of Inspector General. They have a number of responses that they are able to execute themselves, including going back and retrieving the money if it was ever used in an improper way.

So, Congressman, I just want to say I share concerns that you have, and I do not want to see a single penny of U.S. taxpayer dollar used to promote any particular religious faith or atheism.

Mr. MILLS. So you have gone well over my time. Like I said, I am happy to let you speak and expound. We are in rounds of 5 minutes. I do have to go to my counterpart, Ranking Member Crow. I am going to put something up for you to reflect on while he is asking you questions or other people questions just so you can read it and digest it and be prepared to answer. Could you put that up a minute?

And what is it specifically says, this is State Department speaking to Humanists International, the atheist group, and what it specifically says: Our in-person meeting, December 2022 meeting with redacted team leader from State Department and redacted program officer from State Department and person from Humanists International is when I was first instructed to revise the language in all official grant documents to, quote, neutralize the language in all materials that were submitted to State Department, the ones that we would be able to see, neutralize the language for the stuff that we would be able to see. Know the changes to language did not impact the activities that we were doing, that were carried out. The activities remained the same, we just changed the language of what we reported to State Department. I was instructed by State Department to exclude and/or remove such language from official grant documents. I was not instructed to exclude or remove the language from the program documents, the actual materials that people were given. No changes to program activities were requested by State Department.

I am not going to ask you any questions on it. Stare at it, look at it, read it, reflect on it, think about it. I am going to go to my colleague, and then I am going to hammer you on it.

You are recognized for 5 minutes.

Mr. CROW. Thank you, Mr. Hussain. You were, I think, in my view, very clear in your prior assertion here about our policy and how you manage the office and that is aligned with how Congress has dictated that this be done. But should we just run through it in a more succinct way? Your office does not promote atheism or any other belief set; is that correct?

Mr. HUSSAIN. That is correct, Congressman.

Mr. CROW. Your job is not to promote but to protect people's rights to believe or non-believe as they see fit, correct?

Mr. HUSSAIN. That is our responsibility, and that is what has been done by my predecessors on a bipartisan basis, as well.

Mr. CROW. And, under law, atheism is a non-belief set that would fall under law as one of those beliefs or non-beliefs that are protected.

Mr. HUSSAIN. Yes. And, specifically, in 2016, the amendments to the IRF Act clarified that atheism or non-belief is to be protected under the International Religious Freedom Act.

Mr. CROW. This is the Frank R. Wolf International Religious Freedom Act, and it was passed in 2016 and enacted in law in 2017; is that correct?

Mr. HUSSAIN. That is right.

Mr. CROW. And specifically amended to include non-belief or atheism as a protected belief or non-belief set.

Mr. HUSSAIN. Yes. Just to clarify further, it was already required in the 1998 act but just made it that much more clear.

Mr. CROW. More clear, yes. I would like to enter the Frank R. Wolf International Religious Freedom Act into the record.

Mr. MAST. Without objection.

Mr. CROW. This is the one that you had mentioned was actually a Republican-led effort by Mr. Smith.

Mr. HUSSAIN. That is right. And we continue to work with Representative Smith. Congressman Wolf is someone that we have worked very closely with. He has been a commissioner on the International Religious Freedom Commission and enjoy our cooperation with him, as well.

Mr. CROW. Okay. And the way you tailor things, it is my understanding that your office will tailor your programming approaches to meet the needs of specific places in the world. In someplace, it might be Christians. In another place, it might be those of Jewish faith or Muslims or Hindus or non-believers. Different places have different concerns and different threats to individuals that you are working to help defend; is that correct?

Mr. MAST. If you have a moment to yield, I would love to give you a clarifying point on our argument. Whenever you—I don't want to interrupt your train—

Mr. CROW. If the gentleman could just answer the question, then it would be great—

Mr. HUSSAIN. That is right. And I will say that, as someone who has experienced previously in my career doing work in Muslim-majority countries specifically and work on the protection of Christian minorities, countering antisemitism, and protection of other religious minorities, that has been a specific interest that I brought into this position, as well. And so we take our responsibility very seriously to protect people of all faiths everywhere all around the world.

Mr. CROW. And then you do oversight, so in instances where you have a grantee or there is a program that you are supporting that is not aligned with our standards or violate any of our laws or standards, you fix that.

Mr. HUSSAIN. Absolutely.

Mr. CROW. In the case of this particular grant that some of my colleagues were referencing, you all provided, it is our understanding, my understanding that you all provided the materials you had available. That is what you believed was being used, and it was drawn to your attention that other things were being used. You then provided that. You disclosed it, and you dealt with it.

Mr. HUSSAIN. That is correct.

Mr. CROW. Okay. Thank you.

Mr. MAST. The clarifying point was simply nobody disputes that atheism is included in the IRFA. It is about whether they wrote a grant to promote atheism specifically. That is the point of contention. Just in case you want it, here is a time line. We did start reaching out to them back in 1922 about 15 times before they actually did get back to us.

Mr. CROW. I appreciate that, and I certainly understand that issue. You know, there is the broader assertions. I think, along with some of the specific allegations against you all, there is just this implication about overall policy that I wanted to clarify, as well as the specific issues about, you know, knowingly misleading the committee or Congress, which I just see no evidence of. In the regular course of oversight, things are identified, things are fixed. You just can't fund programs without occasionally finding things.

And I agree with that. I agree with my colleagues on this that, if there is an issue that violates something, fix it, right? We should not be promoting any one belief set or non-belief set; and, certainly, in this case, it was identified and it was fixed.

Mr. HUSSAIN. And I want to fix it more than anyone else if there is an issue because I spend 99 point, you know, some percentage of my time fighting for the rights of people of faith around the world. Yes, there are atheist communities around the world, and we protect their rights, as well.

But any insinuation that the office is set up to protect or promote atheism is misrepresentative of the fact that the vast, vast majority of the work that we do is helping people that are in dire straits, people of faith that I mentioned in my opening statement and in some of our exchange here, and that is a responsibility that we take very seriously.

Mr. CROW. And if I may, another 30 seconds or so, I just want to also go into this issues of, you know, bad faith or knowingly withholding things. At any time, Mr. Hussain, were you in the possession of this purported slide deck or this slide deck, not purported but actually does exist, were you withheld that and did not provide it for any lengthy period of time to prevent it from coming into the purview of this committee?

Mr. HUSSAIN. No, sir. I believe that we were in possession of it on the 17th of April and provided it by the 19th.

Mr. CROW. Okay. Thank you. I yield back.

Mr. MAST. Thank you, Ranking Member Crow. And, FYI, they provided an inaccurate slide deck and then later provided an accurate one.

Mr. CROW. But can I clarify that? But they provided what they had, right? They provided a slide that they had been given, and it was later clarified that was not the one being used. So that was actually oversight that worked. Something was inaccurate by a grantee. They came into possession of the accurate one. They almost immediately disclosed that to the committee, and it has sense been fixed. That is my understanding.

Mr. MAST. Actually, a couple of years after, they told their implementing partner neutralize your language, don't neutralize what you are doing with the program, neutralize your language. We will certainly get into that, and we can have some more back and forth on that. But bear in mind, this was not immediately. There were several years of stonewalling. And if you recall, we did have a hearing where you chastised the staff members of this committee, I believe it was you, chastised the staff members of this committee for being in Nepal and actually going to speak with the people on the ground there. It was only in speaking in person with the people on the ground there that oversight was actually being able to be con-

ducted. That is where they actually, oh, crap, they actually caught us red-handed, now we need to start turning over stuff. That was after years——

Mr. CROW. And if I may, Chairman, since you——

Mr. MAST. Please, by all means.

Mr. CROW. I mean, listen, I am not going to get into an argument here. When you referenced that incident, that was about spending over \$80,000 on a taxpayer-funded trip that I believe was excessive.

Mr. MAST. But it was a bipartisan CODEL——

Mr. CROW. The charge of bad faith by this department simply is not supported by the facts. I think that has been made very clear by the witnesses here, and I will always vigorously contest any allegation of bad faith as distinguished from valid legitimate oversight that both the Department and this committee conducts.

Mr. MAST. So it was a bipartisan staff delegation to numerous places and them going over there and being on the ground in Nepal. That is oversight that they conducted, no doubt about it. But, again, it has been pointed out it was absolutely bad faith, but we are going to get into that more. It is now time for—I do have to recognize Mr. Mills. I can't go to you first because we have two members that haven't been here for questions yet, but you will be after that, and then in the next round it comes back to me. So I have used my time.

We will go to—is it Ranking Member Perry or McCormick that's up next? All right. The chair recognizes Representative McCormick.

Mr. MCCORMICK. Thank you, Mr. Chair. I'll agree with Ms. Noyes. You are the assistant secretary of the State Department Bureau of Population, Refugees, and Migration, commonly known as PRM. What does the P, or population, in PRM refer to in the Bureau's title?

Ms. NOYES. It refers to the provision of information and diplomacy with regard to population policies in international organizations.

Mr. MCCORMICK. Okay. Does that have anything to do with abortion?

Ms. NOYES. The U.S. Government does not, PRM does not support, fund, or in any way provide support for abortion or abortion services.

Mr. MCCORMICK. Okay. Thank you. Interesting, I was concerned that when I saw local media content on one of PRM's partners in Mexico, there was an advertisement that we pulled down and actually printed out for us that kind of concerned me a little bit. This entity was called the Hebrew Immigrant Aid Society. Are you familiar with it? HIAS. Some of my colleagues mentioned it earlier. It is promoting abortion services for Mexican migrants or people migrating through Mexico. I can show you the brochures. As a matter of fact, this is one of them. This basically tells migrants where to call if they need an abortion. It is an associated advertisement.

Here is another post when migrants asked if they know their sexual reproductive rights, referring them to, once again, abortifacient resources. The Instagram post raised a question that I must ask: does the PRM fund any sort of abortion processes in Mexico?

Ms. NOYES. No. I will tell you what we do fund and——

Mr. McCORMICK. It is Okay. That is all I really want to know. I understand what you——

Ms. NOYES. The State Department does not fund abortion or abortion services in Mexico or in any other country. We are in full compliance with all U.S. laws.

Mr. McCORMICK. So it does not directly or indirectly support abortion. I got it. With that said, I have a poster here. If you look at the one on that side, it basically talks about different places that we support. PRM. That we fund even. And that these facilities right here are associated, including seven which is a place where you get abortions that we support financially. The PRM does fund, fact, the International Organization for Migration (IOM). As you can see on the next poster, it provides various health care centers across Mexico, and that is the map right there. Then you look at the third poster, the same health center appears in the Mexican government's list of abortion providers that we support.

So if the PRM does give money to IOM and IOM funds the entities in the Mexican government that says they provide abortions, how does that stay consistent with our message that we just talked about?

Ms. NOYES. Congressman, again, PRM does not fund abortion or abortion services in Mexico or anywhere else. Whether there are other partners or whether there are partners that are doing so, they are not doing so with U.S. funding. We are in full compliance with U.S. law on this point.

Mr. McCORMICK. So if U.S. law is we don't fund it, but we are funding the IOM and the IOM is funding this center that does abortions, how do we fix that? Because it is a violation of law.

Ms. NOYES. We do not fund abortion or abortion services. What we do fund is maternal and child health, menstrual hygiene products like tampons and sanitary pads, provision of prenatal vitamins, care for pregnant women or for complications following pregnancy, like fistula——

Mr. McCORMICK. I have seen the same kind of sleight of hand in the United States, too, where we say, no, we are funding these abortion centers for the things that they are not doing for abortions, which sends them all the money they need to do everything else. It is like I am going to fund the Democratic Party but only for thing that everybody agrees on. Well, that means they get to save the money for the things we don't agree on.

As a matter of fact, the same people that we give funds to in America that do abortions did a fund raise for the same party that is feeding it the money. It is a self-licking ice cream cone. It is illegal. We are a nation of laws. Federal funds are forbidden to be used for abortions for migrants in this country or another country, and we are supporting the organizations that are, in turn, supporting abortion clinics essentially. This goes back to—it goes back to research centers in China that are doing gain of function. If we are funding them, even though we are not supposed to be funding gain of function and they do it anyways, it is still American funds used on places for nefarious purposes or at least illegal at the very best. And I think, if we are having an honest discussion, I think

the money needs to be retracted from these organizations that are funding things that we are not specifically funding.

With that, I yield.

Mr. MAST. Thank you, Mr. McCormick. The chair now recognizes Mr. Perry.

Mr. PERRY. Thank you, Mr. Chairman. Ms. Noyes, my understanding—and I am sorry you are on the hot seat here, but you got a lot of topics apparently people are interested in. My understanding is that PRM is providing funding for transportation, shelter, cash, and debit cards, and legal counseling in Mexico, aiding the flow of migrants to the U.S. border. Maybe you wouldn't characterize it as aiding, but I think providing those things does aid their coming to America through Mexico.

PRM defined a dollar amount ranging from \$212 to \$486 in the form of cash and voucher assistance to migrants. Now, when testifying for the Foreign Affairs transcribed interview, at the time, I don't think you knew the number of migrants receiving funds in Mexico or how frequently migrants apply for CVA. And I am not sure you knew the categories or types of what spending would be prohibited. Do you know those figures now? Do you have that?

Ms. NOYES. Congressman, I can tell you that the funding that PRM provides for non-governmental organizations and for cash and voucher assistance in Mexico is less than 10 percent of the total assistance that PRM provides in Mexico. That funding is directed to about 10 percent of the people who are seeking asylum in Mexico. We give them very limited amounts of funding so that they can remain safely in Mexico while awaiting adjudication of their asylum claims in Mexico.

And I do have a specific figure that I can give you. We have one NGO partner that provides cash and voucher assistance in Mexico. It serves 1,845 people and provided \$175,000, which comes to less than \$100 per person for the year in Mexico.

Mr. PERRY. Okay. I didn't ask for the percentage, but that is fine. I guess I am supposed to feel good about that. So are you saying that PRM only provides funding through the NGO or at the 10-percent level or what have you only to migrants transiting through Mexico if, if they are remaining in Mexico? You don't provide any of that funding if they are going to continue to transit Mexico to the United States?

Ms. NOYES. That is my understanding.

Mr. PERRY. That is your understanding. And can we have that, can this committee request that that documentation regarding that understanding that you have be provided to us?

Ms. NOYES. We will be happy to followup.

Mr. PERRY. Okay. The UNHCR received more funding than any other organization PRM with funding levels at \$46 million. Then the UNHCR takes that money, and maybe it is a derogatory term to say funnels, but it distributes those millions of dollars to other organizations to carry out such services as legal counseling to asylum seekers and migrants. In 2022, PRM also funded the U.N. International Organization for Migration, or IOM, with 30 and a half million for activities in Mexico, which is an increase of \$5 million from 2021.

Do you think—I mean, look, you are dealing with all these folks in these agencies. Do these millions of dollars provided by the taxpayers of the United States, do you think they are an incentive to migrants who—let me ask it, maybe a better way to ask it this way: that money that is spent through the UNHCR, or IOM, does it require that migrants be vetted first before that money is spent on them for legal services or what have you? Vetting.

Ms. NOYES. Our partners, and this is part of our agreements with them and the oversight that we conduct with them, absolutely check on the beneficiaries, figure out who really needs the assistance, and provide assistance only to those who really are the most vulnerable. And in Mexico—

Mr. PERRY. I am sorry, I am running out of time here. Everybody is vulnerable when you leave your country and you are transiting. I think everybody would be vulnerable in Mexico doing that journey. But I am talking about vetting to come to the United States of America. Are they vetted prior to this—that is a lot of money. That is 30 and a half million and 46 million, so 86 and a half million dollars is spent on legal services, et cetera, for these people transiting Mexico to come to the United States. Do we require them to be vetted before they get access to that money in the form of legal services and other services that they would receive as a result of that money?

Ms. NOYES. We do not provide that funding in order to help people go to the United States. On the contrary. That funding is provided in order to provide assistance to people where they are. And as I had indicated earlier, it is to buildup the Mexico asylum agency to provide support for people to remain in Mexico and seek asylum there. We also provide funding for assisted voluntary returns for people to return to their country of origin to cease from those trips—

Mr. PERRY. Do you have figures—I appreciate that narrative. I, for one, don't believe any of it. I think it is designed to assist and aid people to come to the United States illegally. That is what it is used for, and I think there is probably a small percentage that return back to their country. I also don't believe that anybody is required to be vetted before receiving the assistance that comes through those programs. Can you provide any metrics to prove what you just said?

Ms. NOYES. Certainly. We would be happy to provide information about the assistance that we have provided to Mexico's asylum agency, which has grown by 500 percent and has over 140,000 asylum claims in Mexico for people to remain in Mexico. We would be very happy to provide further information.

Mr. PERRY. So what I am looking for, just so you don't go back to work and kind of chase your tail—

Mr. MAST. Your time is expired, but you are up for another round in just a moment, if you would like.

Mr. PERRY. I yield.

Mr. MAST. You will be up, I guess, in five to ten, you know, 10 minutes. So we are moving to another round. Just going to go back to myself. If we could just make sure to give the quotes from what State Department told to, quote, neutralize the language, quote, neutralize the language. Don't neutralize the program language,

neutralize the language of what you are reporting back to State. And then we wonder why would Humanists International provide an inaccurate deck of slides to State Department? Why would they provide, you know, only a small percentage of the slides instead of the slides that talk about promoting and expanding atheism in Nepal? Well, because they were directed by State Department revise the language in all official grant documents to neutralize the language in all materials that were submitted to State Department. No changes to impact the planned activities, no changes to the program language, no requests there.

So here is my question No. 1: was it you that told them to neutralize the language?

Mr. HUSSAIN. No, sir. And I share your interest in understanding the proper interpretation—

Mr. MAST. I will let you get to your response. I am glad you share my interest. We will go back to something I said in my opening statement: either you didn't know and you should be pissed off, or you knew and you didn't care or your people knew and they didn't care and you should be really pissed off, or you knew and you tried to hide it. Any of those things should result in being really, really pissed off. Now please respond.

Mr. HUSSAIN. Yes. I share your interest in understanding the interpretation of the language. Now, I will say very clearly that, if there is any effort whatsoever to do anything to use American tax dollars to promote atheism, that is wrong and that is not something that I associate myself with or—

Mr. MAST. That is the grant. You acknowledge that that was the grant, right, and Secretary Verma and Durakoglu all came back and said, yes, this is what was—I mean, we have the letter here. I submitted it for the record. They came back and said, yes, this is what the slides were doing, this is what we were doing. State Department said it.

Mr. HUSSAIN. To answer your question, Congressman, respectfully, the grant is a grant that is designed to protect individuals that hold particular religious faiths or it is inclusive of individuals that don't hold any particular faith. It is not a grant that is designed to promote atheism. It is not permitted—

Mr. MAST. Atheists. Promote atheists.

Mr. HUSSAIN. Right. But if we read the entire title—

Mr. MAST. Promote and defend religious freedom inclusive of atheists. So promote and defend atheists, promote and defend humanists, promote and defend non-practicing, non-affiliated individuals. Nobody told you guys you have to write a grant to promote atheism. Yes, you can go out there and do a number of different things. Nobody told you, Congress didn't write a law that said, hey, go out there and write a grant to promote atheism.

But to my question, again, were you the one that directed them to neutralize the language that we would be able to read?

Mr. HUSSAIN. No, Congressman. And that is why we did not write—

Mr. MAST. Who directed them to neutralize the language that Congress was going to read?

Mr. HUSSAIN. Look, I am—

Mr. MAST. Who directed? Who was that?

Mr. HUSSAIN. The language I see is revised language in all official grant documents. If you have the rest of the document, I would be happy—I am just as interested in the whole document——

Mr. MAST. Who was it? Who is that team lead program officer?

Mr. HUSSAIN. I do not know who this meeting was with in December——

Mr. MAST. So this is new information to you that somebody was directed to neutralize? You are not familiar with this?

Mr. HUSSAIN. Neutralize the language in the official grant documents. I am more interested in learning what that——

Mr. MAST. That doesn't answer. Is this new information to you, or did you know this already?

Mr. HUSSAIN. I haven't seen these bullets that are on the board.

Mr. MAST. Okay. This is directly from Humanists International. And, by the way, let's take a step back in time. We have gone back and forth in a lot of different rounds, but I want to go back to, remember, this grant came about in 2021. It was awarded. June 22, Congress wrote the first letter about this saying, hey, we have concerns about this grant, we were stonewalled. The first correspondence went out from your office. You were there at the time in 1922 where the implementing partner expressed concerns to State Department about our oversight letter. Humanists International said, hey, what is going on with Congress, you know, they are up our tail, what is going on with this? And they were told by State Department we are taking care of this. That was the quote by State Department, we are taking care of this.

Now, again, fast-forward in time to just a little while and we know that in December 2022 you guys said neutralize the language. You said you didn't do it. You said this is new to you, that you didn't know somebody directed them to neutralize the language. Should somebody be fired for telling them to neutralize the language?

Mr. HUSSAIN. Congressman, that is a very serious action. I would want to know what it means in this context to neutralize the language. It says all materials in official grant documents. That is not the same thing as slides. I want to know exactly what——

Mr. MAST. Don't change the slides that you are delivering, don't change the program materials, just change what you are reporting back to us is what it says.

Mr. HUSSAIN. I am interested in knowing how we can interpret that to mean slides.

Mr. MAST. Let's talk about——

Mr. HUSSAIN. If you have the rest of the document, I would love to see it. And I am just as interested as you are——

Mr. MAST. We are going to leave this right up-front so you can look at it, reflect on it, have some more opinions about it when I get back to you in about 10 minutes after my colleagues ask some more questions. I am now going to recognize Ranking Member Crow for 5 minutes.

Mr. CROW. Thank you, Chairman. I am sorry you had to sit through that, Mr. Hussain. Do you know why you have never seen this? And that is a rhetorical question. It is because this, what you were just asked about, is the transcript from a transcribed inter-

view done by staff of this committee that has never been released to the public. So you have never seen this.

Mr. HUSSAIN. That is correct.

Mr. CROW. The public has never seen this. And despite repeated attempts by the minority to get the majority to release this, they have repeatedly refused to do so. So this was an interview that was done by the committee of a former employee of the organization in question, not one of your employees, not one of the State Department employees. I just wanted to clarify what it is we are talking about and why you might be confused about what you are being asked about because you haven't seen it, nobody outside of this committee has seen it.

Mr. MAST. Do you want to yield for a clarifying point?

Mr. CROW. Sure.

Mr. MAST. As far as I know, no Democrat representative showed up to that.

Mr. CROW. Oh, Okay. And just to clarify mine, it wasn't a transcript, it was written answers. So it actually wasn't an actual interview, it was written answers submitted but not released to the public. It is my understanding that this has not been released by the committee. Is that—

Mr. MAST. It could have been released to your side—

Mr. CROW. Yes, but we have asked for it—

Mr. MAST. I will get you an answer about whether the broader public—

Mr. CROW. In the meantime, because it is my understanding that you all have not released it. In any event, you haven't seen it. And do you know what this language, neutralize, mean? Is this language you use?

Mr. HUSSAIN. It is designed to protect the religious freedom of all individuals inclusive of atheists, and there are organizations that may be humanist that are doing work and training—

Mr. CROW. My question is different, though. This language, this neutralization language, do you have any idea what that means?

Mr. HUSSAIN. No. And I am trying—

Mr. CROW. And is that language you have ever used?

Mr. HUSSAIN. No.

Mr. CROW. That language that you've directed your staff to ever use?

Mr. HUSSAIN. No, especially not in the context that is being implied here that neutralize might mean something to do with allowing promotion of atheism.

Mr. CROW. And context matters a lot, which is why we have asked for these written answers to be released, because I will tell you why context matters: because the written answers also say something interesting. And I don't have one of these big boards. I wish I did. But the written answers say this: this same individual said in the written answers that she understood the obligation, quote, "to not use funding to promote or proselytize any religious or non-religious belief over another but, rather, to promote the inclusive right of religious freedom, including non-religious, for all."

Mr. HUSSAIN. That is correct.

Mr. CROW. Specifically clarifying that was their understanding.

Mr. HUSSAIN. That is correct.

Mr. CROW. That is also in the written answers, and that is why context matters. Did you guys get any clarification on whether or not these written answers have been released?

Mr. MAST. Yes, I do. Not released to the public, and my understanding is Dem staff received the same offer, did not want to make these thing public for basically the same reason that you all asked for the dissent cable in Afghanistan. You guys didn't want certain names released.

Mr. CROW. Well, names, yes, to protect individuals against reprisals. But we have repeatedly wanted these, for this reason actually, because it allows—

Mr. MAST. But that is the—

Mr. CROW. We do have them. There is no doubt about that, which is actually why I have this quote, why I have this context, which is important and why I asked the question and why I think it is important that the public see it and for you all, frankly, to see it.

Mr. MAST. If you would like their names released now, just make that request—

Mr. CROW. No, we are talking about something different. I think it is important in all of these contexts to protect people's names because we don't want people to be subject to fear and intimidation or reprisal. But the content, I think, is important for folks to see.

Ms. Dyer, you are doing a phenomenal job today. In 40 seconds, are there any stories that you would like to tell because your department does just amazing, amazing work to combat human trafficking. I would love to just give her a minute to chime in here.

Ms. DYER. Well, I appreciate the opportunity to speak and really just to sort of, like, thank you guys. I really feel like the successes that we have had in the Trafficking in Persons office is due to hardworking staff, bipartisan support from Congress, and really working together in partnership to both prevent the crime, prosecute the bad guys, and protect the victims. It is an honor to get to work on this issue. It is an honor to get to collaborate with all of you and happy to answer any further questions that you have.

Mr. CROW. Thank you. Chairman, I yield back.

Mr. MAST. You have been very patient. I now recognize Representative Perry.

Mr. PERRY. Thanks, Mr. Chairman. Ms. Noyes, I think, from my standpoint for this committee, I misspoke. It was 76 and a half million—I should never do math in public—that I counted up there. But you said 10 percent essentially, but whether it is 10 percent or whatever of the 76 and a half million, I would like to know if you can provide for us how many recipients, how many of those recipients were actually returned to their country? How many of the recipients were vetted, how many were not vetted, prior to receiving the funding? And how many of these recipients remained in Mexico while they sought their asylum claim? I think that would at least help illuminate.

I don't want to be unduly critical. I represent, just like everybody else here, 760,000 people. They get up early in the morning, they go to work, they are paying their taxes. We are borrowing money every single time we vote here to pay for all this stuff. We are borrowing. This is all borrowed money. And, you know, I can't speak

for anybody else's district, but the district that I represent people can't afford their groceries, their gasoline, their electricity bills, their daycare bills, their normal daily needs. And when we are spending that kind of money, that amount of money, I would say it encourages people to come to the United States but maybe you are right and maybe I am wrong. But we should be able, I should be able to tell my bosses this is where your tax money is being spent, this is how it is being used, and right now I can't do that. So I appreciate that.

Mr. MAST. Mr. Perry, can I borrow a moment from you?

Mr. PERRY. Absolutely. I yield to the chair.

Mr. MAST. I was frustrated in your last dialog because Ms. Van Noyse—sorry. Valls Noyes—I didn't mean to say that incorrectly—had a dialog with Representative Issa in which the specifics of the dialog, please correct me if I am wrong, were they were funding a group. That same group was providing literal materials on how to circumvent U.S. immigration law, but they were paying the same group to do other things. So it is not what we were paying them to do. They were using other moneys to literally give these documents on how to circumvent U.S. immigration law. We were paying for the other stuff. Yes, it was done at the same events. Yes, they were invited to the same audience. Maybe they were at an audience for, I don't know, receiving information on something, and they were given that information by this group, happened to be paid by the U.S., but they were also delivering this.

It was frustrating to me that when you were asking your questions about whether they are doing different things, funding these groups and teaching them how to circumvent immigration law. Do I have a misunderstanding of your dialog there? Yes, you funded this group that was directing people to circumvent immigration law. Your claim is that you were not funding them to do that. They must have got the money from somewhere else to do that; but, yes, they were doing that at State Department-sponsored events or where there was an audience for United States Department of State.

Ms. NOYES. Congressman, although we did not fund the slides, it is absolutely true that nothing in those slides was intended to circumvent U.S. immigration law. In fact, it was to provide correct information about U.S. immigration law, as opposed to the garbage that smugglers and traffickers put out. And the information in those slides is all information that is readily available on multiple U.S. Government websites.

Mr. MAST. If it was such corrective information, why wouldn't you want to fund that? You were very specific that you didn't fund that.

Ms. NOYES. Because we only funded that organization to provide support for asylum procedures in Mexico.

Mr. MAST. And Mr. Issa did speak again very specifically about where that group was directing people to circumvent U.S. immigration law, and, yes, you happen to be funding them, as well. Certainly a frustrating point—

Ms. NOYES. But, Congressman Perry, if I could, I appreciate your question about who is receiving cash and voucher assistance in Mexico funded our partners, UNHCR and IOM. I can tell you that

other countries also contribute funding to those organizations for cash and voucher assistance, so we will need to do some analysis to figure out how much of that funding came from American taxpayers versus other taxpayers. But I am very happy to take the question back, and I appreciate it.

Mr. PERRY. I apologize for not using your full Valls Noyes, ma'am.

Ms. NOYES. Noyes is fine. Thanks.

Mr. PERRY. Okay. But now, based on that information, and, look, we get that other countries fund some of this stuff; and God bless them, that's great. But I am a representative of the American people, so that is my interest. Is there a prohibition in the State Department for funding organizations that would—these people are coming across the border illegally, right? Unless they are vetted and they have waited for their asylum claim, they are coming across the border illegally. Is there anything in State Department documentation that prohibits the use of those funds to be used to inform or provide care, comfort, whatever, to people that are crossing the border illegally?

Ms. NOYES. The 2024 appropriation passed by Congress made clear to us that the United States may not provide funding to assist with provision of information about U.S. immigration proceedings or about legal representation in the United States, and I have sent letters to all of our partners explicitly pointing that out to them. So, yes, as a result of the legislation passed by this Congress, that is the case.

Mr. PERRY. All right. Thank you, Ms. Valls Noyes.

Mr. MAST. The chair now recognizes Representative Burchett.

Mr. BURCHETT. Thank you, Mr. Chairman. Thank you all for being here. I think I came in and introduced myself earlier as the chairman, but I had the wrong office or the wrong deal. But it really didn't matter. I take it upon myself to confuse people on a daily time, so consider yourself one of those.

Ms. Valls Noyes—did I get that right?

Ms. NOYES. Honestly, Noyes, just Noyes is fine.

Mr. BURCHETT. No, I am going to get it right. If it says right here, I am going to try to do it because nobody ever gets my daggone name right and it kind of ticks me off sometimes

How much money does the Bureau of Population, Refugees, and Migration give in cash and voucher assistance to immigrants?

Ms. NOYES. Congressman, cash and voucher assistance is a well-proven internationally recognized tool to support vulnerable people. We provide cash and voucher assistance all over the world. I was recently in Cote d'Ivoire where our partners were providing cash assistance to Burkinabe refugees who had had to flee the fighting there. We provide cash and voucher assistance to migrants all over the world.

And I will give you a specific example. The 135 Nicaraguan political prisoners who left that country 2 weeks ago that Ambassador Hussain was mentioning earlier, we provided them with \$180 each because they needed, you know, when they got out of Nicaragua, they had nothing. So they arrived in Guatemala. We got them lodging, we got them food. They got standard-issue sweatshirts. But we

gave them \$180 each so that they could buy underwear, shoes, clothing that was distinct from that——

Mr. BURCHETT. We just give it to them to spend. This isn't a got you. You are just educating me.

Ms. NOYES. We give it to them to spend to support their dignity, to support their specific needs, while we are processing them for more durable solutions elsewhere. And we are very grateful to the government of Guatemala for its support for these political prisoners, people who have fled unthinkable persecution.

Mr. BURCHETT. Yes, ma'am.

Ms. NOYES. And they told us, these political prisoners told us that that cash and voucher assistance—it is \$180 each. It is not much money. They told us it was a gift from heaven.

Mr. BURCHETT. What if it is used on something that isn't approved? Is there any way to track that? Is there——

Ms. NOYES. The cash and voucher assistance is given with clear stipulations about what it can be used for, whether it is food or medicine. It is also given with stipulations about where it can be used.

Mr. BURCHETT. But there is no way to stop it. Say they were going to go——

Ms. NOYES. In fact, there are ways to stop it. We do very robust post-distribution monitoring of this assistance——

Mr. BURCHETT. But the money is already—say they buy something illegal, go to a liquor store, whatever, buy a bottle and drink the bottle. There is no way to get that back.

Ms. NOYES. When you find that there have been any violations of the terms under which they received it, we cut it off.

Mr. BURCHETT. How do we know that this money and how do we ensure that it is not going to Mexican cartels?

Ms. NOYES. We do very robust post-distribution monitoring. We talk with the people who receive the money. We talk with the businesses where they are using the funding, to the landlords that they are paying rent to. We check up on how that funding is being used. And, again, if there is ever any indication that this money is flowing to criminal organizations, further victimizing people who are already persecuted, we cut it off and take steps. And if criminal investigations are needed, we cooperate with authorities on how to followup on those.

Mr. BURCHETT. All right. You used the term robust more than once, but I still worry that if this money is already expended, you can't pull it back. Do you ever worry that giving people money, the State Department is paying some of these people to enter our country illegally or, even worse, that you are paying the cartels to engage in human trafficking?

Ms. NOYES. We give them the money so that they can stay where they are safely and until we can help them find other solutions, like integration in the countries where they are. Ninety-four percent of migrants in our hemisphere who have left their country remain in other countries of our hemisphere. They are not coming to the United States. And, absolutely, we are always concerned about protecting people from criminal organizations. And that is why all of us sitting at this table, together with our colleagues in the International Narcotics and Law enforcement Bureau, our colleagues at

USAID, we all work very hard together, coordinate regularly, to try and prevent those kinds of abuses.

Mr. BURCHETT. Thank you. I will yield the remainder 12 seconds back to you, Mr. Chairman.

Mr. MAST. Oh, thank you.

Mr. BURCHETT. Thank you all for your testimony.

Mr. MAST. Are those quote often done in cash or pre-paid Visas? What is used more?

Ms. NOYES. It really varies on the context. In Poland, for example, we provide cash and voucher assistance for Ukrainian women who are fleeing with small children. They would get bank accounts set up with funding for them. In Cote d'Ivoire, where I was a couple of weeks ago, we actually gave out cash because there are no ATM cards or machines, there are no places where they can use cash cards. So it really varies on the context.

Mr. MAST. How many countries do you give out cash and vouchers?

Ms. NOYES. I would have to check on that. We can get back to you.

Mr. MAST. Roughly. Give me an estimate.

Ms. NOYES. It is a best practice internationally, so I would say it is probably at least in the dozens.

Mr. MAST. At least in the dozens. Thank you. I appreciate that. All right. The ranking member and myself have discussed we are essentially going to wrap up now. He was kind enough to say I could have essentially another round just to give Ms. Dyer a little bit of time here because you haven't had, unfortunately, a great deal of time. But we would love to hear you just expound a little bit upon some of the grants and programs that you have been working on and your oversight of them, as well. And thank you for your patience here.

Ms. DYER. Thank you for having me. I think there is two that I would love the opportunity to sort of flag for you. One of them is our Child Protection Compacts. This is one of our most impactful and innovative grant programs, and I am mentioning it because it is so impactful that we have actually replicated it into a new program. So our Child Protection Compact program is a partnership with another government, and that government has to have skin in the game. They have to give either personnel or staff or a building. So it is an actual partnership between the U.S. Government and that other government.

We have successfully created, for example, in the Philippines a Philippines Internet Crimes Against Children Center. These are thing that are super sustainable and that last long after our government money has ended. In Ghana, we created a shelter for child victims, and this program successfully removed numerous victims of child sexual exploitation and child forced labor. And in Jamaica, which is another example, we successfully created a national referral mechanism and child-friendly spaces. These are so important because these are three examples of Child Protection Compacts that have ended but the good work, thanks to work from Congress and money from Congress, continues to benefit the community even after we have gone.

So that is one of the options that I would love to just sort of highlight and thank you for your partnership on. It was launched in 2015, and it is congressionally mandated. And it is one that we continue to operate. And we just signed our newest Child Protection Compact in Romania, so thank you for the opportunity to brag on it.

Mr. MAST. Anything about how you oversee those grants?

Ms. DYER. Yes. We engage in what we consider a really robust monitoring and evaluation. It is, in fact, integral to all of our programs, and it begins with the original application. So the application has to include a results monitoring plan, and that is actually one of the criteria that we use about whether or not we are even going to fund that proposal.

We continue then to assign it. We have a monitoring and evaluation team in our office that works directly with those implementers, and we work with them to have common performance indicators, which then we followup on every single quarter. And it is funny. I was a prior grantee from the Trafficking in Persons office, and so it is so interesting to be in a position now where I am overseeing those grants. I knew the careful monitoring and cooperation that I had back in—I hate to date myself—2012 and 2013. And so it is wonderful to kind of bring it full circle and make sure that we are overseeing these and being really good stewards of the money.

And I feel like we have done a really good job. We have even instituted a two-phase application process, which is something that we don't always have. But it really benefits both us as the grantor, as well as the grantee. So thank you for the opportunity to talk about.

Mr. MAST. Thank you very much. And I think bipartisanly we are working on legislation to make sure that we improve transparency on these grants, and we look forward to hearing more from you and working with you on making that better across the board, across State Department.

In that, I will say I thank each of you for your testimony, and I thank all of the members, although it is only Ranking Member Crow and myself at this point, for their questions. Member of the subcommittee may have some additional questions for the witnesses, and we will ask you to respond to those in writing.

I recognize you for any closing statement that you might have.

Mr. CROW. Thank you, Chairman. Thank you for calling this hearing today. And I want to just thank the witnesses again for coming, for being candid, for telling the stories of your departments and divisions and the hard work of the men and women that are under your purview who do work that is essential for human rights, for promotion of fundamental rights around the world.

And, you know, I think it sometimes gets lost that this isn't just charity, right? The American people and the American taxpayer isn't give this just out of charity, although there is a very real moral reason for us to do this that I support. But this is also fundamental to our national security. It actually sets us apart from our adversaries. You know, our adversaries who are trying to rewrite the rules of the road and undermine democracy and fundamental rights, you know, autocrats and strongmen around the world, they

are afraid of these efforts because they realize that if you all are successful in what you do, you empower people, you protect vulnerable populations, you give a voice to the voiceless, you allow people to have fundamental religious freedom however they choose to observe that, you help stabilize populations, you combat trafficking of humans. If you are successful in doing what you do, you undermine their efforts to suppress people, and I think this is a really important point for people to understand that you are doing work that is in the interests of the American people that promotes stability, that promotes security, that promotes economy, and actually ties directly back to Americans' ability to have fruitful, positive, fulfilling, and economically viable lives by making sure that people everywhere are safe and secure, as well.

So I thank you for those efforts, and I yield back.

Mr. MAST. Thank you, Ranking Member Crow. I appreciate your testimonies today, and we will just followup by saying tell us the truth, tell us the truth promptly about what is taking place. It is not acceptable to stonewall Congress for a month, 12 months, 24 months. It is not acceptable to go out there, and the American people are not stupid or naive. Things are not always more than meets the eye. Sometimes, it is very clear what something means. When State Department writes to an implementing partner to neutralize language but don't neutralize the program activities, the American people aren't stupid. They can read that, they can read it directly at this point because it is absolutely public information at this point, and see, hey, they don't want us to know something, they don't want us to see exactly what is going on. And they are the ones that pay all of our salaries. They are the ones that pay every dollar that you might spread abroad, whether it is to expand atheism in Nepal or whether it is to give somebody \$180 to buy underwear or something else, whether it is a prepaid debit card or whether it is cash, whether it is somebody printing out a pamphlet telling them how to circumvent U.S. immigration law, all those dollars are coming from the American taxpayer. And our No. 1 responsibility as members of the People's House, the House of Representatives, is to make sure that the people of the United States of America are not the voiceless ones. What we have from the American people is not charity in any way whatsoever, not in any single sense of the word. We should be able to ensure that, if any dollar is spent, we can tell the American people, No. 1, what do the American people need from those that are getting something from us; what are they asking for from us because, as the old saying goes, let's not give them chicken if they are asking for pizza; and does what we are providing get America what it needs out of that relationship? Those questions have to be asked constantly, and we are going to continue to ask those questions as a committee.

Again, I appreciate your testimonies, and we look forward to seeing you all another day. This committee is adjourned.

[Whereupon, at 12 p.m., the subcommittee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD



**COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE HEARING NOTICE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

**Subcommittee on Oversight and Accountability
Brian Mast (R-FL), Chairman**

September 18, 2024

Revised

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs to be held by the Subcommittee on Oversight and Accountability at 10:00 am in room 2200 of the Rayburn House Office Building. The hearing is available by live webcast on the Committee website at <https://foreignaffairs.house.gov/>.

DATE: Thursday, September 19, 2024

TIME: 10:00 am

LOCATION: ~~2172 RHOB~~
2200 RHOB

SUBJECT: Money is Policy, Part II: Analyzing Select State
Department Grant Awards

WITNESSES: The Honorable Julieta Valls Noyes
Assistant Secretary
Bureau of Population, Refugees, and Migration
U.S. Department of State

The Honorable Cindy Dyer
Ambassador-at-Large
Office to Monitor and Combat Trafficking in
Persons
U.S. Department of State

The Honorable Rashad Hussain
Ambassador-at-Large
Office of International Religious Freedom

U.S. Department of State

*NOTE: Witnesses may be added.

By Direction of the Chair

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-226-8467 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF FULL COMMITTEE HEARING

Day 19 Date September Room RHOB 2200

Starting Time 10:00 AM Ending Time 11:57 PM

Recesses ☐ (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Chairman Mast

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

TITLE OF HEARING:

Money is Policy, Part II: Analyzing Select State Department Grant Awards

COMMITTEE MEMBERS PRESENT:

Chairman Mast, Mr. Perry, Mr. Issa, Mr. Burchett, Mr. Mills, Dr. McCormick, Ranking Member Crow, Ms. Dean.

NON-COMMITTEE MEMBERS PRESENT:

HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Mr. Crow - PL 114 Crow - Materials for the Record

Mr. Issa - Letter Materials for the Record 1-3

TIME SCHEDULED TO RECONVENE _____

or 11:57

TIME ADJOURNED _____

Meg Wagner
Full Committee Hearing Coordinator

House Foreign Affairs Subcommittee on Oversight and Accountability

118th Congress

ATTENDANCE

Date: September 19, 2024

[illegible]



United States Department of State

Washington, D.C. 20520

May 1, 2024

The Honorable
Michael McCaul, Chairman
Committee on Foreign Affairs
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your interest in U.S. humanitarian assistance to refugees, asylum seekers, and vulnerable migrants in Mexico. This letter follows the Department's previous correspondence to you on this issue dated January 12 and December 22, 2023, and January 12 and March 1, 2024.

PRM programs in Mexico focus on the specific needs of refugees, asylum seekers, and migrants in vulnerable situations. As you review program documents, we encourage you to take note of the target population as well as relevant performance measures and targets. For example, during the implementation and re-implementation of the Migrant Protection Protocols (MPP), some programs targeted migrants enrolled in MPP, while other programs specifically targeted refugees and individuals seeking asylum in southern Mexico under Mexican law.

The following information addresses requests for information posed by the Committee to the Department regarding humanitarian assistance in Mexico. The Committee asked for additional documentation regarding sexual and reproductive health, MPP-related transportation activities, and the definitions of "capacity building," "legal orientation," "legal counseling," "legal assistance," and "legal representation." In addition to documents the Department previously produced related to sexual and reproductive health information, referrals, and services, the attached documents include additional maternal health care service directories and post-natal kit

brochures. In addition to documents previously produced related to MPP-related transportation activities, the attached documents also include a No Cost Extension to the International Organization on Migration's (IOM) project "Assistance for informed, safe, and dignified return of migrants and MPP participants in Mexico;" and funding decision memo 2022-ECA-02 for IOM's project on "Supporting Humane and Orderly Logistics in Mexico during the resumption of the Migrant Protection Protocols (MPP)."

The Committee also asked for further documentation regarding how PRM defines "capacity building." The Department previously sent its definitions of this term in the December 22, 2023 letter to the Committee. The attached production includes documents which explain and support this definition. PRM's General NGO Guidelines for Overseas Assistance define capacity strengthening as "the strengthening of knowledge, ability, skills, and resources to help individuals, communities, or organizations to achieve agreed goals," and outline standard indicators to measure funded capacity strengthening, updated in FY 2023 as follows:

- PRM-CS1. Number of individuals who complete training in international law, international human rights law, and/or international humanitarian law through PRM funding (Recommended)
- PRM-CS2. Number of individuals who complete training on cross-cutting topics through PRM funding (ex. budget, operations, management, humanitarian standards, accountability, monitoring) (Recommended)
- PRM-CS3. Number of government staff who complete capacity strengthening activities through PRM funding (Required if receiving funding for capacity strengthening for local governments)
- PRM-CS4. Number of NGO/CBO staff who complete capacity strengthening activities through PRM funding (Required if receiving funding for capacity strengthening for NGOs/CBOs).

For International Organization (IO) partners, PRM measures capacity strengthening / capacity building efforts through the IO's own indicators and

regular reporting to PRM. Please see the document entitled PRM IO Monitoring Summary Overview.

PRM uses multiple metrics to determine whether capacity building initiatives have achieved intended results. For NGO partners and IO projectized awards, PRM requires quantitative reporting on performance indicators as part of quarterly reports and indicator tables. PRM also requires qualitative reporting as part of quarterly report narratives. For IO partners funded by PRM through voluntary appeals, PRM measures the achievement of intended results using the IO's regular reports to PRM and public reports. For all partners, PRM also conducts routine site visits to monitor activity implementation and progress on intended results. Lastly, PRM conducts evaluations of its programming annually. PRM's FY 2023-2024 evaluation is focused on IOM's Western Hemisphere Regional Migration Capacity Building Program (WHP) and fieldwork is currently underway.

The Committee also requested additional information regarding assertions of an increase in IOM funding from \$5 million to \$30 million between FY 2021 to FY 2022. Information on IOM funding for FY 2021 and FY 2022 can be found in the document PRM Assistance in Mexico FY19-FY23 as well as in foreign assistance award packages for IOM and funding decision memos for IOM submitted with this response. These include:

- IOM project award for "Humanitarian support at the northern border of Mexico to Third Country vulnerable asylum seekers and migrants who are victims of trafficking and violent crimes," including Policy and Program Review Committee (PPRC) Policy Paper 2019-ECA-20 and amendments to IOM project award for "Support toward self-reliance for asylum seekers and vulnerable migrants to the northern border of Mexico," including funding decision memo 2019-ECA-35 and amendments for a No Cost Extension to IOM's "Assistance for informed, safe, and dignified return of migrants and MPP participants in Mexico;"
- IOM project appeal for "Western Hemisphere Regional Migration Program;"

- IOM project award for “Promoting ethical recruitment in the hotel and tourism industry: scaling engagement and enhancing impact;”
- Funding decision memo 2019-ECA-35 for IOM project on “Supporting Humane and Orderly Logistics in Mexico During Resumption of the Migrant Protection Protocols;” and,
- Funding decision memo 2022-ECA-04 for IOM project on “Strengthening the Humanitarian Response for Vulnerable People on the Move in Mexico.”

Additional information on IOM funding for FY 2021 and FY 2022 can be found in the document “PRM Assistance in Mexico FY19-FY23.”

The Committee also asked for further information regarding how PRM defines “legal orientation,” “legal counseling,” “legal assistance,” and “legal representation.” PRM reiterates that it does not fund legal representation for refugees, asylum seekers, and/or migrants seeking asylum or refugee status under the laws of the United States. In Mexico, PRM funds activities including: legal orientation to provide information about relevant laws, policies, and procedures in Mexico, such as what is required to apply for asylum in Mexico; legal counseling to provide expert or professional advice on specific legal issues under the laws of Mexico, such as the rights of migrants who are victims of violent crime in Mexico; legal assistance to provide advice, administrative support, or representation of clients with economic or social needs under the law of Mexico, such as representation of minors undergoing best interest determination processing in Mexico. The Committee asked specific questions regarding a HIAS slide presentation titled “Q10 DYS Situacion en la frontera PRM.” PRM confirms that HIAS did not use PRM funding to create the document “Q10 DYS Situacion en la frontera PRM,” but this document was used at PRM-funded legal orientation sessions provided by HIAS.

The Department will continue to review and process potentially responsive documents and will continue to produce any identified on a rolling basis.

Sincerely,

A handwritten signature in blue ink, reading "Naz Durakoğlu". The signature is fluid and cursive, with the first name "Naz" and last name "Durakoğlu" clearly distinguishable.

Naz Durakoğlu
Assistant Secretary
Bureau of Legislative Affairs

Enclosure:
As stated.

cc: The Honorable Gregory Meeks, Ranking Member
House Foreign Affairs Committee



United States Department of State

Washington, D.C. 20520

December 22, 2023

The Honorable
Michael McCaul, Chairman
House Foreign Affairs Committee
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letters dated October 26, 2022, and January 13, 2023, regarding requests for information concerning the Migrant Protection Protocols. This letter follows the Department's previous correspondence to you on this issue, including a letter response on January 12, 2023, as well as an email communication on June 6, 2023.

Following the Department's June 6, 2023 response, on August 21, 2023, your staff sent further questions concerning this issue. Please see below for responses to the Committee's questions:

- 1. The response to Question 9 states that "PRM does not provide direct sexual and reproductive health services in Mexico". As Question 9 requested information regarding "both PRM and PRM's partners", this is not a complete response. Please explain what types of sexual and reproductive health information, programming, referrals, and services are provided by PRM's partners. Further, does PRM provide indirect funding towards sexual and reproductive health information, programming, referrals, and services? And do any of PRM's partners use any funding, directly or indirectly, towards providing sexual and reproductive health information, programming, referrals, and services? In this regard, please provide documents sufficient to support the explanations, including, but not limited to, strategic plans, policy guidelines, operational protocols, briefing papers, progress reports, memoranda, evaluations, correspondence, and other similar documents.**

PRM's partners address health access to prenatal and post-partum support for pregnant migrant women. PRM's partners coordinate with Mexico's health authorities on information related to health care access in relation to migrants' health needs. In fiscal year 2022, IOM and UNICEF focused on strengthening access to health care for pregnant women on the move. IOM's efforts focused on providing information to pregnant women regarding the importance of prenatal care with an emphasis on prenatal vitamins and prenatal (medical) visits; how to access the health system, including for labor and delivery; birth registration; and identifying early warning signs of potential risks (e.g., pre-eclampsia). Regarding the postpartum period, IOM's efforts focus on key health, sanitation, and safety issues for mothers and babies, including umbilical cord care, breastfeeding nipple care, as well as ensuring birth registration, managing lochia, and identifying early warning signs of potential risks (e.g., eclampsia and postpartum hemorrhage). UNICEF collaborated with the Ministry of Health to complement the health and nutrition needs for pregnant women including in relation to the provision of iron and folic acid and to improve referral of urgent cases to the Ministry of Health. PRM's partners address menstrual health and hygiene and hygiene for postpartum bleeding (i.e., lochia).

Access to menstrual hygiene products remains a pressing need for women and girls which relates directly to their health and safety. Consequently, PRM's partners have scaled up the inclusion of sanitary pads within dignity kits. IOM has included sanitary pads into its postnatal kits for postpartum bleeding (lochia). Regarding gender-based violence (GBV), programming to date has focused on training national authorities and multisectoral staff to strengthen GBV risk prevention, identification, and response, particularly on psychosocial needs.

- 2. When HFAC was in Mexico, we received a presentation indicating that IOM "operate[s] . . . multi-service community centers for migrants and host communities with a focus on primary health care and health promotion programs, referral to other providers (contemplating elements such as psychosocial support, [and] sexual and reproductive health needs[])" (US – IOM Cooperation in Mexico, at 12 (presentation slides attached for reference)). As you may know, such funding could implicate 117 P.L. 328 § 7018 which**

provides that no funds “may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions.”

In the Mexican context, sexual and reproductive health needs can relate to prenatal and peripartum care, contraception including emergency contraception, sexually transmitted infections including HIV/AIDS, post-sexual assault care including post exposure prophylaxis, emergency contraception and psychosocial care. The Department takes all statutory restrictions related to abortion very seriously, including but not limited to the Helms amendment, and works with implementing partners to ensure compliance.

3. Throughout the responses, the term “capacity building” is used. Please explain how PRM defines the term, how capacity building efforts are measured by PRM, and how PRM determines when capacity building initiatives have achieved intended results. In addition, please provide documents sufficient to support the explanations, including, but not limited to, strategic plans, policy guidelines, operational protocols, briefing papers, progress reports, memoranda, evaluations, correspondence, and other similar documents.

PRM uses the term “capacity building” and “capacity strengthening” interchangeably. In the external-facing FY 2023 NGO Guidelines, PRM defines capacity strengthening as “The strengthening of knowledge, ability, skills, and resources to help individuals, communities, or organizations to achieve agreed goals.” This definition aligns with State’s Office of Foreign Assistance (F), which defines capacity in the Standard Foreign Assistance indicators as “the ability of people, organizations and society as a whole to manage their affairs successfully. Capacity development is the process of unleashing, strengthening and maintaining such capacity.”¹

PRM also aligns with the principles for Capacity Strengthening articulated in the IASC Guidance Note on Capacity Strengthening for Localization,

¹ CBLD-9: Percent of USG-assisted organizations with improved performance [IM-level]

developed by Grand Bargain Localization Workstream, of which the USG is a member. Capacity strengthening is important to create sustainable best practices that can last beyond USG funding.

Each NGO project that includes capacity strengthening activities must report on standard indicators approved by PRM that measure progress and success towards strengthening the capacity of other organizations (including local and community-based organizations), host government officials, and other stakeholders. PRM standard output indicators include, “Number of government staff trained through PRM funding” and “Number of NGO/CBO staff trained through PRM funding.” While the focus of the indicator title is ‘training’, PRM acknowledges various capacity strengthening methods may be necessary to help local actors reach their performance goals and contribute to positive change in their communities and societies. Therefore, approaches should be fit-for-purpose and co-created with local actors, considering the aspirations, goals, and needs of each local actor and the rules and resources of the local system. In addition to training, capacity strengthening activities may include: accompanying local actors to learn by doing through participatory methods, creating peer-to-peer learning opportunities, and facilitating relationship brokering and network strengthening. In addition to PRM standard indicators, NGOs are encouraged to develop their own custom indicators to measure outcomes related to the strengthened capacity of local actors to enable a most tailored understanding of the specific results achieved through capacity strengthening efforts. For IOs, reporting is not as granular, but PRM does receive periodic reporting on key achievements and regularly monitors IO programs to ensure they are effective.

- 4. The response to Question 1 states that PRM provided IOM \$14.6 million “to support MPP-related humanitarian transportation activities”. Please provide a more detailed explanation of these activities, the specific support being provided, and how these funds were spent. In addition, please provide documents sufficient to support the explanations, including, but not limited to, budget allocations, policy guidelines, operational protocols, briefing papers, progress reports, memoranda, evaluations, correspondence, and other similar documents.**

Due to serious security risks in northern Mexico and a demonstrated history of those enrolled in MPP being targeted by criminal groups for kidnapping or extortion, and in order to facilitate an orderly and safe resumption of MPP, PRM contributed \$14.6 million to IOM to humanely transport migrants from interior Mexican cities to U.S. ports of entry for their court dates. Under this award, IOM used funds to: a) facilitate transportation for people returned to Mexico under MPP who voluntarily accepted assistance to shelters; and b) provide individuals with access to COVID-19 tests prior to returning to the U.S. for their court dates. This program has been discontinued, but the period of performance was from December 3, 2021 to December 2, 2022. The funding originally obligated for this purpose was \$14.6 million. Upon conclusion of the program, \$8.8 million of the obligated funding remained and was de-obligated and will be repurposed for other humanitarian priorities.

- 5. The response to Question 3 states that PRM is “attaching a sampling of the curriculum IOM provides to NGOs and civil society organizations in Mexico.” These sample curriculums were not attached. Please provide the documents.**

Please find attached to this submission sample curriculum.

- 6. The response to Question 4 states that the increase in funding from \$5 million to \$30 million between FY 2021 to FY 2022 “was for a variety of activities related to humanitarian assistance, capacity building, migration management, and responding to humanitarian needs and mitigating risks resulting from MPP re-implementation.” Please provide a more detailed explanation of these activities, the specific support being provided, and how these funds were spent. In addition, please provide documents sufficient to support the explanations, including, but not limited to, budget allocations, strategic plans, policy guidelines, operational protocols, briefing papers, progress reports, memoranda, evaluations, correspondence, and other similar documents.**

In FY 2022, PRM contributed over \$30 million in humanitarian assistance to IOM in Mexico including two separate programs, one for \$14.6 million for MPP transportation support, and the other for \$13.5 million for other humanitarian assistance activities. Activities in the latter humanitarian assistance award included strengthening the capacities of shelters and implementing filter hotels. Filter hotels were spaces for temporary quarantine for migrants to reduce COVID-19 transmission and provide services such as health and psychosocial support and referrals. These were implemented in both Tijuana and Ciudad Juarez. Other core activities under this award included shelter capacity building to help more shelters comply with humanitarian standards by improving accommodations, providing cleaning products, hygiene supplies, and other non-food items, and providing limited cash-based assistance for the most vulnerable. IOM also trained shelter staff on a variety of protection topics like identifying victims of trafficking and the prevention of sexual exploitation and assault. Please refer to question 4 above for more information about the MPP transportation award.

7. As noted in Question 5, the State Department has stated that “PRM has not funded and does not fund legal representation or counseling related to U.S. immigration proceedings” (Letter from N. Durakoglu to HFAC dated 12 Jan. 2023). And the response to Question 5 provides that, in 2022, “18,327 individuals received *legal orientation* and 11,323 received *legal counseling* from HIAS in 2022” (emphases added). However, the response to Question 6 states that “the PRM direct award to HIAS provides additional funds for *legal assistance* and *representation* in Mexico. This *representation* assists refugees navigate legal proceedings and refugee status determinations in Mexico” (emphases added).

PRM support through HIAS funds legal assistance in the form of legal orientation, representation, information, and counseling for individuals seeking international protection or another legal status from the government of Mexico. PRM does not fund legal representation or counseling related to U.S. immigration proceedings, and the legal assistance provided to those in Mexico is solely for Mexican legal processes.

- 8. Please explain how PRM defines “legal orientation”, “legal counseling”, “legal assistance”, and “legal representation” and how these terms differ in the Bureau’s understanding. In addition, please provide documents sufficient to support the explanations, including, but not limited to, strategic plans, policy guidelines, operational protocols, briefing papers, progress reports, memoranda, evaluations, correspondence, and other similar documents.**

Provision of legal information, counseling, and/or assistance is part of PRM’s core protection mandate to ensure that forcibly displaced and conflict-affected people are aware of their rights and responsibilities in their country of refuge. This assistance is key to enabling refugees to find durable solutions in their country of asylum, without needing to resort to secondary or tertiary migration. PRM partners provide a range of services that fall within the aforementioned terms, including orientation on the legal environment within host countries for new arrivals, counseling on ways to regularize their status within host countries based on individual circumstances, providing assistance in obtaining essential documentation such as birth registrations, or legal representation within host countries in cases of potential refoulement. Legal aid protects people in humanitarian contexts from being more vulnerable to protection risks. PRM does not fund legal representation or counseling for refugees and migrants in the United States.

- 9. Please explain PRM’s policy regarding the funding of legal representation for refugees and migrants in the United States and in Mexico, providing relevant documents to support the explanation.**

PRM does not fund legal representation for refugees and migrants in the United States. In Mexico, it is difficult to access international protection due to long delays in Mexico’s asylum process, difficulty obtaining a humanitarian visa from the Mexican government, and the requirement that one must stay in the state where a claim was filed while it is in process. This, in addition to limited presence of COMAR (Mexico’s asylum agency), creates a lack of accurate information among migrants and asylum seekers about how to seek international protection in Mexico and low numbers of positive asylum cases. These challenges make it important to provide

vulnerable populations with accurate information on what options for international protection exist and how to obtain it through the Government of Mexico as well as provide them support through Mexican legal processes. Additionally, legal assistance also supports individuals' access to essential services where they are, including enrollment in schools for children who may lack documentation and access to medical care for survivors of gender-based violence. PRM support enables individuals to know about their rights and how to access them where they are.

- 10. We previously requested the curriculum for the legal orientation sessions provided by HIAS and other UNHCR implementing partners. This was not provided. Again, please provide the orientation curriculum.**

Please find attached to this submission sample curriculum.

- 11. The response to Question 7 states that "PRM does not sign grant agreements with UNHCR, but rather provides voluntary contributions towards its global appeals". Please further explain the voluntary contributions provided to UNHCR related to the UNHCR's Mexico referral pathways programs, including the process by which PRM evaluates potential contributions, determines which contributions to make, and monitors the performance of its contributions. In addition, please provide documents sufficient to support the explanations, including, but not limited to, strategic plans, policy guidelines, operational protocols, briefing papers, progress reports, memoranda, evaluations, correspondence, and other similar documents. Also provide documentation detailing all voluntary contributions made by PRM to UNHCR in Fiscal Year 2022.**

UNHCR is funded by voluntary contributions from UN member states and multilateral partners, including public bodies, foundations, and international financial institutions. These contributions can be undirected so that the High Commissioner can freely allocate them or directed for a specific project or country. With respect to PRM contributions to the UNHCR Mexico operation and the UNHCR Americas Bureau, PRM directs its funding to the operational level and the regional level (for use in any operation within the

Americas region) respectively, but PRM does not direct this voluntary contribution down to the activity level. PRM staff in Mexico and DC regularly communicate with UNHCR about operations and activities and visits project sites in addition to getting periodic reporting. The total amount of directed funding is determined by assessing the needs outlined in the UNHCR Global Appeal and contributing some percentage toward that appeal as decided by PRM's Assistant Secretary. PRM analyzes the Global Appeal and any Supplementary Budget appeals and based on consideration of several factors including funding availability, needs, historical response of other donors, and Administration priorities, PRM determines contribution amounts. PRM voluntary contributions to UNHCR are guided by the PRM-UNHCR Framework Agreement for Cooperation for 2023-2025 and Joint Visibility Strategy, which can be found here:

<https://www.state.gov/prm-unhcr-framework-agreement-for-cooperation-for-2023-2025/>

Additionally, as part of this communication, the Department will also be sending copies of publicly-available brochures and public-facing information from Department partners that we believe are responsive to your concerns. We hope this information is useful and we look forward to continuing to work with you and the Committee.

Sincerely,

A handwritten signature in blue ink, reading "Naz Durakoğlu".

Naz Durakoğlu
Assistant Secretary
Bureau of Legislative Affairs

cc: The Honorable Gregory Meeks, Ranking Member
House Foreign Affairs Committee



United States Department of State

Washington, D.C. 20520

January 12, 2023

The Honorable
Michael McCaul, Chairman
Committee on Foreign Affairs
House of Representatives
Washington, DC 20510

Dear Mr. McCaul:

Thank you for your October 26 letter to Secretary Blinken regarding the uses of U.S. foreign assistance funds in Mexico, the Migrant Protection Protocols (MPP), and other topics.

The Department of State does not seek to facilitate illegal immigration through funding from the Bureau of Population, Refugees, and Migration's (PRM), or in any other manner. To the contrary, PRM's programs and funding through international organization and non-governmental organization (NGO) partners in the Western Hemisphere support and strengthen efforts by partner countries to manage migration flows in a safe, orderly, humane, and regular manner. PRM programs support the integration of refugees and migrants into their host countries and provide life-saving humanitarian assistance, including to the six million Venezuelan migrants, refugees, and asylum seekers throughout the region. As noted in the Department's June 21 response, PRM and other Department of State bureaus support our global, regional, and national migration objectives in a variety of ways.

PRM and other State Department bureaus support the national action plans and objectives of the Comprehensive Regional Protections and Solutions Framework (MIRPS), a framework of seven regional governments to coordinate responses to forced displacement in Mexico and Central America. PRM's programs also support action plans to implement the principles of the Los Angeles Declaration on Migration and Protection, endorsed by twenty-one Western Hemisphere countries, to advance shared, coordinated actions to reduce, mitigate and manage irregular migration and forced displacement. Country actions are organized across four key pillars: 1) stability and assistance for host communities on migratory routes and assistance with integration of migrants; 2) regular pathways and international protection; 3) humane migration management, including collaboration on returns

and reintegration, anti-smuggling and anti-trafficking efforts, and law enforcement information sharing on criminal groups; and 4) coordinating emergency responses to migration.

PRM's programming specifically focuses on building capacities of national migration and asylum authorities in the Western Hemisphere, supporting national efforts to create regular legal pathways for migration, including through temporary protection initiatives, and supporting the social and economic inclusion of migrants in their host countries across the region through livelihoods-related programming. PRM humanitarian assistance to the region also provides protection to displaced persons and migrants in situations of particular vulnerability, including children, unaccompanied minors, people with disabilities, stateless persons, and survivors of gender-based violence.

Since Fiscal Year (FY) 2019, PRM has provided over \$280 million in humanitarian assistance in Mexico. Please see Attachment 1 accompanying this letter for a summary breakdown of these funds. The humanitarian assistance PRM provides in Mexico through international organization and NGO partners is consistent with this vision and includes:

- Capacity Building: PRM supports building the capacity of Mexico's national migration and asylum authorities. Goals include strengthening national migration data collection, building skills to aid in the search for missing migrants, and training on protection principles, including on the psychosocial needs of vulnerable people. Funded in part by PRM, our partners have strengthened COMAR's (the Mexican Asylum Authority) capacity to the extent that Mexico is now the third largest asylum-supporting country in the world. More than 84,000 people have applied for asylum in Mexico so far in 2022.
- Life-Saving Assistance and Protection: In Mexico, as in other countries around the world, PRM funds basic life-saving assistance and protection services for vulnerable people. These services include water and sanitation, child protection, gender-based violence prevention and response, as well as other protection activities to respond to the urgent humanitarian needs of refugees, asylum seekers, and at-risk migrants. This assistance includes health information campaigns to educate vulnerable populations on how to access health care, provide equipment and resources for specific children's accommodations and family areas in shelters, and access to education for children.

- Livelihoods Assistance: PRM programming supports the social and economic integration of vulnerable people into Mexican communities. For example, with PRM funds, UNHCR has worked with the Government of Mexico and the Mexican private sector to support over 10,000 refugees and asylum seekers with job placement in Mexico's industrial corridor so far in 2022. The success of this program has led the Government of Mexico to commit to continue expanding it under the Los Angeles Declaration.
- Shelter: PRM funding is not used for new shelter construction, but rather helps existing shelters make better use of their space with a focus on protection and humanitarian standards, for instance, ratio of toilets and sinks to occupants. As noted in my earlier response, PRM supports more than 100 shelters throughout Mexico, including more than 60 in the northern border region. Many of the shelters PRM partners work with in Mexico operate in high-risk environments, including in areas where transnational criminal organizations operate. Publicly linking these shelters to the U.S. government can increase risk to shelter management and residents, as well as to PRM partner organizations. Most shelters PRM supports are non-governmental and run by local civil society or NGOs, including church-affiliated networks. PRM partners also support three Mexican government-run shelters in Tijuana, Ciudad Juarez, and Matamoros. In coordination with national and local authorities, PRM support helps: meet basic needs in existing shelter structures, including cleaning; medical and personal hygiene supplies; installation of WiFi; provision of beds and other furniture; training and technical assistance on site management; and small-scale infrastructure projects such as installation of water tanks and filtration systems, security cameras, security reinforcement measures for doors and windows, and improvements or expansions to bathroom and kitchen facilities. Please see Attachment 2 accompanying this letter for more details on the specific types of shelter activities and locations each of our partners are supporting. As noted previously, PRM generally does not earmark assistance by sector or individual activity, giving our partners critical flexibility to respond rapidly to dynamic needs.
- Legal Assistance: PRM has not funded and does not fund legal representation or counseling related to U.S. immigration proceedings. The Bureau does support programming through IO and NGO partners that includes some individualized legal counseling and/or representation for individuals seeking asylum in Mexico via Mexican procedures and

authorities. Many beneficiaries of this legal assistance are identified by shelters, while others are referred after contacting UNHCR or other humanitarian organizations. Separately, through UNHCR's NGO implementing partner HIAS, PRM also supports legal orientation activities in shelters, which do not include legal representation or counseling for individual cases. Instead, HIAS provides shelter residents a broad overview of their basic rights, obligations, and options in Mexico, as well as information on how to attempt to seek legal representation if they so choose. Previously, when the MPP was in place, HIAS provided information on the basics of what it means to be placed in MPP, migrants' rights and obligations under the program, and information on how to try to seek legal representation if they so choose. Again, the program did not provide legal representation.

- Assisted Voluntary Return (AVR): AVR is a tool used in many different contexts around the world to provide the opportunity for a safe, dignified return home for vulnerable migrants who wish to do so voluntarily but lack the means to travel. Prior to FY 2019, PRM supported AVR needs in Mexico through its regional Western Hemisphere program with IOM. PRM began funding a standalone AVR program for migrants in Mexico in FY 2019 with a \$3,988,746 contribution through IOM. That award ended December 31, 2021. PRM issued a \$5 million contribution to IOM in FY 2022 to support a regional AVR project that included funding voluntary returns for migrants in Mexico to return to their countries of origin. This project started January 1, 2022, and is set to end December 31, 2022. From FY 2018 through October 2022, IOM facilitated assisted voluntary return to 5,238 individuals in Mexico. This includes 1,578 individuals who were enrolled in MPP since its inception in January 2019.
- COVID-19 Testing and Humane Transport for MPP Returnees: Following the Northern District of Texas court ruling requiring the reimplementation of MPP in 2021 and in coordination with interagency partners, PRM provided nearly \$15 million in humanitarian assistance in FY 2022 through IOM for humane transportation for MPP returnees between U.S. southwest border ports of entry (POEs) and shelters in Mexico. PRM's humane transportation assistance through IOM included voluntary transport for MPP enrollees returned to Nuevo Laredo and Matamoros to the safer city of Monterrey, several hours from the two border locations that are known to be especially unsafe for migrants. PRM also supported COVID-19 testing for MPP returnees to ensure they could meet the requirement to show proof they

tested negative to re-enter the United States for court dates. While MPP returnees—like any vulnerable migrants—were eligible to benefit from other PRM programs such as those listed above, the support for transportation and COVID testing was the Department of State’s only funding action directly and solely related to MPP and solely benefitting persons returned to Mexico under MPP. PRM does not and has not funded financial loans to MPP enrollees.

With regard to transportation assistance in the context of MPP, PRM partners have not provided financial loans to asylum seekers and migrants in Mexico using PRM funding. As noted above, transportation support provided by IOM was provided in the form of chartered buses and vans typically doing one round trip per day at POEs with MPP returns. MPP returnees were given the option but not required to use this transportation to travel from the POE upon return to a local shelter, or in the case of Nuevo Laredo and Matamoros, to shelters in Monterrey. This was not an individually tailored service or a loan. The transport ran to and from specific shelters and did not provide custom transportation to other locations. Each day, the IOM-chartered vehicles would provide transportation from shelters to designated POEs for those with scheduled court appearances that day. The Government of Mexico provided National Guard escorts for this transportation, given frequent targeting of migrants – and MPP returnees specifically – in northern Mexico by petty criminals and organized criminals, as well as the tenuous security situation along certain roads, particularly in the northeastern state of Tamaulipas, where Nuevo Laredo and Matamoros are located.

In response to your question about IOM’s travel loan program, these loans are provided solely to refugees being resettled in the U.S. through the U.S. Refugee Admissions Program (USRAP) and their repayments reflect refugees becoming established within the United States, with the bulk of loan repayments made during the second through fourth year of the loans. As of the end of FY 2021, 81 percent of all IOM travel amounts were repaid within 15 years. In FY 2021, IOM gross repayment amounts were \$42.74 million, which provided net returns to the IOM transportation fund of \$35.08 million. This amount was sufficient to fund the transportation costs for all refugees traveling to the United States in that fiscal year. PRM has not conducted refugee resettlement out of Mexico during the time under discussion and has not provided any funding to IOM to support refugee resettlement in the United States from Mexico.

PRM takes seriously the role of monitoring and evaluating humanitarian assistance funding. This includes regular visits to program sites across the region by PRM

staff and regular communication with partners to receive implementation updates. Two examples of metrics PRM uses to measure the success of its programs in Mexico follow:

- **COMAR's capacity to receive and process asylum applications:** As of the end of calendar year 2021, COMAR increased its registration and processing capacity by 400 percent since calendar year 2018 thanks to PRM-funded support through UNHCR to modernize processes, improve technical capacity, increase staff, and expand presence outside Mexico City.
- **Mexico's capacity to conduct Best Interest Determinations (BID) for displaced and migrant children:** Based on preliminary data, PRM estimates as a result of its funding, UNHCR and UNICEF helped the Mexican government reduce BID processing times from an average of six to 24 days in 2021 to between one and seven days in 2022 as of July.

PRM coordinates across the Department of State and with interagency partners to provide humanitarian assistance, and is regularly in communication with INL, WHA, DRL, DHS, USAID, and other interagency stakeholders to de-conflict programming and coordinate assistance. DRL is a key stakeholder supporting the interagency Root Causes of Migration strategy, specifically the components related to governance, human rights, and security. To that end, DRL foreign assistance programs in Mexico are designed based on policy priorities to address the root causes that lead to irregular migration and forced displacement. DRL programming in Mexico focuses on improving institutional transparency and access to information through open government measures; protecting and supporting independent journalists and media to safely conduct their work and counter disinformation; strengthening labor rights; and promoting search and justice efforts for missing and disappeared persons. DRL does not administer programs that target services or support to refugee or migrant communities in Mexico nor anywhere else in Latin America and the Caribbean.

As Secretary of Homeland Security Alejandro Mayorkas has stated, MPP had endemic flaws, imposed unjustifiable human costs, and pulled resources and personnel away from priority efforts. On August 8, 2022, the Northern District of Texas lifted the injunction that required DHS to reimplement MPP, and since then, no new individuals have been enrolled in the program. Individuals have been disenrolled from MPP when they return to the United States for their scheduled court date and continue their case under regular Title 8. We refer you to the

Department of Homeland Security for any further questions about the status of the MPP program or status of individuals previously enrolled in MPP.

In addition, regarding your request for the preservation of documents, please be assured that the Department follows all applicable legal requirements for the management and retention of Federal records in its custody or control.

We hope this information is helpful to you and your staff. PRM Assistant Secretary Julieta Valls Noyes and members of her team remain available to brief you on questions related to PRM humanitarian assistance in Mexico or other countries at your convenience.

Sincerely,



Naz Durakoglu
Assistant Secretary
Bureau of Legislative Affairs

Attachments:

1. Funding Chart for PRM Funding in Mexico
2. Mexico Shelter Support Details

Attachment 1 - PRM Funding in Mexico

Partner	FY 2019	FY 2020	FY 2021	FY 2022	Total
UNHCR	\$51,634,852	\$48,875,000	\$38,400,000	\$46,000,000	\$184,909,852
IOM	\$24,391,826	\$610,000	\$5,210,000	\$30,546,034	\$60,757,860
UNICEF	-	\$620,000	\$10,250,000	\$15,000,000	\$25,870,000
Asylum Access	-	-	\$1,491,282	\$1,491,282	\$2,982,564
HIAS	-	-	\$1,491,500	\$1,491,500	\$2,983,000
ChildFund International	-	-	\$1,194,462	-	\$1,194,462
American Red Cross	-	-	\$1,655,854	-	\$1,655,854
Total	\$76,026,678	\$50,105,000	\$59,693,098	\$94,528,816	\$280,353,592

Attachment 2 - Mexico Shelter Support Details

The following list provides additional details about PRM shelter support in Mexico FY 2019-FY 2022 by partner:

- UNHCR
 - Focus on protection monitoring in shelters and casework to assist asylum seekers with pending claims in Mexico.
 - Support for protection referral pathways between shelters and other service providers.
 - Support for legal orientation sessions provided at shelters by implementing partner HIAS.
- IOM
 - Shelter activities focused but not limited to northern Mexico include delivery of non-food item humanitarian supplies; support for provision of food in shelters; provision of additional and replacement furniture such as beds and mattresses; small infrastructure projects to improve water and sanitation resources and overall humanitarian conditions, as well as to improve WiFi access and safety.
- UNICEF
 - Focus on supporting government shelter facilities for unaccompanied children and alternative care models including local foster families for unaccompanied children.
 - Support for referral pathways for GBV survivors and child abuse victims in shelters, including training for shelter staff to implement and maintain the referral pathway.
 - Implementation of alternatives for education in emergencies in shelters.
 - Support to ensure access to safe water and sanitation facilities, including providing maintenance to water purification systems and installing sanitation facilities and mobile WASH infrastructure, including at shelters.

- Asylum Access
 - Focus on child-specific needs in shelters in southern Mexico.
 - Supports technical assistance on reception and care models for shelters in the states of Chiapas, Veracruz, Tabasco, and in Mexico City, including to improve coordination with local child protection stakeholders.
 - Includes legal orientation and assistance activities (to support access to protection in Mexico; not MPP-related) provided at shelters in Tapachula, Chiapas as well as psychosocial support targeting children and caregivers.
- HIAS
 - Training for front workers including shelter staff on Psychological First Aid (PFA) and basic skills for psychosocial support in Mexico City, Tapachula, and Tabasco.
 - Training for shelter staff and other partners to increase knowledge and skills related to Gender Based Violence (GBV) response, including informed consent, confidentiality, respect for the survivor's wishes, and the responsibility to provide non-judgmental services without discrimination based on gender, age, disability, sexual orientation, gender identity, race, or ethnicity. Training also includes a focus on working with LGBTQI+ survivors and ensuring services for survivors with disability are accessible.
- ChildFund International
 - Support to meet health, GBV, psychosocial, and legal needs with a focus on children and families in nine shelters in the southwest states of Chiapas and Tabasco.
- American Red Cross
 - Delivery of health supplies including PPE and hygiene kits and dissemination of healthcare, including psychosocial self-care information, at 16 locations across Mexico, including 11 shelters in the states of Baja California, Sonora, Tlaxcala Puebla, and Chiapas.

- Training for frontline staff including shelter staff in these locations on first aid in the context of migration, psychological first aid, self-care for frontline personnel, and personnel.

Public Law 114–281
114th Congress

An Act

Dec. 16, 2016
[H.R. 1150]

To amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Frank R. Wolf
International
Religious
Freedom Act.
22 USC 6401
note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Frank R. Wolf International Religious Freedom Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings; policy; sense of Congress.
- Sec. 3. Definitions.

TITLE I—DEPARTMENT OF STATE ACTIVITIES

- Sec. 101. Office on International Religious Freedom; Ambassador at Large for International Religious Freedom.
- Sec. 102. Annual Report on International Religious Freedom.
- Sec. 103. Training for Foreign Service officers.
- Sec. 104. Prisoner lists and issue briefs on religious freedom concerns.

TITLE II—NATIONAL SECURITY COUNCIL

- Sec. 201. Special Adviser for International Religious Freedom.

TITLE III—PRESIDENTIAL ACTIONS

- Sec. 301. Non-state actor designations.
- Sec. 302. Presidential actions in response to particularly severe violations of religious freedom.
- Sec. 303. Report to Congress.
- Sec. 304. Presidential waiver.
- Sec. 305. Publication in the Federal Register.

TITLE IV—PROMOTION OF RELIGIOUS FREEDOM

- Sec. 401. Assistance for promoting religious freedom.

TITLE V—DESIGNATED PERSONS LIST FOR PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM

- Sec. 501. Designated Persons List for Particularly Severe Violations of Religious Freedom.

TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 601. Miscellaneous provisions.
- Sec. 602. Clerical amendments.

SEC. 2. FINDINGS; POLICY; SENSE OF CONGRESS.

(a) **FINDINGS.**—Section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)) is amended—

(1) in paragraph (3), by inserting “The freedom of thought, conscience, and religion is understood to protect theistic and non-theistic beliefs and the right not to profess or practice any religion.” before “Governments”;

(2) in paragraph (4), by adding at the end the following: “A policy or practice of routinely denying applications for visas for religious workers in a country can be indicative of a poor state of religious freedom in that country.”; and

(3) in paragraph (6)—

(A) by inserting “and the specific targeting of non-theists, humanists, and atheists because of their beliefs” after “religious persecution”; and

(B) by inserting “and in regions where non-state actors exercise significant political power and territorial control” before the period at the end.

(b) **POLICY.**—Section 2(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E);

(2) by striking the matter preceding subparagraph (A), as redesignated, and inserting the following:

“(1) **IN GENERAL.**—The following shall be the policy of the United States.”; and

(3) by adding at the end the following:

“(2) **EVOLVING POLICIES AND COORDINATED DIPLOMATIC RESPONSES.**—Because the promotion of international religious freedom protects human rights, advances democracy abroad, and advances United States interests in stability, security, and development globally, the promotion of international religious freedom requires new and evolving policies and diplomatic responses that—

“(A) are drawn from the expertise of the national security agencies, the diplomatic services, and other governmental agencies and nongovernmental organizations; and

“(B) are coordinated across and carried out by the entire range of Federal agencies.”.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) a policy or practice by the government of any foreign country of routinely denying visa applications for religious workers can be indicative of a poor state of religious freedom in that country; and

(2) the United States Government should seek to reverse any such policy by reviewing the entirety of the bilateral relationship between such country and the United States.

SEC. 3. DEFINITIONS.

Section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402) is amended—

(1) by redesignating paragraph (13) as paragraph (16);

(2) by redesignating paragraphs (10), (11), and (12) as paragraphs (12), (13), and (14), respectively;

(3) by inserting after paragraph (9) the following:

“(10) **INSTITUTION OF HIGHER EDUCATION.**—The term ‘institution of higher education’ has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(11) NON-STATE ACTOR.—The term ‘non-state actor’ means a nonsovereign entity that—

“(A) exercises significant political power and territorial control;

“(B) is outside the control of a sovereign government; and

“(C) often employs violence in pursuit of its objectives.”; (4) by inserting after paragraph (14), as redesignated, the following:

“(15) SPECIAL WATCH LIST.—The term ‘Special Watch List’ means the Special Watch List described in section 402(b)(1)(A)(iii).”; and

(5) in paragraph (16), as redesignated—

(A) in subparagraph (A)—

(i) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(ii) by inserting after clause (iii) the following:

“(iv) not professing a particular religion, or any religion.”; and

(B) in subparagraph (B)—

(i) by inserting “conscience, non-theistic views, or” before “religious belief or practice”; and

(ii) by inserting “forcibly compelling non-believers or non-theists to recant their beliefs or to convert,” after “forced religious conversion,”.

TITLE I—DEPARTMENT OF STATE ACTIVITIES

SEC. 101. OFFICE ON INTERNATIONAL RELIGIOUS FREEDOM; AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM.

(a) IN GENERAL.—Section 101 of the International Religious Freedom Act of 1998 (22 U.S.C. 6411) is amended—

(1) in subsection (b), by inserting “, and shall report directly to the Secretary of State” before the period at the end;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “responsibility” and inserting “responsibilities”;

(ii) by striking “shall be to advance” and inserting the following: “shall be to—

“(A) advance”;

(iii) in subparagraph (A), as redesignated, by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(B) integrate United States international religious freedom policies and strategies into the foreign policy efforts of the United States.”;

(B) in paragraph (2), by inserting “the principal adviser to” before “the Secretary of State”;

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “and” at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting “; and”; and
 (iii) by adding at the end the following:
 “(C) contacts with nongovernmental organizations that have an impact on the state of religious freedom in their respective societies or regions, or internationally.”;
 (D) by redesignating paragraph (4) as paragraph (5); and
 (E) by inserting after paragraph (3) the following:
 “(4) COORDINATION RESPONSIBILITIES.—In order to promote religious freedom as an interest of United States foreign policy, the Ambassador at Large—

“(A) shall coordinate international religious freedom policies across all programs, projects, and activities of the United States; and

“(B) should participate in any interagency processes on issues in which the promotion of international religious freedom policy can advance United States national security interests, including in democracy promotion, stability, security, and development globally.”; and

(3) in subsection (d), by striking “staff for the Office” and all that follows and inserting “appropriate staff for the Office, including full-time equivalent positions and other temporary staff positions needed to compile, edit, and manage the Annual Report under the direct supervision of the Ambassador at Large, and for the conduct of investigations by the Office and for necessary travel to carry out this Act. The Secretary of State should provide the Ambassador at Large with sufficient funding to carry out the duties described in this section, including, as necessary, representation funds. On the date on which the President’s annual budget request is submitted to Congress, the Secretary shall submit an annual report to the appropriate congressional committees that includes a report on staffing levels for the International Religious Freedom Office.”.

Reports.

(b) SENSE OF CONGRESS.—It is the sense of Congress that maintaining an adequate staffing level at the Office, such as was in place during fiscal year 2016, is necessary for the Office to carry out its important work.

SEC. 102. ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) IN GENERAL.—Section 102(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “September 1” and inserting “May 1”;

(2) in subparagraph (A)—

(A) in clause (iii), by striking “; and” and inserting “as well as the routine denial of visa applications for religious workers;”;

(B) by redesignating clause (iv) as clause (vii); and

(C) by inserting after clause (iii) the following:

“(iv) particularly severe violations of religious freedom in that country if such country does not have a functioning government or the government of such country does not control its territory;

“(v) the identification of prisoners, to the extent possible, in that country pursuant to section 108(d);

- “(vi) any action taken by the government of that country to censor religious content, communications, or worship activities online, including descriptions of the targeted religious group, the content, communication, or activities censored, and the means used; and”;
- (3) in subparagraph (B), in the matter preceding clause (i)—
- (A) by inserting “persecution of lawyers, politicians, or other human rights advocates seeking to defend the rights of members of religious groups or highlight religious freedom violations, prohibitions on ritual animal slaughter or male infant circumcision,” after “entire religions,”; and
- (B) by inserting “policies that ban or restrict the public manifestation of religious belief and the peaceful involvement of religious groups or their members in the political life of each such foreign country,” after “such groups,”;
- (4) in subparagraph (C), by striking “A description of United States actions and” and inserting “A detailed description of United States actions, diplomatic and political coordination efforts, and other”; and
- (5) in subparagraph (F)(i)—
- (A) by striking “section 402(b)(1)” and inserting “section 402(b)(1)(A)(ii)”; and
- (B) by adding at the end the following: “Any country in which a non-state actor designated as an entity of particular concern for religious freedom under section 301 of the Frank R. Wolf International Religious Freedom Act is located shall be included in this section of the report.”.
- (b) SENSE OF CONGRESS.—It is the sense of Congress that—
- (1) the original intent of the International Religious Freedom Act of 1998 (22 U.S.C. 6401 et seq.) was to require annual reports from both the Department of State and the Commission on International Religious Freedom to be delivered each year, during the same calendar year, and with at least 5 months separating these reports, in order to provide updated information for policymakers, Members of Congress, and non-governmental organizations; and
- (2) given that the annual Country Reports on Human Rights Practices no longer contain updated information on religious freedom conditions globally, it is important that the Department of State coordinate with the Commission to fulfill the original intent of the International Religious Freedom Act of 1998.

SEC. 103. TRAINING FOR FOREIGN SERVICE OFFICERS.

- (a) AMENDMENTS TO FOREIGN SERVICE ACT OF 1980.—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended—
- (1) in subsection (a)—
- (A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;
- (B) by striking “(a) The Secretary of State” and inserting the following:
- “(a) HUMAN RIGHTS, RELIGIOUS FREEDOM, AND HUMAN TRAFFICKING TRAINING.—
- “(1) IN GENERAL.—The Secretary of State”; and
- (C) by adding at the end the following:

“(2) RELIGIOUS FREEDOM TRAINING.—

“(A) IN GENERAL.—In carrying out the training required under paragraph (1)(B), the Director of the George P. Shultz National Foreign Affairs Training Center shall, not later than the one year after the date of the enactment of the Frank R. Wolf International Religious Freedom Act, conduct training on religious freedom for all Foreign Service officers, including all entry level officers, all officers prior to departure for posting outside the United States, and all outgoing deputy chiefs of mission and ambassadors. Such training shall be included in—

Deadline.

“(i) the A-100 course attended by all Foreign Service officers;

“(ii) the courses required of every Foreign Service officer prior to a posting outside the United States, with segments tailored to the particular religious demography, religious freedom conditions, and United States strategies for advancing religious freedom, in each receiving country; and

“(iii) the courses required of all outgoing deputy chiefs of mission and ambassadors.

“(B) DEVELOPMENT OF CURRICULUM.—In carrying out the training required under paragraph (1)(B), the Ambassador at Large for International Religious Freedom, in coordination with the Director of the George P. Shultz National Foreign Affairs Training Center and other Federal officials, as appropriate, and in consultation with the United States Commission on International Religious Freedom established under section 201(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431(a)), shall make recommendations to the Secretary of State regarding a curriculum for the training of United States Foreign Service officers under paragraph (1)(B) on the scope and strategic value of international religious freedom, how violations of international religious freedom harm fundamental United States interests, how the advancement of international religious freedom can advance such interests, how United States international religious freedom policy should be carried out in practice by United States diplomats and other Foreign Service officers, and the relevance and relationship of international religious freedom to United States defense, diplomacy, development, and public affairs efforts. The Secretary of State should ensure the availability of sufficient resources to develop and implement such curriculum.

Coordination.
Consultation.
Recommendations.

“(C) INFORMATION SHARING.—The curriculum and training materials developed under this paragraph shall be shared with the United States Armed Forces and other Federal departments and agencies with personnel who are stationed overseas, as appropriate, to provide training on—

“(i) United States religious freedom policies;

“(ii) religious traditions;

“(iii) religious engagement strategies;

“(iv) religious and cultural issues; and

“(v) efforts to counter violent religious extremism.”;

(2) in subsection (b), by striking “The Secretary of State” and inserting “REFUGEES.—The Secretary of State”; and

(3) in subsection (c), by striking “The Secretary of State” and inserting “CHILD SOLDIERS.—The Secretary of State”.

Plan. (b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, with the assistance of the Ambassador at Large for International Religious Freedom, and the Director of the Foreign Service Institute, located at the George P. Shultz National Foreign Affairs Training Center, shall submit a report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate that contains a plan for undertaking training for Foreign Service officers under section 708 of the Foreign Services Act of 1980, as amended by subsection (a).

SEC. 104. PRISONER LISTS AND ISSUE BRIEFS ON RELIGIOUS FREEDOM CONCERNS.

Section 108 of the International Religious Freedom Act of 1998 (22 U.S.C. 6417) is amended—

(1) in subsection (b), by striking “faith,” and inserting “activities, religious freedom advocacy, or efforts to protect and advance the universally recognized right to the freedom of religion,”;

(2) in subsection (c), by striking “, as appropriate, provide” and insert “make available”; and

(3) by adding at the end the following:

“(d) VICTIMS LIST MAINTAINED BY THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.—

Public
information.
Web posting.
Publications.
Determination.

“(1) IN GENERAL.—The Commission shall make publicly available, to the extent practicable, online and in official publications, lists of persons it determines are imprisoned or detained, have disappeared, been placed under house arrest, been tortured, or subjected to forced renunciations of faith for their religious activity or religious freedom advocacy by the government of a foreign country that the Commission recommends for designation as a country of particular concern for religious freedom under section 402(b)(1)(A)(ii) or by a non-state actor that the Commission recommends for designation as an entity of particular concern for religious freedom under section 301 of the Frank R. Wolf International Religious Freedom Act and include as much publicly available information as practicable on the conditions and circumstances of such persons.

“(2) DISCRETION.—In compiling lists under paragraph (1), the Commission shall exercise all appropriate discretion, including consideration of the safety and security of, and benefit to, the persons who may be included on the lists and the families of such persons.”.

TITLE II—NATIONAL SECURITY COUNCIL

SEC. 201. SPECIAL ADVISER FOR INTERNATIONAL RELIGIOUS FREEDOM.

The position described in section 101(k) of the National Security Act of 1947 (50 U.S.C. 3021(k)) should assist the Ambassador at Large for International Religious Freedom to coordinate international religious freedom policies and strategies throughout the

executive branch and within any interagency policy committee of which the Ambassador at Large is a member.

TITLE III—PRESIDENTIAL ACTIONS

SEC. 301. NON-STATE ACTOR DESIGNATIONS.

22 USC 6442a.

(a) IN GENERAL.—The President, concurrent with the annual foreign country review required under section 402(b)(1)(A) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)(A)), shall—

(1) review and identify any non-state actors operating in any such reviewed country or surrounding region that have engaged in particularly severe violations of religious freedom; and

Review.

(2) designate, in a manner consistent with such Act, each such non-state actor as an entity of particular concern for religious freedom.

Designation.

(b) REPORT.—Whenever the President designates a non-state actor under subsection (a) as an entity of particular concern for religious freedom, the President, as soon as practicable after the designation is made, shall submit a report to the appropriate congressional committees that describes the reasons for such designation.

(c) ACTIONS.—The President should take specific actions, when practicable, to address severe violations of religious freedom of non-state actors that are designated under subsection (a)(2).

(d) DEPARTMENT OF STATE ANNUAL REPORT.—The Secretary of State should include information detailing the reasons the President designated a non-state actor as an entity of particular concern for religious freedom under subsection (a) in the Annual Report required under section 102(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)(1)).

(e) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of State should work with Congress and the U.S. Commission on International Religious Freedom—

(A) to create new political, financial, and diplomatic tools to address severe violations of religious freedom by non-state actors; and

(B) to update the actions the President can take under section 405 of the International Religious Freedom Act of 1998 (22 U.S.C. 6445);

(2) governments must ultimately be held accountable for the abuses that occur in their territories; and

(3) any actions the President takes after designating a non-state actor as an entity of particular concern should also involve high-level diplomacy with the government of the country in which the non-state actor is operating.

(f) DETERMINATIONS OF RESPONSIBLE PARTIES.—In order to appropriately target Presidential actions under the International Religious Freedom Act of 1998 (22 U.S.C. 6401 et seq.), the President, with respect to each non-state actor designated as an entity of particular concern for religious freedom under subsection (a), shall seek to determine, to the extent practicable, the specific officials or members that are responsible for the particularly severe violations of religious freedom engaged in or tolerated by such non-state actor.

(g) **DEFINITIONS.**—In this section, the terms “appropriate congressional committees”, “non-state actor”, and “particularly severe violations of religious freedom” have the meanings given such terms in section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402), as amended by section 3 of this Act.

SEC. 302. PRESIDENTIAL ACTIONS IN RESPONSE TO PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.

Section 402 of the International Religious Freedom Act of 1998 (22 U.S.C. 6442) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by amending subparagraph (A) to read as follows:

Deadline.
Designation.

“(A) **IN GENERAL.**—Not later than 90 days after the date on which each Annual Report is submitted under section 102(b), the President shall—

Review.
Determination.
Time period.

“(i) review the status of religious freedom in each foreign country to determine whether the government of that country has engaged in or tolerated particularly severe violations of religious freedom in each such country during the preceding 12 months or longer;

“(ii) designate each country the government of which has engaged in or tolerated violations described in clause (i) as a country of particular concern for religious freedom; and

“(iii) designate each country that engaged in or tolerated severe violations of religious freedom during the previous year, but does not meet, in the opinion of the President at the time of publication of the Annual Report, all of the criteria described in section 3(15) for designation under clause (ii) as being placed on a ‘Special Watch List’.”; and

(ii) in subparagraph (C), by striking “prior to September 1 of the respective year” and inserting “before the date on which each Annual Report is submitted under section 102(b)”;

(B) by amending paragraph (3) to read as follows:

Deadline.

“(3) **CONGRESSIONAL NOTIFICATION.**—

“(A) **IN GENERAL.**—Whenever the President designates a country as a country of particular concern for religious freedom under paragraph (1)(A)(ii), the President, not later than 90 days after such designation, shall submit to the appropriate congressional committees—

“(i) the designation of the country, signed by the President;

“(ii) the identification, if any, of responsible parties determined under paragraph (2); and

“(iii) a description of the actions taken under subsection (c), the purposes of the actions taken, and the effectiveness of the actions taken.

Determination.
Reports.

“(B) **REMOVAL OF DESIGNATION.**—A country that is designated as a country of particular concern for religious freedom under paragraph (1)(A)(ii) shall retain such designation until the President determines and reports to the

appropriate congressional committees that the country should no longer be so designated.”; and

(C) by adding at the end the following:

“(4) EFFECT ON DESIGNATION AS COUNTRY OF PARTICULAR CONCERN.—The presence or absence of a country from the Special Watch List in any given year shall not preclude the designation of such country as a country of particular concern for religious freedom under paragraph (1)(A)(ii) in any such year.”; and

(2) in subsection (c)(5), by striking “the President must designate the specific sanction or sanctions which he determines satisfy the requirements of this subsection.” and inserting “the President shall designate the specific sanction or sanctions that the President determines satisfy the requirements under this subsection and include a description of the impact of such sanction or sanctions on each country.”.

Designation.
Determination.

SEC. 303. REPORT TO CONGRESS.

Section 404(a)(4)(A) of the International Religious Freedom Act of 1998 (22 U.S.C. 6444(a)(4)(A)) is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(iv) the impact on the advancement of United States interests in democracy, human rights, and security, and a description of policy tools being applied in the country, including programs that target democratic stability, economic growth, and counterterrorism.”.

SEC. 304. PRESIDENTIAL WAIVER.

Section 407 of the International Religious Freedom Act of 1998 (22 U.S.C. 6447) is amended—

(1) in subsection (a)—

(A) by striking “subsection (b)” and inserting “subsection (c)”;

(B) by inserting “, for a single, 180-day period,” after “may waive”;

(C) by striking paragraph (1); and

(D) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) ADDITIONAL AUTHORITY.—Subject to subsection (c), the President may waive, for any additional specified period of time after the 180-day period described in subsection (a), the application of any of the actions described in paragraphs (9) through (15) of section 405(a) (or a commensurate substitute action) with respect to a country, if the President determines and reports to the appropriate congressional committees that—

Time period.
Determination.
Reports.

“(1) the respective foreign government has ceased the violations giving rise to the Presidential action; or

“(2) the important national interest of the United States requires the exercise of such waiver authority.”;

(4) in subsection (c), as redesignated, by inserting “or (b)” after “subsection (a)”;

(5) by adding at the end the following:

“(d) SENSE OF CONGRESS.—It is the sense of Congress that—
 “(1) ongoing and persistent waivers of the application of any of the actions described in paragraphs (9) through (15) of section 405(a) (or commensurate substitute action) with respect to a country do not fulfill the purposes of this Act; and

“(2) because the promotion of religious freedom is an important interest of United States foreign policy, the President, the Secretary of State, and other executive branch officials, in consultation with Congress, should seek to find ways to address existing violations, on a case-by-case basis, through the actions described in section 405 or other commensurate substitute action.”.

SEC. 305. PUBLICATION IN THE FEDERAL REGISTER.

Section 408(a)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6448(a)(1)) is amended by adding at the end the following: “Any designation of a non-state actor as an entity of particular concern for religious freedom under section 301 of the Frank R. Wolf International Religious Freedom Act and, if applicable and to the extent practicable, the identities of individuals determined to be responsible for violations described in subsection (f) of such section.”.

TITLE IV—PROMOTION OF RELIGIOUS FREEDOM

SEC. 401. ASSISTANCE FOR PROMOTING RELIGIOUS FREEDOM.

(a) AVAILABILITY OF ASSISTANCE.—It is the sense of Congress that for each fiscal year that begins on or after the date of the enactment of this Act, the President should request sufficient appropriations from Congress to support—

(1) the vigorous promotion of international religious freedom and for projects to advance United States interests in the protection and advancement of international religious freedom, in particular, through grants to groups that—

(A) are capable of developing legal protections or promoting cultural and societal understanding of international norms of religious freedom;

(B) seek to address and mitigate religiously motivated and sectarian violence and combat violent extremism; or

(C) seek to strengthen investigations, reporting, and monitoring of religious freedom violations, including genocide perpetrated against religious minorities; and

(2) the establishment of an effective Religious Freedom Defense Fund, to be administered by the Ambassador at Large for International Religious Freedom, to provide grants for—

(A) victims of religious freedom abuses and their families to cover legal and other expenses that may arise from detention, imprisonment, torture, fines, and other restrictions; and

(B) projects to help create and support training of a new generation of defenders of religious freedom, including legal and political advocates, and civil society projects which seek to create advocacy networks, strengthen legal representation, train and educate new

religious freedom defenders, and build the capacity of religious communities and rights defenders to protect against religious freedom violations, mitigate societal or sectarian violence, or minimize legal or other restrictions of the right to freedom of religion.

(b) PREFERENCE.—It is the sense of Congress that, in providing grants under subsection (a), the Ambassador at Large for International Religious Freedom should, as appropriate, give preference to projects targeting religious freedom violations in countries—

(1) designated as countries of particular concern for religious freedom under section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)); or

(2) included on the Special Watch List described in section 402(b)(1)(A)(iii) of the International Religious Freedom Act of 1998, as added by section 302(1)(A)(i) of this Act.

(c) ADMINISTRATION AND CONSULTATIONS.—

(1) ADMINISTRATION.—Amounts made available under subsection (a) shall be administered by the Ambassador at Large for International Religious Freedom.

(2) CONSULTATIONS.—In developing priorities and policies for providing grants authorized under subsection (a), including programming and policy, the Ambassador at Large for International Religious Freedom should consult with other Federal agencies, including the United States Commission on International Religious Freedom and, as appropriate, nongovernmental organizations.

TITLE V—DESIGNATED PERSONS LIST FOR PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM

SEC. 501. DESIGNATED PERSONS LIST FOR PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.

Title VI of the International Religious Freedom Act of 1998 (22 U.S.C. 6471 et seq.) is amended—

- (1) by redesignating section 605 as section 606; and
- (2) by inserting after section 604 the following:

22 USC 6474.

“SEC. 605. DESIGNATED PERSONS LIST FOR PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.

22 USC 6473a.

“(a) LIST.—

“(1) IN GENERAL.—The Secretary of State, in coordination with the Ambassador at Large and in consultation with relevant government and nongovernment experts, shall establish and maintain a list of foreign individuals to whom a consular post has denied a visa on the grounds of particularly severe violations of religious freedom under section 212(a)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(G)), or who are subject to financial sanctions or other measures for particularly severe violations of freedom religion.

Coordination.
Consultation.

“(2) REFERENCE.—The list required under paragraph (1) shall be known as the ‘Designated Persons List for Particularly Severe Violations of Religious Freedom’.

“(b) REPORT.—

“(1) IN GENERAL.—The Secretary of State shall submit a report to the appropriate congressional committees that contains the list required under subsection (a), including, with respect to each foreign individual on the list—

“(A) the name of the individual and a description of the particularly severe violation of religious freedom committed by the individual;

“(B) the name of the country or other location in which such violation took place; and

“(C) a description of the actions taken pursuant to this Act or any other Act or Executive order in response to such violation.

“(2) SUBMISSION AND UPDATES.—The Secretary of State shall submit to the appropriate congressional committees—

“(A) the initial report required under paragraph (1) not later than 180 days after the date of the enactment of the Frank R. Wolf International Religious Freedom Act; and

“(B) updates to the report every 180 days thereafter and as new information becomes available.

“(3) FORM.—The report required under paragraph (1) should be submitted in unclassified form but may contain a classified annex.

“(4) DEFINITION.—In this subsection, the term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Relations of the Senate;

“(B) the Committee on Appropriations of the Senate;

“(C) the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(D) the Committee on Foreign Affairs of the House of Representatives;

“(E) the Committee on Appropriations of the House of Representatives; and

“(F) the Committee on Financial Services of the House of Representatives.”.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. MISCELLANEOUS PROVISIONS.

Title VII of the International Religious Freedom Act of 1998 (22 U.S.C. 6481 et seq.) is amended by adding at the end the following:

22 USC 6482.

“SEC. 702. VOLUNTARY CODES OF CONDUCT FOR UNITED STATES INSTITUTIONS OF HIGHER EDUCATION OUTSIDE THE UNITED STATES.

“(a) FINDING.—Congress recognizes the enduring importance of United States institutions of higher education worldwide—

“(1) for their potential for shaping positive leadership and new educational models in host countries; and

“(2) for their emphasis on teaching universally recognized rights of free inquiry and academic freedom.

“(b) SENSE OF CONGRESS.—It is the sense of Congress that United States institutions of higher education operating campuses outside the United States or establishing any educational entities

with foreign governments, particularly with or in countries the governments of which engage in or tolerate severe violations of religious freedom as identified in the Annual Report, should seek to adopt a voluntary code of conduct for operating in such countries that should—

“(1) uphold the right of freedom of religion of their employees and students, including the right to manifest that religion peacefully as protected in international law;

“(2) ensure that the religious views and peaceful practice of religion in no way affect, or be allowed to affect, the status of a worker’s or faculty member’s employment or a student’s enrollment; and

“(3) make every effort in all negotiations, contracts, or memoranda of understanding engaged in or constructed with a foreign government to protect academic freedom and the rights enshrined in the United Nations Declaration of Human Rights.

“SEC. 703. SENSE OF CONGRESS REGARDING NATIONAL SECURITY STRATEGY TO PROMOTE RELIGIOUS FREEDOM THROUGH UNITED STATES FOREIGN POLICY. 22 USC 6483.

“It is the sense of Congress that the annual national security strategy report of the President required under section 108 of the National Security Act of 1947 (50 U.S.C. 3043)—

“(1) should promote international religious freedom as a foreign policy and national security priority; and

“(2) should articulate that promotion of the right to freedom of religion is a strategy that—

“(A) protects other, related human rights, and advances democracy outside the United States; and

“(B) makes clear its importance to United States foreign policy goals of stability, security, development, and diplomacy;

“(3) should be a guide for the strategies and activities of relevant Federal agencies; and

“(4) should inform the Department of Defense quadrennial defense review under section 118 of title 10, United States Code, and the Department of State Quadrennial Diplomacy and Development Review.”.

SEC. 602. CLERICAL AMENDMENTS.

The table of contents of the International Religious Freedom Act of 1998 (22 U.S.C. 6401 note) is amended—

(1) by striking the item relating to section 605 and inserting the following:

“Sec. 606. Studies on the effect of expedited removal provisions on asylum claims.”;

(2) by inserting after the item relating to section 604 the following:

“Sec. 605. Designated Persons List for Particularly Severe Violations of Religious Freedom.”;

and

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(3) by adding at the end the following:

- “Sec. 702. Voluntary codes of conduct for United States institutions of higher education operating outside the United States.
- “Sec. 703. Sense of Congress regarding national security strategy to promote religious freedom through United States foreign policy.”.

Approved December 16, 2016.

LEGISLATIVE HISTORY—H.R. 1150:

CONGRESSIONAL RECORD, Vol. 162 (2016):

May 16, considered and passed House.

Dec. 9, considered and passed Senate, amended.

Dec. 13, House concurred in Senate amendment.

**Questions for the Record Submitted to
Ambassador Hussian by
Representative Mast (No. 1 to No.17)
House Foreign Affairs Subcommittee on Oversight and Accountability
September 19, 2024**

Question 1:

Has the matter been referred to State OIG?

Answer 1:

Yes, the Department has referred this matter to the OIG. If the grantee is found by the OIG to have misused federal grant funds, the Department will pursue appropriate accountability measures. OIG is an independent entity. and we'd refer you directly to them for more information.

Question 2:

If yes, what is the status of this investigation? If no, why not?

Answer 2:

OIG is an independent entity. and we would refer you directly to them for more information. Separately, the Department's investigation is ongoing.

Question 3:

When is the investigation expected to conclude?

Answer 3:

OIG is an independent entity, and we would refer you directly to them for more information. We have no further information on the OIG's investigation at this time.

Question 4:

What steps has State OIG taken in this investigation? Has the grantee been found to have federal grant funds?

Answer 4:

The Office of Inspector General is an independent entity, and we would refer you directly to them for more information.

Question 5:

What accountability measures are being considered for the grantee?

Answer 5:

As stated in the April 29 letter, the Department is pursuing appropriate accountability measures. Should the Department determine that any such charges were not in accordance with applicable statutes and regulations including activities outside the scope of the grant agreement, it will take all necessary actions to recoup any misused funds and, if appropriate, per 2 CFR 200.214, refer to the Suspension and Debarment office to review for possible suspension and debarment action under 2 CFR 180 to prevent Humanists International from being eligible for receiving federal funds in the future. The Department has referred this matter to the OIG as well.

Question 6:

Is State OIG preparing a report on this investigation? What preliminary findings of the investigation can be shared with the Committee?

Answer 6:

The Office of Inspector General has not shared a report on this investigation with the Department. OIG is an independent entity and we are unaware as to whether the OIG is preparing a report on the issue. We would refer you directly to them for more information.

Question 7:

Is State OIG also looking into the actions of State Department employees regarding this grant, in particular instructions from Department employees to “neutralize language” in documents submitted to the State Department but not to change the “planned activities that were carried,” as noted during the hearing?

Answer 7:

The Department has no evidence of wrongdoing by its employees.

Question 8:

Has Humanists International been referred to the Suspension and Debarment Office? Why or why not?

Answer 8:

The Department's investigation into the grant is ongoing. Should the Department determine that any such charges were not in accordance with applicable statutes and regulations including activities outside the scope of the grant agreement, it will take all necessary actions to recoup any misused funds and, if appropriate, per 2 CFR 200.214, refer to the Suspension and Debarment office to review for possible suspension and debarment action under 2 CFR 180 to prevent Humanists International from being eligible for receiving federal funds in the future.

Question 9:

Does the Department assess that Humanists International violated its grant agreement? Why or why not?

Answer 9:

The Department's investigation into the grant is ongoing.

[Mr. Mast to Ambassador Hussain] Before providing the Committee with the actual training slides used by Humanists International, the Department asserted that the grant programming "does not promote atheism, humanism or any non-belief";³ that the grant did not "promote humanism in the sense of trying to get more people to become humanists";⁴ that "there were no activities that were permitted, or that were conducted under this grant that involved humanists promoting atheism or humanism or, in fact, provided an opportunity for humanists to grow their organization, develop their membership, or anything of the sort."⁵

However, the actual training slides record that participants in the “Communications & Campaigning Training” delivered in Kathmandu, Nepal on February 14, 2024, were instructed:

- That participants must “start thinking of [themselves], in a fairly disciplined way, as a humanist organization with an important representative function;”⁶
- That “[f]undamentally, people are looking for some of the same things from humanist groups across Asia and the world”;⁷
- To “describe the need for [their] humanist organization”;⁸
- How to “find new supporters”; “grow [their] movement / organization”; “gain new contacts”; and “generate money for your work;”⁹
- About “Growing [their] organization” “And getting the message out;”¹⁰
- How to follow the “adoption ladder” to move individuals from “I am non-religious” to “I am a humanist” to “I give a lot of time and money to SOCH [Society for Humanism]-Nepal”;¹¹ and
- That “[e]mail is going to be the tool that generates all of your growth – the tool that fulfils the journey from ‘curious about humanism’ to ‘active supporter of your humanist organization.’ It’s crucial to get these principles right every time.”¹²

The actual training slides also record that participants in the “Membership Engagement Training” delivered in Kathmandu, Nepal on February 13, 2024, were instructed:

- On “the fundamentals of ‘modern, ethical Humanism’”;¹³
- On “Membership Growth and Development – Strategies for Recruitment and Retention” and that “[a]s humanists, we all want a vibrant community” and that “recruitment and retention are essential elements to your organization’s ability to sustain itself;”¹⁴ and
- That membership “can be a very powerful tool when you want to create impact within your humanist organization”.¹⁵

In light of the training slides used by Humanists International:

Question 10:

Does the Department agree that the trainings provided under the grant promoted atheism or humanism? Why or why not?

Answer 10:

The State Department does not promote any specific religious beliefs or promote nonbelief through grants or any other means. The Department's investigation into the grant is ongoing.

Question 11:

Does the Department agree that the trainings provided under the grant were designed to get more people to become atheists or humanists? Why or why not?

Answer 11:

The State Department does not promote any specific religious beliefs or promote nonbelief through grants or any other means. The Department's investigation into the grant is ongoing.

Question 12:

Does the Department agree that the trainings provided under the grant provided an opportunity for humanists to grow their organization or develop their membership? Why or why not?

Answer 12:

The Department's investigation into the grant is ongoing. IRF programs in general support efforts by members of marginalized communities to build up their rights advocacy skills and network with others similarly marginalized to increase the likelihood that such advocacy will bring sufficient pressure to bear in their respective societies to mitigate or end such abuses.

Question 13:

What Establishment Clause concerns, if any, does the Department have about these trainings?

Answer 13:

The State Department does not promote any specific religious beliefs or promote nonbelief through grants or any other means and takes very seriously the concerns raised by the Committee. The Department's investigation into the grant is ongoing.

Question 14:

In the Department's view, are these trainings in violation of, or likely in violation of, the Establishment Clause of the U.S. Constitution? Why or why not?

Answer 14:

The State Department does not promote any specific religious beliefs or promote nonbelief through grants or any other means and takes very seriously the concerns raised by the Committee. The Department's investigation into the grant is ongoing.

Question 15:

Have the actual training slides been provided to the State OIG for review as part of its investigation? Why or why not? How, if at all, have these slides impacted its analysis?

Answer 15:

The Department provided the Office of Inspector General the training slides. The OIG is an independent entity, and we would refer you directly to them for more information.

Question 16:

Have the actual training slides been provided to the Suspension and Debarment office? Why or why not? How, if at all, have these slides impacted its analysis?

Answer 16:

The Department has not provided the slides to the Suspension and Debarment office. The Department's investigation into the grant is ongoing. Should the Department determine that any such charges were not in accordance with applicable statutes and regulations including activities outside the scope of the grant agreement, it will take all necessary actions to recoup any misused funds and, if appropriate, per 2 CFR 200.214, refer to the Suspension and Debarment office to review for possible suspension and debarment action under 2 CFR 180 to prevent Humanists International from being eligible for receiving federal funds in the future.

Question 17:

Has the Office of the Legal Adviser conducted an analysis of whether the actual trainings provided were in compliance with the Establishment Clause? Why or why not? How, if at all, have these slides impacted its analysis?

Answer 17:

The State Department does not promote any specific religious beliefs or promote nonbelief through grants or any other means and takes very seriously the concerns raised by the Committee. The Department's investigation into the grant is ongoing.

**Questions for the Record Submitted to
Assistant Secretary Noyes by
Representative Mast (No. 1 to No.12)
House Foreign Affairs Subcommittee on Oversight and Accountability
Committee
September 19, 2024**

Question 1:

When did Department officials first become aware of the slide deck? Were Department officials at the trainings where it was used? Was the training mentioned in any reports to the Department?

Answer 1:

Department officials became aware of the referenced slide deck in December 2023. HIAS shared the slide deck with the State Department when PRM requested all informational materials HIAS used in its legal orientation activities as part of the Bureau's oversight of its funding to HIAS in Mexico. Department officials were not present at any training in which the slide deck was used.

Question 2:

How did the Department come into possession of the slide deck?

Answer 2:

HIAS shared the document with the State Department in December 2023 when PRM requested all informational materials HIAS used in its legal orientation activities as part of the Bureau's oversight of its funding to HIAS in Mexico.

Question 3:

When were concerns about the slide deck first raised within the Department? What concerns were raised? By who and to who?

Answer 3:

HIAS shared the document with the State Department in December 2023 when PRM requested all informational materials HIAS used in its legal orientation activities as part of the Bureau's oversight of its funding to HIAS in Mexico. PRM followed up with HIAS to ask about the funding source for development of the slide deck and to ask when and how it had been used. HIAS confirmed the slide deck was not produced with PRM funding.

Question 4:

AS Valls Noyes asserted that the "slide deck was created in order to provide information to migrants who were participating the Remain in Mexico

Program,” but the slide deck is dated “May, 2023” – well after Remain in Mexico concluded. Please provide additional information to explain AS Valls Noyes assertion.

Answer 4:

HIAS leadership indicated to PRM leadership that the slide deck was first prepared in 2019 during the initial period of the Migrant Protection Protocols during the last Administration. The Migrant Protection Protocols were reimplemented after a court order in August 2021 and the slide deck was subsequently updated. PRM did not fund the development or updating of this slide deck. PRM funded a HIAS program to provide information on seeking access to international protection and other services in Mexico, legal support in accessing the Mexican asylum and migration system, mental health and psychosocial support, and gender-based violence (GBV) victim assistance services in Mexico from September 29, 2021 through September 29, 2023.

Question 5:

Has the matter been referred to State OIG?

Answer 5:

Consistent with 2 CFR 200.113 and as required by the U.S. Department of State standard terms and conditions for Federal awards, allegations or instances of fraud, waste, and/or abuse involving USG funding or programs are referred to the OIG for investigation. PRM is not aware of any instances of fraud, waste or abuse involving USG funding associated with PRM's award to HIAS.

Question 6:

If yes, what is the status of this investigation? If no, why not?

Answer 6:

Consistent with 2 CFR 200.113 and as required by the U.S. Department of State standard terms and conditions for Federal awards, allegations or instances of fraud, waste, and/or abuse involving USG funding or programs are referred to the OIG for investigation. PRM is not aware of any instances of fraud, waste or abuse involving USG funding associated with the award.

Question 7:

When is the investigation expected to conclude?

Answer 7:

We refer questions regarding any OIG investigations to State OIG.

Question 8:

What steps has State OIG taken in this investigation? Has the grantee been found to have federal grant funds?

Answer 8:

Questions regarding any OIG investigations should be directed to State OIG.

Question 9:

What accountability measures are being considered for the grantee?

Answer 9:

PRM's funding to HIAS in Mexico ended in September 2023 at the conclusion of the cooperative agreement.

Question 10:

Is State OIG preparing a report on this investigation? What preliminary findings of the investigation can be shared with the Committee?

Answer 10:

Questions regarding any OIG investigations should be directed to State OIG.

Question 11:

Has HIAS been referred to the Suspension and Debarment Office? Why or why not?

Answer 11:

Suspension and debarment are administrative remedies designed to protect the U.S. Government from fraud, waste, or abuse or to protect the public interest. Agencies may only suspend or debar entities or individuals when there is a compelling reason to do so (such as an indictment for or adequate evidence to suspect fraud, criminal offense, violation of antitrust statutes, embezzlement, willful failure to comply with award requirements, etc.) and must follow regulations outlined in 2 CFR Part 180. PRM is not aware of a referral of HIAS to the Suspension and Debarment Office.

Question 12:

Does the Department assess that HIAS violated its grant agreement? Why or why not?

Answer 12:

HIAS fulfilled the objectives of the cooperative agreement and demonstrated compliance with the award terms and conditions.

**Questions for the Record Submitted to
Assistant Secretary Noyes by
Representative Darrell Issa (No. 1 to No. 3)
House Foreign Affairs Subcommittee on Oversight and Accountability
Committee
September 19, 2024**

Question 1:

In addition to the HIAS grant, which has been discontinued, does the State Department have any current contracts, grants, or cooperative agreements with any organizations that do legal counseling for migrants in Mexico?

Answer 1:

PRM has three current cooperative agreements with NGOs in Mexico, all of which provide legal counseling related to the Mexican asylum system to refugees, asylum seekers, and vulnerable migrants in compliance with provisions outlined in the FY 2024 congressional appropriation regarding facilitating irresponsible migration.

Question 2:

You testified in your transcribed interview that you did not see anything problematic with the HIAS grant, do you stand by that testimony?

Answer 2:

Yes.

Question 3:

At how many State Department funded workshops did HIAS use the slide deck I showed you? How did HIAS employ the slide deck at the workshops?

Answer 3:

The referenced slide deck was not produced with PRM funding. HIAS told us they had presented the slide deck at some workshops where they also discussed Mexican asylum processes, but PRM does not have further information about how this material was used by HIAS.

**Questions for the Record Submitted to
Assistant Secretary Noyes by
Representative McCormick (No. 1 to No.6)**

Question 1: PRM

Please explain how the “P” in PRM – in other words how “Population” in the Bureau of Population, Refugees, and Migration – manifests itself in your office’s daily work and global priorities. In particular, do any goals, policies, or programming of PRM have population control as an aim or consequence? Does PRM view population control as good policy? Why or why not?

Answer 1:

The United States does not endorse population “stabilization” or “control” and strongly opposes coercive population policies. The United States supports the 1994 International Conference on Population and Development Programme of Action which recognized the right of all couples and individuals to decide freely the number, spacing, and timing of their children. PRM supports the U.S. strategic objective of achieving a healthy and educated world population and coordinates diplomatic engagement on international population issues including maternal health.

Question 2: PRM

Please provide a list of all reproductive health, maternal health, or family planning services funded by PRM, vis-à-vis the International Organization for Migration and the United Nations High Commissioner for Refugees, in FY22, FY23, FY24, and FY25.

Answer 2:

PRM does not provide earmarked funding for reproductive health to UNHCR or IOM. When PRM provides project support to IOM, the multisectoral support can include health and may include the following: antenatal and postnatal care, basic emergency obstetric and newborn care/comprehensive emergency obstetric and newborn care, voluntary family planning, and menstrual hygiene management. In a May 1, 2024 letter to Chairman McCaul, the Department provided information on and submitted documentation of PRM's FY 2022 funding to IOM in Mexico.

Question 3: PRM

Do PRM partners other than IOM and UNHCR provide reproductive health care services in Mexico – currently, or in the recent past? If so, please identify them by name.

Answer 3:

Yes, PRM currently funds UNICEF and an NGO partner to provide maternal and/or reproductive health care to refugees, asylum seekers, and vulnerable migrants in Mexico. UNICEF collaborated with the Ministry of Health to complement the health and nutrition needs for pregnant women

including in relation to the provision of iron and folic acid and to improve referral of urgent cases to the Ministry of Health.

Question 4:

Please list all health care facilities in Mexico that receive IOM funding currently, indicating for each whether that IOM funding originates from PRM, and separately also indicating which facilities on the list provide abortion services. (Please note this request is meant to be inclusive of abortion services that are not directly funded by PRM.)

Answer 4:

The Mexican government regulates the provision of abortion services at specifically authorized health facilities. PRM awards do not include funding for Mexican health care facilities authorized to provide abortion services. PRM does not fund abortion and cannot attest to the status of abortion services at these facilities. With PRM funding, IOM provides health assistance to vulnerable migrants at multi-purpose community centers and via mobile health units.

Question 5:

Please indicate what steps PRM takes to ensure grantee/partner compliance with the Helms Amendment.

Answer 5:

At all stages of the programming cycle, PRM provides compliance oversight regarding statutory restrictions. Compliance oversight is an ongoing process requiring communication, as appropriate, regarding effective program implementation of the statutory restrictions related to abortion including the Helms Amendment. Regular program reporting and monitoring play an important role in ascertaining compliance.

Question 6: PRM

[Mr. McCormick to Assistant Secretary Noyes] In your testimony to me [Rep. McCormick], as well as to congressional staff during a transcribed interview, you indicated that “PRM does not support, fund, or in any way provide support for abortion or abortion services.” You clarified that this includes “indirect support.” Please explain what mechanisms are in place to ensure that PRM does not indirectly fund abortions, and how the bureau monitors compliance by health care facilities and NGOs in Mexico and Central America.

Question 6:

PRM’s implementing partners have committed to comply with all award terms including, but not limited to, the relevant statutory restrictions. PRM focuses its compliance efforts on the activities of its funding to partners. Regular program reporting and monitoring play an important role

in confirming compliance. Consistent with the terms of the awards, PRM's oversight does not extend to activities funded by other sources.