AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

MARKUP OF VARIOUS MEASURES

HEARING

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

September 24, 2024

Serial No. 118–135

Printed for the use of the Committee on Foreign Affairs



Available: *http://www.foreignaffairs.house.gov/*, *http://docs.house.gov*, or *http://www.govinfo.gov*

U.S. GOVERNMENT PUBLISHING OFFICE

63–405 PDF WASHINGTON : 2026

COMMITTEE ON FOREIGN AFFAIRS

MICHAEL T. MCCAUL, Texas, *Chairman*

CHRISTOPHER H. SMITH, New Jersey
JOE WILSON, South Carolina
SCOTT PERRY, Pennsylvania
DARRELL ISSA, California
ANN WAGNER, Missouri
BRIAN MAST, Florida
TIM BURCHETT, Tennessee
MARK E. GREEN, Tennessee
ANDY BARR, Kentucky
RONNY JACKSON, Texas
YOUNG KIM, California
MARIA ELVIRA SALAZAR, Florida
BILL HUIZENGA, Michigan
AUMUA AMATA COLEMAN RADEWAGEN, American Samoa
FRENCH HILL, Arkansas
WARREN DAVIDSON, Ohio
JIM BAIRD, Indiana
MICHAEL WALTZ, Florida
THOMAS KEAN, JR., New Jersey
MICHAEL LAWLER, New York
CORY MILLS, Florida
RICH MCCORMICK, Georgia
NATHANIEL MORAN, Texas
JOHN JAMES, Michigan
KEITH SELF, Texas
RYAN K. ZINKE, Montana
JAMES C. MOYLAN, Guam

GREGORY MEEKS, New York, *Ranking Member*
BRAD SHERMAN, California
GERALD E. CONNOLLY, Virginia
WILLIAM KEATING, Massachusetts
AMI BERA, California
JOAQUIN CASTRO, Texas
DINA TITUS, Nevada
TED LIEU, California
SUSAN WILD, Pennsylvania
DEAN PHILLIPS, Minnesota
COLIN ALLRED, Texas
ANDY KIM, New Jersey
SARA JACOBS, California
KATHY MANNING, North Carolina
SHEILA CHERFILUS–MCCORMICK, Florida
GREG STANTON, Arizona
MADELEINE DEAN, Pennsylvania
JARED MOSKOWITZ, Florida
JONATHAN JACKSON, Illinois
SYDNEY KAMLAGER–DOVE, California
JIM COSTA, California
JASON CROW, Colorado
KWEISI MFUME, Maryland
BRAD SCHNEIDER, Illinois

BRENDAN SHIELDS, *Majority Staff Director*
SAJIT GANDHI, *Minority Staff Director*

C O N T E N T S

REPRESENTATIVES

	Page
Opening Statement of Chairman Michael McCaul	1
Opening Statement of Ranking Member Gregory Meeks	3

BILLS AND AMENDMENTS

The Amendment #1 offered by Rep. Meeks	28
The Amendment #2 offered by Rep. Meeks	33
H.R. 8683	35
The Amendment offered by Rep. Huizenga	41
H.R. 9564	52
The Amendment offered by Rep. Issa	63
H,R. 9719	65
The Amendment offered by Rep. Kim from California	75
H.R. 9718	86
H.R. 1449	91
H.R. 9172	99
H. Res 1435	107
H.R.9082	114

APPENDIX

Hearing Notice	122
Hearing Minutes	124
Hearing Attendance	125
Markup Summary	126
Markup Committee Report	128
Votes of Committee	157

MATERIALS FOR THE RECORD

Tracking China's Control of Overseas Ports, submitted by Rep. Meeks	161
Letters submitted by Rep. Meeks	173
Statement for the record submitted by Rep. Connolly	180
Intro to the Global guidelines for countering antisemitism, submitted by Rep. Manning	184
Letter to Speaker Johnson, submitted by Rep. Titus	191

MARKUP OF VARIOUS MEASURES

Tuesday, September 24, 2024

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:25 a.m., in room 2172, Rayburn House Office Building, Hon. Michael McCaul (chairman of the committee) presiding.

OPENING STATEMENT OF MICHAEL McCAUL

Chairman MCCAUL. A quorum being present, the Committee on Foreign Affairs will come to order. The committee is meeting today for consideration of a committee report recommending the House of Representatives find Antony Blinken, Secretary of the U.S. Department of State, in contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Foreign Affairs.

H.R. 8683, to require the Secretary of Defense of and the Secretary of State to monitor efforts by the People's Republic of China to build or revise strategic foreign ports and for other purposes; H.R. 9564, the Houthis Human Rights Accountability Act; H.R. 9719, the Strengthening U.S. Aid Management Act; H.Res. 1348, Urging the Government of Nigeria to Immediately Release Tigran Gambaryan from Imprisonment; H.R. 9172, the Discretion Initiative for Stored Precursors Overseas and Safe Enforcement, the DISPOSE Act; H.R. 9718, Extending and Enhancing U.S.-U.K. Nuclear Cooperation for Mutual Defense Purposes Act; H.Res. 1449, Condemning the Global Rise of Anti-Semitism and Calling Upon Countries and International Bodies to Counter Anti-Semitism; H.Res. 1435, Raising Concern About the Proposed Constitutional Reforms in Mexico; and H.R. 9082, the Summit of the Americas Act.

The chair announces that any requests for recorded votes may be rolled and he may recess the committee at any point without objection, so ordered.

Pursuant to House rules, I request that members have the opportunity to submit views for any committee reports that may be produced on any of today's measures. Without objection, so ordered.

Pursuant to notice, I now call up the report recommending that the House of Representatives find Antony Blinken, Secretary, U.S. Department of State, in contempt of Congress for refusal to comply with the subpoena duly issued by the Committee on Foreign Affairs.

For purposes of markup, I move that the committee report it favorably to the House. The report was circulated in advance and the clerk shall designate the report.

[The information referred to follows:]

The CLERK. Resolution recommending that the House of Representatives find the Secretary of State, Antony J. Blinken, in contempt of Congress for refusal to comply with the subpoena duly issued by the Committee on Foreign Affairs.

Chairman MCCAUL. Without objection, the first reading is dispensed with. The report is considered read and open to amendment at any point. I now recognize myself for a statement.

I wish we were not here today. However, Secretary of State Antony Blinken brought this upon himself. I take no joy in this procedure. After months of the Secretary ignoring countless requests for his testimony, I was forced to subpoena him to discuss the findings of my report into the catastrophic withdrawal from Afghanistan. Secretary Blinken violated that subpoena and refused to appear and now I have no choice but to move forward with holding him in contempt of Congress.

Let the record reflect that for 4 months I patiently asked for and waited on his availability in September. But instead of working with me, Secretary Blinken made false promises and accused me of politicizing this important issue. By failing to appear before the committee to discuss this serious event, he is politicizing the Afghanistan withdrawal. His spokesperson has also presented outright lies on his behalf both to the press and to the American people. He claims Secretary Blinken has appeared 14 times before Congress and 4 times before my committee to discuss Afghanistan.

However, the facts speak for themselves. The Secretary has never testified on this committee's investigation, not once. In fact, while I have served as chair in the 118th Congress, he has appeared only two times before this committee, both times for statutorily mandated hearings on the State Department's budget. Throughout this committee's investigation, the Secretary and the State Department obstructed my access to witnesses and documents at every turn. It was their failure to produce documents and testimony that determined the timing of my Afghanistan report and today's contempt markup. This was not my time line. It was theirs.

On May 22d, I publicly requested Secretary Blinken testify on my report in September. What was my goal? A single hearing dedicated to fixing the many issues at the State Department that my report had uncovered. Following my public request, Secretary Blinken's State Department ignored every outreach from my team. Finally, on August 19th, I spoke to him directly on the phone. He promised me a date would be "nailed down in the next week." But he broke that promise and weeks passed. I received no word from them. And then on September 3d, I informed Secretary Blinken that a subpoena would be coming and forthwith if he did not appear in September. I offered him any date, any time that month. But rather than step up to the plate as a leader, he offered me his subordinates, two deputies who did not even serve at the State Department during the withdrawal. That is not leadership. That is passing the buck. This committee expects better.

This is the committee of jurisdiction over the State Department. Our veterans and our Gold Star families and the American people deserve better from the Secretary of State. After that call, I was forced to issue a subpoena compelling his appearance before this committee. I have proof Secretary Blinken disregarded my numerous good-faith efforts not once, not twice, but three times in this email. In fact, I offered every day in September. However, the Secretary could not make 1 day in September available for this committee, for this Congress, on such an important matter. Not a single day. He and his team did not even bother to inform me of his schedule.

Still, when I learned through a public press statement that he would be in the Middle East, I changed the date for the hearing to accommodate his overseas schedule. Again, I informed his staff of the new date. Unsurprisingly, I received no response. That is a lack of respect that I as chairman and this committee received from this Secretary.

Under the leadership of Secretary Blinken, 13 brave American lives were tragically murdered by an ISIS-K terrorist and many more injured and many Afghans were killed as well. Rather than take accountability for this, the Secretary hides from the American people. He would prefer to hide rather than be before this committee today.

The Secretary's willful indifference has brought us to this moment. I take no joy in moving forward to hold the Secretary of State in contempt of Congress. It is an extraordinary act. However, Article 1 of the United States Constitution entrusts Congress with the power of oversight and to legislate. Secretary Blinken's failure to appear violates that. It violates Article 1 of the Constitution. It violates our ability to perform oversight. And it violates our ability to legislate on a hugely important issue, perhaps the most important issue that occurred during this Presidency.

My sincere hope was that Secretary Blinken's testimony in September would inform that legislation to prevent a foreign policy disaster like this in the future. However, we will not have that testimony. Instead, he has prioritized politics and optics over the needs of our service members, our Gold Star families and the American people. In my judgment, he and the White House have made a judgment call. The risk simply outweighs the reward. And to my colleagues, your actions today will speak to the respect you afford Congress and its constitutional responsibility.

I urge you all to join me in supporting this measure, holding Secretary of State Antony Blinken in contempt of Congress for violating a subpoena duly issued by this committee. For without that, without that power, not only does that render this committee meaningless, but so, too, does it render the Constitution of the United States meaningless. With that, I turn to the Ranking Member of the committee, Mr. Meeks.

OPENING STATEMENT FOR RANKING MEMBER GREGORY MEEKS

Mr. MEEKS. This indeed is a sad day for this committee, a sad day. A committee that should be focused on the security of the United States of America, a security that should not be utilized for

a political stunt made for Fox News. That is what we will see tomorrow. That is what this is, a political stunt, plain and simple.

Holding someone in contempt is a grave and rarely used congressional power, meant for instances of real obstruction. All this is is a rushed vote that undermines the seriousness of that power. It is objectively political in purpose, given that Secretary Blinken has already willingly responded to questions on the Afghanistan withdrawal in 14 public congressional hearings since August 2021. And at the Secretary's direction, the State Department has produced over 20,000 pages of documents, made 15 Department witnesses available for interviews, enabled members to view the July 2021 dissent cable on Afghanistan and provided thousands of pages of interview notes from its own Afghanistan after-action review. There is no obstruction here. That is cooperation. This is political theater.

Secretary Blinken has engaged in good faith to reach a compromise on complying with the chairman's subpoena to testify again, including by providing alternative dates for his testimony. In fact, which I did not hear, he, in a letter referred to and memorialized two phone conversations that they had on August 19th and on September 3d on which the Secretary personally sought to reach an accommodation by sharing his availability to testify and if the chairman insisted and it was dates that he was not available, offered alternative witnesses for hearing dates. And let me just say that the alternative dates were denied because today, Secretary Blinken is with the President. Where is he? He is at the U.N. conducting high-level diplomacy to advance the national security interests of the United States at the United Nations on topics ranging from Russia's illegal war in Ukraine which I hope all of us are serious about, doing this job, to grant getting support to end a humanitarian crisis in Sudan, to working to get a cease-fire in Gaza. Why is there suddenly a rush to hold this contempt vote when the Secretary has made it very clear time and time again that he is willing to testify?

Now if it is the majority's objectives to conduct fact finding and debate the chairman's legislative proposal in a hearing with Secretary Blinken, those are objectives of which I would agree. But what is the urgency? Is it the election coming up on November the 5th? Is it politics that is causing this urgency? Why are we rushing to hold the Secretary of State in contempt now when we know that he is willing to testify on any other date when he is not in Egypt working on a cease-fire in Gaza or meeting with multiple visiting dignitaries in New York. In fact, I was there all day yesterday and they all were waiting to talk to him, numbers of countries wanting to speak to him and the President about the world issues that are going on. The fact of the matter is, if he wasn't there, probably you would say that he is neglecting his duties, that he should be there talking to the world leaders trying to get things at hand.

It is not difficult for the American people to see this for what it is, political theater, an attempt to put another senior Biden administration official's name into negative headlines, just like the majority did when they peppered their own investigative report with over 200 references to the Vice President, though she was only

mentioned 3 times in more than 3,000 pages of testimony, all of a sudden trying to insert her name. Why? One reason, politics.

If we were truly concerned with additional fact finding, we could follow the testimony in our investigation which revealed President Trump ordered multiple troop draw downs despite the Taliban's lack of compliance with the Doha deal. Don't want to talk about that. We could seek testimony from former Trump officials with knowledge of the former President's decisionmaking. Don't want to talk about that. We could call for testimony from former Trump officials who witnesses in our investigation said did not prepare for the looming May 2021st withdrawal dates and were uncooperative during President Biden's transition to office. Don't want to talk about that. And yet, as evidenced by the majority's investigation and also by this week's rushed resolution to the House floor, Republicans contort themselves at every opportunity to avoid monitoring former President Trump except to revise the historical record about his actions.

But for the Republicans, this investigation is just not about serious fact finding or oversight, it is about narrowing the scope of the end of the United States' longest war to just a few months during the Biden administration, not for the purpose of getting the facts right, but for political show, to play politics. You know, we owe, we owe it all those who served, we owe to the 2,461 service members who made the ultimate sacrifice during our 20 years in Afghanistan including the 13 brave souls killed by an ISIS bomb at Abbey Gate as they helped evacuate more than 120,000 people to conduct a nonpartisan oversight looking at the entire 20 year war effort. That is what this committee should be doing. That is serious review to make sure not that we play politics, but we make sure that we look at what happened and what we should be doing in the future. That is what should be taking place.

If you want to object to President Biden's decision to finally end this war, then that is what you should say. You are opposed to President Biden ending the war, not hide behind an oversight charade. Tell us your alternatives. What would you have done? Would you have stayed at war? And your ideas on how we can do better going forward, if that is going after the facts and not having a political charade.

You know, we can have policy disagreements on this, but our oversight tools should not be abused to try to get a political partisan gain. So I strongly opposed this hasty and political contempt report and urge my colleagues to join me in opposing it.

Chairman MCCAUL. The gentleman yields. I will State for the record when the minority was in charge, they only had one hearing on Afghanistan and conducted no transcribed interviews. In fact, they had no investigation on such a serious matter.

Is there any further discussion on the report? Mr. Wilson is recognized.

Mr. WILSON. Thank you, Mr. Chairman. And thank you, Mr. Chairman, Mike McCaul, for your courageous leadership to uphold the constitutional duties of the House Foreign Affairs Committee and the Secretary of State which has been pending for 4 months since May. Secretary Blinken has sadly demonstrated a complete and utter disregard for 4 months since May for the legitimate over-

sight of this committee and more significantly, the authority to the Constitution and the laws of our states and nation.

There is clear and irrefutable authority to subpoena and the Secretary's partisan disregard for 4 months is a continuation of the Biden-Harris administration's plan to hide the truth from the American people. As an attorney myself, it is clear that the Secretary is criminally in violation of 2 U.S.C. Section 192. This subpoena was issued in May. Had the date or time been an issue, it could have been easily possible to accommodate schedules as indicated by Chairman McCaul. Instead, the Secretary chose to engage in partisan obfuscation for 4 months to the detriment of the American people who deserve a government that is accountable to its constitutional checks and balances.

As a former journalist myself, I am particularly disappointed that corporate media has for 4 months has failed to support accountability which should be expected in a democracy. Blinken's failure led to 13 Americans murdered at Abbey Gate in Afghanistan and 3 Georgia Army Reservists murdered January 28th this year with dozens permanently injured of the Georgia Unit suffering traumatic brain injuries. Surrender in Afghanistan with Afghanistan becoming a safe haven for terrorists has opened the borders for every American family to be at risk of attack as indicated by the FBI of an imminent attack with hundreds of terrorist murderers freely crossing the border as I saw 3 years ago at Del Rio, Texas.

Additionally, and I appreciate very much the Ranking Member, there has been an alternative and that is that President Donald Trump, the agreements that he reached at Doha were conditions-based, and we know General Milley, we know General McKenzie were here and indicated that none of the conditions were met. It was actually irresponsible of the Biden-Harris administration not to see that the conditions were not met and so there should have been, as President Donald Trump has indicated, that he personally would have left a contingent of American military of our NATO military, our 53 allies that were assisting in the effort, and he would have never left Bagram Air Base to be put in a position to benefit terrorism worldwide.

Above all else, it is disappointing the Secretary's violation of his oath of office by failing to adhere to the Constitution, let alone preservation, protection, and defense of our Nation's founding values. And with that, I urge a yes vote. I yield back.

Chairman MCCAUL. The gentleman yields. Any further discussion? Mr. Sherman is recognized.

Mr. SHERMAN. I yield to the Ranking Member for a few seconds.

Mr. MEEKS. I just want to enter into the record a letter that was sent to the chairman from the Secretary on September 22d, talking about this and his willingness to testify, as well as a letter that was sent to the chairman on September 23d, where the Department of Justice had concluded that the committee may not constitutionally compel the Secretary to appear due to—as doing so would prevent the Secretary from fulfilling the President's directive to represent the United States in a major diplomatic event. I yield to Mr. Sherman.

Chairman MCCAUL. Without objection, so ordered.

Mr. SHERMAN. This is political theater. You know it because of when it is happening and you know it because if you are watching us here, you are probably watching on Fox New which did not cover the hearings of this committee when we dealt with Sudan or Ukraine or Tigray, or the budget of the State Department. This is political theater.

The Secretary of State came before this committee just months after we withdrew from Afghanistan and answered the questions that supposedly we want to ask him again. He was succinct. He said we inherited a deadline. We did not inherit a plan. And he reminded us that 5,000 of the Taliban's best fighters were released during the Trump administration at the demand of Donald Trump.

But why the political theater? It is to hide—and the person we should have testifying perhaps is Donald Trump or his Secretary of State because we saw the greatest failure in recent American foreign policy in Afghanistan under Trump. For 4 years, we waged war and we accomplished nothing except the opportunity to sign a surrender document on his way out the door. And Donald Trump knew that the withdrawal would be difficult, so he left that for his successor. That surrender document puts the Taliban in complete control of Afghanistan, had no mechanisms to prevent that.

Now you can say that at least under Obama, we accomplished one thing in Afghanistan. We got Osama bin Laden. What did we get out of Trump? We got 4 years of Americans dying and tens of billions of dollars of our equipment flowing into Afghanistan and then being spread out over a country the size of Texas where it could not be recovered.

But remember this. Thirteen of our soldiers died in the withdrawal, but at least we accomplished an incredibly difficult withdrawal and got 100,000 others out. What did we accomplish from Trump except delaying the surrender from 2017 to 2020 and during that period 63 Americans died, not to accomplish a withdrawal but for nothing. They died for nothing under Donald Trump and 57 of those coffins came back to the United States without Donald Trump having the guts to be there for the dignified return, the dignified transfer. Four years, dying, billions of dollars out of our treasury, billions of dollars worth of our equipment spread all over a country we are not going to control, all to sign the same surrender agreement that we could have signed in 2017.

Now that agreement does provide that the Taliban obligates itself not to be a center of terrorism. Well, they are obligated to do that anyway. No country in this world is allowed to actively participate in killing civilians by the thousands in another country. That is an act of war. And oh, by the way, even that obligation has no enforcement provisions. Four years of dying, 4 years for nothing, 63 of our soldiers dead, 57 of them returned without the President being there. No apologies to the families, and he got us the same deal that was available in 2017. That is why Donald Trump is not here to testify about his enormous failure in Afghanistan and that is why the majority needs political theater to redirect the attention of America. I yield back.

Chairman MCCAUL. Any further discussion? Mr. Perry is recognized.

Mr. PERRY. Well, thank you, Mr. Chairman.

I take no joy in listening to my colleagues on the other side of the aisle admitting that they always plan to surrender. I don't take any joy in that whatsoever, even though they're saying it and it is an admission that——

Mr. SHERMAN. Will the gentleman yield since he's mischaracterizing my——

Mr. PERRY. I will not yield. I will not yield.

The fact that President Trump didn't surrender, look, I don't know how you view that, but I see that as an accolade. Yes, it was a difficult situation, but the thought that the first thing that America would do would be to surrender is abhorrent to me—is abhorrent.

Now, this event is about the fact that the Secretary refuses to appear. That's what this is about. Some of my friends on the other side of the aisle will say it's political theater, like they've never engaged in any of that, because of the timing.

The chairman has clearly laid out the entreaties in good faith that he's made to the Secretary over a long period of time. We all know this because we're on this committee. We've been informed of this all along. We are at this late hour for this event because the Secretary has continuously refused to be present. Yes, he's sent other people, other representatives. The American people demand the answers from the top, not from middle management and people unaccountable.

Now, Secretary Blinken has lied to the American people in fantastic fashion in the past, which is why it's important to get him here face-to-face on the record. He lied decidedly and intently, purposefully, about the Hunter Biden laptop to ensure or to help ensure the election of Joe Biden. He did that; we all know that.

The record is clear and it is why the chairman has demanded his presence here in front of the American people in this committee to see if he will do that yet again, because not only in the balance were the 13 lives unnecessarily lost in the final days at Abbey Gate, but it is the credibility of the United States of America that has been on the line and has been shattered and destroyed by the incompetence of the decisions made by this administration, and likely by the Secretary.

With that in mind, it is not convenience; it is the obligation, it is the duty of this committee's requirement/responsibility for oversight to have the Secretary here to answer these questions on behalf of the American people, and certainly on behalf of those who lost their lives and those who are still living who have suffered horrific injuries.

And for those of you who may say, "Well, he's not, the chairman's not authorized to demand the Secretary be here," I'll remind everybody here that this is a duly constituted committee with the appropriate number of members from each side agreed to and giving this committee the authority and the responsibility to request the Secretary's presence.

This is not a joyful occasion, and certainly hearing my friends on the other side of the aisle say that, "We always intended to surrender," well, I will tell you Afghanistan, Vietnam, Grenada, you name it, Panama, as a person who wore the uniform, and as a

proud American who holds an American passport, I never ever thought that our country would surrender—ever.

And I'll lament that we flippantly say, "It doesn't matter if it was 2017 or 2020, it was always going to happen." For those who serve in uniform, for those who commit their lives in service to this Nation, the offhanded comments about the surrender, well, they're beyond the pale to me.

Mr. Chairman, I'll yield the balance.

Chairman MCCAUL. The gentleman yields.

Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Mr. Chairman.

This is not a moment of grace or bipartisanship or dignity for a storied committee here in the House of Representatives that has prided itself on all of the above.

At this moment, war rages in the Middle East—in Gaza, in Lebanon—where the President and the Secretary of State are desperately trying to contain that conflict, lest it expand into a regionwide conflict. They continue to make efforts at the United Nations, where they are today, and in other locales, to achieve a cease-fire to stop the killing and the desolation in Gaza and to bring Israeli hostages home, including Americans.

Those are noble efforts that this committee in normal times would respect. At the very least, this committee, given the urgency of the moment and the engagement of our President and Secretary of State in intense diplomatic negotiations and discussions, including Ukraine, I might add, at the United Nations, would have the respect to allow the President and his Secretary of State to undertake those endeavors on the country's behalf and to delay any action by this committee that could detract or impede those efforts.

But not today. Today, we're going to engage in a partisan exercise because we're 40 days out from an election and we want to score political points, including on the subject of Afghanistan.

I find it ironic that the chairman would cite the fact that there were so few, if any, hearings on Afghanistan under a previous majority—when the Republican majority refused to have a single hearing on Russian interference in the 2016 election, despite multiple requests to do so, nor have the Republican majority currently had any hearings on the antecedent of what happened in Kabul.

Mr. Sherman pointed out it was President Trump and his negotiator, Ambassador Khalilzad, that precluded the Afghan government from even being at the table in the negotiations in Doha. Who were the Afghan representatives that we recognized, that the U.S. Government and that President Trump and Mike Pompeo, the Secretary of State, recognized? It was the Taliban, not the Afghan government. They weren't even allowed to sit at the table and participate in the future of their own country. Imagine the demoralizing effect that must have had on the Afghan government we purportedly supported and the military that buttressed it. No wonder it collapsed.

Imagine the morale effect of agreeing to release 5,000 Taliban prisoners, many of whom were terrorists, which my colleague Joe Wilson correctly cites as of concern, except he forgets it was on the Trump administration watch, not the Biden administration watch,

that saw that egregious action and agreed to it as part of a Taliban demand.

And it was the Trump administration that set an absolute date for full U.S. withdrawal from Afghanistan. That trifecta destroyed the credibility of the Afghan government in Kabul we were purportedly supporting, energized the Taliban, and destroyed the ability of the Afghan military to resist the Taliban. And that led to the collapse of Kabul, but, of course, we don't want to talk about that and we don't want to have a hearing about that because that would damage the narrative that we're undertaking today.

This is, from my point of view, a real shameful moment for this committee and I deeply regret that the majority would undertake this effort, while the President and Secretary of State are negotiating very delicate matters on our behalf and on the behalf of world peace.

I yield back.

Chairman MCCAUL. The gentleman yields.

The chair recognizes Mr. Mast.

Mr. MAST. Thank you, Chairman.

I don't have one friend that passed in Afghanistan that passed for nothing. They were serving their country and they were serving their brothers to their left and right and their sisters to their left and right in combat. They were serving causes they considered to be bigger and more important than themselves.

I did not lose my legs for nothing in Afghanistan. My service was absolutely squandered by what took place with the withdrawal from Afghanistan. But somebody would have to be a willful idiot to think that my operations in 2010 in Afghanistan somehow directly correlated to all the failures that took place in August in the withdrawal of Afghanistan. You would have to be a willful idiot to think that and you would have to think people are idiots in order to go out there and present that as an argument.

We need to look at the whole war. What Brian Mast did in 2010 in Afghanistan and everybody that was there surrounding that, that's what led to what happened with the withdrawal of Afghanistan. My colleagues want you to think that that's what we need to be looking at. It's just simply not true.

The fact of the matter is the contempt of Secretary of State Antony Blinken exists because he does not put a priority on being present for important activities. Where was he during this catastrophic withdrawal from Afghanistan? He was vacationing in the Hamptons. That's where he was.

Where was he when province after province of Afghanistan was falling? He was vacationing in the Hamptons. Where was he when he should have been looking at what's going to take place if all of the individuals in the embassy need to be evacuated? What plan are we doing to conduct getting them out of there? He was vacationing in Afghanistan—or not in Afghanistan. I wish he was in Afghanistan paying attention. He was vacationing in the Hamptons.

What was he doing when people were hanging off the wings of aircraft, thinking about how they might get out of Afghanistan? He was vacationing in other places like the Hamptons.

When you look at a situation where it should have been all hands on deck, every person spending every minute of the day giv-

ing every bit of their focus to what would be the largest military and State Department operation in decades, and you think about the fact that the Secretary of State was on vacation, it makes you not wonder as much why what happened with the withdrawal happened with the withdrawal.

I read the testimoneys of person after person, Ambassador after Ambassador, that was working in the withdrawal of Afghanistan. The fact of the matter is there was, basically, no mention at all of the Secretary of State and where he was, as the top dog in the State Department, throughout that entire withdrawal.

Nobody spoke about where he was; what he doing to help; how he was preventing people from hanging off the wings of aircraft; what he was doing to make sure that Special Immigrant Visas would have the documentation that we need; that the State Department had the appropriate number of people to deal with all of the Special Immigrant Visa holders and each of their family members, their spouses, their children. He wasn't present at all for that.

And if you want to go one step further and talk about the fact that we weren't there for nothing, those of us that served there; our service was squandered, but those who were there at the time were quite literally treated as disposable servicemembers. If the Secretary of State is not present, then he's treating those servicemembers that need to come and rescue his people as disposable. If he's not calculating what needs to take place with the Special Immigrant Visa holders, then he's taking those servicemembers that are flying those aircraft and they're guarding the walls, he's treating them as disposable. If he's not calculating which airport to use, or whether to do it in the summer, not in the summer, in the winter, he's treating the servicemembers that have to protect that operation as disposable.

He should be held in contempt, and I thank you, Chairman, for the time.

Chairman MCCAUL. The gentleman yields.

The chair recognizes Ms. Wild.

Ms. WILD. Thank you, Mr. Chairman.

I have to express my profound disappointment in this committee today when we are so often able to work in an accommodating and bipartisan manner. Indeed, I have always considered this to be one of the more genteel committees in Congress.

Let me be clear. I was vocally and publicly critical of the execution of the withdrawal from Afghanistan, but at the same time I also was vocal and public about the need to bring this endless war to an end—a forever war that had been going on since 2, through many presidencies, not just President Biden's.

The hearing today was convened, I believe, to force Secretary Blinken into an untenable position. As we all know from his correspondence to the chairman, Secretary Blinken is at the U.N. today in New York and for long-ago-scheduled meetings, critical meetings, at the U.N. General Assembly that are not optional meetings for him. He is our Secretary of State and very important matters will be undertaken, and he advised the chairman of that in his correspondence and asked for this to be rescheduled, and that was not done.

It's worth pointing out that Secretary Blinken has appeared before this committee in the past to testify in response to questions about what happened during the withdrawal from Afghanistan.

This is, as has been said by several, a purely political move. We are 40-some days before a Presidential election. And isn't it shocking that there was no accommodation of Secretary Blinken's request that his appearance be rescheduled to some date other than when he had to appear at the U.N. General Assembly? Of course, it's not a coincidence; it is completely political, which is not something that we often see in this committee.

As Secretary Blinken pointed out in his correspondence, his Department has balanced more than 50 unique investigatory inquiries from eight separate House committees, including more than a dozen from this committee. At his direction, the Department provided more than 20,000 pages of documents to this committee over the course of this single investigation, and those documents were provided with minimal redactions.

And the Department of State, also, under Secretary Blinken, took the unprecedented step of allowing committee members from this committee to view a highly sensitive cable and provided the committee with internal memos related to the Department's after-action review.

Secretary Blinken has been nothing but cooperative throughout this entire term in Congress and it shames me that our normally very professional and bipartisan committee has resorted to a political stunt like this. And I hope that this is not a sign of things to come in the coming days. I hope we will return to being the committee that we once were.

But I think it is appalling that a Secretary of State's request for an accommodation, when he has appeared many times before this committee and other committees in Congress specifically related to the Afghanistan war and the withdrawal, I think it's appalling that his request was not honored.

And with that, I yield back.

Chairman MCCAUL. The gentlelady yields.

Because my name was invoked, I do feel compelled to respond. I offered any day in September, just a few hours in September. The Secretary couldn't find 1 day, couldn't find 1 hour, to come before the U.S. Congress and respond to our report, so we could legislate on that. I find that incredible. His timing, not mine, not 1 day to answer to the Gold Star families, the veterans, and the American people—not 1 day. To me, that is disrespectful to everyone serving on this committee and everybody serving in this great institution.

The chair now recognizes Mr. Baird.

Mr. BAIRD. Thank you, Mr. Chairman.

And thank all of the members and staff for putting together this report.

You know, I would just like to say I want my colleague Mr. Mast to know that I appreciate your service and that it was not for naught.

Mr. MAST. Thank you.

Mr. BAIRD. I heard the same kind of comment about Vietnam, and I can tell you that the soldiers that I served with were there

to save their country and they served willingly to protect the country. And so, it's important to me that people understand that.

But, you know, it's been 3 years since the attack at Abbey Gate that left 13 U.S. servicemembers killed because of the failed policies of the Biden administration and Secretary Blinken. One of those soldiers that was killed, Corporal Sanchez, is from Logansport, Indiana, and that's in my district. And I can tell you how impactful that was on the community and on the family.

Throughout the committee's entire investigation into the withdrawal, Secretary Blinken and the U.S. State Department repeatedly obstructed, delayed, and refused to comply with legitimate oversight inquiries. The American people still deserve answers, especially the servicemembers who served in Afghanistan and our Gold Star families.

Secretary Blinken has violated the committee's subpoena and ignored multiple previous requests to testify. Today is yet another example of Secretary Blinken's refusal to comply and provide answers.

Instead of providing the committee and our Gold Star families answers, Secretary Blinken is hiding in the United Nations General Assembly in New York. That's why I'll be voting yes on this committee report.

And I yield back.

Chairman MCCAUL. The gentleman yields.

The chair recognizes Ms. Titus.

Ms. TITUS. Thank you, Mr. Chairman.

I just have to say: here we go again. The Republicans have shown that they can't govern. So, let's find some circus to have, some political event, and some sham hearing on censure for the Secretary.

You know, instead of doing that, why don't we work with the State Department in order to really get answers to the questions that we have, instead of just throwing on these accusations and filling up the time with political stunts?

If you get beyond the bluster, you can look at the facts. Secretary Blinken has willingly responded to questions on the Afghan withdrawal in 14 public hearings since August 21st—August 2021, including four hearings before this very committee.

The State Department has produced 20,000 pages of documents to this committee on the withdrawal and made 15 State Department witnesses available for individual, full-day, transcribed interviews.

The Secretary also made unprecedented accommodations for members of the committee to view a dissent channel cable, in compliance with a different subpoena and a separate threat of contempt from another committee.

He has tried to work with the majority to comply with this most recent subpoena by offering alternative dates, but that was ignored, because we're focusing on policy and not working in good faith.

Now, you heard that he's hiding in New York with the United Nations General Assembly. Let's look at what he's really doing there. He's representing the United States at the U.N. Security Council's debate on the war in Ukraine; publicly engaging with

Russian and Chinese foreign ministers on this critical topic. Surely, we can agree that that's important.

Alongside President Biden, he's also going to be hosting the U.S.-led Global Coalition on Synthetic Drugs to fight the production and trafficking of fentanyl, which we have heard ad nauseam from the other side about how important it is, but, apparently, not so much now.

He's also going to hold a bilateral meeting with the U.N. Secretary General; meet with foreign ministers from Africa on China's Belt and Road, which we also hear about constantly, and participate in other high-level engagements that have been the result of months-long planning.

The dates for this were announced long ago. So, if this were really a good-faith effort to bring the Secretary, it would not have been scheduled for today. This is just headline-grabbing pontificating, a political circus—I can't think of any other word to highlight, once again, a report that's already been released—a misleading, partisan report that we didn't have any kind of input in; spurious, cherry-picked facts to support a manufactured narrative.

All of this today, why today is this so critical, except for the fact that we knew that the Secretary was not going to be able to be here? So, it's really there's no smoking gun; it's just a lot of blowing smoke.

Thank you and I yield back.

Chairman MCCAUL. The gentlelady yields.

I must remind the committee the Secretary was offered any day in September, not just today.

Second, he didn't produce the after-action report or the dissent cable until he was threatened with a Motion of Contempt, which stalled our investigation to this day. That's why we are where we are in September.

The chair recognizes Mr. Waltz.

Mr. WALTZ. Thank you, Mr. Chairman.

You know, this was our nations longest war ever that I had both the honor and the heartbreak of fighting in. And I just want to echo Mr. Bairds statements and Masts. Your sacrifices were not in vain.

We have had two generations of Americans that did not suffer planes flying into buildings and not suffer suicide bombers going off on school buses. That didnt suffer yet another 9/11 because of your sacrifices, my friend, and so many other soldiers that sacrificed along with you.

But all those soldiers are asking for, all those veterans are asking for, all the Gold Star families are asking for, all the Afghans that are still being hunted down and tortured are asking for are some answers and some damn accountability. Anyone to be fired.

I mean, that is what the Democrats on the other side of the aisle just cant explain is not a single person has even been laterally transferred. In fact, they are being promoted. The woman in charge of the, coordinating the withdrawal has been nominated to be the Ambassador to Iraq.

So you know what, I dont care, they dont care how many times Tony Blinken has to inconvenience himself to come before the peo-

ples representatives. I dont care if it is once, twice, ten times, 15 times, until we get some answers.

And you know what, coming in the days after the withdrawal, we hadnt had an investigation yet. We didnt even know what to ask him.

But the things that my colleagues also dont want to acknowledge is that this report, Willful Blindness, is filled full of testimony of Tony Blinkens employees, of State Department Foreign Service officers, of military generals who testify under oath that time and time again, Blinken; Sullivan, the National Security Advisor; Biden; and Harris at the National Security Council ignored their advice.

And this testimony contradicts their public statements. So hell yes, he should be sitting right here answering for those contradictions and lies. Lets go through a few of them. Lets go through just a few.

Biden and Blinken said they are not going to have people lifted off the embassy, of the roof in Saigon. That was a lie, and we have testimony in this report that shows that. They were repeatedly warned that the Afghan Government was going to collapse without our support.

President Ghani came here in person and told him the country was failing. His own diplomats, which we saw in the dissent cable that my colleague raised, that we would have never had access to but for this investigation, warned the Secretary of State in a dissent cable, dozens of diplomats, that Afghanistan was going to fall. And yet, we pulled our forces out unconditionally regardless.

Both Biden and Blinken said only 100–200 Americans that wanted to leave would be left behind. That was a lie. That number was quietly revised in the dead of night to be over five times as many. They said we are not going to leave until we get every American out. Lie.

Who was responsible for putting the original withdrawal date on the September 11, an insult to the September 11 families? We still dont know. I would love for him to answer that question. So would the American people.

One or 2 hours is what we are asking for for some level of transparency and accountability. Biden and Blinken said our allies were completely on board. Lie. The Secretary General, our own generals, and our allies repeatedly asked them not to do this and not to do it in this way.

Biden and Blinken, and Harris for that matter, said Al Qaeda is gone, nothing to worry about. Lie. Al Qaeda is back, ISIS is back. And terrorism is once again bubbling out of Afghanistan, but now stronger than ever, to attack the homeland. I could go on and on.

And what my colleagues dont want to admit is they havent read this report. This is page after page of State Department testimony, general testimony, military testimony that contradicts this administration and their public statements.

And then on Vice President Harris, which was it? Was she a wallflower for 4 years in these deliberations? Or was she at the table, which is statutorily required of a National Security Council?

I have served inside the White House. The Vice President is the first to speak and the last to speak, and she pounded her chest,

tapped herself on the shoulder proudly. I was the last in the room in making these decisions.

You know what is political? Inaction can be political too. And the inaction, Ranking Member Meeks, of this committee in the years after the withdrawal is also political. Trying to bury this disgrace is also political. Antony Blinken saying, well, I will come after the election. That is also political.

You know what our elections drive? Our elections drive accountability. The American people get a vote for this disgrace. That is why Blinken isnt here. Because the Harris campaign and the Biden administration, as he is trying to take a victory lap in New York—I dont know for what, but he is certainly trying for some reason—doesnt want this on the headlines. They want the American people to forget about it.

We are not going to let them, Mr. Chairman, and I thank you for your work. And the veterans community, the Gold Star families, and those of us that served there will never let Tony Blinken, Jake Sullivan, Joe Biden, Kamala Harris forget this disgrace.

And you know who is not going to let them forget it either, Mr. Chairman? Al Qaeda and ISIS and the terrorists that fully intend to attack our homeland once again.

I yield, and I will proudly vote Secretary Blinken in contempt.

Chairman MCCAUL. The gentleman yields. The chair recognizes Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Chairman. I would like to yield a minute to begin to the ranking member, Mr. Meeks.

Mr. MEEKS. Since my name was invoked, No. 1, incorrectly, when we were in charge, we did have hearings in the 117th. We had several hearings in the 117th, plus classified hearings, extensive classified hearings, where everybody had an opportunity.

The difference is we wasn't playing politics with it. We wanted to talk about the 20 years. Everything leads up to one. They are interconnected.

No. 2, the Secretary of State's schedule is public. September is a difficult month because of what is going on in the world. The 118th Congress, if this is about fact-finding, if this about—not about elections, if this is about trying to see what we can do to make sure that we don't have a withdrawal in other wars like we have in Afghanistan, for the record of the American people, the 118th Congress doesn't end until December 31.

This subpoena that was given to the Secretary was only issued on September 18th. Everybody knows that the U.N. is in session this particular week. The reason why September is important? Because it is political, it is the political season.

It is the election coming up. It is November 5th. That is the only reason why it is important. Otherwise, this hearing, as the Secretary has been willing to talk, would have continued or could happen at his availability. But he gave his schedule to the chairman and said this is my schedule. It is a public schedule. That is why he is not here, because he is doing his responsibility.

I yield back to Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Ranking Member.

I know that Mr. Mast and Mr. Baird have left the room, but I wanted to start by thanking them, who have served this country

and made sacrifices that most of us cant even imagine making on behalf of our country. And to all of those on both sides of the aisle who have served our country and continue to, I just want to say thank you.

I know a thing or two about this because I am a Gold Star son. Gold Star families have been invoked a lot today. And I reflect almost every day I serve in this institution about why my dad died in Vietnam, what he was fighting for.

And I try to rationalize and reconcile it for serving his country with heroism and honor in a reprehensible, unnecessary, and stupid war that was mismanaged from the beginning, during, and certainly during the withdrawal.

So this is not an issue of whether we should investigate what happened in Afghanistan. We absolutely should. It is not an issue of whether the Secretary of State should appear in front of this body. He absolutely should. The question is just when. He didnt come in September, and now we are sitting here voting on a contempt resolution.

And that is why I am sad today. I have loved my service in this institution, most importantly on this committee, because of my friendships on both sides of the aisle. It is one of the very few vestiges of decency, collaboration, cooperation, and shared principles that remain in the U.S. Congress.

And I think what is contemptible is that we are doing this today. When the rest of the world is watching the United Nations gather in New York, our Secretary of State should absolutely be there, for goodness sakes.

And he should also be in front of us. And I just wish that we could pursue the spirit of what this country and this institution should be about, which is to cooperate.

So I am not here to say he shouldnt, I am here to say he should. The question is when, and I think it should happen soon. I think it is despicable and sad that we are doing this today.

I think what also is contemptible is a former President who is currently blaming the United States for the war in Ukraine, not Mr. Putin. What is contemptible is a former President who actually shared with his Secretary of Defense that he thought we should shoot American protesters in the streets. That is contemptible behavior.

And I think we are holding the wrong person in contempt today, because contempt means a lack of respect or reverence for something, and damn, have we lost respect and reverence for this institution, for our friendships, for collegiality.

And that is all I wanted to say today to the American public that is once again watching us. Watching us act like this is what is contemptible. And I apologize to every single one of the 350 or so million Americans that are wondering what the heck is going on in this most important institution in the world.

I love my brothers and sisters on this committee, Democrats and Republicans. And I love America even more. With that, I yield back.

Chairman MCCAUL. The gentleman yields. The chair recognizes Mr. Lawler.

Mr. LAWLER. Thank you, Mr. Chairman.

It is not political when you have 2,459 U.S. servicemembers that were killed. It is not political when 20,769 U.S. servicemembers were wounded. It is not political when 18 CIA operatives were killed, or 1,822 civilian contractors killed.

It is not political when over 1,000 Americans were left on the ground in Afghanistan. And it is damn well not political when 13 U.S. servicemembers died at the bombing at Abbey Gate.

It is not political to want answers for these families, to want answers for the servicemembers, our veterans who continue to suffer from PTSD. Twenty-two veteran suicides a day. It is not political to want answers for them and their families.

So to my colleagues on the other side, tell the Gold Star families that want answers about this disastrous withdrawal from Afghanistan that you believe their request to hold Secretary Blinken accountable is political. The service and the sacrifice of our soldiers and our veterans matters. And they deserve answers.

And if you want to know what was political, then look no further than the actual disastrous withdrawal. Joe Biden and Kamala Harris announced a date certain to ensure that all U.S. troops were out of Afghanistan before September 11, 2021, conditions on the ground be damned.

Joe Biden wanted to say that he ended the war before the 20th anniversary. If that isnt political, then what the hell is?

Antony Blinken has refused to cooperate with this committee, refused to testify before this committee on the withdrawal in the 118th Congress. He has been here twice to testify about the State Departments budget. But he certainly has not afforded this committee the respect to answer the questions related to the disastrous decision to withdraw in violation of the Doha Agreement, not because of the Doha Agreement.

This administration chose politics over the safety and well-being of our U.S. servicemembers. They chose politics over the safety and the well-being of the Americans that were left in Afghanistan. They chose politics over the safety and well-being of the Afghan refugees who helped us over the course of this 20-year war.

Secretary Blinken has a responsibility to come before this committee, to come before the representatives of the American people and answer the questions about this disastrous decision to withdraw.

Kamala Harris, who said she was the last person in the room, proudly, still has not met with the 13 Gold Star families, still has not offered her personal condolences to those families. She wasnt at the dignified transfer when Joe Biden was looking at his watch, trying to get out of there as fast as he could.

This administrations handling of the withdrawal in Afghanistan has created a tinderbox around the world. We are in the most precarious place since World War II because of their disastrous foreign policy, starting with this withdraw, continuing with the Russian invasion of Ukraine, the terrorist attack on Israel, the illicit oil trade between Iran and China, the threats in the Indo-Pacific from China against Taiwan, and in their botched mishandling of the border. This administration is a disgrace.

And the fact that Secretary Blinken couldnt be bothered to be here, not just today, but over the course of this entire 118th Con-

gress, to answer questions on this matter. It matters to these families, it matters to the American people. And it damn well matters to our active duty military and our veterans.

The only thing political here was the decision to withdraw by a date certain in violation of the Doha Agreement. That is the only thing that is political. And the fact that my colleagues cant accept that but would rather carry water for the Secretary of State is an absolute abomination.

I yield back.

Chairman MCCAUL. The gentlemans time has expired. The chair recognizes Ms. Dean.

Ms. DEAN. Thank you, Mr. Chairman. Thank you, Ranking Member Meeks.

I rise in opposition to this committee report seeking to hold Secretary Blinken in contempt. What a sad waste of time at such a serious and dangerous moment around the world. This is simply another attempt by the majority to wield the power of this committee to score cheap political points.

This action is nothing more than an extension of their highly partisan, cherry-picked report on the Afghanistan withdrawal. As soon as you hit any real substance in the majoritys report on the withdrawal, just beyond the table of contents and the list of key people, and the grainy pictures that flower this report, you will find its first fundamental flaw. And again, I am talking about the majoritys Afghanistan withdrawal report.

On page 8, let me show it to you, right here. On page 8, This report presents the finding of the committees majority investigation into the Biden-Harris administration withdrawal from Afghanistan in 2021.

The U.S. withdrawal from Afghanistan is understood to encompass—note the limitations here—the U.S. military retrograde beginning with go to zero order officially announced by President Biden on April 14, 2021, through the noncombatant evacuation operation ordered by President Biden August 15, 2021.

The Afghan withdrawal studied in a prism of 4 months. No way did they want to go back and look at what Mr. Trump might have done to set this in motion. They didnt want to examine that.

It is obvious the majoritys report was developed from a predetermined political conclusion in this political season, one which shields the action of Trump, of the Trump administration, from criticism and places all blame on the Biden administration. With the hearing at issue, this is the piece de resistance.

I want to read to you what John Bolton and H.R. McMaster, two former Trump National Security Advisors known for their hawkish views lambasting both Trump and Biden for the withdrawal, though they have been very critical of the Taliban agreement. This is McMaster: Our Secretary of State Mike Pompeo signed a surrender agreement with the Taliban. McMaster said, It was a surrender agreement by the Trump Administration.

Nowhere do we really see much of anything about what Mr. Trump did. If you take a look at the total report, the report includes only half a page of an executive summary and about eight pages of background. Out of a total of 345 pages of this report di-

rectly focus on the Trump administration, eight pages of the whole report.

On page 41, The first step toward a phased withdrawal resulted in the reduction of U.S. forces to 8600. That drawdown was completed by the summer of 2020. 2020, election year, shows the withdrawal actually started under the Trump administration.

And this, the most puzzling of facts, not really examined at all by this committee because they don't want to look at what Mr. Trump did, in July. Additionally, in July 2020, President Trump pursued another phased drawdown, reducing troops to 4500 and then in January, just before Mr. Biden was sworn into office, they reduced by another 2500 troops.

Nobody wants to examine that on the other side of the aisle? You dont want to see what weakness that created? What opportunity that created for the Taliban?

By way of Secretary Blinken, he has come before this congressional committee to provide testimony on numerous occasions, including multiple times before this very committee. And the State Department has provided 20,000 pages of documents at his direction.

Despite the continued attacks by the majority, the Secretary remains willing to come to this committee, as he wrote in a letter just yesterday, the second letter. I think it has been entered into the record. We have consulted with the Department of Justice and it has concluded the committee may not constitutionally compel the Secretary appear on September 24, as so doing would prevent the Secretary from fulfilling the Presidents directive to represent the United States at the U.N.

We dont even have the constitutional authority to do this. I submit that for the record.

So finally, I think no matter what we are saying here, this rush to subpoena and then this rush to this resolution condemning the Secretary, where we were when Mr. McCarthy and four other GOP leaders were issued subpoenas by the January 6 Committee? It was Mr. McCarthy, Mr. Jordan, Scott Perry of this very committee, Andy Biggs, Mo Brooks. Where was our outrage then when they failed to appear for their subpoenas?

This is a political stunt. It is dangerous, it is sad, it is nakedly an attempt at politics. And I yield back.

Chairman MCCAUL. The gentlelady yields. I would like to State our General Counsel stated that the DOJ does not decide what is constitutional, the judicial branch does. I would argue as an attorney we have Article 1 Constitutional authority to conduct these hearings, to compel witnesses, including the Secretary of State. He cannot hide behind his title.

The chair now recognizes Mr. Mills.

Mr. MILLS. Thank you, Mr. Chairman. I will ignore the fact that you almost forgot my name.

I want to put some corrections to the record here. First, you know, I want to remind the ranking member that utilized the term that it is rarely used and shamefully a political stunt when talking when talking about contempt. But I wonder if that was a rarely used and shameful political stunt whenever they were willing to

hold in contempt Dan Scovino, Steve Bannon, Mark Meadows, Peter Navarro, and the list goes on and on.

So it is not as rarely used as they may say. And I want to also say where is the rush, as some of my colleagues have said. The rush is is that on August 26 of 2021, 13 brave heroes lost their lives, and 13 Gold Star families are still living with those consequences. That was political optics over military strategy and advisory by the generals and even by Secretary Blinkens own officials.

Twenty-three diplomats in the dissent cable that we had to subpoena and nearly hold him in contempt for redacting all the information warned the Secretary that if he goes forward with this strategy, that Americans will be left behind, allies will be left behind, and Americans will lose their lives.

The same way that as myself, I am a member of the Armed Services Committee, reviewed the daily intel brief as the Secretary of Defense got that gave a continual path from the individual movement of provinces to the planning, all the way down to the date where, on August 25, the intel report stated clearly, all plans have been made and execution is imminent.

That imminence was the following day on August 26. And I will tell you that if the Gold Star mother of Staff Sergeant Ryan Knauss, a fellow paratrooper out of the 82d Airborne Division, can make her time to be here in the back of this room today, then it is shameful that one of the people responsible for this botched withdrawal cant make the time throughout the entire month of September.

But what does Secretary Blinken have time for? Well, we have seen him make time to play guitar and sing karaoke in downtown bars of Kyiv. We heard my colleague Brian Mast talk about all the vacationing in the Hamptons. But who has been held accountable, who has lost their command, been demoted, lost their jobs? The answer is no one.

And the key of why we wanted to have this hearing, and that the chairman had asked for any day in a month of September, is because we had finally finished the documentation that shows in the report of the negligence that occurred.

You know, we keep hearing about the Doha Agreement, an agreement that President Trump and Secretary of State had put together, which was a conditions-based agreement. But what they dont want to mention on the other side is that when the generals had gone to the President said that we should not have a full withdrawal of troops, that he had agreed to this policy.

Now, you will hear the Biden-Harris administration say that they couldnt do anything about it, the agreement had been struck. Well, wasnt the agreement struck on the remain in Mexico policy to secure our borders? Wasnt the agreement struck on the listing of Houthi rebels as a terrorist designation that they delisted? Wasnt the policy struck to ensure sanctions against Iran when it came to their oil exportation to China, which is now funding incidents like what took place on October 7 in Israel?

Let me be clear: we should commend the brave men and women who have been willing to not only wear that uniform in our armed services, but our diplomats, our agents, and our allies who fought

alongside us for 20-plus years in Americas longest war. I want you to all know that you should hold your head up proudly. And that it was the suits of D.C., not the boots of Afghanistan, who resulted in these failures.

I also want to acknowledge Congressman Masts sacrifice, but also the sacrifice of so many heroes. And I want to recognize one of my colleagues, my fellow Floridian Ms. Anna Paulina Lunas husband, Andy, who is a proud Purple Heart, Bronze Star recipient for the war in Afghanistan.

I will agree with my colleagues that this is about the last 20-plus years. That we shouldnt involve ourselves in these endless wars that have no clear objective to finish and where we think that it is our job to bring diplomacy to a nation which is troubled.

I think that we should learn from the mistakes made here. And as someone who is the only member in this body and institution who went abroad to conduct the first successful rescue of Americans, a mother and three children left behind in Afghanistan, I am yet to have the time to ask Antony Blinken any questions, because the times that he has showed up here he has a hard stop time and doesnt allow this committee to even ask all the questions that are necessary.

So I support this contempt. And in the event that we find that this is not possible, then we should be looking at inherent contempt of Antony Blinken. It is for that purpose that I ask all my colleagues to please vote in support of this, and lets get accountability once and for all for D.C. and for the American people.

Thank you, Mr. Chairman, I yield back.

Chairman MCCAUL. The gentleman yields. The chair recognizes Mr. Moskowitz.

Mr. MOSKOWITZ. Thank you, Mr. Chairman. I think two things can be true simultaneously, and I have said this before. I think there were mistakes made in the Afghanistan withdrawal. I do. And I think we should get to the bottom of those mistakes, intelligence failures, because the whole idea is to make sure that they never happen again. You never want to be a general fighting the last war. You want to know what went wrong so that you don't repeat them.

And I am grateful and the country is grateful for Brian Mast's sacrifice and I am grateful to my fellow Floridians: Cory Mills, Tim Walz, Anna Paulina Luna, who all served in different capacities in the military.

But think two things can be true. And here is the second thing that I think is true: The second thing that is true is that I don't question my colleagues intent and I don't question the chairman's intent, but perception, the perception, which you don't control and I don't control, is that you are doing this 42 days before an election. Not 6 months ago. Not 6 months ago. Not a year ago.

I think what went on in Afghanistan is one of the most important things that we could find out to make sure it doesn't happen again. So then you know what, tell the speaker to not—to cancel recess. Let's have more hearings on Afghanistan. Why haven't we had more hearings on Afghanistan? This Congress has had more hearings on gas stoves and refrigerators and ceiling fans and

blenders than they have had on Afghanistan. And that is not the chairman's fault. But that is this Congress.

Let me tell you what this Congress has spent their time on. We have removed the speaker, we have—which had never happened in American history. We have impeached the cabinet secretary. Hadn't happened in 150 years. We tried to remove another speaker. That failed. We have held the Attorney General in contempt. And now we want to hold the Secretary of State in contempt.

But what about solving the actual problems that happened in Afghanistan? We owe that to the Gold Star families. We absolutely owed that to the Gold Star families. But we are doing it 42 days before the election all of a sudden? And again, I don't question the chairman's intent. The chairman I think on Ukraine and Israel has been a voice of reason in his party in this Congress, but he can't control the perception and I can't control it either.

And people are going to ask themselves—we are leaving here tomorrow. Tomorrow. We are going to pass the CR and go home. And we are having this hearing today. So the story that is going to be told is as Congress goes out the door, leaves for a 5-week recess, they want to hold the Secretary of State in contempt.

I don't know what that does for the Gold Star families. Does that make them feel better? No, making sure there aren't more Gold Star families is what we should be doing, making sure the mistakes that were made—making sure those don't repeat themselves. But this doesn't do that at all.

Six months ago we could have done that. Eight months ago we could have done that. We could have been doing this quite frankly biweekly, having hearings on Afghanistan. But that is not what the 118th Congress has focused on. It hasn't focused on that.

And so, I hope for the sake of our military families and for the next conflict that we are unaware of that we do get to the failures in Afghanistan and make sure that something like that doesn't happen again. But this isn't it. This isn't it. This is what the American people question about Congress. It is why we have a 17 percent approval rating, which by the way, there is room to grow. Lots.

But they are going to ask that question. They are going to ask all of a sudden, 24 hours before you leave for a 5-week break—look, I will stay if we want to have more hearing on Afghanistan. It is more important than my reelection, quite frankly. So if we want to do that, I will stay. I will do that. But we are not going to do that. We are going to go home. And then we are going to come back in a lame duck session, right? We are going to leave the 118th Congress probably never getting to the bottom of all this.

And so I think that is disappointing, but I commit myself to work with my colleagues across the aisle to find out what happened in Afghanistan, right? But my colleagues should be aware whether they are—it is their intent or not, it is 42 days before the election. It is a day before we are leaving. And that is how this will get framed. You can't control that. That is how this will get framed even if it wasn't your intent. And people will ask, well, if it was so serious, why didn't we do this 6 months ago?

I yield back. Thank you, Mr. Chairman.

Chairman MCCAUL. The gentleman yields.

The chair recognizes Mr. McCormick.

Mr. MCCORMICK. Thank you, Mr. Chair. When we talk about timing, you are right is kind of inconvenient timing that we waited 3° years to secure the border. It is a matter of timing that we decided to prosecute the former President of the United States to coincide with an election cycle. It is a matter of timing that all of a sudden after 3° years of anti-pro-energy policy we decided that we all of a sudden we are going to be for fracking. Imagine the timing. We keep on talking about being inconvenient for an election cycle.

I was in Afghanistan in 2016 as the head of emergency medicine at a Role 3 hospital in Kandahar, Afghanistan. During the entire 4 years a President Trump's presidency we lost approximately 45 people. Horrible losses.

Let's talk about the entire Afghanistan conflict, if you will. Twenty years of investment, $2 trillion, 2,462 lives lost, countless limbs, countless traumatic brain injuries, and countless months and years away from our families to serve this great country. And what do we have to show for it?

Let's talk about the facts. Let's talk about where we are at the conclusion. Not the beginning, but the conclusion of this investigation. Fact: Nobody but the Commander in Chief can make this decision on how and when to withdraw. That is one person's decision executed by everybody else. That was President Joe Biden.

Fact: Kamala Harris admits to being the last person in the room, shaking her head in agreement, with how and when this withdrawal was bungled.

The committee reviewed two letters in the past 3 days from the Secretary. It laid out a number of excuses why Secretary Blinken is unavailable to testify before this committee to the American people.

Let me address a few things: First, the Secretary claims he is constitutionally mandated to be in New York to attend to America's foreign policy with the United Nations. I get it. First, according to the public schedule, which was only made public last night, his first official engagement is not until 1:30 p.m. today. There are over Senate-confirmed or senior officials from the State Department in New York for the United Nations Assembly.

Based on the events of the Secretary's calendar today, I see no reason why those individuals could not handle his engagements there today. Not explained in this letter. Apparently he is willing to delegate certainly responsibility to his deputies, but only those responsibilities that he has to the U.S. Congress. Congress. The people who represent the citizens of the United States of America. We, the people. Not only is his offer unacceptable; the deputies he offered were not even serving in the State Department during the Afghan withdrawal.

Second, the letter transmitted last night declares apparently on his behalf to the entire DOJ that the DOJ has decided that holding the Secretary in contempt for failure to comply with a subpoena is, quote/unquote, "unconstitutional." I guess the State Department has forgotten about the entire branch of government, the Judicial Branch, which actually evaluates what constitutional even means.

Third, a pattern is emerging. When Kabul fell, the Secretary was where? East Hampton. In New York. It seems like New York seems

to be his escape whenever something big happens and he has to shirk from his responsibilities.

Last, my colleagues on the other side of the aisle accuse us of playing politics, that this timing is inconvenient. Chairman McCaul has made clear that it was our timeline—their timeline, not ours. But let me also pose this to the American people: Why do you think the Biden/Harris Administration and Secretary Blinken are allegedly unavailable until November? Why do you think the Secretary will not answer our questions on record before the American people at the conclusion of our investigation? Mr. Blinken's absence is either willful neglect or cowardice. I will absolutely comply and supply—completely support holding Secretary Blinken in contempt of Congress. And with that, I yield.

Chairman MCCAUL. The gentleman yields.

The chair recognizes Ms. Kamlager-Dove.

Ms. KAMLAGER-DOVE. Thank you, Mr. Chair. I think we can all agree that this committee has a responsibility to conduct thorough oversight of the war in Afghanistan. We should also agree that what is disrespectful to veterans, soldiers, and Gold Star families is to call those who made the ultimate sacrifice losers or suckers. Gold Star families of those 13 heroes who lost their lives in Afghanistan heard those words from Trump, not Blinken. It is unfortunate that this oversight mandate has been weaponized against good-faith efforts by Secretary Blinken to work closely with Congress and provide the information requested.

Committee time and resources are being used to divert State Department time and resources from the actual emergencies that require the Department's attention: ending the war in Sudan, defeating Putin in Ukraine, securing a hostage return and cease-fire deal in Gaza, extremism and terrorism in the Sahel, Mpox and war outbreak in the DRC, PRC incursions around Taiwan, supporting democracy in Venezuela, escalations in Lebanon. I can go on. These are just some, not all of the pressing foreign policy priorities that this contempt resolution is impeding.

Secretary Blinken is in New York at UNGA today where all of these issues are being discussed right now. Perhaps one of the most important UNGA gatherings given the plethora of global crises. This is diplomacy at the highest most critical level.

And this is not the only time that the majority in Congress has endangered our national security. My Republican colleagues held up funds to Haiti, delayed a desperately needed supplemental to Ukraine, Israel, and Taiwan for 6 months, refused to invite the Kenyan president to address a joint session of Congress, and stalled important military nominations in the Senate. No wonder Blinken is in New York working so hard on diplomacy. Because we are not finding it here.

And I just want to take a moment to set the record straight about the Trump and Biden record on SIVs. Finding 13 of the nonpartisan, highly credible State Department after action review notes that at the time the Trump Administration signed the agreement with the Taliban in February 2020 there was a significant backlog in the Afghan SIV process. That administration made no senior-level or inter-agency effort to address the backlog or consider

options for other at-risk Afghans despite its commitment to a military withdrawal.

Multiple witnesses in the majority's Afghanistan investigation testified that President Biden and Secretary Blinken subsequently plussed up the resources and personnel dedicated to helping process SIVs significantly reducing the backlog and speeding up processing times. So let's just make sure that is on the record.

I just have to say that I oppose what is going on here. It is political theater at the highest, or lowest, depending on how you want to gauge. And I urge my colleagues to do the same. Thank you. And I yield back.

Chairman MCCAUL. The gentlelady yields.

The chair recognizes Mr. Self.

Mr. SELF. Thank you, Mr. Chairman. Just a couple of things about what I have heard this morning.

One of my colleagues across the aisle said this is a rush. I believe that it is a rush for the administration, the FCC, to approve the purchase by George Soros of more than 200 radio stations that reach 165 million Americans 50 days ahead of the election.

One of my colleagues across the aisle talked about 42 days before the election. How about 50 for 200 radio stations?

Across the aisle my colleagues want to focus on the time before Abbey Gate. You need to focus on the weakness that was demonstrated to the world after Abbey Gate and at Abbey Gate. That is the point of this investigation. We are paying the price. We will continue to pay the price for that decision.

Across the aisle they talk about we are wielding our power in this committee. Frankly, I am glad somebody in the government is wielding their power on this issue because the administration not only doesn't use power, they don't seem to understand power. We sit in this committee and when we do have State Department bureaucrats who deign to show up, they talk a lot about soft power while our adversaries around the world are using hard power.

And let's talk about New York today. I think we need to watch it closely. They may be censuring Israel again in New York today. Seems to be a common practice in New York.

Mr. Chairman, I recommend the use of inherent contempt because I have absolutely no doubt that the DOJ will follow the Senate's precedent of not even holding a trial. So I think we need to move beyond this fairly quickly to inherent contempt and I recommend the use of it. And I yield back.

Chairman MCCAUL. The gentleman yields.

The chair recognizes Mr. Amo.

Mr. AMO. Thank you, Mr. Chairman. Right now we should be mourning the 13 service members who lost their lives in Afghanistan. We should be putting country over party to come to a bipartisan understanding of the full picture of what went wrong. And we should be locking arms to make sure that a withdrawal like this never happens again.

But instead my friends on the other side of the aisle have devolved this investigation into a partisan food fight complete with spaghetti thrown at the wall in the hopes that it sticks.

Take the report that is in front of us today. We are only debating it today because Republicans want to force Secretary Blinken to

pause his essential work around the world with our allies to testify yet again. Let's be clear: Secretary Blinken is not the one obstructing this investigation. How can he be? He has already testified 14 times before Congress on the Afghanistan withdrawal, 4 of those times in front of this very committee.

If Republicans are searching for those responsible for impeding this investigation, there is in fact a mirror in the bathroom. By insisting on making this investigation the latest culture war avenue to bash President Biden they have prevented us from carrying out a thorough investigation.

If Republicans really cared about the truth, then they would look at the full withdrawal from Afghanistan. They would not start when President Biden lawfully took office on January 20, 2021.

There is an embarrassing lack of investigative rigor that is deeply concerning. Throughout their report Republicans revealed clear gaps in information that could have been answered by looking into what happened before President Biden took office.

Take page 8 of this report. Page 8 acknowledges that the Taliban did not comply with the Doha Agreement since the beginning of the deal when President Trump was in office. Why did Donald Trump fail to hold the Taliban accountable in the first year of the agreement? Why did he instead draw down troops and leave us in a weakened State during the final stages of the withdrawal?

Page 13 of this report mentions the large backlog of special immigrant visas for our Afghan allies. The State Department found that the Trump Administration, quote, "made no senior-level or inter-agency effort to address the backlog, or consider options for other at-risk Afghans despite its commitment to a military withdrawal," unquote.

Why did Donald Trump worse this backlog in the first place by not prioritizing those visas, leaving those who helped our troops withering in the wind?

These are just two of the many examples of how the report willingly turns a blind eye to reality.

And it is a damn shame that Republicans would rather attack President Biden before confiding, much less acknowledging that Donald Trump bears an iota of responsibility for what happened. This is not a complete investigation. This is a sham.

If the other side was serious about finding the truth, then we wouldn't be debating this bogus report today. Instead, we would be thanking our diplomats who swear the same oath to the Constitution that we do, patriots who go to work every day—every single day focused on protecting and defending the Constitution from enemies foreign and domestic. They represent the best of our Nation. And with that I yield back.

Chairman MCCAUL. The gentleman yields.

There being no further discussion of the report, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

Mr. MEEKS. I have an amendment at the desk.

[The amendment offered by Mr. Meeks follows:]

AMENDMENT #1 TO THE COMMITTEE REPORT RECOMMENDING THE HOUSE OF REPRESENTATIVES FIND ANTONY BLINKEN, SECRETARY, U.S. DEPARTMENT OF STATE, IN CONTEMPT OF CONGRESS FOR REFUSAL TO COMPLY WITH A SUBPOENA DULY ISSUED BY THE COMMITTEE ON FOREIGN AFFAIRS

Offered by Mr. Meeks of New York

On page 2, after the second full paragraph, insert a paragraph that reads:

"On September 9, 2024, Ranking Member Gregory Meeks transmitted a minority staff memorandum on the Committee's investigation in the 118th Congress into the U.S. withdrawal from Afghanistan. As the minority memorandum outlines, the investigation found, among other facts, that 1) the Trump Administration set a time-bound, full withdrawal into motion without regard for facts on the ground and failed to plan for executing it, 2) the Biden Administration kickstarted a robust process to review and prepare for completing the U.S. withdrawal already underway, and 3) the collapse of the Afghan Government precipitously changed the situation in Kabul and prompted a dynamic and unprecedented U.S. Government response that protected Americans, our allies, and our interests. The full text of the memorandum is available at https://democrats-foreignaffairs.house.gov/_cache/files/a/0/a05d09c4-4b27-4382-9818-0227a0156896/70CCFC2998DF868322F60057FF59079D.hfac-democratic-staff-memo-afghanistan-investigation-final-for-posting.pdf."

Chairman MCCAUL. The ranking member is recognized.

The clerk shall distribute the amendment.

The clerk shall report the amendment.

The CLERK. Amendment No. 1 to the committee report recommending the House of Representatives find Antony Blinken, Secretary, U.S. Department of State, in contempt of Congress for refusal to comply with a subpoena.

Chairman MCCAUL. Without objection, further reading of the amendment is dispensed with.

The gentleman is recognized for 5 minutes.

Mr. MEEKS. Mr. Chairman, you have received in writing the Secretary's position that he is willing to testify before our committee again and the explanation for why he could not do so today.

My amendment incorporates some relevant language from the Secretary's written communications to you so that committee report includes important details to complete the record about his willingness to comply with your subpoena.

Let me also just add that—to complete the record and me going back and forth—that the report was a majority committee report. It wasn't bipartisan. That is for sure. No input was asked for from this side of the aisle. The report was only given to us the night before it was published. No input on witnesses. Didn't release the transcripts until such time that we requested it at a hearing, and therefore was not something that was really seeking the truth and trying to make sure that we learned something to give to the Gold Star families or anyone else. It was a partisan report.

And so I have brought on this amendment so that we could be sure that it is—the record is clear on that. And we have to summarize what the majority's report was and think that those findings should be included therein in this record. And with that, I yield back.

Chairman MCCAUL. The gentleman yields.

Let me say I oppose this amendment. I have allowed these letters to be entered into the record, but they do not belong in this contempt report. The quote "reasonable alternatives," end quote, Secretary Blinken references in the September 22 and 23 letter are already addressed in the contempt report. There is no reasonable alternatives suggested to the date I set for the hearing. In fact, when I was told the Department in an—I was told—when I told the Department in advance that we intended to set September 24 as the date, I never heard back from the State Department.

And the alternative he did offer was testimony from his subordinates who did not even serve at the State Department during the withdrawal. I repeatedly asked the Secretary to select any date in the entire month of September and he refused. It is not a reasonable accommodation. These are not reasonable alternatives, and Secretary Blinken cannot keep hiding behind them. For that reason I oppose.

Any other members seek recognition? Mr. Wilson?

Mr. WILSON. Thank you, Mr. Chairman. And indeed, my appreciation of service in Afghanistan is very personal and that I am so grateful that American and allied troops have successfully protected the entire world for 20 years from terrorist attacks.

But sadly due to the failure of the Biden-Harris Administration we now have seen the establishment of a safe haven for terrorists. We see the persecution of women. I will never get over again the situation of mothers providing their babies—passing over at Abbey Gate their babies, giving their babies away so that they could be free, and not live in subjugation and live in a terrorist regime.

But also I saw firsthand over and over again, visiting my former National Guard unit, the 218th Mechanized Infantry Brigade, commanded by General Robert Livingston of the South Carolina Army National Guard—and our Guard members were so grateful to be serving with their Afghan brothers. And the thought that the Biden-Harris Administration would abandon the Afghan brother, their families, putting them obviously at mortal risk—and we see today again the women being subjugated and persecuted, which we knew would occur if there was an abandonment of the people of Afghanistan.

And then equally personal—and I am so very grateful, and I give all credit to my wife Roxanne—and that is that our youngest son First Lieutenant Hunter Wilson, South Carolina Army National Guard, served as an engineer for a year in Afghanistan. We were so proud and still are of his service for the people of America, for the people of Afghanistan for freedom and democracy.

And I think it should be really clear that what was negotiated by President Donald Trump, additionally with Secretary of State Mike Pompeo—there were conditions. And the conditions, as we found out right here with General Milley and General McKenzie—the first time I ever heard a clarification—the conditions were not met.

And then I am very grateful that I have had the opportunity a number of times this year to be in the presence of President Donald Trump and publicly/privately at different meetings, receptions I have been to, at different rallies I have been to. He has made it very clear that the conditions of the Doha Agreement were not met and that he would have established the principle that—recognizing that American troops would have stayed. He would have worked with our allies.

I am very grateful to be chairman of the Helsinki Commission and an associate member of the NATO Parliamentary Assembly. Our allies were shocked that we left Americans behind, left persons behind. And the date set for withdrawal was not written in stone at all. It was conditions-based. General Milley said that. General McKenzie said that. Every bit of evidence has been for that.

And then I on August 26, 2021, actually sent a letter to President Biden. In his withdrawal speech, surrender speech he said that he had letters from the military supporting his position. I have sent request letters over and over again to President Biden to ask for the letters that he said he had. He did not have letters. We know he did not have letters. And that is why there has not been a response. And the consequence again is the immediate death of 13 dear Americans at Abbey Gate.

And then this year—it doesn't get the proper recognition, but the failures of this administration—there were three members of the Georgia Army Reserve who were killed on January 28 . And dozens

of Reservists suffering traumatic brain injury due to the weakness of this administration.

And so this needs to be heard. And as we talk about the political timing of this, yes, it is by the Blinken and Biden and Harris Administration. This was requested in May, May 22. This could have been long ago. But this administration has stonewalled. They have slow-walked, just as they provide slow-walking of equipment to our allies in Ukraine, slow-walk to our allies of Israel, even deny and slow-walk the efforts that we should be making to prevent a war in the Middle East—excuse me, in the Far East with our allies of Taiwan, over and over again.

We need to recognize—and I would urge that this amendment be defeated. It is really not accurate. It is not accurate by Blinken, it is not accurate by sadly the President of the United States. And with that, I yield back.

Chairman MCCAUL. The gentleman yields.

Any other members seek recognition?

Mr. Phillips?

Mr. PHILLIPS. Well, thank you, Mr. Chairman. I would like to yield my time to the ranking member, Mr. Meeks.

Mr. MEEKS. In seeking to clarify for the record I want to go back to my first amendment, which we—I talked about the second amendment. I want to go off my first amendment first.

And so on the first amendment, Mr. Chairman, many of us on the Democratic side of the aisle have been concerned about the narrow partisan approach taken to the committee's investigation into the Afghanistan withdrawal. This includes the majority's report released earlier this month which did not seek to incorporate minority input and twisted cherry-picked facts and to conclusions not supported by a fuller read of the testimony. And of course the contempt report today frequently references and cites the majority report.

My amendment simply added a reference to the minority staff memorandum I directed to be prepared and transmitted to flesh out the full picture of facts and broadly summarizes is findings. With that, I yield back.

Chairman MCCAUL. The gentleman yields. Does any other member seek recognition?

There being no further discussion, question now occurs on the amendment offered by Representative Meeks.

All those in favor, signify by saying aye.

Mr. MEEKS. I request a recorded vote.

Chairman MCCAUL. And all those opposed, signify by saying no.

In the opinion of the chair, the noes have it. The amendment is not agreed to.

Mr. MEEKS. I request a recorded votes.

Chairman MCCAUL. Roll call vote has been requested. Pursuant to the chair's previous announcement, this vote will be postponed. Are there any further amendments?

Mr. MEEKS. Amendment——

Chairman MCCAUL. Mr. Meeks is recognized.

Mr. MEEKS. Mr. Chairman, you have received in writing the Secretary's position that he's willing to testify before our committee.

Chairman MCCAUL. Clerk shall distribute the amendment.

Mr. MEEKS. Oh, sorry.

Chairman MCCAUL. It's all right. Clerk shall report the amendment.

[The Amendment offered by Mr. Meeks follows:]

AMENDMENT #2 TO THE COMMITTEE REPORT RECOMMENDING THE HOUSE OF REPRESENTATIVES FIND ANTONY BLINKEN, SECRETARY, U.S. DEPARTMENT OF STATE, IN CONTEMPT OF CONGRESS FOR REFUSAL TO COMPLY WITH A SUBPOENA DULY ISSUED BY THE COMMITTEE ON FOREIGN AFFAIRS

Offered by Mr. Meeks of New York

On page 2, at the end of the first paragraph, strike the sentence reading "Accordingly, Secretary Blinken has violated federal law, and must be held in contempt of Congress." and replace with the following:

"In a September 22 letter to House Foreign Affairs Committee Chairman Michael McCaul, Secretary of State Antony Blinken wrote:

As I have made clear, I am willing to testify and have offered several reasonable alternatives to the dates unilaterally demanded by the Committee during which I am carrying out the President's important foreign policy objectives.

In a September 23 letter to House Foreign Affairs Committee Chairman Michael McCaul, Assistant Secretary of State for Legislative Affairs Naz Durakoglu wrote:

As the Secretary has reiterated to you in both of your phone conversations on August 19 and September 3, and in his September 22 letter, he is willing to testify and has offered reasonable alternatives to the date unilaterally demanded by the Committee, during which the Secretary will be carrying out the President's important foreign policy objectives."

The CLERK. Amendment No. 2 to the committee report recommending the House of Representatives find Antony Blinken, Secretary, U.S. Department of State, in contempt of Congress for the refusal to comply with a subpoena duly issued by the Committee on Foreign Affairs.

Chairman MCCAUL. Without objection, further reading of the amendment is dispensed with. The gentleman is recognized for 5 minutes.

Mr. MEEKS. Mr. Chairman, you received in writing the Secretary's position that he's willing to testify before our committee again and the explanation for why he cannot do so today. My amendment incorporates some relevant language from the Secretary's written communications to you so that the committee report includes important details to complete the record about his willingness to comply with your subpoena. With that, I yield back.

Chairman MCCAUL. All right. The gentleman yields back. I oppose this amendment and I've already stated my reasons why. So any other members seek recognition?

There being no further discussion, question now occurs on the amendment offered by Representative Meeks No. 2.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the noes have it. The amendment is not agreed to.

Mr. MEEKS. Then I ask for a roll call vote.

Chairman MCCAUL. Roll call vote has been requested. Pursuant to the chair's previous announcement, this vote will be postponed. Any further amendments? Pursuant to notice, I now call up H.R. 8683 to require the Secretary of Defense and Secretary of State to monitor efforts by the People's Republic of China to build or buy strategic foreign ports and for other purposes. The bill was circulated in advance. The clerk shall designated the bill.

[The Bill H.R. 8683 follows:]

I

118TH CONGRESS
2D SESSION

H. R. 8683

To require the Secretary of Defense and the Secretary of State to monitor efforts by the People's Republic of China to build or buy strategic foreign ports, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2024

Mr. HUIZENGA introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

A BILL

To require the Secretary of Defense and the Secretary of State to monitor efforts by the People's Republic of China to build or buy strategic foreign ports, and for other purposes.

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

SECTION 1. MAPPING AND STRATEGY REQUIRED.

(a) MAPPING.—The Secretary of Defense and the Secretary of State shall jointly develop and maintain an updated global mapping of strategic ports identified to be of importance to the United States, because of a capability

to provide military, diplomatic, economic, trade, or resource exploration superiority, and any efforts by the Government of the People's Republic of China (PRC) to build or buy such ports.

(b) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to Congress a strategy to counter the efforts by the PRC described in subsection (a) and ensure that the strategic ports mapped pursuant to such subsection are built, owned, controlled, and managed by the United States or by governments friendly to the United States. Such strategy shall also include the following—

(1) An identification of the commercial, military, and dual-use capabilities of ports owned, constructed, or operated by Chinese entities.

(2) An identification of potential military capabilities, including physical limitations and construction specifications such as berth, in number and length, draft, deep-water level, availability of transportation networks and fueling stations, and quay.

(3) An identification and analysis of ongoing PRC port projects, suspended projects, and canceled projects.

(4) An identification and analysis of non-PRC-owned or -operated ports that use PRC-manufactured, critical port infrastructure.

(5) An identification and analysis of non-PRC-owned or -operated ports that have been the victims of cyber attacks originating inside or by the direction of the PRC.

(c) STATEMENT OF POLICY.—It shall be the policy of each relevant Federal department and agency to—

(1) identify and encourage ways in which collaboration between various development finance options, such as the Export-Import Bank, the United States International Development Finance Corporation, the United States Agency for International Development, and others, can be used to thwart Chinese investment in—

(A) strategic ports;

(B) countries that have currently have strategic ports; or

(C) countries that have the capability of hosting strategic ports; and

(2) report to Congress on efforts and progress made in such collaboration and in successfully thwarting such investments.

Æ

The CLERK. H.R. 8683 to require the Secretary of Defense and the Secretary of State to monitor efforts by the People's Republic of China——

Chairman MCCAUL. Without objection, the first reading is dispensed with. The bill is considered read and open to amendment at any point. Is there any discussion on the bill? Mr. Huizenga is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Chairman, yes, I have an amendment at the desk.

Chairman MCCAUL. Is there any further discussion? Mr. Huizenga is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Chairman, China's malign influence abroad continues to reach new corners of the global economy. Emerging from the Belt and Road Initiative, Chinese President Xi Jinping has created a companion initiative known as the Maritime Silk Road, ratifying a dominating stake in various countries by making critical investments in strategic ports, some of which exist right here near our home. Once more, the likelihood of the PRC leveraging its port infrastructure in the future to affect the flow of goods globally remains a significant challenge for the United States and our allies.

While many of these investments are portrayed as commercial relationships, the PRC's goal is to reach—I'm sorry, the PRC's global reach is cause for concern as many of these ports pose significant dual use military risk as well. The fact remains the Chinese investments in strategic ports offer the CCP a launching pad to engage in a campaign of modern day espionage. Right here in the Western Hemisphere, the PRC is nearing completion of the gateway from South America to Asia in Chancay, Peru.

This is a 3.6 billion dollar deep water megaport which is owned by the Chinese State entity known as COSCO, C-O-S-C-O, Shipping which has ties to the People's Liberation Army. Once finished, goods could travel from Chancay to Shanghai in less than 3 weeks, significantly reducing travel time and creating a significant opportunity for the PRC to expand its market presence. Additionally, China manages ports at both ends of the Panama Canal where the CCP coordinates private companies in pursuit of its Communist agenda, intending to garner more political influence in volatile region.

Here in the United States, two Chinese state-owned entities, COSCO Shipping and China Merchant Group, a major participant and proponent of China BRI, controls parts of the ports of Long Beach, Seattle, Los Angeles, Houston, and even Miami. However, the threat of malign Chinese influence doesn't just exist in countries near the U.S. Recently, the Georgian government announced that a Chinese consortium won the tender for the construction of a deep sea port in the city of Anaklia on the Georgia's Black Sea coast, granting the PRC a 49 percent share in the port.

Strategic location of this port in the middle of the corridor, the trade route between China and Europe could make this a crucial project for President Xi. What's noteworthy is that one of the companies involved in the project, China Communications Construction Company, was barred from World Bank finance construction projects from 2011 to 2017 for participating in fraud and bribery

and was sanctioned by the United States in 2020 for promoting militarization in the South China Sea. It's time for the United States to offer a real solution to countries lured in by China's debt trap diplomacy.

In response to the PRC's nefarious dual use intentions, I'm offering the Amendment in the Nature of a Substitute for my bill here shortly that would establish a comprehensive study of the efforts by the PRC to build, buy, or own strategic ports. Specifically, this bill requires the Secretary of State in coordination with the Secretary of Defense to develop a global mapping of foreign and domestic ports of importance to the United States due to its capacity of providing military, diplomatic, economic, and resource exploration superiority. Additionally, this bill requires a study analyzing the activities and plans of the PRC to expand its control over global strategic ports while recognizing the U.S. national security and economic implications for such ownership.

And Mr. Chairman, I should note that while we're talking about global infrastructure and all these things, we have to remember what this means for our constituencies back home. Our citizens here in the United States are at risk to paying even higher prices. We see an unaffordable economy now.

And we know that if China were to garner and increase its influence and footprint around the world, we're likely to see that pressure, that economic pressure, and therefore those higher prices for all of our citizens expand as well. So finally, this bill tasks the head of relevant Federal agencies to recommend measures to the U.S. Government that could take to ensure open access and security for strategic ports and offer alternatives to PRC investments in these ports. Let's talk to our allies and give them options.

The ANS was negotiated in good faith with my Democrat colleagues. And where we incorporated their edits to enhance the reporting requirements for electronically enabled espionage posed to U.S. defense and diplomatic personnel within the vicinity of these strategic ports. And without stalwart diplomacy from the United States and its allies and partners, the PRC's global reach will only mature, deepening instability and insecurity abroad.

It remains imperative that the U.S. do everything in its power to thwart malign Chinese influence and protect U.S. national and economic interests. And I urge my colleagues to support this bill. I yield back.

Chairman MCCAUL. The gentleman yields. Any further discussion on the bill? Mr. Wilson.

Mr. WILSON. Thank you, Mr. Chairman. And indeed, I'm grateful to support House Resolution 8683 by my good friend, Bill Huizenga of Michigan. This legislation provides more resources to combat the subversive Chinese Communist Party.

I grew up with a special appreciate of the people of China. My father served there and cherished the Chinese people he served with in the Flying Tigers during World War II and Xian, Chengdu, and Kunming. But we now see that indeed the Chinese Community Party oppressing the citizens of China, are creating a global strategy, and it must be addressed by a global mapping study of the CCP brought about to determine the ports that have been bought or strategically built by the Chinese Communist Party for itself.

And it's absolutely critical we have the more situational awareness on the military, diplomatic, economic, or resource capabilities to the Chinese Communist Part. In my birthplace of Charleston, South Carolina, I grew up with a special appreciation of the building of the Panama Canal. The canal is so vital to American families.

The Republic of Panama with its talented people and I have family who live in Panama, we know that they are under stress due to Chinese influence. And Congressman Huizenga is correct again, that Chinese influence into Panama actually affects American families. With that, I'll urge all of my colleagues to support this legislation.

Chairman MCCAUL. The gentleman yields. Any further discussion on the bill? There being no further discussion, the committee will move to consideration of amendments. Does any member wish to offer an amendment? Mr. Huizenga.

Mr. HUIZENGA. Mr. Chairman, I have an amendment at the desk.

Chairman MCCAUL. The clerk shall distribute the Huizenga amendment in the nature of a substitute, No. 111. The clerk shall report the amendment.

[The Amendment offered by Mr. Huizenga follows:]

SUBSTITUTE FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8683 OFFERED BY MR. HUIZENGA OF MICHIGAN

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Strategic Ports Reporting Act".

SEC. 2. MAPPING AND STRATEGY REQUIRED.

(a) MAPPING OF GLOBAL PORTS.—The Secretary of State, in coordination with the Secretary of Defense, shall—

(1) develop an updated, global mapping of foreign and domestic ports identified to be of importance to the United States, because of a capability to provide military, diplomatic, economic, or resource exploration superiority; and

(2) identify any efforts by the Government of the People's Republic of China (PRC) or other PRC entities to build, buy, or otherwise control, directly or indirectly, such ports.

(b) SUBMISSION OF MAP.—The Secretary of State, in coordination with the Secretary of Defense, shall submit

the mapping developed pursuant to subsection (a) to the appropriate congressional committees. Such submission shall be in unclassified form, but may include a classified annex.

SEC. 3. DEPARTMENT OF STATE AND DEPARTMENT OF DEFENSE STUDY AND REPORT ON STRATEGIC PORTS.

(a) STUDY REQUIRED.—The Secretary of State, in coordination with the Secretary of Defense, shall conduct a study of—

(1) strategic ports;

(2) the reasons such ports are of interest to the United States;

(3) the activities and plans of the Government of the People's Republic of China (PRC) to expand its control over strategic ports outside of the People's Republic of China;

(4) the public and private actors, such as China Ocean Shipping Company, that are executing and supporting the activities and plans of the Government of the PRC to expand its control over strategic ports outside of the PRC;

(5) the activities and plans of the Government of the PRC to expand its control over maritime lo-

gistics by promoting products, such as LOGINK, and setting industry standards outside the PRC;

(6) how the control by the Government of the PRC over strategic ports outside of the PRC could harm the national security or economic interests of the United States and allies and partners of the United States; and

(7) measures the United States Government could take to ensure open access and security for strategic ports and offer alternatives to PRC investments or stakes in strategic ports.

(b) CONDUCT OF STUDY.—The Secretary of State and the Secretary of Defense may enter into an arrangement with a federally funded research and development center under which the center shall conduct the study required under subsection (a).

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall submit to the appropriate congressional committees a report on the findings of the study conducted under subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a detailed list of all known strategic ports operated, controlled, or owned, directly or indirectly, by the PRC or by a foreign person of the PRC, and an assessment of the national security and economic interests relevant to each such port;

(B) a detailed list of all known strategic ports operated, controlled, or owned, directly or indirectly, by the United States or United States persons and an assessment of the national security and economic interests relevant to each such port;

(C) an assessment of vulnerabilities of—

(i) ports operated, controlled, or owned, directly or indirectly, by the United States; and

(ii) strategic ports;

(D) an analysis of the activities and actions of the Government of the PRC to gain control or ownership over strategic ports, including promoting products, such as LOGINK, and setting industry standards;

(E) an assessment of how the Government of the PRC plans to expand its control over strategic ports outside of the PRC;

(F) a suggested strategy, developed in consultation with the heads of the relevant United States Government offices, that suggests courses of action to secure trusted investment and ownership of strategic ports and maritime infrastructure, protect such ports and infrastructure from PRC control, and ensure open access and security for such ports, that includes—

(i) a list of relevant existing authorities that can be used to carry out the strategy;

(ii) a list of any additional authorities necessary to carry out the strategy;

(iii) an assessment of products owned by the Government of the PRC or by an entity headquartered in the PRC that are used in connection with strategic ports or maritime infrastructure;

(iv) an assessment of the costs to—

(I) secure such trusted investment and ownership;

(II) replace products owned by the Government of the PRC or an entity headquartered in the PRC that

are used in connection with such ports; and

(III) enhance transparency around the negative impacts of PRC control over strategic ports; and

(v) a list of funding sources to secure trusted investment and ownership of strategic ports, which shall include—

(I) an identification of private funding sources; and

(II) an identification of public funding sources, including loans, loan guarantees, and tax incentives; and

(G) a suggested strategy for Federal agencies to maintain an up-to-date list of strategic ports.

(H) an assessment of any national security threat posed by such investments or activities to United States diplomatic and defense personnel and facilities in the vicinity of such ports, including through cyber threats, electronically enabled espionage, or other means.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 4. DEFINITIONS.

In this Act:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Transportation and Infrastructure, the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

(2) The term ''relevant United States Government offices'' means—

(A) the Unified Combatant Commands;

(B) the Office of the Secretary of Defense;

(C) the Office of the Secretary of State;

(D) the United States International Development Finance Corporation;

(E) the Export-Import Bank of the United States;

(F) the Office of the Director of National Intelligence; and

(G) the Maritime Administration of the Department of Transportation.

(3) The term "strategic port" means an international port or waterway that the heads of the relevant United States Government offices determine is critical to the national security or economic prosperity of the United States.

☒

The CLERK. Substitute for the amendment in the nature of a substitute to H.R. 8683 offered by Mr. Huizenga of Michigan. Strike all after the enacting clause and insert the following. Section 1, short title, this act may be cited as the Strategic Ports Reporting Act. Section 2——

Chairman MCCAUL. Without objection, further reading is dispensed with. The gentleman is recognized for 5 minutes.

Mr. HUIZENGA. Well, thank you, Mr. Chairman. And I won't take the 5-minutes. I just wanted to reiterate that this ANS was negotiated in good faith with our colleagues across the aisle.

And we incorporated a number of their edits to enhance the reporting requirements for specifically electronically enabled espionage that many in our defense and diplomatic corps have been subject to. And again, I would just like to reiterate the influence that we are seeing of China and its related companies and organizations. On the world economy, they continue to deepen their roots and their influence.

And what that will mean to us as we found out a few years ago with COVID is, Mr. Chairman, the United States is put at a disadvantage. Our constituencies are put at a disadvantage. And whether it's with availability or with pricing, we know that our folks are dealing with higher prices already and some scarcity and some challenges with that. Let's not help the Chinese corner the market. And so with that, I'll yield back the balance of my time.

Chairman MCCAUL. The gentleman yields. Any other member seek recognition? Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Mr. Chairman. In 2013 when Xi Jinping launched the Belt and Road Initiative and Maritime Silk Road Initiative, China embarked on a coordinated State effort to finance, acquire, access, enhance, and built ports around the world. Today, China is the world's largest trading country, and nearly all of its commerce, 95 percent, moves by sea.

Control of foreign ports provides Beijing with greater access and influence in the host country and region where the port is based and presents a challenge to the United States presence and interest there. And although China's Navy has only one overseas naval base, its naval ambitions are clear. China is actively seeking additional basing locations, including on Africa's Atlantic Coast which would pose significant threats to major shipping routes.

China already has the largest Navy in East Asia, and the U.S. Defense Department acknowledges China's Navy is the largest in the world. H.R. 8683 calls for a mapping of strategic ports and Beijing's attempts to gain control of them. And while I agree that it is critical that we have an accurate picture of the nature, extent, and intent of PRC involvement in projects around the world, I would also note that this work is already happening. In fact, a number of think tanks and academic institutions have done exactly that kind of mapping exercise on ports this bill is calling for. And I'm submitting for the record just one such report, tracking China's control of overseas ports, which I want to submit without objection.

Chairman MCCAUL. Without objection, so ordered.

Mr. MEEKS. Which was published just last month by the Council on Foreign Relations. Thanks to this report, we already know that China is actively engaged in 115 port projects and in least 68 coun-

tries with more than 65 billion dollars invested or promised. Of these publicly known projects, at least 89 port projects have characteristics that could make them suitable for military applications.

I point this out because unfortunately many of my Republican colleagues often complain about wasting the American people's taxpayer dollars. Given Republican budget cuts, we are calling for the State Department and DOD to use their limited staffing and resources to do a mapping exercise that is redundant and already online for everyone to read. And if we're going to make them do this work, should we not at least authorize funds to create such a data base and strategy and fund the programs to address the risks and deficiencies and opportunities identify?

But nevertheless, I am glad that this bill acknowledges the importance of investing in foreign ports to enhance our national security interests. We have to compete with China in that space. And I will note that I have raised concerns previously about imposing sanctions on foreign ports in third countries that are sympathetic to American foreign policy goals but don't want to be—I don't want to be brow beat into economic submission by American sanctions.

This bill's premise that we need to compete with China in global port infrastructure is correct. But if we pursue an aggressive sanctions policy that forces sympathetic countries to choose, we may not like what they decide. We also need to acknowledge the complexity at play here. Many ports have U.S., allied, and PRC companies all involved in different roles. We need a pragmatic strategy to compete, not a black and white approach that sanctions or ignores ports that deal with nations we don't like.

While there's already extensive public mapping of the global ports owned, constructed, or operated by the PRC entities the strategy and reporting requirements in H.R. 8683 will shed light on the impact of these ports on United States interest and national security and hopefully results in forward looking recommendations on that diplomatic development and defense engagements that we can use to mitigate the threat from such PRC activities. So I will support the ANS, the H.R. 8683, about Beijing's attempt to grow its global maritime influence through investments and foreign ports, and I yield back the balance of my time.

Chairman MCCAUL. The gentleman yields. Any other members seek recognition? There being no further discussion, do any members wish to offer an amendment to the Huizenga Amendment in the Nature of a Substitute?

There being no further amendments, question now occurs on the Amendment in the Nature of a Substitute offered by Representative Huizenga.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the amendment is agreed to.

There being no further amendments, I move that the committee report H.R. 8683 as amended to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the motion is agreed to. Without objection, the motion to reconsider is laid on the table. Staff is authorized to make any technical and conforming changes.

Pursuant to notice, I now call up H.R. 9564, the Houthi Human Rights Accountability Act. The bill was circulated in advance. Clerk shall designate the bill.

[The Bill H.R. 9564 follows:]

I

118TH CONGRESS
2D SESSION

H. R. 9564

To authorize the imposition of sanctions with respect to the Houthis, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2024

Mr. ISSA (for himself and Mr. PHILLIPS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

A BILL

To authorize the imposition of sanctions with respect to the Houthis, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Houthi Human Rights Accountability Act''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) Houthi efforts to indoctrinate Yemenis into a violent, anti-Semitic, and extremist worldview are

a threat to a Yemeni-led peace process and to regional stability; and

(2) it is counter to United States policy to provide support to the Houthis in Yemen, including by supporting any efforts by the Houthis to indoctrinate, coerce, or force Yemenis to conform to their violent, anti-Semitic, and extremist worldview.

SEC. 3. REPORT ON HOUTHI INDOCTRINATION.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a report on—

(1) Houthi efforts to indoctrinate Yemenis into a violent, anti-Semitic, or extremist worldview; and

(2) the long-term threat this indoctrination campaign poses to regional stability.

SEC. 4. REPORT ON OBSTACLES TO PROVISION OF HUMANITARIAN AID IN AREAS OF YEMEN UNDER DE-FACTO HOUTHI CONTROL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a report on

obstacles to the provision of humanitarian aid by international organizations and nongovernmental organizations in areas of Yemen under de-facto Houthi control.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An identification of challenges to distribution of humanitarian aid created by Houthi-enforced rules, regulations, and bureaucracy with respect to access, and freedom of movement, and the overall impact on such rules, regulations, and bureaucracy have on the international community's ability to distribute such aid in a manner consistent with basic humanitarian principles.

(2) An assessment of attempted Houthi interference in the delivery of humanitarian aid, including the manipulation or undue influence of beneficiary lists or related data for political or military purposes, and the implications of any interference on civilian needs and aid distribution.

(3) An evaluation of the Houthis' use of violence and intimidation against humanitarian workers and diplomats, including current and former United States Embassy locally employed staff.

(4) An overview of the steps the United States and its partners are taking to ensure humanitarian

assistance is delivered unhindered and consistent with basic humanitarian principles, including how United States-supported organizations respond to attempted Houthi diversion or interference.

(5) SCOPE.—The report required by subsection (a) shall address the period beginning on January 1, 2020, and ending on the date that is 90 days after date of the enactment of this Act.

SEC. 5. REPORT ON HUMAN RIGHTS ABUSES COMMITTED BY THE HOUTHIS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on human rights abuses committed by the Houthis, including gender-based discrimination and violence, including—

(1) mahram regulations;

(2) recruitment and use of child soldiers;

(3) enforced disappearance;

(4) prolonged and arbitrary detention;

(5) conduct that amounts to torture; and

(6) unlawful killing.

(b) SCOPE.—The report required by subsection (a) shall address the period beginning on March 1, 2015, and

ending on the date that is 90 days after date of the enactment of this Act.

SEC. 6. SANCTIONS AUTHORIZED UNDER THE GLOBAL MAGNITSKY HUMAN RIGHTS AND ACCOUNTABILITY ACT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a determination on whether foreign persons described in subsection (b) meet the criteria for sanctions authorized under the Global Magnitsky Human Rights and Accountability Act (22 U.S.C. 2656 note), including with respect to acts that constitute gross violations of internationally recognized human rights as defined in section 502B(d)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)(1)).

(b) PERSONS DESCRIBED.—A foreign person described in this subsection is a foreign person that—

(1) is a member of the Houthis; and

(2) knowingly—

(A) imposes arbitrary or unlawful restriction on the delivery of humanitarian assistance in Yemen; or

(B) engages in the human rights abuses described in section 5(a).

SEC. 7. SANCTIONS AUTHORIZED UNDER THE ROBERT LEVINSON HOSTAGE TAKING AND ACCOUNTABILITY ACT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a determination on whether foreign persons described in subsection (b) meet the criteria for sanctions authorized under the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741 et seq.), and Executive Order 14078.

(b) PERSONS DESCRIBED.—A foreign person described in this subsection is a foreign person that—

(1) is a member of the Houthis; and

(2)(A) is responsible for or is complicit in, or responsible for ordering, controlling, or otherwise directing, the hostage-taking of a United States national abroad or the unlawful or wrongful detention of a United States national abroad; or

(B) knowingly provides financial, material, or technological support for, or goods or services in

support of, an activity described in subparagraph (A).

SEC. 8. SUNSET.

This Act shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 9. DEFINITIONS.

In this Act—

(1) the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate;

(2) the term ''foreign person'' means a person that is not a United States person;

(3) the term ''Houthis'' refers to persons officially known as ''Ansarallah'';

(4) the term ''person'' means and individual or entity; and

(5) the term ''United States person'' means—

(A) a national of the United States;

(B) an alien who is lawfully present in the United States; or

(C) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

Æ

The CLERK. H.R. 9564, to authorize the imposition of sanctions with respect to the Houthis and for other purposes. Be it enacted by the——

Chairman MCCAUL. Without objection, first reading is dispensed with. The bill is considered read and open to amendment at any point. Any discussion on the bill? Mr. Issa is recognized.

Mr. ISSA. Thank you, Mr. Chairman. I want to express my support for the Human Rights Accountability Act, otherwise known as the Houthi Act. This legislation introduced by Mr. Phillips, the ranking member of the Middle East Subcommittee to address the Houthi's blatant human rights abuses against the people of Yemen.

The Houthis are a terrorist organization. And I will repeat, they are a terrorist organization that has sought to topple the legitimate government of Yemen. These are their three slogans: Death to America, Death to Israel, and A Curse Upon the Jews.

They are also an Iranian proxy which has sought to aid Hamas by attacking international shipping in the Red Sea in the Gulf of Aden since October 7th. Beneath the headlines, however, there's also a committed systematic human rights abuse against the people under their control. This has been overlooked by the world because of the shelling, the bombing, and the other activities.

While Saudi Arabia is undergoing a renaissance of liberty, looking forward to women's rights and participation, the Houthis in Yemen are taking the opposite approach and going back to 600 A.D. The Houthis have also been documented as using children into their ideology. This is the same ideology that caused October 7th.

As we look at their violations of basic human rights, as we look at an administration that sadly has not given them this designation as a foreign terrorist organization, we ask why and we can find no good reason. And that's the reason that there is a bipartisan legislation intended on making it clear that in addition to their activities as a proxy for Iran, they're independently a foreign terrorist organization. And they need to be accounted for.

The Houthi Human Rights Accountability Act shines a light on the Houthis attempt to co-op the generosity of the international community by attempts to indoctrinate Yemen youth in the bloody ideology and barbaric human rights abuses. And it will require a review of whether Houthi leaders who have been involved in stealing aid, brutalizing their people, and kidnaping have been properly sanctions in accordance with U.S. law. These straightforward goals are something we can agree to on a bipartisan basis at a time in which such legislation would otherwise be missed. With that, I urge support of it and would notify the chairman that I have one amendment when ready for a very small technical correction.

Mr. WILSON [presiding]. Thank you very much, Congressman Darrell Issa of California. We now will proceed to Congressman Greg Meeks of New York.

Mr. MEEKS. Thank you, Mr. Chairman. And I support this legislation because you must continue to call attention to the unnecessary and unfair suffering on the Yemeni civilians at the hands of the Houthi movement. Many Yemenis are experiencing persistent food scarcity, reoccurring disease, and medical good shortages be-

cause of illegal restrictions imposed by—imposed on aid by the Houthis.

Houthi leadership continues to manipulate and instrumentalize and aid while enforcing oppressive policies on the treatment of women. The Houthis employ child soldiers and arbitrarily detain aid workers and opponents. This bill draws attention to these abusive practices through three reporting requirements that will help us to better understand Houthi efforts to block humanitarian assistance and the extent of human rights abuses.

This legislation also requires determination as to whether Global Magnitsky Act and the Levinson Act sanctions for gross violations of human rights and hostage taking unwarranted on Houthi individuals. We must continue to hold the Houthis accountable for their oppression of the Yemeni civilians. And I want to thank my colleagues for bringing attention to these issues, and I will vote in favor of this bill. I yield back.

Mr. WILSON. The gentleman yields. Is there any further discussion? We now have the Congressman from Minnesota, Dean Phillips.

Mr. PHILLIPS. Thank you, Mr. Chairman. I want to thank my colleague and friend, Mr. Issa, for leading this bill with me, the Houthi Human Rights Accountability Act. As has been said by both Mr. Meeks and Mr. Issa, we know the Houthis are an Iranian backed terrorist organization wreaking havoc not only across the region through its attacks in the Red Sea but perhaps most importantly right now on the Yemeni people.

It's appalling. There are human rights abuses, especially against children as well as the continued detention of United Nations and diplomatic and NGO staff. Furthermore, they continue to detain U.S. locally employed staff from our embassy in Sanaa who've been held without justification for more than two and a half years—Americans held for more than two—or local embassy employees for more than two and a half years. As has been said, the bill requires three reports from the Department of State.

First, a report on Houthi efforts to indoctrinate Yemenis to their extremist and anti-Semitic world view. Second, a report on human rights abuses committed by the Houthis. And third, a report on obstacles to the provision of humanitarian aid, including an assessment of Houthi interference and the steps the United States and our partners are taking to ensure humanitarian assistance is delivered unhindered and consistent with basic humanitarian principles.

It also requires a determination as Mr. Meeks just said as whether certain Houthi actors should be subject to sanctions under the Magnitsky Act for gross violations of human rights and/or the Levinson Act for hostage taking. We need to counter the Houthis malign behavior, send a message to Iran, and protect the Yemeni civilian population. These actions are currently harming Yemenis.

They're restricting access to desperately needed humanitarian aid, getting very little attention in these halls or around the world. And they're preventing peace in a country that needs it desperately. They must be held to account. And with that, I'm grateful to be working with my colleague, Mr. Issa, on a bipartisan piece

of legislation that I think reflects well on this institution and this committee. With that, I yield back.

Mr. WILSON. And we're grateful for your input, Congressman Dean Phillips of Minnesota, for your yielding back. And now——

Mr. ISSA. Mr. Chairman, I have an amendment at the desk.

Mr. WILSON. Well, no, no.

Mr. ISSA. Oh, I'm sorry. There's more.

Mr. WILSON. No, hey, everybody wants to say something nice about your legislation. Don't get in the way. OK. And so you particularly want to hear from the Republic of Illinois. And so we have Congressman Jonathan Jackson of Illinois.

Mr. JACKSON OF ILLINOIS. Thank you so much. I'd like to thank Congressman Issa and Congressman Phillips for their work. I strongly support the Houthi Human Rights Accountability Act because it's long overdue for this terrorist organization to be held accountable.

The people of Yemen and the region have suffered tremendously through the hands of the Houthis who have obstructed every peace effort, committed gross human rights violations on its own citizens, including unlawful killings, starvation, and recruiting child soldiers. The Houthis has extended terror to the region, to the sea. And this is why I urge all of you to co-sponsor my bill, H.R. 8934, Sanction Sea Pirates Act of 2024, which passed this committee on a voice vote.

My bill will require the President and other related branches of the U.S. Government to work with allies and partners around the globe to combat piracy around the globe and to curb the surge in piracy off the coast of Somalia and the Gulf of Aden. Impose sanctions with respect to any foreign person that knowingly engages in piracy, block foreign assets, et cetera. I yield back.

Mr. WILSON. Thank you very much. There being no further discussion of the bill, the committee will move to consider amendments. And we are eager to hear from Congressman Darrell Issa of California.

Mr. ISSA. Mr. Chairman, I have an amendment at the desk.

Mr. WILSON. The clerk shall distribute the amendment. The clerk shall report the amendment.

[The Amendment offered by Mr. Issa follows:]

AMENDMENT TO H.R. 9564

OFFERED BY MR. ISSA OF CALIFORNIA

Page 2, line 13, after "a report" insert "in unclassified form, with a classified annex if necessary,".

Page 4, line 5, redesignate paragraph (5) as subsection (c).

Page 4, after line 8, insert the following:

(d) FORM.—The report required by subsection (a) shall be submitted in an unclassified form with a classified annex if necessary.

Page 5, after line 2, insert the following:

(c) FORM.—The report required by subsection (a) shall be submitted in an unclassified form with a classified annex if necessary.

☒

The CLERK. Amendment to H.R. 9564 offered by Mr. Issa of California, page 2, line 13, after a report, insert in unclassified forum with a classified annex if necessary. Page 4, line——

Mr. ISSA. Chairman, I'd ask unanimous consent that it'd be considered as read.

Mr. WILSON. Without objection, further reading of the amendment is dispensed with. Congressman Darrell Issa is recognized for 5 minutes on the amendment.

Mr. ISSA. In 30 seconds or less, Mr. Chairman, this amendment simply designates that the reports are unclassified. It makes no other technical changes, and I urge its adoption.

Mr. WILSON. The gentleman yields back. Do any other members seek recognition? I will recognize Congressman—Ranking Member Meeks.

Mr. MEEKS. I just want to say that I support Mr. Issa's amendment which makes minor technical corrections to the reporting requirement. I yield back.

Mr. WILSON. Well, hey, bipartisanship lives.

There being no further discussion, the question now occurs on an amendment being offered by Congressman Issa, No. 215.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the amendment is agreed to. Are there any further amendments?

There being no further amendments, I move that the committee report House Resolution 9564 as amended to the House for favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, no.

In the opinion of the chair, the ayes have it and the motion is agreed to. Without objection, the motion to reconsider is laid on the table and staff is authorized to make any technical and conforming changes.

Pursuant to notice, I now call up House Resolution 9719, Strengthening USAID Management Act. The bill was circulated in advance. The clerk shall designate the bill.

[The Bill H.R. 9719 follows:]

I

118TH CONGRESS
2D SESSION

H. R. 9719

To amend the Foreign Assistance Act of 1961 to modify requirements regarding management of the United States Agency for International Development, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2024

Mr. MEEKS introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Oversight and Accountability, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

A BILL

To amend the Foreign Assistance Act of 1961 to modify requirements regarding management of the United States Agency for International Development, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Strengthening USAID Management Act''.

SEC. 2. STAFFING TO PREVENT OR RESPOND TO CRISIS.

Section 625 of the Foreign Assistance Act of 1961 (22 U.S.C. 2384) is amended by adding after subsection (f) the following:

''(g) The Administrator of the United States Agency for International Development is authorized to appoint and employ personnel in the excepted service using funds appropriated or otherwise made available to carry out the provisions of part I of this Act, chapter 4 of part II of this Act, and section 509(b) of the Global Fragility Act of 2019 (22 U.S.C. 9808(b)) to prevent or respond to foreign crises and contexts with increasing instability. Such funds are authorized to be made available for the operating expenses and administrative costs of such personnel. The Administrator shall coordinate with the Director of the Office of Personnel Management to implement this provision.''.

SEC. 3. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT PAY RATE ADJUSTMENT.

Chapter 53 of title 5, United States Code, is amended—

(1) in section 5314, by inserting ''and 1 other official of the Agency for International Development to be appointed by the President'' after ''Deputy Administrator, Agency for International Development''; and

(2) in section 5315, by striking ''Development (6)'' and inserting ''Development (5)''.

SEC. 4. PAYMENT FOR SERVICES PERFORMED ABROAD PURSUANT TO CONTRACT.

Section 636(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(a)) is amended by adding at the end the following:

''(17) employing individuals or organizations, by contract, for services performed abroad pursuant to this Act or title II of the Food for Peace Act (7 U.S.C. 1721 et seq.), and individuals employed by contract to perform such services, provided that—

''(A) such individuals shall not by virtue of such payment be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management (except that the Administrator of the United States Agency for International Development may determine the applicability to such individuals of section 5 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2672) regarding tort claims when such claims arise in a foreign country in connection with United States operations abroad and of

any other law administered by the Administrator concerning such individuals); and

''(B) such contracts are authorized to be negotiated, the terms of such contracts to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making, and performance of contracts and performance of work in the United States.''.

SEC. 5. FOREIGN SERVICE REPORT.

Not later than 180 days after the date of enactment of this Act, the Administrator of the United States Agency for International Development shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report that includes—

(1) a description of any effort by the Administrator in the 3 years prior to the submission of the report to empower and integrate cooperating country nationals throughout the agency, including an increase in the number of—

(A) warranted contracting officers and agreement officers who are cooperating country nationals; and

(B) cooperating country national advisor positions; and

(2) a breakdown of Foreign Service National fellowships in the 5 years prior to the submission of the report that includes anonymized information regarding—

(A) participant demographics;

(B) the assigned mission associated with each fellowship;

(C) operating unit in which each fellowship occurred; and

(D) duration of each fellowship.

SEC. 6. ANTI-TERRORISM CERTIFICATION.

Not later than 270 days after the date of the enactment of this Act, the Administrator of the United States Agency for International Development shall initiate rulemaking procedures to require bidders for programs in high-risk areas to certify that they do not provide material support or resources to individuals or entities involved in terrorism.

SEC. 7. OVERSEAS PAY COMPARABILITY.

(a) IN GENERAL.—Subject to such regulations as the Secretary of State may prescribe, including with respect to phase-in schedule and treatment as basic pay, and notwithstanding any other provision of law, any eligible mem-

ber may be paid a locality-based comparability payment (stated as a percentage) that is not more than two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if the official duty station of such member were in the District of Columbia.

(b) LIMITATION.—The amount of any locality-based comparability payment that is paid to an eligible member under this section shall be subject to any limitation on pay applicable to locality-based comparability payments under section 5304 of title 5, United States Code.

(c) ELIGIBLE MEMBER DEFINED.—In this section, the term ''eligible member'' means a member of the Foreign Service if—

(1) such member is designated class 1 or below for purposes of section 403 of the Foreign Service Act of 1980 (22 U.S.C. 3963); and

(2) the official duty station of such member is not in the continental United States or a nonforeign area, as defined in section 591.205 of title 5, Code of Federal Regulations.

(d) SUNSET.—The authority under this section shall terminate on the date that is 2 years after the date of the enactment of this Act.

Æ

The CLERK. H.R. 9719, to amend the Foreign Assistance Act of 1961 to modify requirements regarding management of the United States Agency for International Development and for other purposes. Be it enacted by the Senate and the House of Representatives to the United States of America in Congress assembled. Section 1, short title, this act may be cited as the Strengthening USAID Management Act.

Mr. WILSON. And without objection, the first reading is dispensed with and the bill is considered read and open to amendment at any time. Is there any discussion on the bill? And at this time, we'll recognize Ranking Member Greg Meeks.

Mr. MEEKS. Thank you, Mr. Chairman, for moving this bill up to markup. This bill, Strengthening USAID Management Act, does just what the title suggests. If gives USAID additional authority to manage its programs and workforce as global events demand more from this critical government agency.

I'd like to start by commending Administrator Samantha Power for the work she has done over the last three and a half years to ensure the USAID is fully equipped to respond to both international disasters and global development needs. She has prioritized locally led development. She has championed USAID's Global Development Partnership Initiative to build back the ranks of the foreign and civil service.

And she has installed two deputy administrators, including one dedicated to management and resources to elevate these issues that are foundational to the USAID success. This bill permanently authorizes crises operation staffing that allows USAID to flexibly hire in response to disasters and crises. These events are by their very nature impossible to predict and they do not lend themselves well to the typical U.S. Government hiring process.

This authority permits USAID to hire subject matter experts quickly. For example, global health workers should respond to the current mpox outbreak and deploy them to the field for maximum impact in stemming the health emergency. This bill also authorizes USAID to use what's known as personal services agreement authority.

This will help USAID treat its workforce more equitably by enabling the agency to promote foreign service nationals without requiring them to re-compete for their jobs. FSNs are the local staff at each country's mission that form the backbone of USAID's work abroad. Finally, the bill enabled the State Department, USAID, and other foreign policy agencies to continue overseas comparability pay for foreign service offices posted abroad.

Without this extension, foreign services offices will see their wages cut by 22 percent which would harm both moral and the United States national interest. The Strengthening USAID Management Act ensures the agency has the tools necessary to fully support its workforce in the 21st century. And by making these necessary improvements, we will position USAID to better carry out its mission to promote a free and prosperous world.

And I want to thank Chairman McCaul and his staff for working with us on this legislation. And I urge my colleagues to support this bill. And I yield back the balance of my time.

Mr. WILSON. The gentleman, ranking member, yields back. Is there any further discussion? We now recognize Congresswoman Young Kim of California.

Mrs. KIM OF CALIFORNIA. Thank you, Chairman. I have an amendment to H.R. 9719, the Strengthening USAID Management Act.

Mr. WILSON. There being no further discussion of the bill, the committee will now consider the amendments. And we now recognize Congresswoman Young Kim.

Mrs. KIM OF CALIFORNIA. Thank you, Chairman. I want to thank my colleague, Representative Joaquin Castro, for working on this——

Mr. WILSON. The clerk shall distribute the amendment. As we proceed, Congresswoman Titus is seeking recognition on the bill, and then we will proceed to amendments.

Ms. TITUS. Thank you, Mr. Chairman. I appreciate it. I just want to speak in support of the ranking member's bill, 9719, because it includes several important authorities that have been requested by USAID and that will make it stronger. These including the flexible staffing mechanisms so the agency can appropriately and effectively respond to global crises as they arise and also promoting foreign service nationals at post.

But I especially want to voice support for the overseas comparability pay authority that this bills extends for 2 years. Earlier this month, I led 25 of my colleagues, many from this committee, in a letter to the speaker, urging him to include overseas comparability pay in the CR draft which we will be voting on later this week. And Mr. Chairman, I ask unanimous consent to include that letter in the record.

Mr. WILSON. Without objection.

Ms. TITUS. Thank you. In the letter, we highlight the fact that overseas comparability pay is a mission critical authorization with national security implications. It ensures basic pay equity between foreign service officers in Washington and those posted abroad to be sure that we are recruiting and retaining our top talent.

If this authority were to lapse, our diplomatic corps which is a group of fiercely patriotic individuals who bravely advance U.S. interest abroad at great personal sacrifice would see an average of 22 percent pay cut. The immediate impact of an OCP lapse would be undeniable financial hardship. But it could also have long-term impacts on morale at a time when we are facing extreme competitiveness from China and Russia.

One foreign service officer stationed in Algeria put the real human toll of this in stark terms. They said, and I quote, "This OCP lapse would hurt early career officers like me who have little savings, continue to pay student loans, and are starting families. Losing 20 percent of my paycheck would force me to choose between important medical procedures, our mortgage, and my wife's student loans.

"It would make a challenging post more difficult for my family. I'm not the only one making a sacrifice by being here. My spouse is also sacrificing career opportunities, comfort, and safety in order to support the mission. If we couldn't make ends meet, I can't justify asking her to continue to make that sacrifice."

Now our advocacy on this issue through the letter was successful and an OCP authority extension was included in this CR. But it only lasts until December 20th. So the ranking member's bill is very important so that FSOs can rest assured that come December, that pay will be included for the next 2 years and they won't face that potential pay cut because of inaction.

As members of this committee, we talk about diplomacy all the time and we're duty bound to support our diplomats and development professionals as they bravely advance our foreign policy interest around the world. So I support the bill and I strongly urge my colleagues on the committee to do so.

Mr. WILSON. Thank you——

Ms. TITUS. Thank you, and I yield back.

Mr. WILSON [continuing]. Congresswoman Titus. And we now shall resume with the consideration of amendments with the amendment by Congresswoman Young Kim of California. And the clerk shall distribute the amendment. The clerk shall report the amendment.

[The Amendment offered by Mrs. Kim of California follows:]

AMENDMENT TO H.R. 9719

OFFERED BY MRS. KIM OF CALIFORNIA

At the end add the following:

SEC. 8. OFFICE OF THE CHIEF ECONOMIST.

(a) IN GENERAL.—The Administrator is authorized to establish within USAID an independent office to be known as the Office of the Chief Economist (in this subsection referred to as the "Office") that shall—

(1) use economic theory, evidence, and tools with respect to USAID's work across all sectors;

(2) serve as a principal advisor on issues related to the prioritization and expanded use of evidence to improve the effectiveness and outcomes of development and humanitarian assistance of the United States, including related to policy, management, and procurement; and

(3) carry out the duties described in subsection (b); and

(4) report directly to the Administrator.

(b) DUTIES.—The duties of the Office shall include—

(1) increasing the use of economic theory, evidence, and tools, including insights from behavioral

science, with respect to USAID's work across all sectors—

(A) to improve the cost-effectiveness of USAID programs; and

(B) to support USAID partner countries in preventing and responding to macroeconomic challenges;

(2) expanding the generation and use of rigorous evidence by USAID across USAID programs—

(A) to improve the impact and cost-effectiveness of development and humanitarian assistance of the United States; and

(B) to contribute to the creation of global knowledge that other development and humanitarian actors can leverage to improve the effectiveness and outcomes of their efforts;

(3) promoting the use of rigorous evidence to inform and improve USAID programs;

(4) supporting USAID operating units in using rigorous evidence to inform policy and program design and implementation;

(5) as appropriate, convening and coordinating units, divisions, and programs focused on evidence to ensure that knowledge of how to use and generate

rigorous evidence is shared and implemented across USAID;

(6) providing input related to cost-effectiveness and use and generation of rigorous evidence on USAID policies and technical guidance; and

(7) any other duties, as determined by the Administrator.

(c) BUREAU SENIOR ADVISORS.—

(1) IN GENERAL.—The Administrator may appoint in each bureau of USAID, from among officers and employees of such bureau, a senior advisor with respect to matters relating to evidence, to—

(A) serve as the principal advisor for such bureau on such matters; and

(B) coordinate with the Office with respect to the activities of such bureau on such matters.

(2) CONTINUATION OF SERVICE.—An individual appointed to serve as a senior advisor pursuant to paragraph (1) may continue to serve concurrently in the individual's original position in such bureau.

(3) AVAILABILITY OF FUNDING.—Funds made available for the Office under this subsection may be made available—

(A) for the purposes of chapter 1 of part I of the Foreign Assistance Act of 1961(22 U.S.C. 2151 et seq.); and

(B) for administrative expenses.

(d) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of USAID.

(2) COST-EFFECTIVE; COST-EFFECTIVENESS.—The terms ''cost-effective'' and ''cost-effectiveness'', with respect to a process, technology, policy, or service, means the process, technology, policy, or service produces more impact, in terms of development or humanitarian outcomes as established by rigorous evidence, for the same cost or produces the same impact, in terms of development or humanitarian outcomes as established by rigorous evidence, for a lower cost as compared to another process, technology, policy, or service.

(3) INNOVATION.—The term ''innovation'' means the development and implementation of new processes, technologies, policies, or services that are designed to provide a greater impact or to be more cost-effective than current practice.

(4) RIGOROUS EVIDENCE.—The term ''rigorous evidence'' means evidence derived from impact eval-

uation methods that incorporate counterfactual analysis to establish attribution, such that the changes observed are causally related to the intervention, including impact evaluations methods such as randomized evaluations (also known as randomized controlled trials).

(5) USAID.—The term "USAID" means the United States Agency for International Development.

(6) USAID OPERATING UNIT.—The term "USAID operating unit" means a bureau, independent office, mission, or representative office of USAID.

☒

The CLERK. Amendment to H.R. 9719 offered by Mrs. Kim of California. At the end, add the following: Section 8, Office of the Chief Economist. In general, the administrator is authorized to establish within USAID an independent office to be known as the Office of Chief Economist. In this subsection referred to as the office that shall, one, use economic theory evidenced——

Mr. WILSON. And without objection, further reading of the amendment is dispensed. The gentlelady is recognized for 5 minutes on the amendment.

Mrs. KIM OF CALIFORNIA. Thank you, Chairman. And I want to thank my colleague, Representative Joaquin Castro, for working on this common sense amendment with me. My amendment authorizes USAID's Office of the Chief Economist or OCE. It does not provide any new funding but simply codifies OCE's underlying legislative authority to strengthen USAID's function.

Since 2011, OCE has supported USAID's mission to achieve the greatest impact with the fewest taxpayer dollars as well as help USAID respond to global challenges such as changing market conditions, economic shocks, and severe debt distress. OCE promotes the use of cost effectiveness evidence in agency decisionmaking and provides macroeconomic analysis, software solutions, and research to inform policy and program design and implementation. Codifying authorities for OCE would help prioritize efforts to integrate best practices for USAID's work across all sectors through post-project performance measurement. We need to make sure that USAID resources go toward efforts that have the greatest and most sustainable impact.

This amendment ensures that economists and technical experts continue to play a key advisory role in the agency's programming and decisionmaking. I urge my colleagues to support this bipartisan amendment. And I yield the balance of my time.

Mr. WILSON. The gentlelady yields back. Do the other members seek recognition? We now recognize the ranking member, Congressman Greg Meeks of New York.

Mr. MEEKS. I want to thank Representative Kim and Castro for offering this amendment to my bill. This amendment would institutionalize the Office of the Chief Economist at USAID which was created 2 years ago to take an innovative approach incorporating evidence of behavioral economics into USAID's programming. Since its establishment, the office has amplified the agency's efforts to ensure programs are cost effective and achieve measurable outcomes all while taking into account economic analysis across multiple factors.

I am encouraged to see bipartisan support for their efforts, and I look forward to future innovation from the Office of the Chief Economist. And I'm pleased to support this amendment. I yield back the balance of my time.

Mr. WILSON. Do any other members seek recognition?

There being no further discussion, the question now occurs on the amendment offered by Congresswoman Young Kim, No. 75.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the amendment is agreed to. Are there any further amendments?

There being no further amendments, I move that the committee report House Resolution 9719 as amended to the House with a favorable recommendation.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the motion is agreed to. Without objection, the motion to reconsider is laid on the table and the staff is authorized to make any technical or conforming changes.

Mr. MCCORMICK [presiding]. Pursuant to notice, I now call up H. Res. 1348 urging the government of Nigeria to immediately release Tigran Gambaryan from imprisonment. The resolution was circulated in advance. The clerk shall designate the resolution.

The CLERK. H. Res. 1348, urging the government of Nigeria to immediately release Tigran Gambaryan from imprisonment. Whereas Tigran Gambaryan is a citizen of the United States and a resident of Georgia and a former Federal agent. Whereas Tigran Gambaryan worked for the Internal Revenue Service for over 10 years investigating highly public crimes and seizing over 4 billion dollars in illicit funds on behalf of the U.S. Government. Whereas Tigran Gambaryan on the date of his detainment was employed by Finance Holding Limited as the head of the financial crime compliance. Whereas on February 26th, 2024——

Mr. MCCORMICK. Without objection, the first reading is dispensed with and the resolution is considered read and open to amendment at any point. Without objection, I will present the Amendment in the Nature of a Substitute circulated to members in advance shall be considered as read and will be treated as original text for purpose of amendment. I recognize myself for a statement.

I deeply appreciate the committee's consideration on this important resolution today during this markup. As many of you know, my constituent, Mr. Tigran Gambaryan, has been wrongfully detained by the Nigerian government since February. That's 7 months now.

The Nigerian government arrested Mr. Gambaryan after luring him to Nigeria for a meeting with Nigerian officials in his official capacity of Binance's head of financial crime compliance. This is a citizen who's never been accused of anything of wrongdoing in the United States. He was an IRS investigative agent.

Once detained there, they took away his passport and held him without legal basis or without even charging him for weeks. Since then, the Nigerian government prosecutors have thrown bogus charges against him as legal justification to hold him hostage. Tigran is being held in the notorious Kuje Prison where they imprisoned Boko Haram, an ISIS terrorist.

He is being denied basic due process and repeatedly denied adequate medical care despite the fact that he suffers from malaria, pneumonia, tonsillitis, and complications from two herniated discs which make it extremely painful to walk. The situation is so dire that we recently celebrated the, quote-unquote, "good news" that his lawyers were able to gain access to the prison to meet with Tigran. We were relieved that the prison officials allowed him ac-

cess to a walker to attend the meeting because he had been bedridden for days due to excruciating back pain.

I could go on forever, showing stories of inhumane treatment Tigran is suffering, not to mention his wife and two young children waiting at home for his return. This is no way for an American citizen to be treated by custody of a foreign government, especially one that's supposed to be our ally and partner in the region. I've been to Nigeria.

I'm actually the godfather to two children of Nigerian descent. This means a lot to me, and Tigran is my constituent. My resolution, H. Res 1348, does four things.

One, it calls out the Nigerian government for their blatantly false claims of wrongdoing by Tigran Gambaryan and their inhumane treatment of an American citizen in their custody. Two, it urges the Nigerian government to release Tigran and provide him unfettered consular access, unrestricted medical care, and full due process to his rights. Three, it urges the State Department to use all available assets, all means to secure his release and formally declare him as wrongfully detained under the Levinson Act. Four, it conveys our thoughts for his family and all other U.S. citizens who have been wrongfully detained abroad.

The U.S. Government must do everything in its power to secure the release of Tigran Gambaryan and all our citizens wrongfully detailed abroad. Unfortunately, this has been applied unevenly and politically. This man deserves his rights.

And I'm thankful to my co-lead, Representative French Hill and Representatives Houlahan and Fitzpatrick for visiting Tigran during his imprisonment in Nigeria and for their support in advocating for his release. I also want to thank the HFAC Africa Subcommittee staff and the U.S. embassy consular staff in Nigeria for their tremendous work to support Tigran and his family during this incredibly difficult time. Passage of this resolution is just the first step.

And we will not stop until Tigran is released. I ask for my colleagues' support of this bill. Thank you. And with that, I yield back.

Is there discussion on this resolution? I recognize Mr. Meeks for 5 minutes.

Mr. MEEKS. Thank you, Mr. McCormick. And I'd like to express my concern to Tigran Gambaryan whose health has deteriorated significantly since he's been held in prison in Nigeria. I also want to thank his wife and family who have been working tirelessly to advocate for him.

The resolution before us urges the government of Nigeria to release him immediately on humanitarian and medical grounds. Now I understand the Nigerian government has accused Binance, Mr. Gambaryan's employer, of crimes related to harming Nigerian's economy and working through this, its judicial system, to pursue that case. However, it is clear that Mr. Gambaryan's health has suffered significantly during his detention.

He has contracted malaria and pneumonia and is reportedly in great deal of pain resulting from herniated discs in his back. The U.S. Government officials have communicated with the Nigerian government at the highest levels to raise Mr. Gambaryan's case

and to request his release on humanitarian grounds. And I'm greatly disappointed that the Nigerian government has not officially responded to those requests.

It is the responsibility of the United States State Department to determine whether Americans imprisoned abroad are wrongfully detained. And I know that the State Department is fully engaged in Mr. Gambaryan's case. And they're weighing the facts according to their process.

But regardless of how that process plays out, we must continue to press the Nigerian government for Mr. Gambaryan's release, urge them to respect his fundamental rights, and take far greater care to ensure his health and well being. And so therefore, I will support the resolution. And I yield back the balance of my time.

Mr. MCCORMICK. I want to thank the ranking member for his support in this bipartisan effort to do what's right for an American citizen. And with that, I also recognize my co-sponsor and somebody who's been very near and dear to this process and who's been really probably the hinge pin of the efforts to release Tigran. And I appreciate him, and I recognize him for 5 minutes, Mr. French Hill.

Mr. HILL. Chairman McCormick, thank you. Ranking Member Meeks, thank you for your commitment. I come to the committee today with a heavy heart and great frustration that an allied government of the United States, the great country on the West Coast of Africa and Nigeria, a longtime partner of the United States and the fight against ISIS and the fight against Boko Haram has taken this unprecedented of Mr. Chairman snatching an innocent American citizen under false pretenses in their country and imprisoning him.

So I support this resolution, H. Res. 1348. fully. But I would argue to my colleagues asking for his release on humanitarian grounds which is a term used by the State Department is good but unacceptable to me because he needs to be released, period, full stop as an American citizen innocent of these trumped up charges, innocent of any connection with the assertion that the company, Binance, has in some way damaged Nigeria and Nigeria's economy, an economy that is longsuffering and the Nigerian people longsuffering. So I stand in support of this on behalf of Tigran and his family, his wife, Yuki, their two kids, aged 10 and 5, who their dad just went on a business trip in February and has been locked up in prison since with spotty medical attention, spotty legal attention, solid consular support from our embassy in Abuja.

But ambivalence, contempt, and outrageous behavior on the part of the so-called legal system in Nigeria. And the government of Nigeria. We're standing with the family.

Mr. Chairman, Representative Haley Stevens and I co-chair the task force here in the House which this committee has been such an important part of to bring attention to those Americans wrongfully detained and illegally held abroad by terror groups or by State actors. And it's one thing when we talk about Syrians or Iranians or Russians. But what a disappointment that we sit in this hearing and we talk about our friends in Nigeria.

So I hope all members will not only support this resolution. But I hope all members on this committee will write the Ambassador

to Washington from Nigeria and express your utter dismay about putting our partnership for peace, prosperity, public health at risk because they wrongfully detained an American citizen. I've made that clear to the Nigerian ambassador.

I got double talk about legal process in Abuja and long breaks, summer breaks in the court schedule. I don't get that. And so I support our Ambassador, Rick Mills, efforts in Abuja.

But I urge the State Department, I urge President Biden turn up the heat on the government in Nigeria. Honor the fact that an American citizen has been snatched by a friendly government and put in prison over something he had no responsibility for in a country that not only has good relations with our country but we in the Justice Department and the IRS, former employers of Tigran Gambaryan have a deferred prosecution arrangement with Binance, with Binance. The government of Nigeria has leverage over Binance by just working with the United States and our legal system and our observation and oversight of Binance.

And it makes the snatching of an American citizen even more outrageous. So I ask all my colleagues to support this resolution. I ask for your prayers for Tigran's health under extraordinarily poor conditions.

I ask you to pray for comfort for his friends, his family, his spouse, Yuki, that this man is released unconditionally by the Nigerian government. And I think this resolution is an important step. And I hope it comes to the House floor promptly. And with that, I yield back.

Mr. MCCORMICK. Thank you, Mr. Hill, a true warrior for rights of citizens of the United States of America. And I want to speak directly to the Nigerian government right now, those representatives that come here to the United States as Ambassadors and all those people in power who have any kind of effect on this case. I want to ask them a simple question. Is it worth it?

Is it worth it to go after a guy who was asked to come to Nigeria, who came without resistance, who came willingly on good faith, on good faith. A citizen of the United States of America, is it worth it, a guy who's never had a question about his integrity or his honesty or breaking of any law? Is it worth it to take away the rights of a family man a father, a husband, a brother?

Is it worth it to put in contempt the relationship between two countries that at no time in history have needed each other more than right now. Is it worth it to continue to prosecute this guy for something he didn't do? Is it worth it to take away his health?

Would you do this to your family? Would you do this to your friend to try to prove a point that's not going to be proven by this? I challenge those in charge of this judicial process and charge the Nigerian government to take the right road, to be righteous and make sure that this process is worth it.

Are there any further questions or discussions on this topic? There being no further discussion on this resolution, the committee will move to consider—consideration of the amendments. Oh, Mr. Jackson. You're recognized for 5 minutes.

Mr. JACKSON OF ILLINOIS. Thank you, Honorable Congressman McCormick. Thank you, Ranking Member Meeks.

I support this bill, not to interfere in Nigeria's judicial process, but to appeal to the Government of Nigeria, whom we have had a very respectable and long-lasting working relationship, to support the release of Mr. Tigran Gambaryan on a humanitarian ground. With his health deteriorating and a lack of proper medical attention, Mr. Tigran must be able to come home where he can get the proper life-saving care he urgently needs.

Our two countries have had a long shared history and a strong relationship for decades, which should not be overshadowed by this case. I hope to engage the Nigerian Government soon with my other colleagues to assist in releasing Mr. Tigran Gambaryan on humanitarian grounds as soon as possible. This is an earnest appeal, and I thank you for your consideration. I yield back.

Mr. MCCORMICK. Thank you, Mr. Jackson.

The gentleman yields back. Are there any other further discussion?

There being no further discussion on the resolution, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

There being no amendments, I move that committee reports H.Res. 1348 as amended to the House with a favorable recommendation. All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, and the motion is agreed to. Without objection, the motion to reconsider is laid on the table, and the staff is authorized to make any technical and conforming changes.

Pursuant to notice, I now call up H.R. 9718, Extending and Enhancing the U.S.-U.K. Nuclear Cooperation for Mutual Defense Purpose Act. The bill was circulated in advance. The clerk shall designate the bill.

[The Bill H.R. 9718 follows:]

I

118TH CONGRESS
2D SESSION

H. R. 9718

To provide for the approval of the Amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2024

Mr. ZINKE introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To provide for the approval of the Amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Extending and Enhancing U.S.-U.K. Nuclear Cooperation for Mutual Defense Purposes Act''.

SEC. 2. APPROVAL OF THE AMENDMENT TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES.

(a) IN GENERAL.—Notwithstanding the provisions for congressional consideration of a proposed agreement for cooperation in subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), the amendments to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, done at Washington, July 25, 2024, and transmitted to Congress on July 30, 2024, including all portions thereof (hereinafter in this section referred to as the ''Amendment''), may be brought into effect on or after the date of the enactment of this Act as if all the requirements in such section 123 for consideration of the Amendment had been satisfied, subject to subsection (b) of this section.

(b) APPLICABILITY OF ATOMIC ENERGY ACT OF 1954 AND OTHER PROVISIONS OF LAW.—Upon coming into effect, the Amendment shall be subject to the provi-

sions of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and any other applicable United States law as if the Amendment had come into effect in accordance with the requirements of section 123 of the Atomic Energy Act of 1954.

Æ

The CLERK. H.R. 9718, to provide for the approval of the amendment to the agreement between the Government of the United States of America and——

Mr. MCCORMICK. Without objection, the first reading is dispensed with, and the bill is considered read and open to amendment at any point.

Are there any discussions to the bill?

Mr. Zinke, you are recognized for 5 minutes.

Mr. ZINKE. Thank you, Mr. Chairman.

I want to thank the chairman and ranking member for today's consideration of H.R. 9718, the Extension and Enhancing of the U.S. Nuclear and U.K. Nuclear Cooperation for Mutual Defense Purpose Act.

Short history—it began in 1958. This Congress renewed it in 2014. It is now up for renewal. What this bill does is two things. It corrects an ambiguity between 60 session days and 60 days, and then it specifies that it is renewed.

Just a brief summary of why this is important—I think everyone knows we face a potential nuclear conflict in multiple theaters, to include Ukraine, the Middle East, and I would say the Pacific. The U.K.-U.S. mutual agreement is the core to these agreements that extend globally. And without this agreement, other things are affected, like the Pacific.

And my gentleman to my right from Guam—as the Secretary, I visited Guam, American Samoa, and the territories in the Pacific. And I can tell you they are the front line. And having an extension of this, a very important, critical piece, is absolutely essential to the defense of our country in the Pacific.

So, with that, I urge my colleagues to pass this bill and send a clear message to our allies and our adversaries that America defends freedom. And with that, I yield back.

Mr. MCCORMICK. The gentleman yields, and Ranking Member Meeks is recognized for 5 minutes.

Mr. MEEKS. Thank you.

I support this bill. And as a result of the Biden-Harris administration's efforts over the past 4 years, opioid deaths are at a 3-year low. Yet every day, Americans are dying across our country due to the scourge of fentanyl afflicting too many communities across the country.

Precursors, or chemical components, used to synthesize these deadly—wrong one?

Mr. ZINKE. I do agree fentanyl is a problem in the Pacific.

Mr. MEEKS. I still support this bill.

Mr. MCCORMICK. Thank you, Mr. Chairman. I think we are done here.

Mr. MEEKS. I still support this bill. The special relationship between the United States and the United Kingdom is among the most important bilateral relationships for U.S. foreign policy and U.S. national security, a relationship that has only grown stronger under the leadership of the Biden-Harris administration. From helping Ukraine fight for its freedom and independence against Russia's horrific war of aggression, to fighting climate change, to strengthening our partnership in the Indo-Pacific with AUKUS, the United States and the U.K. continue to stand side by side.

And with that relationship in mind, I thank my colleagues for bringing forth this measure today, one that ensures that the current cooperation on nuclear energy and nuclear security between the United States and the United Kingdom can continue. This measure is simple. It ensures that the amended defense agreement the administration submitted to Congress in July of this year, after already having undergone deliberative interagency technical review, can go into effect unhindered by the flux of our legislative calendar.

And with that, I support this bill and yield back.

Mr. MCCORMICK. The gentleman yields. Is there any further discussion?

There being no further discussion of the bill, the committee will move to consideration of the amendments. Does any member wish to offer an amendment?

There being no amendments, I move that committee report H.R. 9718 to the House with a favorable recommendation. All those in favor, say aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, and the motion is agreed to. Without objection, the motion to reconsider is laid on the table, and the staff is authorized to make any technical and conforming changes.

Pursuant to notice, I now call up H.Res. 1449, condemning the global rise of antisemitism and calling upon countries and international bodies to counter antisemitism. The resolution was circulated in advance. The clerk shall designate the resolution.

[The Bill H.Res. 1449 follows:]

118TH CONGRESS
2D SESSION

H. RES. 1449

Condemning the global rise of antisemitism and calling upon countries and international bodies to counter antisemitism.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2024

Ms. MANNING (for herself and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on Foreign Affairs

---

RESOLUTION

Condemning the global rise of antisemitism and calling upon countries and international bodies to counter antisemitism.

Whereas antisemitism is a threat to the fundamental freedoms, rights, security, and diversity of all citizens, societies, and countries;

Whereas there has been an increase of antisemitic rhetoric and acts in many countries around the world;

Whereas, in the months since the October 7, 2023, Hamas terrorist attack against Israel, Jewish communities around the world have experienced a significant increase in antisemitic threats;

Whereas, in the Berlin Declaration of April 29, 2004, participating states of the Organization for Security and co-op-

eration in Europe condemned antisemitism and committed to take specific actions to combat it;

Whereas, in 2016, the 31 member states of the International Holocaust Remembrance Alliance adopted a legally nonbinding ''working definition'' of antisemitism, an important internationally recognized tool to increase understanding of antisemitism;

Whereas, on May 25, 2023, the White House issued the United States National Strategy to Counter Antisemitism, making clear that the fight against antisemitism is a national, bipartisan priority that must be successfully conducted through a whole-of-government-and-society approach;

Whereas, on July 17, 2024, in Buenos Aires, Argentina, the United States and partners unveiled the Global Guidelines for Countering Antisemitism;

Whereas the Global Guidelines constitute a multilateral framework encompassing 12 areas of public policy, including: Jewish community protection, the need for leaders to speak out against antisemitism, uniform collection of data about antisemitism, and education of the Holocaust and Jewish heritage;

Whereas the Global Guidelines include policies to monitor and combat antisemitism that can be implemented and adapted to a wide variety of national, regional, and cultural contexts; and

Whereas more than 40 states and international bodies have endorsed the Global Guidelines for Countering Antisemitism: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the rise of antisemitism in countries around the world;

(2) welcomes the Global Guidelines for Countering Antisemitism unveiled by the United States and partners in Buenos Aires, Argentina, on July 17, 2024;

(3) calls upon states and international bodies to take action to counter antisemitism, including by endorsing and embracing the Global Guidelines for Countering Antisemitism; and

(4) encourages greater action and international cooperation to counter antisemitism.

Æ

The CLERK. H.Res. 1449, condemning the global rise of antisemitism and calling upon countries and international bodies to counter——

Mr. MCCORMICK. Without objection, the first reading is dispensed with, and the resolution is considered read and open to amendment at any point.

Is there any discussion on the resolution?

Ms. Manning, you are recognized for 5 minutes.

Ms. MANNING. Thank you, Mr. Chairman. And I want to personally thank you and Ranking Member Meeks for your leadership, as well as your staff for working with me to advance this important bipartisan resolution to mark up.

I am proud to speak in favor of H.Res. 1449, a bipartisan House resolution I introduced with my dear friend Congressman Chris Smith supporting global efforts to counter antisemitism. It has been an honor to serve alongside him as co-chair of the House Bipartisan Task Force for Combating Antisemitism.

Mr. Chairman, we know that antisemitism is on the rise around the world. We know what a threat that is not just to the Jewish community but to democracy and to the very fabric of our societies around the globe. Today, not even 80 years since the liberation of Auschwitz, antisemitism has grown, taken on new forms, and spread to more parts of the world.

And as we have seen since the Hamas terrorist attack of October 7, 2023, the single deadliest day for Jews since the Holocaust, antisemitism around the world has skyrocketed. And let me State that antisemitism skyrocketed on October 8, before there was any idea of response to that horrific terrorist slaughter and capture of innocent Israelis, including American citizens.

Here in the United States, FBI data shows that anti-Jewish hate crimes increased in 2023 by nearly 63 percent from 2022, totaling the highest number recorded in almost three decades. Jewish Americans make up around 2 percent of the U.S. population, yet antisemitic hate crimes accounted for more than 15 percent of all hate crimes reported by the FBI and two-thirds of all religion-based hate crimes.

Yet even though we face a significant global challenge, we should not despair. That is because there has been critical and unprecedented progress made in the fight against antisemitism in recent years. In 2004, the OSCE acknowledged that antisemitism had assumed new forms and posed a new threat to security and stability in the region. In 2016, the International Holocaust Remembrance Alliance built international consensus around a valuable working definition of antisemitism.

And in recent years, many countries around the world have appointed special envoys or coordinators or advanced national strategies to deal with the rise of hate against Jews. Congress and this committee have also taken the lead in supporting efforts like the Global Antisemitism Review Act, the Combating European Antisemitism Act, and the Special Envoy to Monitor and Combat Antisemitism Act.

This July, in Buenos Aires, Argentina, Deborah Lipstadt unveiled the Global Guidelines for Countering Antisemitism, a new

landmark international framework for acting against antisemitism, which countries around the world can sign on to and embrace.

And, Mr. Chairman, I'd like to request unanimous consent to enter into the record a copy of the global guidelines, as well as Ambassador Lipstadt's speech of July 17, 2024.

Mr. MCCORMICK. Without objection, so ordered.

[The information referred to can be found in the appendix:]

Ms. MANNING. I want to commend my good friend Ambassador Lipstadt and her team at the State Department for their excellent work on these guidelines.

We now have a multilateral international framework that can provide structure and guidance with best practices we know to be effective to other governments and to our own embassies, who have a shared obligation and responsibility to counter antisemitism. This includes clearly and unequivocally condemning antisemitism, providing physical protection and security for Jewish communities, enforcing hate crimes, and educating future generations about the Holocaust and the long history of hate targeting Jews.

I am pleased that more than 40 countries and international bodies have already endorsed the guidelines, and we are working hard to make sure many more countries in different regions join them in the coming months.

House Resolution 1449 condemns the rise of antisemitism and expresses our support for these guidelines and other efforts to counter antisemitism. I want to thank my colleagues on both sides of the aisle who have joined as cosponsors of this important resolution. I deeply appreciate your leadership and commitment to this effort.

Mr. Chairman, antisemitism is wrong. It is dangerous. It deserves to be condemned. These guidelines will strengthen the resolve and provide the tools for governments around the world to counter the scourge of antisemitism and to prevent its normalization. I urge my colleagues to join me in support of this resolution.

And with that, I yield back the balance of my time.

Mr. MCCORMICK. The gentlelady yields.

And with that, I will add that at no time in the history of the United States has there been a time where someone could actually steal a flag, burn it in front of us, and then raise a Hamas terrorist flag above United States property. These are truly troubling times. I hate that we have to face it, but at least we are facing it together. I am 100 percent behind you, and I look forward to continued resolutions on this.

With that, Mr. Wilson is recognized for 5 minutes.

Mr. WILSON. Thank you, Mr. Chairman.

Sadly, antisemitism is on the rise around the world. I particularly am shocked, as I grew up in Charleston, South Carolina, where at the time of the American Revolution, the largest Jewish population in the New World was located in Charleston.

Additionally, I am very grateful to my home State. Actually, the province of South Carolina was the very first constitution to recognize Judaism, and I am very grateful that in South Carolina, the very first Jewish American elected to public office in the New World was in the Provincial Assembly of South Carolina. And then, sadly, the first Jewish American killed in the revolution was in

Charleston, South Carolina. And so it is particularly shocking to me that there would be antisemitism.

Following the mass murder of October 7 and the existential defensive response by Israel, which has been very responsible with the leadership of Prime Minister Benjamin Netanyahu, we have witnessed horrific targeting of Jewish persons around the globe. The response by the international community has been disgraceful. Organizations and countries have used the regime in Tehran talking points to discredit Israel and undermine the right of its existence and self-defense.

I am very grateful to support House Resolution 1449. Author Congresswoman Kathy Manning of my neighboring State of North Carolina is to be commended. And she has determined not to run for her reelection, and she will be missed by her Republican colleagues for her bipartisan service, as she so eloquently just stated, both sides of the aisle.

Additionally, another guy of both sides of the aisle, ironically, Congressman Phillips, is sitting next to Congresswoman Manning. And he, too, will be appreciated for making a difference for the people of Minnesota.

I will continue my service of working for accountability in international organizations to combat rampant antisemitism fueled by those intent on destroying Israel and America and Western civilization. They truly do mean death to Israel, death to America. Every American family is at risk, and we can address this by addressing antisemitism now. I yield back.

Mr. MCCORMICK. The gentleman yields.

Ranking Member Meeks is recognized.

Mr. MEEKS. Thank you.

I strongly support this resolution. Historic levels of antisemitism continue to rise at home and abroad. This remains a concern for me, and it should be for every member of this committee and all decent people all over the world—antisemitic tropes and anti-Jewish stereotypes, including age-old and dangerous accusations of dual loyalty against Jewish Americans. We must stop this behavior in the United States and help allies and partners to stop it overseas.

I would like to enter into the record an article that represents the FBI's newly released statistics showing that antisemitic hate crimes in the United States surged 63 percent in 2023, with 1,832 recorded incidents, the highest on record.

Rep Manning's resolution serves to help allies and partners abroad formulate plans to combat antisemitism based on the hard work of Deborah Lipstadt, the Special Envoy to Monitor and Combat Antisemitism, a position authorized by this committee.

I also want to thank Rep Manning, vice chair of the Foreign Affairs Committee and the sponsor of this resolution. She has a decades-long track record of fighting to combat antisemitism and standing up for Jewish people. We have been lucky to have her serve with us in Congress, and we will miss her greatly following her retirement at the end of the year.

So I just want to make sure that I personally just say thank you to Rep Manning, who has been a friend to me, a confidant, one that I could depend on who is tireless with her service and her work on

behalf of the committee and on behalf not only of the people of North Carolina, which she represents, but on behalf not only of Jewish people, but of all of the people of the United States of America.

We thank you for your service, your focus, and your dedication to this great country. And we wish you well, and you will be missed here.

And with that, I yield back the balance of my time.

Mr. MCCORMICK. The gentleman yields.

Mr. Phillips is recognized for 5 minutes.

Mr. PHILLIPS. Thank you, Mr. Chairman.

And I just want to support the beautiful words of both Ranking Member Meeks and my friend Mr. Wilson relative to our colleague Kathy Manning, who I celebrate for introducing this condemnation of the global rise of antisemitism and also with Representative Smith for co-leading that with her.

As a Jewish American, I can tell you it is true. We have never quite felt in our lifetimes like we do right now. And if one of us is under threat in the United States of America or around the world, then we all are. And antisemitism is the canary in the coal mine, and it has found a home here in the United States on the far right and on the far left.

And there is no legislation, there is no mandate, there is no president or prime minister who can eliminate it. But I do want to encourage and promote and celebrate those on both sides of the aisle, my Republican and Democratic colleagues, for acknowledging this problem and agreeing to work together both here in this country and around the world to root it out the same way we do with Islamophobia, homophobia, racism, and hate in all its forms.

So I want to thank my friends on both sides of the aisle and to my colleague Kathy Manning for sponsoring this and encourage, once again, all of us to work together to recognize the humanity in all. With that, I yield back.

Mr. MCCORMICK. The gentleman yields back. Is there any further discussion?

Just a point of privilege, thank you, again, Ms. Manning, for your service. You will be missed.

There being no further discussion of the resolution, the committee will move to consideration of the amendments. Does any member wish to offer an amendment?

There being no amendments, I move that committee reports H.Res. 1449 to the House with favorable recommendation. All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, and the motion is agreed to.

The request for a vote has been made. A roll call has been requested. Pursuant to the chair's previous announcement, the vote will be postponed.

The committee will recess for votes on the floor. We will reconvene after votes.

[Recess.]

Mr. SELF. Pursuant to notice, I now call up H.R. 9172, the Destruction Initiative for Stored Precursors Overseas and Safe Enforcement, DISPOSE Act.

{The Bill H.R. 9172 follows:]

I

118TH CONGRESS
2D SESSION

H. R. 9172

To establish the Precursor Chemical Destruction Initiative to promote bilateral counterdrug interdiction efforts with the governments of specified countries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2024

Ms. SALAZAR (for herself, Mr. CASTRO of Texas, Mr. SMITH of New Jersey, Mr. LAWLER, Ms. TITUS, Mr. STANTON, Mr. MCCORMICK, Mr. PAPPAS, Mr. SCHNEIDER, Mrs. CHAVEZ-DEREMER, and Ms. SPANBERGER) introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To establish the Precursor Chemical Destruction Initiative to promote bilateral counterdrug interdiction efforts with the governments of specified countries, and for other purposes.

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

SECTION 1. SHORT TITLES.

This Act may be cited as the ''Destruction Initiative for Stored Precursors Overseas and Safe Enforcement Act'' or the ''DISPOSE Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on the Judiciary of the House of Representatives.

(2) BENEFICIARY COUNTRIES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''beneficiary countries'' means Colombia, Mexico, and Peru.

(B) UPDATES.—The Secretary of State, in consultation with the Attorney General and the Secretary of Defense, may add or remove 1 or more countries from the list of beneficiary countries under subparagraph (A) after providing written notification of such changes to the appropriate congressional committees.

(3) LISTED CHEMICAL.—The term ''listed chemical'' has the meaning given such term in sec-

tion 102 of the Controlled Substances Act (21 U.S.C. 802).

SEC. 3. AUTHORIZATION OF PRECURSOR CHEMICAL DESTRUCTION INITIATIVE.

(a) ESTABLISHMENT.—The Secretary of State, in coordination with the Secretary of Defense and the Attorney General, may carry out the ''Precursor Chemical Destruction Initiative'' in beneficiary countries to achieve the purposes described in subsection (b).

(b) PURPOSES.—The purposes described in this subsection are—

(1) improving and increasing rates of seizure and destruction of listed chemicals in beneficiary countries;

(2) alleviating the backlog of seized listed chemicals and disposing the hazardous waste generated by illicit drug trafficking in beneficiary countries in an environmentally safe and effective manner;

(3) ensuring that seized listed chemicals are not reintroduced into the illicit drug production stream within beneficiary countries;

(4) freeing up storage space for future listed chemical seizures within beneficiary countries; or

(5) reducing the negative environmental impact of listed chemicals.

SEC. 4. IMPLEMENTATION PLAN; PROGRESS UPDATES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Attorney General and the Secretary of Defense, shall submit an implementation plan to the appropriate congressional committees that includes a timeline and stated objectives for actions to be taken in beneficiary countries in support of the Precursor Chemical Destruction Initiative.

(b) ELEMENTS.—The implementation plan required under subsection (a) shall include—

(1) a multi-year strategy with a timeline, overview of objectives, budgetary projections, and anticipated outcomes for the region and for each beneficiary country;

(2) specific, measurable benchmarks to track the progress of the Precursor Chemical Destruction Initiative towards accomplishing the outcomes referred to in paragraph (1);

(3) a plan for the delineation of the roles to be carried out by the Department of State, the Department of Justice, the Department of Defense, and any other Federal department or agency in carrying

out the Precursor Chemical Destruction Initiative; and

(4) a plan for addressing security and government corruption and providing updates to the appropriate congressional committees on the results of such efforts.

(c) ANNUAL PROGRESS UPDATE.—Not later than 1 year after the submission of the implementation plan pursuant to subsection (a), and annually thereafter, the Secretary of State, in coordination with the Attorney General and the Secretary of Defense, shall submit to the appropriate congressional committees a written description of the results achieved by the Precursor Chemical Destruction Initiative, including—

(1) the implementation of the strategy and plans described in subsection (a);

(2) compliance with, and progress related to, meeting the benchmarks referred to in subsection (b)(2); and

(3) the type and quantity of listed chemicals destroyed by each beneficiary country.

SEC. 5. FUNDING.

The Secretary of State shall use amounts otherwise appropriated for International Narcotics Control and Law

Enforcement programs managed by the Department of State to carry out this Act.

Æ

Mr. SELF. The bill was circulated in advance. The clerk shall designate the bill.

The CLERK. H.R. 9172, to establish the precursor chemical destruction initiative to promote bilateral counter-drug interdiction efforts with the government of specified countries and other purposes. Be it enacted by the Senate and House of——

Mr. SELF. Without objection, the first reading is dispensed with and the bill is considered read and open to amendment at any point.

Is there any discussion on the bill? Mr. Stanton is recognized.

Mr. STANTON. Thank you very much, Mr. Chair. And I want to say thank you to Chair Salazar and Ranking Member Castro for leading on this important bill.

The fentanyl epidemic has devastated American families. As a representative from a border State of Arizona I have heard time and time again from frustrated mayors, county executives, heads of local non-profits, business owners, law enforcement, and most importantly Arizona families. I have heard about the disastrous effects of fentanyl trafficking on our communities.

Most fentanyl is smuggled into the United States through legal ports of entry and it is almost entirely manufactured by criminal organizations in Latin America using precursor chemicals legally imported from China.

This Congress has invested heavily in border security to catch these deadly drugs robustly funding the Customs and Border Protection officers and new technology and various anti-narcotics entities, but there is more work to do in collaboration with our Latin American partners to cutoff the illicit drug supply chain at its head.

The Destruction Initiative for Stored Precursors Overseas and Safe Enforcement, or DISPOSE Act, will create fentanyl and precursor chemical destruction facilities in Mexico, Colombia, and Peru, three critical drug trafficking choke points, and buildupon existing narcotics initiatives stopping these deadly drugs well before they reach our southern border.

It is a straightforward bipartisan bicameral bill that requires the State Department to carry out a precursor chemical destruction initiative to: (1) improve the rate of seizures and destruction of these base ingredients; (2) dispose of seized chemicals in an environmentally safe way; and (3) ensure that seized chemicals are not reintroduced into the illicit drug pipeline.

By destroying fentanyl and precursor chemicals we target a major financial source for cartels that continue to endanger American lives and American national security. I urge my colleagues to vote yes on H.R. 9172, and I yield back.

Mr. SELF. The gentleman yields back.

Is there any further discussion?

Seeing none, there being no further discussion on the bill, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

There being no amendments, I move that the committee report H.R. 9172 to the House with a favorable recommendation. All those in favor, signify by saying aye?

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the motion is agreed to.

Without objection, the motion to reconsider is laid on the table and the staff is authorized to make any technical and conforming changes.

Pursuant to notice, I now call up H.Res. 1435, Raising Concern About the Proposed Constitutional Reforms in Mexico.

[The Resolution H.Res. 1435 follows:]

118TH CONGRESS
2D SESSION

H. RES. 1435

Raising concern about the proposed constitutional reforms in Mexico.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2024

Mr. STANTON (for himself and Ms. SALAZAR) submitted the following resolution; which was referred to the Committee on Foreign Affairs

---

RESOLUTION

Raising concern about the proposed constitutional reforms in Mexico.

Whereas the United States and Mexico are committed to strengthening bilateral and regional cooperation that benefits the people of the United States and Mexico;

Whereas the United States and Mexico are top trade partners, trading more than $750,000,000,000 worth of goods in 2023;

Whereas United States companies directly invested $130,300,000,000 into Mexico in 2022, and nearly 5,000,000 United States jobs depend on trade with Mexico;

Whereas the United States, Mexico, and Canada will participate in the first review of the United States-Mexico-Canada Agreement (USMCA) in 2026;

Whereas Mexican President López Obrador proposed constitutional reforms on February 5, 2024, including a range of proposals to modify the Mexican judiciary;

Whereas some of these reforms were approved by a Chamber of Deputies committee vote on August 26, 2024, and could receive a vote by Mexico's Congress of the Union in September 2024;

Whereas Mexican Federal judges initiated a widespread and indefinite strike on August 21, 2024, in response to proposed judicial reforms;

Whereas Mexico's National Association of Circuit and District Judges, the Inter-American Dialogue, the Mexican Bar Association, the Global Enterprise Council, the United Nations Special Rapporteur on the Independence of Judges and Lawyers, the United States Chamber of Commerce, and thousands of striking Mexican Federal court employees and magistrates have voiced concerns with the proposed reforms;

Whereas, under proposed judicial reforms, all Federal judges, including Supreme Court Justices, would be directly elected, independent oversight of the judiciary would end, and judicial qualification standards would be reduced; and

Whereas broader constitutional reforms would—

(1) eliminate autonomous oversight of social development policy and education; the energy, hydrocarbon, and telecommunications industries; and enforcement of antitrust and transparency laws;

(2) reduce the size, oversight capacity, and sanctions authority of Mexico's National Electoral Institute; and

(3) impose a prohibition on genetically modified corn: Now, therefore, be it

Resolved, That the House of Representatives—

(1) raises concern that the proposed constitutional reforms would have a long-term negative impact on Mexico's democratic institutions, separation of powers, judicial independence and transparency, and security, while undermining its electoral system, National Guard, and oversight agencies;

(2) expresses deep concern that the proposed constitutional reforms may contradict commitments made in the United States-Mexico-Canada Trade Agreement, jeopardizing critical economic and security interests shared by the United States and Mexico;

(3) underscores that several aspects of the reform package undermine United States-Mexico joint efforts to strengthen the rule of law, counter organized crime, and address the scourge of fentanyl and human and arms trafficking among broader bilateral priorities; and

(4) reaffirms its commitment to a robust, mutually respectful relationship between the sovereign countries of the United States and Mexico.

Æ

Mr. SELF. The resolution was circulated in advance. The clerk shall designate the resolution.

The CLERK. H.Res. 1435, Raising Concern About the Proposed Constitutional Reforms in Mexico. Whereas, the United States and Mexico——

Mr. SELF. Without objection, the first reading is dispensed with and the resolution is considered read and open to amendment at any point.

Without objection, the Stanton Amendment in the Nature of Substitute circulated to members in advance shall be considered as read and will be treated as original text for purposes of amendment.

Is there any discussion on the resolution? Mr. Stanton is recognized for 5 minutes.

Mr. STANTON. Thank you very much, Mr. Chair, and thank you to Chair Salazar for her partnership on this important resolution.

The U.S.-Mexico relationship is one of the world's most economically significant and improving the trade relationship between the two countries has been a focus of my public service career, first on city council, then as mayor, and now as a member of the House of Representatives.

Mexico has been my home State of Arizona's No. 1 trading partner for decades and this past year Mexico surpassed China as the No. 1 trading partner for the entire the United States. Our two countries exchanged nearly $1 trillion in goods and services last year alone supporting 5 million American jobs. But as tensions with China increase Mexico is ripe for nearshoring opportunities, particularly those supporting the semiconductor industry, that stand to reshape Mexico's economy.

This is the moment where the trade relationship between the United States and Mexico should be growing exponentially, but instead outgoing Mexican President Lopez Obrador is pushing through constitutional reforms mere days before President-Elect Sheinbuam takes office, that changes—that risk the future of this critical relationship to the detriment of both of our countries.

The slate of proposed constitutional reforms will harm the independence of the Mexican judiciary, weaken Mexico's regulatory apparatus, degrade its investment potential in the eyes of the international business community, and undermine the country's ability to fulfill international commitments including the U.S.-Mexico-Canada Agreement.

I find four of these proposed reforms especially concerning. First, that—one, that would completely eliminate seven autonomous agencies that oversee Mexico's energy and hydrocarbon industries, telecommunications, social development and education policy, and the enforcement of anti-trust and transparency laws. Not only would eliminating these agencies remove essential checks on Presidential power, they directly conflict with Mexico's commitments under the USMCA limiting market access, competition, and state-owned enterprise.

The second would give Mexico's state-owned electric utility primacy over any private investment undermining U.S. and Canadian economic interests and any energy we produce in favor of Mexico's

energy companies. This directly conflicts with the USMCA clause that prevents countries from rolling back free market measures.

The third would ban genetically modified corn. This conflicts with the USMCA market access requirements and violates sanitation and inspection requirements. Such a ban could also lead to the loss of thousands of U.S. agricultural jobs as Mexico is one of the U.S.' largest agricultural export markets.

And finally, the slate of judicial reforms. These changes which were rushed through the Mexican Congress and became law just on September 15 transform the Mexican judiciary by mandating that all Federal judges from the local level up to the supreme court be directly elected as soon as next year. They also drastically lower the minimum threshold for the competence of judges.

American government and business leaders, the America public are paying close attention. Electing judges leaves the entire judicial process vulnerable to political influence and donor interest and critically this change will create backlogs in settling our trade disputes. May disagreements must first go through Mexico's domestic court system with its new possibly inexperienced judges before seeking arbitration under the USMCA.

I have heard directly from business leaders, some of whom have indicated that this change will threaten future investment in Mexico. At a time when our two nations should be working so closely together to tap into the potential of nearshoring these reforms erode legal certainty, a risky prospect for business already operating and those considering expanding their operations in Mexico.

The decision is ultimately up to the Mexican people and their democratic sovereign government, but the impact of these proposed reforms is far-reaching. As a representative from a border State and as an advocate, a long-time advocate for closer economic ties between the United States and Mexico, I believe it is our duty to work toward solutions that support growth and prosperity for both the Mexican and the American people.

So I urge my colleagues to vote yes on this resolution. And again I want to thank Chair Salazar for her partnership in this important effort. And with that, Mr. Chair, I yield back.

Mr. SELF. The gentleman yields back.

Is there any further discussion? Mr. Mast, you are represented—you are recognized for 5 minutes.

Mr. MAST. Thank you, Chairman. And I want to start by thanking Chair Salazar for her statement, her Resolution 1435 raising concerns about the proposed constitutional reforms in Mexico.

And as we are speaking about this, I want to take the opportunity to give a warning to the outgoing president of Mexico that America is watching, and future leadership in Mexico that America is watching what you are doing right now and has been paying attention.

I want to bring to light something specific that has taken place. In 2022, Mexico sent in their military to shut down a materials mining operation and deep water port in Mexico owned by an American company called Vulcan Materials. They had legally held operations in there. Again, Mexico sent in the military, cutoff these—this supply chain to the United States of America. It is used to build homes, used to build roads. It is rock aggregate that goes

into homes and roads in the State of Florida, Louisiana, Texas, and other places. And literally Mexico allowed for other companies to come into these closed down operations and start operating themselves. We have words for that and we don't allow this sort of thing in the United States of America.

But again, I want to offer this as a warning to Mexico and to any companies that would go out there and operate inside of a facility that is of a U.S.-owned company that Mexico would dare go in and take over. I would offer that as a warning. We are watching you. Don't do it. Tell other companies do not participate in doing that because you will absolutely be held accountable for conducting any operations like that.

Mexico's actions and what they have done here, they will have a chilling effect on investment. That will have a chilling effect on trade. It will undermine our bilateral relationship, as it should, just like if the United States of America did the same thing to them.

In that, I would just ask that my colleagues continue to pay attention to this issue and I thank the chairman for yielding me the time.

Mr. SELF. The gentleman yields back.

Is there any further discussion? Mr. Kean, you are recognized for 5 minutes.

Mr. KEAN. Thank you, Mr. Chairman. I want to voice my support for this vital piece of legislation and I want to thank my colleague Mr. Stanton from Arizona for his leadership on this matter.

The recent judicial reform proposal that President Andre Manuel Lopez Obrador should give all of the United States great pause and concern for the bilateral United States-Mexico relationship. The proposed reforms are greatly concerning to the independence of the Mexican judiciary and potentially threaten critical aspects of the United States-Mexico-Canada Agreement, the USMCA. AMLO's overreach will impact the interests of American firms seeking to do business and invest in the Mexican economy. This is already being experienced by a constituent company of mine, Vulcan Materials.

In May 2022, under the direction of the Mexican president, Vulcan's facilities on the Yucatan Peninsula were illegally shut down and is facing excorporation by the Mexican government.

These unilateral decisions directly undermine the U.S.-Mexico relationship and the spirit of the USMCA. I hope that the government of incoming President-Elect Claudia Sheinbaum reconsiders these actions in favor of a positive and beneficial relationship that she reportedly wishes to have with the United States. I yield back my time.

Mr. SELF. The gentleman yields.

Is there any future—further discussion?

Seeing none, there being no further discussion on the resolution, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

There being no amendments, I move that the committee report H.Res. 1435 as amended to the House with a favorable recommendations. All those in favor, signify by saying aye?

All those opposed, signify by saying no?

In the opinion of the chair, the ayes have it and the motion is agreed to.

Without objection, the motion to reconsider is laid on the table and staff is authorized to make any technical and conforming changes.

Pursuant to notice, I now call up H.R. 9082, the Summit of the Americas Act.

[The Bill H.R. 9082 follows:]

I

118TH CONGRESS
2D SESSION

H. R. 9082

To direct the Secretary of State to host regular Summits of the Americas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2024

Ms. KAMLAGER-DOVE (for herself, Ms. SALAZAR, and Mr. CASTRO of Texas) introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To direct the Secretary of State to host regular Summits of the Americas, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Summit of the Americas Act''.

SEC. 2. SUMMIT OF THE AMERICAS AND RELATED MATTERS.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to work with the Summit of the Americas Secretariat to support the organization of a

Summit of the Americas every four years, or more frequently as appropriate, subject to the availability of funds, to strengthen ties and promote cooperation between the United States and countries in the Western Hemisphere, as well as civil society, business, diaspora, women, and youth leaders.

(b) AUTHORIZATION.—The Secretary of State is authorized to carry out the policy described in subsection (a).

(c) CITIES SUMMIT OF THE AMERICAS.—

(1) FINDINGS.—Congress finds the following:

(A) Subnational diplomacy strengthens democratic governance by enhancing local leaders' ability to tackle shared challenges, and deepens United States ties with regional partners by localizing bilateral and multilateral partnerships and connections.

(B) The first-ever Cities Summit of the Americas in 2023 promoted a valuable exchange of best practices and lessons learned between city, State, municipal, and regional leaders and should be held as part of the Summit of the Americas process.

(2) IN GENERAL.—The Secretary of State is authorized to work with the Summit of the Americas Secretariat to support the organization of one Cities

Summit of the Americas, across cities in the Western Hemisphere, including the United States, to take place as a part of each Summit of the Americas described in subsection (a), to promote subnational cooperation and serve as a catalyst in fostering engagement with representatives of government, civil society, business, academia, youth, culture and the arts, Latin American and Caribbean diaspora communities, and underrepresented groups.

(d) SUMMIT OF THE AMERICAS IMPLEMENTATION UNIT.—

(1) IN GENERAL.—The Secretary of State is authorized to establish within the Department of State a Summit of the Americas implementation unit responsible for overseeing the implementation of commitments made at summits described in this section.

(2) DUTIES.—The duties of the implementation unit authorized by this subsection include—

(A) tracking and ensuring implementation of commitments made during Summits of the Americas;

(B) liaising with interagency partners and the National Security Council regarding implementation of summit commitments; and

(C) reporting quarterly on a public website of the Department of State regarding progress to accomplish summit commitments and status of commitments across Federal departments and agencies.

(e) REPORT.—The Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate annually for 5 years beginning after the date of the enactment of this Act a report on the implementation of this section, including the status of commitments of the United States and participating partners for the prior year and upcoming year.

Æ

Mr. SELF. The bill was circulated in advance. The clerk will designate the bill.

The CLERK. H.R. 9082, to direct the Secretary of State to host regular summits of the Americas and for other purposes.

Mr. SELF. Without objection, the first reading is dispensed with and the bill is considered read and open to amendment at any point.

Without objection, the Kamlager-Dove Amendment in the Nature of a Substitute circulated to members in advance shall be considered as read and will be treated as original text for purposes of amendment.

Is there any discussion on the bill? Representative Kamlager-Dove is recognized for 5 minutes.

Ms. KAMLAGER-DOVE. Thank you, Mr. Chair and ranking member for bringing the Summit of the Americas Act to markup. And I want to thank Congresswoman Salazar and Castro—well, Congressman Castro for partnering with me to introduce this important legislation.

There are 48 countries in the Western Hemisphere and each one of them is critical to promoting shared prosperity in our region, yet our own neighborhood is often the one we neglect the most. Luckily, the Summit of the Americas, which convenes every 3 years in cities across the region, provides an opportunity to give these relationships their due.

The last summit meeting in Los Angeles in 2022 brought together heads of State, Members of Congress, business leaders, civil society organizations, and young people. It created space to make new connections and infuse fresh energy into our shared goals.

My bill institutionalizes the Summit of the Americas process and shows our partners that the United States is committed to consistent engagement with Latin America and the Caribbean. This bill would also ensure that we are reliably implementing summit outcomes. The summit cannot just mean a repackaging of existing initiatives or empty rhetoric with now follow through. It should be a strategic opportunity to meaningfully enhance cooperation with our partners and advance shared hemispheric priorities.

Finally, this bill institutionalizes the City Summit of the Americas as part of the Summit of the Americas process. The city summit is new and high-value component of our regional diplomacy that convenes city and State leaders to discuss the best practices on the issues facing their local constituencies. These exchanges highlight the shared challenges and opportunities we face as a region and reinforces the simple truth that our destinies are linked.

It also positions the United States to provide the very expertise and solutions that can make us a genuinely constructive and indispensable actor in the region. Critically the city summit enables valuable relationship building with rising Latin American and Caribbean leaders.

Claudia Sheinbaum, who will be inaugurated as the president of Mexico next week, attended the city summit last December in her role as mayor of Mexico City. That alone is compelling proof of concept for the importance of this sub-national diplomatic forum.

The Summit of the Americas Act will upgrade and invigorate U.S. engagement with our Latin American and Caribbean partners and I urge my colleagues to support this important bill.

Thank you, Mr. Chair and ranking member, and I yield back.

Mr. SELF. The gentlelady yields back.

Seeing no further discussion, there being no further discussion, and I see none, the committee will move to consideration of amendments. Does any member wish to offer an amendment?

There being no further amendments, I move that the committee report H.R. 9082 as amended to the House with a favorable recommendation. All those in favor, signify by saying aye?

All those opposed, no?

In the opinion of the chair, the ayes have it and the motion is agreed to.

Without objection, the motion to reconsider is laid on the table. The staff is authorized to make any technical and conforming changes.

The committee stands in recess until 4 p.m. when we will reconvene and take votes.

[Recess.]

Chairman MCCAUL. The committee will come to order. The committee postponed further proceedings on the roll call vote on Amendment Number 1 offered by Representative Meeks to the report recommending that the House of Representatives find Antony Blinken, Secretary, U.S. Department of State, in contempt of Congress for refusal to comply with the subpoena duly issued by the Committee on Foreign Affairs, on which the noes had prevailed by voice vote.

The question now occurs on agreeing to the amendment. Members will vote using electronic voting system. The clerk will open the vote.

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 25. The noes are 26.

Chairman MCCAUL. The noes have it. The amendment is not agreed to.

The committee postponed further proceedings on the roll call vote on Amendment Number 2 offered by Representative Meeks to the report, which the noes have prevailed by voice vote. The question now occurs on agreeing to the amendment. Members will use the electronic voting system. The clerk will open the vote.

Have all members voted? Does any member wish to change their vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 25. The noes are 26.

Chairman MCCAUL. The noes have it, and the amendment is not agreed to.

There being no further amendments, I move that the committee favorably report the report recommending that the House of Representatives find Antony Blinken, Secretary, U.S. Department of State, in contempt of Congress for refusal to comply with the subpoena duly issued by the Committee on Foreign Affairs to the House.

All those in favor, signify by saying aye.

All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it. Motion agreed to. A roll call vote has been requested. Members will vote using the electronic voting system. The clerk will open the vote.

Have all members voted? Does any member wish to change their vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 26. The noes are 25.

Chairman MCCAUL. The ayes have it. The motion is agreed to.

Without objection, the motion to reconsider is laid on the table. The report is ordered favorably reported and staff is authorized to make any technical and conforming changes.

The committee postponed further proceedings on reporting H.Res. 1449, condemning the global rise of antisemitism and calling upon countries and international bodies to counter antisemitism favorably to the House, in which the ayes prevail by voice.

The question now occurs on reporting the measure to the House with a favorable recommendation. Members will vote using the electronic voting system. The clerk will open the vote.

Keith Self. Mr. Self?

Have all members voted? Does any member wish to change their vote?

The clerk will close the vote and report the tally.

The CLERK. On this vote, the ayes are 50. The noes are zero.

Chairman MCCAUL. The ayes have it. Without objection, the motion to reconsider is laid on the table. Staff is authorized to make any changes.

This concludes consideration of the measures noticed by the committee today. I want to thank all the members. The committee stands adjourned.

[Whereupon, at 4:35 p.m., the committee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

FOREIGN AFFAIRS COMMITTEE
CHAIRMAN MCCAUL

COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP NOTICE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Michael T. McCaul (R-TX), Chairman

September 20, 2024

Revised

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN markup of the Committee on Foreign Affairs to be held at 10:15 a.m. in room 2172 of the Rayburn House Office Building. The markup is available by live webcast on the Committee website. https://foreignaffairs.house.gov/

DATE:	~~Thursday, September 19, 2024~~ Tuesday, September 24, 2024
TIME:	~~2:00 p.m.~~ 10:15 a.m.
LOCATION:	2172 RHOB
MARKUP OF:	Committee Report, Recommending the House of Representatives find Antony Blinken, Secretary, U.S. Department of State, in contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Foreign Affairs;
**	H.R. 8683, To require the Secretary of Defense and the Secretary of State to monitor efforts by the People's Republic of China to build or buy strategic foreign ports, and for other purposes;
**	H.R. 9564, To authorize the imposition of sanctions with respect to the Houthis, and for other purposes;
**	H.R. 9719, To amend the Foreign Assistance Act of 1961 to modify requirements regarding management of the United States Agency for International Development, and for other purposes;
**	H.Res. 1348, Urging the Government of Nigeria to immediately release Tigran Gambaryan from imprisonment;

**	H.R. 9172, To establish the Precursor Chemical Destruction Initiative to promote bilateral counterdrug interdiction efforts with the governments of specified countries, and for other purposes;
**	H.R. 9718, To provide for the approval of the Amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes;
**	H.Res. 1449, Condemning the global rise of antisemitism and calling upon countries and international bodies to counter antisemitism;
**	H.Res. 1435, Raising concern about the proposed constitutional reforms in Mexico; and
**	H.R. 9082, To direct the Secretary of State to host regular Summits of the Americas, and for other purposes.

**NOTE: Measures added/changed
*NOTE: Measures 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 MARKUP

Day *Tuesday* Date *September 24, 2024* Room *2172 Rayburn*

Starting Time *10:25* Ending Time *16:35*

Recesses *2* (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Chairman McCaul, Rep. Wilson, Rep. McCormick

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☐
Televised ☑

Electronically Recorded (taped) ☑
Stenographic Record ☑

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

Attached

COMMITTEE MEMBERS PRESENT:

Attached

NON-COMMITTEE MEMBERS PRESENT:

N/A

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

Attached

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

Attached

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting
Attached				

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *16:35*

Meg Wagner
Full Committee Hearing Coordinator

Committee on Foreign Affairs

118th Congress

ATTENDANCE

Date: SEPTEMBER 24, 2024 MARKUP

Representative	Present	Absent	Representative	Present	Absent
Mr. McCaul	X		Mr. Meeks	X	
Mr. Smith	X		Mr. Sherman	X	
Mr. Wilson	X		Mr. Connolly	X	
Mr. Perry	X		Mr. Keating	X	
Mr. Issa	X		Mr. Bera	X	
Mrs. Wagner	X		Mr. Castro	X	
Mr. Mast	X		Ms. Titus	X	
Mr. Burchett	X		Mr. Lieu	X	
Mr. Green	X		Ms. Wild	X	
Mr. Barr			Mr. Phillips	X	
Mr. Jackson	X		Mr. Allred	X	
Mrs. Kim	X		Mr. Kim	X	
Mrs. Salazar			Ms. Jacobs	X	
Mr. Huizenga	X		Ms. Manning	X	
Mrs. Radewagen	X		Mrs. Cherfilus-McCormick	X	
Mr. Hill	X		Mr. Stanton	X	
Mr. Davidson	X		Ms. Dean	X	
Mr. Baird	X		Mr. Moskowitz	X	
Mr. Waltz	X		Mr. Jackson	X	
Mr. Kean	X		Mrs. Kamlager-Dove	X	
Mr. Lawler	X		Mr. Costa	X	
Mr. Mills	X		Mr. Crow	X	
Mr. McCormick	X		Mr. Amo	X	
Mr. Moran	X		Mr. Mfume	X	
Mr. James	X		Mr. Schneider	X	
Mr. Self	X				
Mr. Zinke	X				
Mr. Moylan	X				

09/24/2024 Foreign Affairs Markup Summary

The Chair called up the following measures separately:

1. Committee Report, Recommending that the House of Representatives find Antony Blinken, Secretary, U.S. Department of State, in contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Foreign Affairs. (McCaul) (ordered favorably reported to the House, 26Y-25N)
    - Meeks Amendment #1 (not adopted, 25Y-26N)
    - Meeks Amendment #2 (not adopted, 25Y-26N)

2. H.R. 8683, To require the Secretary of Defense and the Secretary of State to monitor efforts by the People's Republic of China to build or buy strategic foreign ports, and for other purposes. (ordered favorably reported to the House, as amended, voice vote)
    - Huizenga Substitute for the Amendment in the Nature of a Substitute #111 (adopted, voice vote)

3. H.R. 9564, To authorize the imposition of sanctions with respect to the Houthis, and for other purposes. (Issa) (ordered favorably reported to the House, as amended, voice vote)
    - Issa Amendment #215 (adopted, voice vote)

4. H.R. 9719, To amend the Foreign Assistance Act of 1961 to modify requirements regarding management of the United States Agency for International Development, and for other purposes. (Meeks) (ordered favorably reported to the House, as amended, voice vote)
    - Kim Amendment #75 (adopted, voice vote)

5. H.Res. 1348, Urging the Government of Nigeria to immediately release Tigran Gambaryan from imprisonment. (McCormick) (ordered favorably reported to the House, as amended, voice vote)
    - McCormick Amendment in the Nature of a Substitute (considered as base text by UC)

6. H.R. 9718, To provide for the approval of the Amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes. (Zinke) (ordered favorably reported to the House, voice vote)

7. H.Res. 1449, Condemning the global rise of antisemitism and calling upon countries and international bodies to counter. (Manning) (ordered favorably reported to the House, 50Y-0N)

8. H.R. 9172, To establish the Precursor Chemical Destruction Initiative to promote bilateral counterdrug interdiction efforts with the governments of specified countries, and for other purposes. (Salazar) (ordered favorably reported to the House, voice vote)

9. H.Res. 1435, Raising concern about the proposed constitutional reforms in Mexico. (Stanton) (ordered favorably reported to the House, as amended, voice vote)
    - Stanton Amendment in the Nature of a Substitute (considered as base text by UC)

10. H.R. 9082, To direct the Secretary of State to host regular Summits of the Americas, and for other purposes. (Kamlager-Dove) (ordered favorably reported to the House, as amended, voice vote)
    - Kamlager-Dove Amendment in the Nature of a Substitute (considered as base text by UC)

118TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
118–

RESOLUTION RECOMMENDING THAT THE HOUSE OF REPRESENTATIVES FIND SECRETARY OF STATE ANTONY J. BLINKEN IN CONTEMPT OF CONGRESS FOR REFUSAL TO COMPLY WITH A SUBPOENA DULY ISSUED BY THE COMMITTEE ON FOREIGN AFFAIRS

SEPTEMBER ··, 2024.—Referred to the House Calendar and ordered to be printed

Mr. MCCAUL, from the Committee on Foreign Affairs, submitted the following

R E P O R T

together with

_____ VIEWS

The Committee on Foreign Affairs, having considered this Report, reports favorably thereon and recommends that the Report be approved.

The form of the Resolution that the Committee would recommend to the House of Representatives citing Secretary of State Antony J. Blinken for contempt of Congress pursuant to this Report is as follows:

Resolved, That Antony J. Blinken, Secretary of State, shall be found to be in contempt of Congress for failure to comply with a congressional subpoena.

Resolved, That pursuant to sections 102 and 104 of the Revised Statutes of the United States (2 U.S.C. 192 and 194), the Speaker of the House of Representatives shall certify the report of the Committee on Foreign Affairs, detailing the refusal of Antony J. Blinken, Secretary of State, to give testimony to the Committee on Foreign Affairs as directed by subpoena, to the United States Attorney for the District of Columbia, to the end that Secretary Blinken be proceeded against in the manner and form provided by law.

Resolved, That the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena.

CONTENTS

EXECUTIVE SUMMARY 2
AUTHORITY AND PURPOSE 3
BACKGROUND ON THE INVESTIGATION 5
A. The Committee Seeks Information Related to the Investigative Purpose of the Committee's Inquiry into the United States' Withdrawal from Afghanistan 5
a. The Committee's Request for Testimony Comes After Thorough Investigation 5
b. Secretary Blinken Must Speak on Behalf of the Department Over Which He Holds Ultimate Responsibility 6
c. Investigation Findings on the Afghanistan Withdrawal 7
d. State Department Obstruction of Congressional Oversight of the Afghanistan Withdrawal 18
B. The Committee's Subpoena for Secretary Blinken's Testimony 21
C. Secretary Blinken's Testimony is Needed to Address the Committee's Legislative Proposals 25
D. Secretary Blinken's Defiance of Subpoena Warrants Contempt of Congress 26
CONCLUSION 27
COMMITTEE CONSIDERATION 27
COMMITTEE VOTES 27
COMMITTEE OVERSIGHT FINDINGS 27
NEW BUDGET AUTHORITY AND TAX EXPENDITURES 27
DUPLICATION OF FEDERAL PROGRAMS 28
PERFORMANCE GOALS AND OBJECTIVES 28
ADVISORY ON EARMARKS 28

EXECUTIVE SUMMARY

On September 24, 2024, U.S. Secretary of State Antony Blinken failed to comply with a duly served subpoena issued by the Committee on Foreign Affairs on September 18 for his testimony before the Committee pertaining to the Chairman of the Committee on Foreign Affairs' investigation into the 2021 withdrawal from Afghanistan and the subsequent noncombatant evacuation operation (NEO). The Committee's September 18 subpoena superseded a September 3 subpoena served on Secretary Blinken as an accommodation to the Secretary's travel schedule, compelling his appearance on a date the Secretary stated he would be in the United States. Despite repeated warnings and accommodations, Secretary Blinken refused to appear to provide his testimony before the Committee. Accordingly, Secretary Blinken has violated federal law, and must be held in contempt of Congress.

Secretary Blinken's testimony is a vital component of the Committee's investigation into the 2021 Afghanistan withdrawal, his department's shortcomings during that period, and Chairman McCaul's proposed legislative remedies. On September 9, 2021, Chairman McCaul published a report, "Willful Blindness: An Assessment of the Biden-Harris Administration's Withdrawal from Afghanistan and the Chaos that Followed" (the Report), detailing the findings of the investigation. As the Report outlines, the investigation found, among other facts, that (1) Secretary Blinken actively participated in the interagency review culminating in President Biden's Go-to-Zero order, (2) Secretary Blinken directed his department to keep U.S. Embassy Kabul open as the United States military retrograded, despite the evident risks, (3) Secretary Blinken failed to ensure the State Department planned for all contingencies, and (4) Secretary Blinken failed to request a NEO until after Kabul fell to the Taliban. As the principal decision-maker during the Afghanistan withdrawal, Secretary Blinken is responsible for the State Department's failure to effectively execute on its responsibilities to advance American foreign policy and protect American interests and citizens overseas

The Committee seeks, through Secretary Blinken's testimony, to advance the appropriate legislative proposals to remedy the causes of the failures identified in the Committee's investigation. The investigation's Report proposes legislative remedies including but not limited to codification of NEO authorities, the reestablishment of a crisis bureau in the State Department and ensuring more rigorous oversight for leadership in high threat State Department posts. The failures that led to the 2021 withdrawal from Afghanistan placed Americans at risk and continue to undermine American national security and interests abroad. Secretary Blinken's testimony is crucial to guaranteeing the appropriate remedies are instated to rectify the failures that led to the 2021 Afghanistan withdrawal and NEO.

Secretary Blinken has never appeared before the 118th Congress with regard to the Committee's investigation into the United States' withdrawal from Afghanistan. To date, he has only appeared before this Committee for a public hearing twice – both of which were for the State Department's annual budget hearings on March 23, 2023 and May 22, 2024.[1] The objective of

[1] *The State of American Diplomacy in 2024: Global Instability, Budget Challenges, and Great Power Competition: Hearing Before the H. Comm. on Foreign Affs.*, 118th Cong., (May 22, 2024); *The State of American Diplomacy in 2023: Growing Conflicts, Budget Challenges, and Great Power Competition: Hearing Before the H. Comm. on Foreign Affs.*, 118th Cong., (March 23, 2023).

those hearings was to address the State Department's fiscal year budget requests, not to discuss the U.S. withdrawal from Afghanistan or the Report, which had to yet to be published.

In the 117th Congress, Secretary Blinken appeared one time for a public hearing exclusively on Afghanistan in the immediate aftermath of the deadly NEO.[2] That appearance predated the Committee's investigation, meaning this Committee had yet to conduct any transcribed interviews or document discovery. Further, Secretary Blinken's testimony in that hearing contained misleading accounts and members did not have the benefit of this Committee's investigative findings to seek the truth.

Secretary Blinken's refusal to comply with the Committee's subpoena – despite months of notice and offers of accommodations – warrants contempt. Accordingly, Chairman McCaul recommends that Congress find Antony Blinken in contempt of Congress for his failure to comply with the Committee's duly issued subpoena.

AUTHORITY AND PURPOSE

Article I of the Constitution vests in Congress a "broad" and "indispensable" power to conduct oversight and investigations that "encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose of enabling Congress to remedy them."[3] The scope of that power of inquiry "is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution."[4] Congress's oversight and legislative powers have been repeatedly affirmed by the United States Supreme Court.[5]

Further, federal law makes it a crime to willfully fail to comply with a valid congressional subpoena for documents or testimony, "upon any matter under inquiry before either House … or any committee of either House of Congress."[6] Additionally, Congress has statutorily required that, "[t]he Department of State shall keep ... the Committee on Foreign Affairs of the House of Representatives fully and currently informed with respect to all activities and responsibilities within the jurisdiction of these committees. Any Federal department, agency, or independent establishment shall furnish any information requested by ... such committee relating to any such activity or responsibility."[7]

Per the Rules of the House of Representatives, adopted pursuant to the Rulemaking Clause of the Constitution, the Committee on Foreign Affairs (Committee) is a standing committee of the

---

[2] *Afghanistan 2001–2021: Evaluating the Withdrawal and U.S. Policies Part 1: Hearing Before the H. Comm. on Foreign Affs.*, 117th Cong., (Sept. 13, 2021).
[3] *Watkins v. United States,* 354 U.S. 178, 187, 215 (1957).
[4] *Barenblatt v. United States*, 360 U.S. 109, 111 (1959).
[5] *See* U.S. CONST. art. I; *McGrain v. Daugherty*, 273 U.S. 135, 174 (1927) (holding that "the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function"); *Eastland v. U.S. Servicemen's Fund*, 421 U.S. 491, 504 (1975) (holding that "the power to investigate is inherent in the power to make laws"); *Barenblatt v. United States*, 360 U.S. 109, 111 (1959) (holding that "the scope of power of inquiry . . . is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution").
[6] 2 U.S.C. §192.
[7] 22 U.S.C. § 2680

House of Representatives.[8] House Rule XI grants the Committee the authority "to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary" for "the purpose of carrying out any of its functions and duties."[9] Pursuant to House Rule X, the Committee is empowered to exercise that authority to conduct oversight of the Department of State and over, among other things, "[r]elations of the United States with foreign nations generally," "[d]iplomatic service," and "[p]rotection of American citizens abroad and expatriation."[10] Further, House Rule XI allows the Committee to delegate the power to authorize and issue subpoenas directly to the chairman of the committee, which the Committee has done by adopting Committee Rule 22.[11]

U.S. Secretary of State Antony Blinken was responsible for State Department equities throughout each phase of the United States' withdrawal from Afghanistan, including the decision-making process culminating in the "Go to Zero" order officially announced by President Biden on April 14, 2021, the United States military retrograde subsequent to that order, and the noncombatant evacuation operation (NEO) ordered by President Biden on August 16, 2021. In testimony before the Committee, current and former State Department officials confirmed that Secretary Blinken served as the final decisionmaker for the State Department on all issues, including issues related to the United States' withdrawal from Afghanistan.

On September 9, 2024, House Committee on Foreign Affairs Chairman Michael McCaul published his report, titled "Willful Blindness: An Assessment of the Biden Harris-Administration's Withdrawal from Afghanistan and the Chaos that Followed" (the Report), presenting his findings and legislative recommendations stemming from the Committee's three-year investigation into the Biden-Harris Administration's withdrawal from Afghanistan in 2021.[12] As explained in that Report:

> On May 22, 2024, Chairman McCaul requested U.S. Secretary of State Antony Blinken appear for a public hearing in September on the committee's report. The Chairman restated his request on August 12, 2024. Secretary Blinken asserted his intention to not appear on September 3rd, triggering the issuance of a subpoena by the committee that day, mandating his appearance for September 19th. Appropriate measures, including congressional contempt, shall be pursued should Secretary Blinken not appear.[13]

---

[8] U.S. Const. art. I, §5, cl. 2.
[9] CLERK OF THE H.R., 118TH CONG., RULES OF THE H.R., Rule XI(2)(m)(1) (2023). https://rules.house.gov/sites/republicans.rules118.house.gov/files/documents/Rules%20and%20Resources/118-House-Rules-Clerk.pdf.
[10] *Id.*, Rule X(1)(i).
[11] CLERK OF THE H.R., 118TH CONG., RULES OF THE H.R., Rule XI(2)(m)(3)(A)(i); Rules of the Committee on Foreign Affairs for the 118th Congress, rule 22 (empowering the chairman of the Committee on Foreign Affairs to authorize and issue subpoenas "in the conduct of any investigation or activity…within the jurisdiction of the Committee.").
[12] Michael T. McCaul, *Willful Blindness: An Assessment of The Biden-Harris Withdrawal from Afghanistan and the Chaos that Followed*, 118th Cong. (Sept. 9, 2024).
[13] Michael T. McCaul, *Willful Blindness: An Assessment of The Biden-Harris Withdrawal from Afghanistan and the Chaos that Followed*, 118th Cong., at 11 (Sept. 9, 2024).

As laid out in the Report, a subpoena was duly authorized, issued to, and served upon the Secretary of State on September 3, 2024, in connection with this Committee's investigation into the United States' withdrawal from Afghanistan, pursuant to authority vested in it under House Rule X.

Secretary Blinken's testimony is necessary to address the findings of the Report, as well as to address the legislative proposals set forth therein. The State Department played a critical role in executing all elements of the United States' withdrawal from Afghanistan, making Secretary Blinken's testimony essential. Indeed, over half of the 23 legislative proposals in Chairman McCaul's report relate to changes in the structure or operation of the State Department, including recommendations for codifying responsibilities for planning and executing a NEO, increasing oversight of high threat State Department posts, and reforming the State Department's reporting processes to Congress.[14] Contempt is warranted as a result of Secretary Blinken withholding testimony on these subjects.

BACKGROUND ON THE INVESTIGATION

A. The Committee Seeks Information Related to the Investigative Purpose of the Committee's Inquiry into the United States' Withdrawal from Afghanistan

a. *The Committee's Request for Testimony Comes After Thorough Investigation*

On January 12, 2023, the Committee launched an investigation into the United States' withdrawal from Afghanistan. Upon taking the majority, the Committee's investigation included three components: (1) public hearings, (2) transcribed interviews, and (3) document discovery. The Committee held seven public hearings and roundtables, 18 transcribed interviews with current or former State Department, Department of Defense, and White House officials, and reviewed over 20,000 pages of documents. All State Department witnesses – except for one foreign service officer – appeared under threat of subpoena. Regarding document productions, as explained in the Report:

> Through compulsory process, the committee majority obtained internal State Department memoranda, interview notes from the State Department's After Action Review (AAR), and a Dissent Channel Cable sent by U.S. Embassy Kabul staff in July of 2021, all of which were available for review by both majority and minority Representatives and staff. In order to secure these documents, the majority was forced to issue two subpoenas to Secretary of State Antony Blinken, threatening contempt on both occasions. Prior to the issuance of these subpoenas, the State Department's document productions consisted of duplicative documents, over-redactions, over-classification, and impertinent information.[15]

To date, the Committee has served Secretary Blinken with four subpoenas relating to this investigation, with the most recent one being the subject of this contempt report. The Committee

[14] *Id.* at 237-45.
[15] *Id.* at 14.

has scheduled two contempt markups for Secretary Blinken. A robust explanation of State Department obstruction is included in Chairman McCaul's Report.[16]

b. Secretary Blinken Must Speak on Behalf of the Department Over Which He Holds Ultimate Responsibility

The Secretary of State has a statutory responsibility to administer, coordinate, and direct the State Department and the Foreign Service.[17] Secretary Blinken, for that reason, is accountable for the policymaking and execution of State Department actions, including those conducted by subordinate Department officials.

Witnesses interviewed by the Committee provided testimony consistent with Secretary Blinken's leadership role within the State Department, including its equities during the Afghanistan withdrawal. In his transcribed interview, Ross Wilson, the Chief of Mission at U.S. Embassy Kabul during the withdrawal and NEO, identified Secretary Blinken as the "ultimate decision maker on all matters at the State Department" and said that he was "very involved on Afghan policy and made key decisions."[18] In his transcribed interview, Counselor of the Department Derek Chollet confirmed Secretary Blinken's lead role in the Afghanistan withdrawal.[19] Ned Price, State Department Spokesperson during the withdrawal and Senior Advisor to Secretary Blinken, asserted to the Committee that Secretary Blinken "is ultimately responsible for everything the Department does."[20] Secretary Blinken's Chief of Staff, Suzy George, described him as "responsible 24 hours a day, 7 days a week."[21] Ambassador Dan Smith, who was tasked by Secretary Blinken to lead the State Department's After-Action Review (AAR) on Afghanistan, further confirmed Secretary Blinken, "had overall responsibility for the Department of State and the safety and security of Department personnel and the conduct of U.S. foreign policy."[22]

Department of Defense leadership confirmed the same. General Mark A. Milley, former Chairman of the Joint Chiefs of Staff, testified to the Committee that Secretary Blinken held

---

[16] *Id.* at 195-198.
[17] *See* 22 U.S.C. § 2651a (explaining that the Secretary of State exercises principal authority to administer, coordinate, and direct the State Department and the Foreign Service); 22 U.S.C. 2656 (explaining that the Secretary of State serves as the President's principal foreign policy advisor and is responsible for the formulation and execution of approved policy); 22 U.S.C. 2671 (explaining that the Secretary of State is authorized to make expenditures for the evacuation of U.S. government employees and their dependents, U.S. citizens, and third-country nationals when their lives are endangered by war, civil unrest, or a natural disaster); 22 U.S.C. § 4802 (explaining the Secretary of State's responsibility to develop and implement policies and programs to provide for the security of U.S. diplomatic missions and personnel overseas).
[18] Transcribed Interview with Ross Wilson, Amb., U.S. Dep't of State, in Washington, D.C., at 35 (Oct. 24, 2023).
[19] Transcribed Interview with Derek Chollet, Counselor, U.S. Dep't of State, in Washington, D.C, at 19 (Dec. 19, 2023).
[20] Transcribed Interview with Ned Price, Spokesperson, U.S. Dep't of State, in Washington, D.C., at 20 (Dec. 12, 2023).
[21] Transcribed Interview with Suzy George, Chief of Staff, U.S. Dep't of State, in Washington D.C., at 90 (Dec. 14, 2023).
[22] Transcribed Interview with Daniel B. Smith, Amb., U.S. Dep't of State, in Washington, D.C., at 156 (Aug. 31, 2023).

overall decision authority regarding the initiation and execution of the NEO.[23] The planning and execution of the NEO comprise a critical element of the Committee's investigation into the withdrawal from Afghanistan, and over 100 pages of Chairman McCaul's Report are dedicated to the period leading up to and through the NEO.

The Report found that the State Department did not effectively execute on its responsibilities to advance American foreign policy and protect American interests and citizens overseas. Facts supporting that conclusion include that (1) Secretary Blinken participated in the deliberations that culminated in President Biden's go-to-zero order in spite of the Taliban being in violation of the Doha Agreement; (2) Secretary Blinken intended to keep Embassy Kabul open indefinitely, despite an advancing Taliban military and predictions of the collapse of Afghan forces; (3) Secretary Blinken failed to plan for all contingencies, including a noncombatant evacuation operation (NEO); and (4) Secretary Blinken did not request a NEO until after the Taliban entered Kabul. Accordingly, Chairman McCaul's Report found State Department decision-making created an unsafe environment at Hamid Karzai International Airport (HKIA), exposing both State and Defense Department personnel, Afghan allies, and innocent civilians to lethal threats, physical harm, and lasting emotional damage.

Secretary Blinken's testimony is required to address those findings, understand State Department decision-making, and, through legislation, prevent a like catastrophe.

c. Investigation Findings on the Afghanistan Withdrawal

i. The Interagency Review Process

Secretary Blinken's testimony is necessary to address the Committee's findings relating to the participation of the State Department in the inter-agency review process, which resulted in President Biden's "Go-To-Zero" order.

Shortly after entering office, President Biden launched an interagency review of United States' Afghanistan policy. The review was led by the National Security Council and incorporated equities from several executive agencies, including the State Department.[24] The purpose was in part to assess the 2020 Doha Agreement and the Taliban's adherence to the commitments contained therein.[25] According to former Special Representative for Afghan Reconciliation Zalmay Khalilzad, the architect of the 2020 Doha Agreement, Secretary Blinken was a "principal participant" in the interagency review of the Doha Agreement.[26] Suzy George, Chief of Staff to Secretary Blinken, said "there was ongoing work [relating to the Afghanistan withdrawal] which

---

[23] *An Assessment of the Biden-Harris Administration's Withdrawal from Afghanistan by America's Generals: Hearing Before the H. Comm. on Foreign Affs.*, 118th Cong., (Mar. 19, 2024) at 2:36:30, (statement by Mark A. Milley, Gen., U.S. Army (ret.)).

[24] U.S. Dep't of Defense, LEAD INSPECTOR GEN., OPERATION FREEDOM'S SENTINEL: LEAD INSPECTOR GENERAL REPORT TO THE UNITED STATES CONGRESS: January 1, 2021 – March 31, (2021); Transcribed Interview with Derek Chollet, Couns., U.S. Dep't of State, in Washington, D.C., at 30 (Dec. 19, 2023); Transcribed Interview with Brian McKeon, Deputy Sec'y of State for Mgmt., U.S. Dep't of State, in Washington, D.C., at 13 (Nov. 29, 2023).

[25] Press Release, Emily Horne, Nat'l. Sec. Council Spokesperson, Statement on Security Advisor Jake Sullivan's Call with National Security Advisor Hamdullah Mohib (Jan. 23, 2021).

[26] Transcribed Interview with Zalmay Khalilzad, former Spec. Rep. for Afg. Reconciliation, H. Comm. on Foreign Affs, in Washington, D.C. at 81 (Nov. 8, 2023).

the Department and the Secretary were involved in from the beginning of the administration."[27] Counselor Derek Chollet, who held Afghanistan withdrawal planning responsibilities, testified, "the Secretary of State was very engaged" in the withdrawal planning process.[28] Spokesperson and Senior Advisor Ned Price similarly described Secretary Blinken as a "constant presence in interagency discussions."[29]

That interagency review process purportedly included a review of the Taliban's adherence to Doha Agreement commitments, which included cutting ties with al Qaeda, reducing violence against Afghan forces, and engaging in meaningful negotiations with the Afghan government. Spokesperson Price testified to the Committee that Taliban adherence to the Doha Agreement ended up being "immaterial" to the interagency review process.[30] Further, testimony from Ambassador Khalilzad showed that the State Department never conducted a comprehensive assessment on whether the Taliban was adhering to the Doha Agreement.[31]

A State Department review of the Doha Agreement's conditions would have revealed noncompliance by the Taliban. Ambassador Wilson's testimony demonstrated that, throughout his tenure as Chief of Mission to Embassy Kabul, the Taliban consistently violated the Doha Agreement, including through violence towards Afghan forces and civilians and continued ties with al Qaeda.[32] Secretary Blinken's testimony would inform this Committee's understanding of why no official assessment of Taliban compliance with the Doha Agreement was conducted. This is of particular importance given that the administration continues to point to the Doha Agreement as leaving them no option but withdrawal. As the head of the State Department, Secretary Blinken is the only person qualified to address questions regarding the State Department's inputs regarding Taliban compliance with the Doha Agreement in the interagency review.

Further, this Committee's investigation uncovered reports that Secretary Blinken recommended that President Biden enforce the conditionality of the Doha Agreement. After consulting with NATO allies in Brussels, Secretary Blinken was reportedly shaken by the strength of NATO's arguments against the United States' complete and unconditional withdrawal from Afghanistan, and he told NATO Secretary General Stoltenberg in mid-April, "I share your view that it would be preferable to reach a political settlement before foreign troops depart."[33] According to Ambassador Khalilzad, during the interagency review, Secretary Blinken recommended the

---

[27] Transcribed Interview with Suzy George, Chief of Staff, U.S. Dep't of State, in Washington D.C., at 14 (Dec. 14, 2023).
[28] Transcribed Interview with Derek Chollet, Counselor, U.S. Dep't of State, in Washington, D.C, at 21 (Dec. 19, 2023).
[29] Transcribed Interview with Ned Price, Spokesperson, U.S. Dep't of State, in Washington, D.C., at 14 (Dec. 12, 2023).
[30] Press Release from Ned Price, U.S. Dep't of State (Feb. 12, 2021), https://www.state.gov/briefings/department-press-briefing-february-12-2021/; Transcribed Interview with Ned Price, Spokesperson, U.S. Dep't of State, in Washington, D.C., at 67 (Dec. 12, 2023).
[31] Transcribed Interview with Zalmay Khalilzad, Spec. Rep. for Afg. Reconciliation, U.S. Dep't of State, in Washington, D.C. at 189 (Nov. 8, 2023).
[32] Transcribed Interview with Ross Wilson, Amb., U.S. Dep't of State, in Washington, D.C., at 87-88 (Oct. 24, 2023).
[33] Afghanistan After-Action Review (AAR) Interview Notes, U.S. Dep't of State, Bates #0016962, Classification: SBU

United States pursue conditionality with regards to the Doha Agreement, pausing the withdrawal until the Taliban upheld their end of the deal.[34] Nevertheless, Secretary Blinken would later support President Biden's unconditional withdrawal from Afghanistan.

Secretary Blinken's testimony is vital because, as the State Department's principal and final decision maker, he has unique insight into the guidance he provided informing the President's decision to proceed with an unconditional withdrawal. Further, given his later support of that withdrawal, his testimony is necessary to resolve questions as to any changes in circumstance on the ground that may have informed this shift. Without his testimony, this Committee will not have a complete understanding of why the State Department ultimately supported withdrawing from Afghanistan despite the Taliban's noncompliance with the Doha Agreement.

ii. Execution of The Go-to-Zero Order

A critical decision involved in executing the Go-To-Zero Order was whether to keep the U.S. Embassy in Kabul open. Secretary Blinken's testimony is necessary to address State Department policymaking leading to the decision to keep the Embassy open.

On April 14, 2021, President Biden announced that the United States would remove all troops from Afghanistan, along with all military advisors and contractors.[35] Accordingly, and pursuant to President Biden's Go-to-Zero order, the United States military began planning and executing a rapid retrograde of U.S. troops from Afghanistan. U.S. Embassy Kabul, however, remained open during and after the departure of all U.S. troops.[36] The decision to keep it open indefinitely was reported to be based on Secretary Blinken's advice to President Biden that U.S. Embassy Kabul should remain open regardless of the military withdrawal and that there was no reason to close the embassy prior to the Taliban taking over.[37]

General Mark Milley called the decision to keep the Embassy open as the military retrograded the "fundamental flaw" of the Afghanistan withdrawal.[38] General Scott Miller, commander of U.S. Forces – Afghanistan and the highest ranking general in Afghanistan – agreed with General Milley that U.S. Embassy personnel should have left Afghanistan with the military. General Miller testified that keeping Embassy personnel in Kabul increased the danger of the withdrawal and, eventually, evacuation.[39]

---

[34] Transcribed Interview with Zalmay Khalilzad, fmr. Amb, U.S. Dep't of State, HFAC, in Washington D.C., at 147 (Nov. 8, 2023).
[35] President Joseph Biden, *Remarks by President Biden on the Way Forward in Afghanistan*, WHITE HOUSE (Apr. 14 2021) *in* https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/07/08/remarks-by-president-biden-on-the-drawdown-of-u-s-forces-in-afghanistan/.
[36] *An Assessment of the Biden-Harris administration's Withdrawal from Afghanistan by America's Generals: Hearing Before the H. Comm. on Foreign Affs.*, 118th Cong. at 00:28:20 to 00:28:40 (2024), (statement of Frank McKenzie, Gen., U.S. Army (ret.)).
[37] ALEXANDER WARD, THE INTERNATIONALISTS: THE FIGHT TO RESTORE AMERICAN FOREIGN POLICY AFTER TRUMP 64 (2024).
[38] *An Assessment of the Biden-Harris Administration's Withdrawal from Afghanistan by America's Generals: Hearing Before the H. Comm. on Foreign Affs.,* 118th Cong., (Mar. 19, 2024) at 2:06:33, (statements by Mark A. Milley, Gen., U.S. Army (ret.)).
[39] Transcribed Interview with Austin Scott Miller, Gen., U.S. Dep't of Defense, in Washington, D.C., at 195 (Apr. 15, 2023).

In addition to military warnings, members of the State Department's Bureau of Diplomatic Security warned of the dangers posed by keeping the Embassy open following the military retrograde. Interview notes from the State Department's AAR reveal there was a lack of understanding by State Department leaders – including Secretary Blinken – regarding how the Department executes its responsibilities under 22 U.S.C. § 4802, a federal law which requires the Secretary of State to develop and implement policies and programs to provide for the security of U.S. diplomatic operations, such as the U.S. Embassy in Kabul.[40]

According to former Deputy Assistant Secretary of State and Assistant Director for High Threat Programs Greg Sherman, there was a "pressure to get to yes" in the security assessments so that U.S. Embassy Kabul could remain open.[41] Mr. Sherman's concerns were echoed by other members of the Bureau of Diplomatic Security. Ambassador Dan Smith, who led the State Department's AAR, admitted to the committee "there was a concern" from members of Diplomatic Security "that sometimes, in the broader context, some of their warnings may have been more muted than they should have been."[42] "We would highlight our security concerns and we would see our language had been softened," one of those employees stated.[43]

Chairman McCaul's Report found that State Department leadership's insistence on keeping U.S. Embassy Kabul exposed foreign service officers and locally employed staff to dangers in the absence of a United States military presence and led to a failure to plan for and a delayed initiation of a NEO. Given Secretary Blinken's recommendation to maintain a diplomatic presence in Afghanistan, his testimony is pivotal to understanding why he advocated for such a decision in contravention of guidance by the military and his Bureau of Diplomatic Security. Further, Secretary Blinken's testimony would inform the Committee's consideration of the Report's recommendation that Congress make the Bureau of Diplomatic Security a direct report to the Secretary of State as a measure to ensure security assessments are afforded appropriate consideration by the Secretary of State.

Secretary Blinken also reportedly did not attend an important post retrograde planning exercise, where other department heads were present, and delegated significant responsibilities throughout the withdrawal and evacuation. Indeed, he was not present at a May 8, 2021, Rehearsal of Concept (ROC) Drill to plan for the safety and operations of U.S. Embassy Kabul. Top military generals, Secretary of Defense Austin, National Security Advisor Jake Sullivan, and Director of the Central Intelligence Agency Bill Burns were all present at that drill.[44] Secretary Blinken instead delegated executive-level responsibilities pertaining to the administration's withdrawal from Afghanistan to his subordinates.

In his transcribed interview, Ambassador Dan Smith described how Secretary Blinken tasked his Afghanistan withdrawal responsibilities to Deputy Secretary for Management and Resources (D-

---

[40] AAR Interview Notes, U.S. Dep't of State, Bates #0015982, Classification: SBU; see 22 U.S.C. § 4802.
[41] AAR Interview Notes, U.S. Dep't of State, Bates #0016113-16, Classification: SBU
[42] Transcribed Interview with Daniel B. Smith, Amb., U.S. Dep't of State, in Washington, D.C., at 112 (Aug. 31, 2023).
[43] Afghanistan After-Action Review Interview Notes, U.S. Dep't of State, Bates #0016037-38, Classification: SBU.
[44] *Afghanistan Withdrawal: Hearing Before the S. Armed Services Comm.*, 117th Cong. 1 (Sept. 28, 2021), https://www.c-span.org/video/?514537-1/senate-armed-services-committee-hearing-afghanistan-withdrawal.

MR) Brian McKeon and Counselor Chollet.[45] Ambassador Wilson further described D-MR McKeon as Secretary Blinken's "point person" on the Afghanistan withdrawal.[46] D-MR McKeon confirmed to the Committee that he split Afghanistan withdrawal planning responsibilities with Counselor Derek Chollet.[47] Counselor Chollet has previously referred to himself as Secretary Blinken's "fixer."[48] Nevertheless, in his transcribed interview, Counselor Chollet asserted approximately 100 times that he did not remember or recall, in response to substantive questions posed by the Committee related to President Biden's withdrawal from Afghanistan.[49] The Committee's investigation has recommended that both D-MR McKeon and Counselor Chollet should be condemned by Congressional Resolution for failure to effectively execute their responsibilities.

Secretary Blinken delegated the State Department's statutory responsibility to plan for a NEO to his subordinates. The Secretary's testimony is required to inform the Committee as to what instruction those subordinates received from the Secretary. Further, the Committee requires Secretary Blinken's testimony to determine why he chose D-MR McKeon and Counselor Chollet as the officials responsible to plan for the withdrawal; what supervision he maintained over their activities; and what steps he took to mitigate the fall out of his subordinate's failure to plan, as evidenced by the Chairman's report.[50]

iii. State Department Withdrawal and Evacuation Planning

The State Department holds lead responsibility for planning, initiating, and executing a NEO. The Department, however, did not plan and delayed initiation of a NEO until after the Taliban

---

[45] Transcribed Interview with Daniel B. Smith, Amb., U.S. Dep't of State, in Washington, D.C., at 156 (Aug. 31, 2023).
[46] Transcribed Interview with Ross Wilson, Amb., U.S. Dep't of State, in Washington, D.C., at 34 (Oct. 24, 2023).
[47] Transcribed Interview with Brian McKeon, Deputy Sec'y of State for Mgmt., U.S. Dep't of State, in Washington, D.C., at 13 (Nov. 29, 2023).
[48] Transcribed Interview with Derek Chollet, Counselor, U.S. Dep't of State in Washington, D.C, (Dec. 19, 2023); Derek Chollet & Ryan Evans, A Conversation with the Counselor: Derek Chollet on Navigating the World, WAR ON THE ROCKS, at 2:11-2:18 (April 13, 2022), https://warontherocks.com/2022/04/a-conversation-with-thecounselor-derek-chollet-on-navigating-the-world/.
[49] Transcribed Interview with Derek Chollet, Counselor, U.S. Dep't of State, in Washington, D.C, (Dec. 19, 2023)
[50] *See, e.g.*, Michael T. McCaul, *Willful Blindness: An Assessment of The Biden-Harris Withdrawal from Afghanistan and the Chaos that Followed*, 118th Cong., at 81 (Sept. 9, 2024) (explaining that D-MR McKeon told military leaders that the State Department had a "higher risk tolerance" when advised to withdraw Embassy Kabul alongside the military); *Id.* at 129-30 (explaining that Embassy Kabul employees attempted to destroy classified documents and sensitive U.S. government materials only when the Taliban surrounded Kabul, while Embassy leadership fled to the airport); *Id.* (explaining that "no one was really serious about the evacuation/destruction of documents until 15 August" and, as a result, classified documents and sensitive U.S. government materials were left behind to the Taliban); *Id.* at 131 (explaining that the Embassy's locally employed staff were escorted out of the airport by Embassy leadership and some of those individuals never made it back), *Id.* at 145 (explaining that Embassy Kabul employees filled Tupperware with U.S. passports and visas belonging to those in Afghanistan and Embassy leadership burned them out of panic); *Id.* at 224 (explaining that Counselor Chollet had yet to finalize concrete plans for a counterterrorism capacity post-withdrawal by August 2021 despite the Taliban's territorial advancements).

entered Kabul. Secretary Blinken's testimony is necessary to understand the State Department's failures and inform legislative remedies.

A Memorandum of Understanding signed by the State Department and the Department of Defense in 1998 establishes the State Department's NEO responsibilities. The MOA states,

> The Secretary of State will exercise overall responsibility for attaining the objectives in section A and, except as noted in section C.3.b., shall identify the offices within the Department of State having major evacuation planning and implementation responsibilities, prepare plans for the protection and evacuation of all U.S. citizens and nationals and designated other persons abroad, including Department of Defense noncombatants. These plans shall provide for in place welfare and protection, evacuation to the United States or to other safe haven areas, and their welfare and protection in those areas in the event in place protection is not feasible, lastly, coordination to maximize timely use of available military transportation assets and existing host nation support infrastructure.[51]

Nevertheless, the Committee's investigation found that the Secretary of State did not conduct appropriate planning for a NEO, and did not assume ownership over its initiation or execution. Secretary Blinken's testimony before the Committee is vital to its advancement of the Report's legislative recommendation that the authorities and responsibilities of a NEO be codified into law.

Documents subpoenaed by the Committee reveal that over the course of the summer of 2021, warnings from diplomatic security and State Department employees regarding the Taliban's advances through Afghanistan and the impending security collapse were watered down and disregarded by State Department leadership. Deputy Assistant Secretary of State for High Threat Posts Greg Sherman learned, "that [Diplomatic Security] edits to Memo clearances were watered down to Blinken," and that despite briefing Secretary Blinken at his house and making it clear Diplomatic Security was "gravely concerned" about Afghanistan, there was no appetite for NEO planning in the State Department in the Spring of 2021.[52]

Secretary Blinken's testimony is critical to the Committee's understanding of why Diplomatic Security risk assessments did not prompt a course correction by the State Department. Accordingly, the Report recommends that Congress consider making the Bureau of Diplomatic Security a direct report to the Secretary of State. As the State Department's leader, Secretary Blinken is uniquely qualified to inform the Committee's consideration of the Report's recommendation.

Further, State Department employees recalled, "Leadership in DC/Emb. Kabul not reacting appropriately or fast enough to events on the ground," and that the "signal from DC [was] that things would not implode."[53] Employees at U.S. Embassy Kabul engaged in secret NEO

---

[51] *Memorandum of Agreement Between the Departments of State and Defense on the Protection and Evacuation of U.S. Citizens and Nationals and Designated Other Persons From Threatened Areas Overseas*, U.S. Dep'ts of State & Defense (July 1998).
[52] AAR Interview Notes, U.S. Dep't of State, Bates #0016113-16, Classification: SBU.
[53] AAR Interview Notes, U.S. Dep't of State, Bates #0015992-93 and #0016019, Classification: SBU.

meetings because Ambassador Wilson discouraged NEO planning; Ambassador Wilson admonished the consul general for "giving honest assessments," and Embassy employees were "hesitant to use the [word] NEO."[54] When asked by Committee staff regarding the State Department's planning for worst-case scenarios, both D-MR McKeon and Ambassador Wilson admitted to the Committee in their transcribed interviews that the State Department never planned for a NEO under a Taliban-controlled Kabul.[55] Accordingly, the Report recommends Congress codify NEO authorities and responsibilities, including the responsibility to take the appropriate steps to plan for a NEO. As the senior-most authority at the State Department, Secretary Blinken was responsible for ensuring his department planned for such contingencies. Secretary Blinken is thus uniquely positioned to inform the Committee's consideration of the Report's recommendation.

In addition to failing to contemplate worst-case scenarios, effective NEO planning would have involved addressing the backlog of Special Immigrant Visa (SIV) applications from Afghan allies. By May 20, 2021, there were 18,000 applicants in the SIV pipeline, not including dependent family members, with the process taking an average of approximately three years.[56] State Department witnesses interviewed by the Committee – including D-MR McKeon, who had been delegated responsibility for the SIV program by Secretary Blinken – attributed the backlog to COVID-19, staffing shortages, and a coordination challenges between the State Department and Defense Department.[57] However, a long-known obstacle in the SIV processing application – obtaining critical records from the Department of Defense – was only addressed in June 2021, when the State Department first asked the Department of Defense for help.[58] D-MR McKeon admitted he did not know "why it was not done before June."[59] The failure to timely adjudicate SIV applications led to chaos at the gates of HKIA and thousands of Afghan allies left behind. Processing delays by the State Department have only persisted in the years that followed, delays that the U.S. District Court for the District of Columbia and the U.S. Court of Appeals for the D.C. Circuit held unreasonable in *Afghan & Iraqi Allies v. Blinken.*[60]

The State Department, prior to the NEO, also did not secure basing agreements or counterterrorism platforms to effectively combat al Qaeda, ISIS-K, and other national security threats following an eventual evacuation. When asked by the Committee if concrete plans for a counterterrorism capacity post-withdrawal were completed by August 2021, Counselor Chollet

---

[54] AAR Interview Notes, U.S. Dep't of State, Bates # 0015981, Classification: SBU; AAR Interview Notes, U.S. Dep't of State, Bates # 0016124-26, Classification: SBU.
[55] Transcribed Interview with Brian McKeon, D-MR, U.S. Dep't of State, in Washington, D.C., at 79 (Nov. 29, 2023). Transcribed Interview with Ross Wilson, Amb., U.S. Dep't of State, in Washington, D.C., at 182 (Oct. 24, 2023).
[56] Smolinski, Paulina and Eleanor Watson, *Lawmakers Urge Speeding Up Special Visas for Afghans who Aided U.S. Troops*, CBS NEWS (May 20, 2021, 8:01 PM), https://www.cbsnews.com/news/afghanistan-special-immigration-visas-for-afghans-lawmakers/.
[57] Transcribed Interview with Brian McKeon, D-MR, U.S. Dep't of State, in Washington, D.C., at 14 (Nov. 29, 2023).
[58] *Id.* at 91.
[59] *Id.* at 89.
[60] *Afghan & Iraqi Allies v. Blinken*, 643 F. Supp. 3d 148, 152 (D.D.C. 2022), *aff'd* Case No. 23-5025 (D.C. Cir. June. 7, 2024).

said they were "underway."[61] This responsibility had been delegated to Counselor Chollet by Secretary Blinken. The Committee's investigation found that the failure to secure basing agreements led to degraded counterterrorism capabilities in Afghanistan.[62]

Similarly, Counselor Chollet testified that the State Department did not secure "lily pad" agreements with foreign countries until after the NEO was initiated, which are agreements to allow evacuation flights with eligible Afghan populations to land in a third country for processing.[63] Secretary Blinken had also tasked Counselor Chollet with this responsibility. The failure to plan in advance of the NEO caused evacuation bottlenecks.[64] Given Counselor Chollet's aforementioned inability to answer the questions posed by the Committee in his transcribed interview, and as the United States' chief diplomat, the Committee requires Secretary Blinken's testimony to account for his department's failure to secure counterterrorism basing and lily pad agreements before the NEO. It was Secretary Blinken who delegated those responsibilities to Counselor Chollet, and he is therefore responsible for his subordinate's actions – or inaction.

State Department employees at U.S. Embassy Kabul sent a Dissent Channel Cable on July 13, 2021, expressing grave concerns with keeping U.S. Embassy Kabul open following the military retrograde and warning the administration of a Taliban takeover of Afghanistan.[65] The warnings from the Dissent Channel Cable were not heeded: U.S. Embassy Kabul did not materially reduce its footprint or develop an actionable plan for a NEO.[66] According to Salman Ahmed, the Director of the State Department's Policy Planning Staff and the custodian of the Dissent Channel, Secretary Blinken personally read and cleared the Cable.[67]

The Committee's investigation reveals that the concerns identified in the Dissent Channel cable ultimately came to fruition. Accordingly, the Committee requires Secretary Blinken's testimony to understand why the warnings in the Dissent Channel Cable did not prompt a course-direction in planning by the State Department. Further, the Report proposes a legislative recommendation regarding the sharing of Dissent Channel cables, given the State Department's failure to appropriately respond to its personnel on the ground. Per the Report, the State Department is advised to share all share all Dissent Channel cables pertaining to the safety and security of U.S. Embassy personnel and American citizens with the Secretary of Defense, heads of appropriate elements of the intelligence community, and heads of any other relevant federal entities. The

---

[61] Transcribed Interview with Derek Chollet, Counselor, U.S. Dep't of State, in Washington D.C., at 57 (Dec. 19, 2023).
[62] *CENTCOM Abbey Gate Investigation Report*, Ex. 21, at 15 (2021), https://www3.centcom.mil/FOIALibrary/cases/21-0545/04%20AR%2015-6%20ROI%20Abbey%20Gate%20Exhibits%2021-40.pdf.
[63] Transcribed Interview with Derek Chollet, Counselor, U.S. Dep't of State, in Washington, D.C., at 159 (Dec. 19, 2023).
[64] *CENTCOM Abbey Gate Investigation Report*, Ex. 21, at 15 (2021), https://www3.centcom.mil/FOIALibrary/cases/21-0545/04%20AR%2015-6%20ROI%20Abbey%20Gate%20Exhibits%2021-40.pdf.
[65] Vivian Salama, Internal State Department Cable Warned of Kabul Collapse, WSJ, (Aug. 19, 2021) https://www.wsj.com/articles/confidential-state-department-cable-in-july-warned-of-afghanistans-collapse-11629406993.
[66] AAR Interview Notes, U.S. Dep't of State, Bates #0016057-61, Classification: SBU.
[67] Transcribed Interview with Salman Ahmed, Dir. of Policy Planning, U.S. Dep't of State, in Washington, D.C., at 88, 90 (Oct. 12, 2023).

Secretary, while protecting the privacy and identity of those individuals transmitting the Dissent Channel cable, should further share any such cables with the Chairs and Ranking Members of the committees of jurisdiction in an appropriate setting. As the final authority on the Dissent Channel Cables and the information contained therein, Secretary Blinken's testimony is paramount to the Committee's consideration of that proposal.

iv. The NEO

The Committee's investigation found that the State Department's delay in requesting a NEO came far too late – requested by the State Department on August 15, 2021, and ordered the next day by President Biden – damaging evacuation operations and contributing to deadly chaos on the ground. In the ensuing NEO, the State Department did not assume a leadership mantle, despite its responsibility, instead deferring to and over-burdening Department of Defense partners.

Despite the rapid Taliban takeover of Afghan provinces in the first weeks of August,[68] according to Ambassador Wilson, Secretary Blinken did not push U.S. Embassy Kabul to evacuate until a NEO was eventually ordered on August 15, 2021.[69] When Afghanistan fell to the Taliban on August 15, Secretary Blinken, was vacationing in East Hampton, New York.[70] Secretary Blinken's testimony is necessary to answer the outstanding questions of how State Department, under his leadership, failed to request a NEO until the Taliban had taken Kabul, and to answer for the resulting chaotic execution thereof.

When Ambassador Wilson requested a NEO on August 15, pursuant to the State Department's responsibility under the Joint Publication 3-68,[71] the Taliban had already taken over Kabul.[72] According to Counselor Chollet, "ultimately the Secretary of State makes the decision" to request a NEO.[73] Documents reviewed by the Committee and testimony by former State Department officials evidence that the evacuation of U.S. Embassy Kabul only began a day prior to the Taliban takeover on August 14, 2021.[74] The consequences of Embassy Kabul commencing

---

[68] *CENTCOM Abbey Gate Investigation Report*, Enclosure 09 (2021).
[69] Transcribed Interview with Ross Wilson, Amb., U.S. Dep't of State, in Washington, D.C., at 38 (Oct. 24, 2023).
[70] Susannah George, Missy Ryan, Tyler Pager, Pamela Constable, John Hudson and Griff Witte, Surprise, panic and fateful choices: The day America lost its longest war, WASH. POST (Aug. 28, 2021). https://www.washingtonpost.com/world/2021/08/28/taliban-takeover-kabul/.
[71] JOINT CHIEFS OF STAFF, U.S. DEP'T OF DEF., JOINT PUBL'N 3-68, NONCOMBATANT EVACUATION OPERATIONS, at I-1 (2015), https://irp.fas.org/doddir/dod/jp3_68.pdf.
[72] Joint Publication 3-68, Joint Noncombatant Evacuation Operations, (May 2022) https://www.afpc.af.mil/Portals/70/documents/CRISIS%20SUPPPORT/JP3_68%20Joint%20Noncombatant%20Evacuation%20Opeations%20(Leadership).pdf; Transcribed Interview with Ross Wilson, Amb., U.S. Dep't of State, H. Comm. on Foreign Affs, in Washington, D.C., at 148, (Oct. 24, 2023); *CENTCOM Abbey Gate Investigation Report*, Ex. 21, at 5 and 6 (2021), https://www3.centcom.mil/FOIALibrary/cases/21-0545/04%20AR%2015-6%20ROI%20Abbey%20Gate%20Exhibits%2021-40.pdf.
[73] Transcribed Interview with Derek Chollet, Counselor, U.S. Dep't of State, in Washington, D.C, at 146 (Dec. 19, 2023).
[74] *CENTCOM Abbey Gate Investigation Report*, Ex. 126, at 67 (2021) https://www3.centcom.mil/foialibrary/cases/21-0545/09%20ar%2015-6%20roi%20abbey%20gate%20exhibits%20121-140%20part%201%20of%202.pdf; Transcribed Interview with James DeHart, Consul General, in Washington D.C., at 17 (June 16, 2023).

evacuation protocol on August 14th placed Embassy Kabul employees, American citizens, and United States national security interests at grave risk.

According to documents and testimony obtained by the Committee, the State Department's failure to plan resulted in panic at the Embassy: (1) American passports and visa foils were burned, (2) classified information was left behind to the Taliban, and (3) locally employed staff were instructed to destroy badges they would later need to identify themselves as eligible for evacuation.[75] Because of the rapid military retrograde and the State Department's lack of NEO planning, the United States military did not have sufficient time or troops on the ground to secure HKIA and were forced to rely on the Taliban to establish security checkpoints.[76]

In the first days of the NEO, security was not yet established, and desperate Afghans rushed the tarmac; photos and videos captured the harrowing scene of desperate civilians clinging to C-17s.[77] Even after American troops regained control of the airport, security outside the gates remained volatile. Evidence and testimony acquired by the Committee evidence Taliban brutality at security checkpoints included murder, wanton violence, and targeting of certain individuals, which deterred Americans from attempting to evacuate Afghanistan.[78]

Additionally, once the NEO was finally requested by the State Department, there were insufficient consular officers on the ground the eligible, Afghan evacuation populations had not been determined, and the State Department could not identify Americans in Afghanistan. As a result, consular officers and American servicemembers relied on constantly evolving evacuation criteria and ad-hoc decision making about which evacuees to let into HKIA. The burden on military personnel to support consular services by administering HKIA entry points with insufficient guidance created burden and strain on military resources. And insufficient consular officers led to backlogs in evacuee processing.

Security risks mounted throughout the NEO. On August 26, 2021, after days of intelligence warnings, ISIS-K terrorists conducted an attack at Abbey Gate killing 13 United States servicemembers and over 170 Afghans, and injuring 45 United States servicemembers along

---

[75] AAR Interview Notes, U.S. Dep't of State, Bates #0016055-56, Classification: SBU; Transcribed Interview with Jayne Howell, Consul General, in Washington D.C., at 129 (July 28, 2023); AAR Interview Notes, U.S. Dep't of State, Bates #0016057-61, Classification: SBU; Transcribed Interview with John Bass, Under Sec'y of State for Mgmt., in Washington, D.C., at 143 (Jan. 22, 2024); Transcribed Interview with Samuel Aronson, Foreign Serv. Officer, U.S. Dep't of State, in Washington, D.C., at 123-124 (Sept. 15, 2023).

[76] *CENTCOM Abbey Gate Investigation Report*, Ex. 121, at 3 (2021), https://www3.centcom.mil/foialibrary/cases/21-0545/09%20ar%2015-6%20roi%20abbey%20gate%20exhibits%20121-140%20part%201%20of%202.pdf.

[77] Sameer Yasir, *Zaki Anwari, Afghan Soccer Player Who Fell from U.S. Plane, Is Dead,* N.Y. TIMES (Aug. 19, 2021), https://www.nytimes.com/2021/08/19/world/asia/zaki-anwari-dead.html.

[78] Consular Officers: General Kenneth F. McKENZIE, THE MELTING POINT: HIGH COMMAND AND WAR IN THE 21ST CENTURY, 239 (Naval Institute Press ed. 1st ed. 2024); *CENTCOM Abbey Gate Investigation Report*, Ex. 82, at 32 (2021), https://www3.centcom.mil/foialibrary/cases/21-0545/07%20ar%2015-6%20roi%20abbey%20gate%20exhibits%2081-100%20part%201%20of%202.pdf; U.S. DEP'T OF STATE, AFTER ACTION REVIEW ON AFGHANISTAN (Mar. 2022), https://www.state.gov/wp-content/uploads/2023/06/State-AAR-AFG.pdf; Transcribed Interview with Samuel Aronson, Foreign Serv. Officer, U.S. Dep't of State, in Washington, D.C., at 97-98 (Sept. 15, 2023); Transcribed Interview with Jayne Howell, Consul General, in Washington D.C., at 106,107 (July 28, 2023); Transcribed Interview with Brian McKeon, D-MR, U.S. Dep't of State, in Washington, D.C., at 75 (Nov. 29, 2023);

with countless more Afghans. According to documents and testimony reviewed by the Committee, this horrific attack was made possible by the chaotic nature of executing an unplanned NEO at a civilian airport and the decision to rely on the Taliban for checkpoint security.[79] General McKenzie – former Commander of U.S. Central Command throughout the Afghanistan withdrawal and NEO – testified before the Committee, "If there is culpability in this attack, it lies in policy decisions that created the environment of August 2021 in Kabul."[80] Secretary Blinken and the State Department's failure to plan for a NEO directly led to the high-risk environment under which the United States military was forced to operate.

Secretary Blinken held ultimate responsibility for the NEO. According to Ambassador John Bass, who was sent to Kabul to help lead the NEO on August 17 with only 24 to 48 hours' notice, "Secretary Blinken was exercising overall authority and coordination for the Department" during the NEO.[81] As such, Secretary Blinken's testimony before the Committee is paramount to the Committee's advancement of the Report's legislative proposals regarding NEO operations.

One such recommendation proposed by the Report encourages Congress to require the State Department and the Department of Defense to maintain standard operating procedures for NEOs. As evidenced by the events that unfolded during the NEO – including processing of evacuees by military personnel and ad-hoc determinations of eligible evacuation populations – the State Department failed to maintain standard operating procedures that aligned with the Department of Defense's standard operating procedures during the NEO. Secretary Blinken's testimony would further the Committee's consideration of that recommendation to ensure that both the Department of State and the Department of Defense are operating under the same standards during emergency evacuations.

Further, the Report recommends the reestablishment of a crisis response bureau in the State Department to respond to situations similar to Afghanistan, which Secretary Blinken dissolved in July 2021. The Report's proposed bureau would be equipped with extensive crisis management experience and would be prepared to safely evacuate U.S. government personnel, family members, and U.S. citizens. As the individual responsible for the dissolution of the State Department's prior crisis bureau, Secretary Blinken's testimony is needed to advance the Committee's consideration of the recommended reestablishment of this bureau to ensure the State Department is not again caught unprepared to conduct the next NEO.

As previously mentioned, the Report found that the State Department did not develop processes to identify Americans in Afghanistan, despite admission by State Department officials that existing processes were largely ineffective. Accordingly, the Report recommends that the State Department improve efforts to account for all U.S. citizens traveling to Level 4 Travel Advisory

---

[79] ARCENT Supplemental Review — (U) Identity Resolution — Quick Look — (U) Date of Report: 10/17/2023; https://www.defense.gov/News/News-Stories/Article/Article/3741245/kabul-airport-attack-review-reaffirms-initial-findings-identifies-attacker/; Press Release from John Kirby, U.S. Dep't of Defense (Aug. 16, 2021), https://www.centcom.mil/MEDIA/Transcripts/Article/2789438/pentagon-press-secretary-john-f-kirby-holds-a-press-briefing-aug-26-2021/.

[80] *An Assessment of the Biden Administration's Withdrawal from Afghanistan by America's Generals: Hearing Before the H. Comm. on Foreign Affs.*, 118th Cong., (Mar. 19, 2024) at 00:30:30, https://foreignaffairs.house.gov/hearing/a-strategic-failure-bidens-withdrawal-americas-generals-and-the-taliban-takeover/ (statement of Kenneth F. McKenzie Jr., Gen., U.S. Marine Corps (ret.)).

[81] Transcribed Interview with John Bass, Amb, U.S. Dep't of State, in Washington, D.C., at 63 (Jan. 22, 2024).

countries – as Afghanistan was throughout 2021. As the individual responsible for the safety and security of American citizens overseas during the Afghanistan withdrawal, Secretary Blinken's testimony is critical for this Committee to effectuate that recommendation through legislation.

The Report also found persistent failures in the State Department's leadership during the NEO. As evidenced by the delayed NEO request and the refusal to acknowledge the risks on the ground, Ambassador Wilson was unprepared to lead U.S. Embassy Kabul, a High Threat Post, during the withdrawal. As the authority responsible for the United States' diplomatic missions overseas, Secretary Blinken's testimony is needed to address the Report's legislative recommendation that High Threat Post leadership selection be more rigorous. Similarly, as the head of the State Department during the Afghanistan NEO, Secretary Blinken is uniquely positioned to inform the consideration of the Report's recommendation that the Department designate a single official as lead during a NEO or other crisis situations.

Finally, according to one State Department employee interviewed over the course of the AAR, the State Department "did not have to put [State Department] people through what they went through."[82] Another State Department employee attested that the AAR team was the first to reach out to anyone after the NEO and described how they "lost trust in the institution."[83] In addition to placing American servicemembers, State Department employees, Americans and allies at risk, Secretary Blinken's failures to effectively plan and execute the NEO injured the State Department as an institution. The Committee has a vested interest in hearing from Secretary Blinken regarding his role in this institutional failure and in pursuing the avenues available for legislative remediation of the institutional injury wrought by his tenure as the head of the State Department.

d. State Department Obstruction of Congressional Oversight of the Afghanistan Withdrawal

Over the course of the Committee's inquiry, the State Department has withheld relevant documents and witnesses from the Committee. This obstruction directly involved Secretary Blinken and was effectuated under his leadership by subordinates. Since the inception of the investigation, the Committee was forced to issue two subpoenas compelling the production of State Department documents vital to the Committee's investigation into the withdrawal from Afghanistan.

The Committee first served a subpoena compelling document productions on the State Department relating to the investigation into the Afghanistan withdrawal on March 28, 2023. [84] The subpoena compelled access to the Dissent Channel cable, including the State Department's official response to it.[85] The Dissent Channel Cable was an internal cable signed by 23 U.S. Embassy Kabul employees, sent on July 12, 2021, through the State Department's Dissent Channel. The Wall Street Journal first reported on the cable during the NEO, describing how it

---

[82] AAR Interview Notes, U.S. Dep't of State, Bates #0016109-12, Classification: SBU.
[83] AAR Interview Notes, U.S. Dep't of State, Bates #0016019, Classification: SBU.
[84] Subpoena from the U.S. House of Rep. Comm. on Foreign Affs. to Antony Blinken, Sec'y of Dep't of State, 118th Cong. 4 (Mar. 28, 2023).
[85] Subpoena from the U.S. House of Rep. Comm. on Foreign Affs. to Antony Blinken, Sec'y of Dep't of State, 118th Cong. 4 (Mar. 28, 2023).

warned Secretary Blinken "of the potential collapse of Kabul soon after the U.S.'s Aug. 31 troop withdrawal deadline in Afghanistan."[86]

Chairman McCaul requested access to the Dissent Channel cable on January 12, 2023, but for months, Secretary Blinken refused to provide access to this crucial document.[87] On May 5, 2023, Chairman McCaul sent a letter to Secretary Blinken warning of contempt if his State Department failed to produce the Dissent Channel cable.[88] Only then did Secretary Blinken agree to permit Chairman McCaul and Ranking Member Meeks to view the Dissent Channel cable on May 23, 2023. Pursuant to Chairman McCaul's efforts, all members of the Committee gained access to the cable on June 5, 2023.[89] The Dissent Channel cable contributed significantly to the Committee's investigation, revealing how State Department and U.S. Embassy Kabul leadership ignored the dire warnings of personnel on the ground until it was too late.

Similarly, the State Department obstructed the Committee's access to the State Department's AAR of the withdrawal from Afghanistan and its underlying documents. On January 30, 2023, the Committee initially requested the production of "[a]ll documents resulting from State Department internal reviews related to the Afghanistan withdrawal," to better understand the department's role in the withdrawal.[90] It was only after multiple threats of compulsory process by the Committee that the Department finally produced just the AAR on March 20, 2023. However, that production did not satisfy the Committee's request for the AAR's underlying documents.[91]

From March through July 2023, the State Department failed to turn over the AAR's underlying documents. Accordingly, on July 18, 2023, the Committee was forced to serve the Department with its second document production subpoena pursuant to its investigation into the Afghanistan withdrawal.[92] Of the approximately 11,264 pages produced by July 2023, 4,624 pages were heavily redacted, blank, public remarks, public reports, or otherwise irrelevant. The July 18 subpoena compelled the State Department's production of the AAR supporting materials by July 25, 2023.[93] The State Department's subsequent production, however, still failed to comply with

---

[86] Vivian Salama, *Internal State Department Cable Warned of Kabul Collapse*, WSJ, (Aug. 19, 2021). https://www.wsj.com/articles/confidential-state-department-cable-in-july-warned-of-afghanistans-collapse-11629406993 .

[87] Letter from Michael T. McCaul, Chairman, HFAC, to Antony Blinken, Secretary of State, U.S. Dep't of State (Jan. 12, 2023).

[88] Letter from Michael T. McCaul, Chairman, HFAC, to Antony Blinken, Secretary of State, U.S. Dep't of State (May 5, 2023).

[89] *Press Release, House Committee on Foreign Affairs, McCaul Secures Access to Dissent Cable for All HFAC Members* (June 5, 2023), https://foreignaffairs.house.gov/press-release/mccaul-secures-briefing-of-dissent-cable-for-all-hfac-members/ .

[90] Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Antony J. Blinken, Sec'y of State, U.S. Dep't of State (Jan. 12, 2023).

[91] Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Antony J. Blinken, Sec'y of State, U.S. Dep't of State (Apr. 25, 2023); Meeting between Brian Mast, Subcomm. Chairman, Oversight and Accountability, HFAC, & Richard Verma, D-MR, U.S. Dep't of State, in Washington, D.C. (May 23, 2023).

[92] *Subpoena from the U.S. House of Rep. Comm. on Foreign Affs. to Antony Blinken, Sec'y of Dep't of State*, 118th Cong. (July 18, 2023).

[93] *Id.*

the subpoena. On August 11, 2023, Secretary Blinken spoke by phone with Chairman McCaul and communicated his personal commitment to cooperating with the July subpoena.[94]

On August 31, 2023, the Committee held a transcribed interview with Ambassador Daniel Smith, the author of the AAR. Ambassador Smith testified he and his team "took notes on the interviews," which took the form of "memorand[a] of conversation," and that the State Department would be "in the custody of the State Department."[95] The AAR interview memoranda were responsive to the Committee's longstanding AAR files request and had yet to be produced. On September 8, 2023, the Committee again requested that the Department produce, among other priority items, the "AAR team's interview notes, including but not limited to all of the AAR team's memoranda of conversation and all attachments."[96] As primary source documents, these notes were vital to the Committee's investigation into the withdrawal from Afghanistan.

After months of noncompliance, in a February 26, 2024 letter, Chairman McCaul informed Secretary Blinken the Committee would move forward with contempt of Congress proceedings.[97] Accordingly, on February 29, 2024, Chairman McCaul announced that the full Committee would hold a markup to consider a resolution recommending the House of Representatives find Secretary Blinken in contempt of Congress for his continued refusal to comply with the subpoena served by the Committee in July 2023.[98] It was only on March 6, 2024, on the eve of contempt proceedings, that Secretary Blinken agreed to make available the AAR interview notes. As the Report demonstrates, those notes contained detailed information critical to this Committee's investigation, illustrating through firsthand accounts the Department's failures in the handling of the withdrawal from Afghanistan.

The State Department similarly obstructed the Committee's requests for State Department witness testimony. On May 14, 2023, the Committee requested five transcribed interviews of key department witnesses who were tasked with leading the State Department's NEO efforts on the ground or the planning of the withdrawal. It took the department nearly three months to schedule the first of those witnesses.[99] On August 30 and September 8, 2023, the Committee submitted

---

[94] Call between Michael T. McCaul, Chairman, HFAC, to Antony Blinken, Sec'y of State, U.S. Dep't of State (August 11, 2023).
[95] Transcribed Interview with Dan Smith, Amb., U.S. Dep't of State, in Rayburn House Office Bldg. at 45, 86-87 (Aug. 31, 2023).
[96] Letter from Michael T. McCaul, Chairman, HFAC, to Antony Blinken, Sec'y of State, U.S. Dep't of State (Sept. 8, 2023).
[97] Letter from Naz Durakoglu Assistant Secretary, Bureau of Legislative Affairs, U.S. Dep't of State, to Chairman McCaul, HFAC (October 20, 2023); Call between HFAC Majority staff and U.S. Dep't of State staff (Nov. 16, 2023); Contemporaneous notes of the January 12, 2024 conversation between HFAC Staff and State Department officials (on file with the Committee); Letter from Michael T. McCaul, Chairman, HFAC, to Antony Blinken, Sec'y of State, U.S. Dep't of State (February 26, 2024).
[98] Chairman McCaul Announces Markup Holding Secretary Blinken in Contempt of Congress (Feb. 29, 2024) https://foreignaffairs.house.gov/press-release/chairman-mccaul-announces-markup-holding-secretary-blinken-in-contempt-of-congress-2/.
[99] Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Antony J. Blinken, Sec'y of State, U.S. Dep't of State (May 14, 2023); Email from U.S. Dep't of State staff to HFAC Majority staff (Aug. 15, 2023) (on file with author).

additional requests for transcribed interviews of ten key Department witnesses.[100] Yet again, it was not until September 29, 2023 — after the Committee was forced to threaten compulsory process — that the State Department agreed to arrange the appearances of these witnesses.[101] The only State Department witness to appear on request and not under threat of subpoena was former foreign service officer Sam Aronson, who had volunteered to aid the State Department's NEO.

Throughout its investigation, the Committee was forced to serve Secretary Blinken three subpoenas and one superseding subpoena. The State Department responded to the first two subpoenas only after contempt proceedings were instituted. The Committee finds itself in the same position with regard to its third and fourth subpoena, which call for Secretary Blinken's public testimony on the findings of Chairman McCaul's Report. As an accommodation to Secretary Blinken's travel schedule, the Committee issued its superseding subpoena amending the hearing date from September 19 to September 24, 2024, when Secretary Blinken, by his own admission, would be in the United States.

B. The Committee's Subpoena for Secretary Blinken's Testimony

On March 22, 2024, Secretary Blinken appeared before the Committee for the annual budget hearing, *The State of American Diplomacy in 2024: Global Instability, Budget Challenges, and Great Power Competition*. During that hearing, Chairman McCaul asked for Secretary Blinken's commitment to testify before the Committee following the release of the report on the committee's investigation into the withdrawal from Afghanistan. Chairman McCaul asked, "will you commit to appearing before the committee for a hearing on Afghanistan? We've had the top brass of the military do so, and the I think the Gold Star families deserve that as well." [102] To which Secretary Blinken responded, "we've engaged in very good faith in this…we can have our teams talk about that."[103]

Despite months of coordination by Committee staff, the State Department failed to schedule a date or even provide availability for Secretary Blinken's appearance in September before the Committee. On August 12, 2024, Chairman McCaul sent Secretary Blinken a letter asking that the Secretary confirm his appearance for a public hearing on September 10, 2024 to discuss the findings in the Chairman's forthcoming report, and to confirm by no later than August 19, 2024.[104] This letter further indicated that should the Secretary choose "not to appear voluntarily,"

---

[100] Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Antony J. Blinken, Sec'y of State, U.S. Dep't of State (Aug. 30, 2023); Letter from Michael T. McCaul, Chairman, HFAC, to Jen Psaki, fmr. White House Press Sec'y, (Sept. 8, 2023).

[101] Email from U.S. Dep't of State staff to HFAC Majority staff (Sept. 29, 2023) (on file with author). Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Antony J. Blinken, Sec'y of State, U.S. Dep't of State (Aug. 30, 2023).

[102] *The State of American Diplomacy in 2024: Global Instability, Budget Challenges, and Great Power Competition: Hearing Before the H. Comm. on Foreign Affs.*, 118th Cong, at 1:05:25 (May 22, 2024) (statement of Chairman Michael McCaul).

[103] *Id.* at 1:06:41 (statement of Antony Blinken, Sec'y of State).

[104] Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Antony J. Blinken, Sec'y of State, U.S. Dep't of State (August 12, 2024).

the Committee would be obligated to proceed with compulsory process to compel his appearance.[105] The State Department then requested a telephone call with Chairman McCaul.

On August 19, 2024, Chairman McCaul reminded Secretary Blinken by phone that the Chairman's Report on the withdrawal would be released on September 9, 2024. The Chairman reiterated that Secretary Blinken needed to appear before the Committee at a public hearing to address the Committee's findings as set forth in the Report and inform the Committee's consideration of the Report's legislative proposals.[106] During this call, the Chairman accommodated the Department's request for additional time to schedule an appearance, which the Secretary indicated would be "nail[ed] [] down in the next week."[107]

On August 26, 2024, Committee staff reached out to the State Department, seeking Secretary Blinken's proposed alternate date for a hearing on the Report.[108] Committee staff again followed up with August 27, 28, and 29, reiterating the Committee's need to finalize a date for the hearing. State Department staff failed to provide a date. On August 30, 2024, Committee staff notified their State Department counterparts that because Secretary Blinken's appearance had yet to be scheduled, the Chairman was forced to serve Secretary Blinken with a third subpoena. In response, State Department officials requested another telephone call.

On September 3, 2024, Chairman McCaul spoke with Secretary Blinken and reiterated his expectation that he appear before Congress to address the Committee's investigation into the Afghanistan withdrawal, including its factual findings and legislative proposals in the Report.[109] Secretary Blinken refused, pointing to his prior appearances before Congress where Afghanistan was mentioned as satisfying the need for his testimony.[110] When asked by Chairman McCaul to dedicate a few hours for public testimony, Secretary Blinken asserted was unavailable every single day in September.[111] Secretary Blinken apparently planned to attend events associated with the United Nations General Assembly in New York the week of September 23 to 27 and was unwilling to travel back to D.C. during any of those days for a hearing.[112] The United States has a designated United Nations Ambassador, Linda Thomas-Greenfield, who would also be in attendance.

During that call, Secretary Blinken proffered his deputies, Deputy Secretary Richard Verma and Deputy Secretary Kurt Campbell, to testify in his stead.[113] He was reminded by Chairman McCaul that neither Deputy Secretary Verma or Deputy Secretary Campbell were involved in Afghanistan withdrawal policy, nor even at the State Department during the time of the

---

[105] *Id.*
[106] Call between Michael T. McCaul, Chairman, HFAC, and the Hon. Antony J. Blinken, Sec'y of State, U.S. Dep't of State (August 19, 2024).
[107] *Id.*
[108] Call between HFAC Majority staff and U.S. Dep't of State staff (Aug. 26, 2024).
[109] Call between Michael T. McCaul, Chairman, HFAC, and the Hon. Antony J. Blinken, Sec'y of State, U.S. Dep't of State (Sept. 3, 2024).
[110] *Id.*
[111] *Id.*
[112] *Id.*
[113] *Id.*

withdrawal.[114] He was similarly reminded that neither possess Secretary Blinken's authority.[115] Secretary Blinken stated that he would only agree to provide testimony in November or December 2024.[116]

Given Secretary Blinken's refusal to appear in September – despite six months of notice and countless requests – Chairman McCaul served Secretary Blinken with a subpoena compelling the Secretary of State's appearance on September 19 to testify on the Afghanistan withdrawal.[117] The Chairman notified Secretary Blinken that he remained open to any date in September, and presented the Secretary with two options: provide an alternative date in September or comply with the subpoena. The Chairman warned the Secretary that if he did neither, the Committee was prepared to move forward with contempt proceedings.

On September 9, 2024, the Chairman released his Report on the United States' withdrawal from Afghanistan.[118] On September 10, Committee Staff informed State Department staff that Chairman McCaul remained "flexible with any date in September," however, the State Department had yet to propose an alternative date.[119] Committee staff highlighted that if the State Department is unable to provide an alternative date by September 12, the Committee would notice a contempt markup.[120]

On September 12, State Department staff again reoffered the testimony of Deputy Secretary Verma or Deputy Secretary Campbell as substitutes for Secretary Blinken.[121] According to State Department staff, "[g]iven that the Secretary has publicly responded to Members' questions on Afghanistan in each of his [two] budget hearings and a [2021] hearing dedicated to Afghanistan, these are reasonable accommodations to what the Chairman has requested."[122] That same day, Committee staff responded that neither Deputy Secretary Verma nor Deputy Secretary Campbell were appropriate substitutes for the Secretary of State.[123] Committee staff reiterated, "The Secretary should be able to afford a coequal branch of government a few hours of time to address the majority's historic report on the U.S. withdrawal from Afghanistan, culminating in the death of 13 U.S. servicemembers and over 170 Afghan civilians."[124]

On September 12, due to the State Department's repeated refusal to schedule Secretary Blinken's appearance, the Committee noticed a contempt markup for September 19.[125] On September 16, the Committee was made aware through a public press release that Secretary Blinken would be

---

[114] *Id.*
[115] *Id.*
[116] *Id.*
[117] *Subpoena from the U.S. House of Rep. Comm. on Foreign Affs. to Antony Blinken, Sec'y of Dep't of State,* 118th Cong. 4 (Sept. 3, 2024).
[118] Michael, McCaul, *Willful Blindness: An Assessment of The Biden-Harris Withdrawal from Afghanistan and the Chaos that Followed*, 118th Cong. (Sept. 9, 2024).
[119] Email from HFAC Majority Staff to U.S. Dep't of State staff (Sept. 10, 2024).
[120] *Id.*
[121] Email from U.S. Dep't of State staff to HFAC Majority Staff (Sept. 12, 2024).
[122] *Id.*
[123] Email from HFAC Majority Staff to U.S. Dep't of State staff (Sept. 12, 2024).
[124] *Id.*
[125] Markup Notice from Michael T. McCaul, Chairman, HFAC, to Members of HFAC (Sept. 12, 2024), https://foreignaffairs.house.gov/wp-content/uploads/2024/09/2024.09.19-Full-Committee-Markup63.pdf.

in Egypt to address ongoing efforts to reach a ceasefire in the Israel-Gaza conflict.[126] Given the Committee's need for Secretary Blinken's testimony to inform the advancement of legislative proposals, and as an accommodation to the Secretary's travel schedule, the Committee rescheduled a hearing for Secretary Blinken's testimony for September 24.[127] According to Secretary Blinken's publicly announced schedule, he is scheduled to be in the United States that day.[128]

On September 17, Committee staff notified State Department staff that a superseding subpoena would be issued the next day to accommodate Secretary Blinken's publicly available schedule, compelling his appearance for a hearing on September 24.[129] State Department staff acknowledged availability to accept service of the subpoena and no objection was raised regarding the date of appearance.[130]

On September 18, the Committee served the State Department with a superseding subpoena compelling Secretary Blinken's testimony at a hearing on September 24. The Committee also noticed a contempt report markup for September 24, should Secretary Blinken fail to appear for the hearing to testify on the Afghanistan withdrawal.[131] The day after the subpoena was issued, the State Department spokesperson publicly released Secretary Blinken's schedule for the United Nations General Assembly.[132] Again, on September 19, Committee staff contacted State Department staff stating, "The Chairman remains willing to accommodate the Secretary's schedule, and if you are able to provide a date in September that Secretary Blinken will commit to appear for a public hearing, then Chairman McCaul will be able to adjust the hearing date and withdraw his subpoena."[133]

Rather than respond to the Committee requests for dates, the State Department, through its Spokesperson Matthew Miller, represented in their daily press briefing, "[T]he Secretary has testified 14 times before Congress on Afghanistan. Four of those times have been before this committee, including one appearance that was exclusively focused on Afghanistan – that was the sole subject of the hearing."[134] The State Department failed to mention key data points. In the 118th Congress, Secretary Blinken has only appeared before this Committee for a public hearing two times – both of which was for the State Department's annual budget hearing on March 23,

---

[126] Press Release from Matthew Miller, U.S. Dep't of State (Sept. 16, 2024) (Secretary Blinken's Travel to Egypt), https://www.state.gov/secretary-blinkens-travel-to-egypt/.
[127] Hearing Notice from Michael T. McCaul, Chairman, HFAC, to Members of HFAC (Sept. 17, 2024), https://foreignaffairs.house.gov/wp-content/uploads/2024/09/2024.09.24-Full-Committee-Hearing-Notice-1.pdf.
[128] *Subpoena from the U.S. House of Rep. Comm. on Foreign Affs. to Antony Blinken, Sec'y of Dep't of State,* 118th Cong. 4 (Sept. 18, 2024).
[129] Email from HFAC Majority Staff to U.S. Dep't of State staff (Sept. 17, 2024).
[130] Email from U.S. Dep't of State staff to HFAC Majority staff (Sept. 17, 2024).
[131] Markup Notice from Michael T. McCaul, Chairman, HFAC, to Members of HFAC (Sept. 17, 2024), https://foreignaffairs.house.gov/wp-content/uploads/2024/09/2024.09.24-Full-Committee-Markup.pdf.
[132] Press Release from Matthew Miller, U.S. Dep't of State (Sept. 19, 2024), https://www.state.gov/secretary-blinkens-travel-to-the-79th-united-nations-general-assembly/.
[133] Email from HFAC Majority Staff to U.S. Dep't of State staff (Sept. 19, 2024).
[134] Press Release from Matthew Miller, U.S. Dep't of State (Sept. 19, 2024), https://www.state.gov/?post_type=state_briefing&%3Bp=92333.

2023 and May 22, 2024.[135] The objective of those hearings was the State Department's fiscal year budget requests, not to address the Report, which had to yet to be published.

In the 117th Congress, Secretary Blinken appeared one time for a public hearing exclusively on Afghanistan in the immediate aftermath of the deadly NEO.[136] That appearance was prior to an investigation being launched by the Committee, meaning this Committee had yet to conduct any transcribed interviews or document discovery. As a result, the Committee did not have the benefit of its investigative findings to probe Secretary Blinken's testimony, which contained misleading accounts of the withdrawal and NEO under his leadership. For example, in that hearing, Secretary Blinken claimed that the State Department "planned and exercised a wide range of contingencies," as evidenced by their ability to move Embassy Kabul and evacuate personnel within 48 hours. The Committee's investigation revealed, however, that was not true. According to Ambassador Smith, who Secretary Blinken himself tasked with the AAR, "no one 'had answered the question of, what is the universe of people, in extremis, in a worst case -scenario, for whom we are going to be responsible in that environment? How many people are we going to take out?'"[137] This is one example, among many, of the topics for which Secretary Blinken's testimony is needed post-investigation.

Obtaining testimony from Secretary Blinken's in September is critical given the nexus to the legislative recommendations in the Chairman's long planned Report and his four-month-old request. The Committee requires Secretary Blinken's testimony now to provide sufficient time to advance legislative reforms in this Congress. Given the Congressional calendar, Secretary Blinken's refusal to appear before the Committee in September would hinder its opportunity to move forward with legislative action in a timely manner.

Secretary Blinken's preference to withhold his testimony until after the 2024 election is not a good faith proposal nor is it a reasonable accommodation. Similarly, Deputy Secretaries with no involvement in the withdrawal are no substitute for Secretary Blinken. Secretary Blinken's desire to avoid testifying or put off an appearance until after the election are, indeed, consistent with a central finding of Chairman McCaul's Report, that Secretary Blinken, on behalf of the Biden-Harris Administration, prioritized political optics over foreign policy.

C. Secretary Blinken's Testimony is Needed to Address the Committee's Legislative Proposals

The Committee's investigation into the withdrawal from Afghanistan resulted in 23 legislative recommendations, the majority of which implicate State Department operations, structure, and

---

[135] *The State of American Diplomacy in 2024: Global Instability, Budget Challenges, and Great Power Competition: Hearing Before the H. Comm. on Foreign Affs.*, 118th Cong., (May 22, 2024); *The State of American Diplomacy in 2023: Growing Conflicts, Budget Challenges, and Great Power Competition: Hearing Before the H. Comm. on Foreign Affs.*, 118th Cong., (March 23, 2023).

[136] *Afghanistan 2001–2021: Evaluating the Withdrawal and U.S. Policies Part 1: Hearing Before the H. Comm. on Foreign Affs.*, 117th Cong., (Sept. 13, 2021).

[137] Transcribed Interview with Daniel B. Smith, Amb., H. Comm. on Foreign Affs., in Washington, D.C., at 118 (Aug. 31, 2023).

accountability. Secretary Blinken's immediate testimony is critical to assessing and improving those legislative proposals. Relevant proposals include:[138]

- Codification of NEO authorities and responsibilities
- Reestablishment of a crisis bureau in the State Department to respond to situations similar to Afghanistan
- Establishment of eyewitness testimony portals to capture testimony from witnesses not interviewed in after action reviews
- Requirement that the State Department and Department of Defense maintain standard operating procedures for NEOs
- Designation of a single official as lead during a NEO or other crisis situations
- Consideration of making the Bureau of Diplomatic Security a direct report to the Secretary of State
- Certain Dissent Channel cables be shared with the interagency and committees of jurisdiction
- Selection of High Threat State Department Post leadership be made more rigorous
- Mandating reports tracking the weapons left behind in Afghanistan
- Uphold the United States government's commitment to those brave Afghans who risked their lives fighting for freedom from the Taliban
- Recruitment of U.S. veterans to staff the State Department's Office of the Coordinator for Afghan Relocation Efforts (CARE)
- Improvement of State Department efforts to account for all United States citizens traveling to Level 4 Travel Advisory countries

D. Secretary Blinken's Defiance of Subpoena Warrants Contempt of Congress

The Committee's investigation into the withdrawal from Afghanistan confirmed Secretary Blinken's responsibility for the decision-making and actions of the department. As Chairman McCaul's Report lays out, Afghanistan in the wake of the Biden-Harris Administration's withdrawal is the most gender-oppressive regime in the world as well as a breeding ground for terrorism, and the United States' chaotic withdrawal from Afghanistan kick-started aggression from America's adversaries like Russia, China, and Iran. Much of the accountability for the failures involved in that withdrawal belongs with Secretary Blinken, as head of the State Department. As such, only Secretary Blinken can provide critical answers to inform the

[138] Michael T. McCaul, *Willful Blindness: An Assessment of The Biden-Harris Withdrawal from Afghanistan and the Chaos that Followed*, 118th Cong., at 237-45 (Sept. 9, 2024).

Committee's consideration of the Report's legislative proposals, which seek to ensure that the State Department is equipped to handle the world's crises. The need for Secretary Blinken's compliance with the Committee's subpoena is manifest. His proposals to delay testifying for months or to substitute his testimony for his uninvolved deputies are unreasonable. Non-compliance with this Committee's subpoena justifies contempt.

Moreover, Secretary Blinken's pattern of obstruction throughout the course of this Committee's investigation is consistent with a finding of contempt now. The State Department, under the direction of Secretary Blinken, repeatedly refused to turn over crucial documents until Secretary Blinken faced imminent contempt proceedings and withheld witnesses until this Committee threated to serve subpoenas. The State Department's record of obstruction colors Secretary Blinken's failure to schedule a September hearing at any point during the four months between Chairman McCaul's request for testimony in May 2024 and the release of Chairman McCaul's Report in September 2024. That record of obstruction also supports the conclusion that political motivations drive Secretary Blinken's refusal to testify until after the Presidential election.

CONCLUSION

As the Committee of jurisdiction over the State Department, this Committee is responsible for investigating and addressing the State Department's failures during the Afghanistan withdrawal. Secretary Blinken's testimony is necessary to address the Committee's factual findings and to inform its legislative proposals. Secretary Blinken's willful refusal to comply with the Committee's subpoena constitutes contempt of Congress and warrants referral to the United States Attorney's Office for the District of Columbia for prosecution as prescribed by law.

COMMITTEE CONSIDERATION

On September 19, 2024, the Committee met in open session and [. . .].

COMMITTEE VOTES

In compliance with clause 3(b) of House rule XIII, the Committee states that the following recorded votes occurred during the Committee's consideration of the report:

[. . .]

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of House rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the "Authority and Purpose" and "Background on the Investigation" sections above.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

The Committee finds the requirements of clause 3(c)(2) of rule XIII and section 308(a) of the Congressional Budget Act of 1974, and the requirements of clause 3(c)(3) of rule XIII and section 402 of the Congressional Budget Act of 1974, to be inapplicable to this report.

Accordingly, the Committee did not request or receive a cost estimate from the Congressional Budget Office and makes no findings as to the budgetary impacts of this Report or costs incurred to carry out the Report.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of House rule XIII, no provision of this report establishes or reauthorizes a program of the federal government known to be duplicative of another federal program.

PERFORMANCE GOALS AND OBJECTIVES

Although this Report does not authorize any funding for purposes of House rule XIII(3)(c)(4), the goal of this report is to secure compliance with a duly issued congressional subpoena.

ADVISORY ON EARMARKS

In accordance with clause 9 of House rule XXI, this report does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clauses 9(e), 9(f), or 9(g) of House Rule XXI.



COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
118th CONGRESS
VOTES OF THE COMMITTEE

Vote: To Report H.Res. 1449
Date: September 24, 2024

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul	X		Ranking Member Meeks	X	
Representative Smith	X		Representative Sherman	X	
Representative Wilson	X		Representative Connolly	X	
Representative Perry	X		Representative Keating	X	
Representative Issa	X		Representative Bera	X	
Representative Wagner	X		Representative Castro	X	
Representative Mast	X		Representative Titus	X	
Representative Burchett	X		Representative Lieu	X	
Representative Green	X		Representative Wild	X	
Representative Barr			Representative Phillips	X	
Representative Ronny Jackson	X		Representative Allred	X	
Representative Young Kim	X		Representative Andy Kim	X	
Representative Salazar			Representative Jacobs	X	
Representative Huizenga	X		Representative Manning	X	
Representative Radewagen	X		Representative Cherfilus-McCormick	X	
Representative Hill	X		Representative Stanton	X	
Representative Davidson	X		Representative Dean	X	
Representative Baird	X		Representative Moskowitz	X	
Representative Waltz	X		Representative Jonathan Jackson	X	
Representative Kean	X		Representative Kamlager-Dove	X	
Representative Lawler	X		Representative Costa	X	
Representative Mills	X		Representative Crow	X	
Representative McCormick	X		Representative Amo	X	
Representative Moran			Representative Mfume	X	
Representative James	X		Representative Schneider	X	
Representative Self	X				
Representative Zinke	X				
Representative Moylan	X				

Yeas [50] Nays [0]

FOREIGN AFFAIRS COMMITTEE
CHAIRMAN MCCAUL

COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
118th CONGRESS
VOTES OF THE COMMITTEE

Vote: To Report the Committee Report
Date: September 24, 2024

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul	X		Ranking Member Meeks		X
Representative Smith	X		Representative Sherman		X
Representative Wilson	X		Representative Connolly		X
Representative Perry	X		Representative Keating		X
Representative Issa	X		Representative Bera		X
Representative Wagner	X		Representative Castro		X
Representative Mast	X		Representative Titus		X
Representative Burchett	X		Representative Lieu		X
Representative Green	X		Representative Wild		X
Representative Barr			Representative Phillips		X
Representative Ronny Jackson	X		Representative Allred		X
Representative Young Kim	X		Representative Andy Kim		X
Representative Salazar			Representative Jacobs		X
Representative Huizenga	X		Representative Manning		X
Representative Radewagen	X		Representative Cherfilus-McCormick		X
Representative Hill	X		Representative Stanton		X
Representative Davidson	X		Representative Dean		X
Representative Baird	X		Representative Moskowitz		X
Representative Waltz	X		Representative Jonathan Jackson		X
Representative Kean	X		Representative Kamlager-Dove		X
Representative Lawler	X		Representative Costa		X
Representative Mills	X		Representative Crow		X
Representative McCormick	X		Representative Amo		X
Representative Moran	X		Representative Mfume		X
Representative James	X		Representative Schneider		X
Representative Self	X				
Representative Zinke	X				
Representative Moylan	X				

Yeas [26] Nays [25]

FOREIGN AFFAIRS COMMITTEE
CHAIRMAN MCCAUL

COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
118th CONGRESS
VOTES OF THE COMMITTEE

Vote: Meeks Amendment #1 to the Committee Report
Date: September 24, 2024

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul		X	Ranking Member Meeks	X	
Representative Smith		X	Representative Sherman	X	
Representative Wilson		X	Representative Connolly	X	
Representative Perry		X	Representative Keating	X	
Representative Issa		X	Representative Bera	X	
Representative Wagner		X	Representative Castro	X	
Representative Mast		X	Representative Titus	X	
Representative Burchett		X	Representative Lieu	X	
Representative Green		X	Representative Wild	X	
Representative Barr			Representative Phillips	X	
Representative Ronny Jackson		X	Representative Allred	X	
Representative Young Kim		X	Representative Andy Kim	X	
Representative Salazar			Representative Jacobs	X	
Representative Huizenga		X	Representative Manning	X	
Representative Radewagen		X	Representative Cherfilus-McCormick	X	
Representative Hill		X	Representative Stanton	X	
Representative Davidson		X	Representative Dean	X	
Representative Baird		X	Representative Moskowitz	X	
Representative Waltz		X	Representative Jonathan Jackson	X	
Representative Kean		X	Representative Kamlager-Dove	X	
Representative Lawler		X	Representative Costa	X	
Representative Mills		X	Representative Crow	X	
Representative McCormick		X	Representative Amo	X	
Representative Moran		X	Representative Mfume	X	
Representative James		X	Representative Schneider	X	
Representative Self		X			
Representative Zinke		X			
Representative Moylan		X			

Yeas [25] Nays [26]

FOREIGN AFFAIRS COMMITTEE
CHAIRMAN MCCAUL

COMMITTEE ON FOREIGN AFFAIRS
FULL COMMITTEE MARKUP
118th CONGRESS
VOTES OF THE COMMITTEE

Vote: Meeks Amendment #2 to the Committee Report
Date: September 24, 2024

Representative	Yea	Nay	Representative	Yea	Nay
Chairman McCaul		X	Ranking Member Meeks	X	
Representative Smith		X	Representative Sherman	X	
Representative Wilson		X	Representative Connolly	X	
Representative Perry		X	Representative Keating	X	
Representative Issa		X	Representative Bera	X	
Representative Wagner		X	Representative Castro	X	
Representative Mast		X	Representative Titus	X	
Representative Burchett		X	Representative Lieu	X	
Representative Green		X	Representative Wild	X	
Representative Barr			Representative Phillips	X	
Representative Ronny Jackson		X	Representative Allred	X	
Representative Young Kim		X	Representative Andy Kim	X	
Representative Salazar			Representative Jacobs	X	
Representative Huizenga		X	Representative Manning	X	
Representative Radewagen		X	Representative Cherfilus-McCormick	X	
Representative Hill		X	Representative Stanton	X	
Representative Davidson		X	Representative Dean	X	
Representative Baird		X	Representative Moskowitz	X	
Representative Waltz		X	Representative Jonathan Jackson	X	
Representative Kean		X	Representative Kamlager-Dove	X	
Representative Lawler		X	Representative Costa	X	
Representative Mills		X	Representative Crow	X	
Representative McCormick		X	Representative Amo	X	
Representative Moran		X	Representative Mfume	X	
Representative James		X	Representative Schneider	X	
Representative Self		X			
Representative Zinke		X			
Representative Moylan		X			

Yeas [25] Nays [26]

Tune in for a discussion with U.S. Agriculture Secretary Tom Vilsack and others on climate change and food security at 1:00 p.m. (EDT). ×

COUNCIL on FOREIGN RELATIONS

Tracking China's Control of Overseas Ports

This interactive map tracks China's growing maritime influence through investments in strategic overseas ports. Users can plot the location of each port and view satellite images alongside detailed information on the share of Chinese ownership, the total amount of Chinese investment, and the port's suitability for use by the Chinese military.

Tracker *by* Zongyuan Zoe Liu

Last updated August 26, 2024 12:27 pm (EST)



The new container ship, OOCL Piraeus, docks at the Port of Piraeus in Greece in 2023. Xinhua via Getty Images

The China Overseas Ports interactive visualizes degrees of China's overseas port ownership by types of investment across regions and time. It also evaluates the dual-use (commercial and military) potential of ports owned, constructed, or operated by Chinese entities. The database supporting this interactive includes 129 port projects of

which Chinese entities have acquired varied equity ownership or operational stakes. China operates or has ownership in at least one port in every continent except Antarctica. Of the 129 projects, 115 are active, whereas the remaining 14 port projects have become inactive due to cancellation or suspension by the end of July 2024. Reasons for cancellation or suspension include environmental concerns, souring of political relations, financial problems, and security issues raised domestically and internationally. Suspended projects, such as China's construction of the Khalifa Port in the United Arab Emirates, could resume construction.

129

Port projects total (port projects outside China with Chinese investment)

17

Port projects with majority Chinese ownership

14

Port projects with majority Chinese ownership where there is physical

potential for naval use

Excludes cancelled port projects



Physical potential for naval use

Whether the port project is located at a port that includes berths with enough depth for a naval vessel

△ Yes

◯ No

Data is as of August 2024.

To engage with all interactive features, please visit this page on a device with a larger screen size.



To request the data in spreadsheet format, fill out the data request form. The typical response time is three business days from the date of submission.

China has become the world's largest trading country and second-largest economy, and conducts about 95 percent of its international trade through sea-lanes. Chinese President Xi Jinping's launch of the Belt and Road Initiative in 2013 and the introduction of the Twenty-First Century Maritime Silk Road, which connects China to Europe and the Arctic Ocean via the South China Sea and the Indian Ocean, have

supercharged China's overseas port investment and construction activities. President Xi has personally emphasized the importance of ports for economic development. When visiting Tieshan Port in Guangxi Province in April 2017, Xi highlighted the importance of ports in economic development: "We often say that to get rich we must first build roads; but in coastal areas, to get rich we must also first build ports."

In Which Countries Is China Investing?

More From Our Experts

Manjari Chatterjee Miller

This Weekend's Leaders Summit Brings Prospects for a More Sustainable and Useful Quad

Joshua Kurlantzick

How a Harris-Walz Administration Might Handle Asia Policy

Zongyuan Zoe Liu

What Is China's Role in Combating the Illegal Fentanyl Trade?

As of September 2023, China has signed seventy bilateral and regional shipping agreements with sixty-six countries and regions. Today, China's shipping routes and service networks cover major countries and regions worldwide. Although China is not yet a global naval power and currently has limited overseas naval bases, it has become a leading commercial power that wields significant geoeconomic influence over international sea-lanes and commercial ports underpinning the global flow of goods.

Port Investment by Country

Select a column to sort table

Country or territory	Total Chinese investment in ports	Port projects	Port projects where there is physical potential for naval use	BRI signatory
Tanzania	$10.4B	4	2	Yes
Australia	$8.1B	3	3	No
Guinea	$7.2B	3	1	Yes
Sri Lanka	$3.9B	4	3	Yes
Singapore	$2.6B	1	1	Yes
Angola	$2.1B	5	1	Yes
Ivory Coast	$1.7B	2	2	Yes
Nigeria	$1.7B	2	1	Yes
Cambodia	$1.5B	3	2	Yes
Algeria	$1.4B	4	4	Yes
Cameroon	$1.4B	2	2	Yes
Myanmar	$1.3B	1	1	Yes
Saudi Arabia	$1.2B	3	1	Yes
South Korea	$1.2B	1	1	Yes
Thailand	$1B	2	2	Yes
Madagascar	$1B	1	1	Yes
Israel	$1B	1	1	No
Russia	$1B	1	0	Unclear
Kenya	$944.7M	3	3	Yes
Timor-Leste	$942.6M	1	1	Yes

Page 1 of 4 ›

Note: Cancelled port projects are excluded.

Source: CFR research.

COUNCIL on FOREIGN RELATIONS

This interactive does not show China's domestic ports, but it is worth noting that China has become home to the world's largest container ports according to the Liner Shipping Connectivity Index, which measures countries' integration into global liner shipping networks. As of 2022, Shanghai has retained its position as the world's busiest container port for thirteen consecutive years, and several of China's container ports rank among the most connected in the world.

Can China Use Overseas Ports for Military Purposes?

Naval Use Is a Possibility, But Only Where China Has Ownership

	China owns a majority share	China does not own a majority share
Port projects where there is physical potential for naval use	14	77
Port projects where there is not physical potential for naval use or where physical potential is unclear	34	

Note: Cancelled port projects and port projects with no data for Chinese ownership are excluded.

Source: CFR research.

COUNCIL on FOREIGN RELATIONS

Relevant terminology:

Berth: the area for ships to anchor; each terminal will have several berths for handling cargo.

Draft (draught): the maximum depth of any vessel or the minimum depth a boat can go without hitting the bottom of the hull. (Note: Draft is different from water depth but offers a similar measurement.)

Quay: modified river coastline that allows for ships to dock parallel to the shore.

More From Our Experts

Manjari Chatterjee Miller

This Weekend's Leaders Summit Brings Prospects for a More Sustainable and Useful Quad

Joshua Kurlantzick

How a Harris-Walz Administration Might Handle Asia Policy

Zongyuan Zoe Liu

What Is China's Role in Combating the Illegal Fentanyl Trade?

When evaluating a port's potential for military use, the physical limitations and construction specifications of the port (e.g., the length and number of berths, draft, deep-water level, and availability of transportation networks and fueling) were considered. While this interactive focuses on physical potential for military use, it is important to note that feasibility and the potential political agenda attached to the port's investment (e.g., capacity to disrupt global trade routes and proximity to other military and naval bases) would ultimately influence China's decision to choose certain ports for naval use. For example, although the port of Los Angeles does have the physical potential to host Chinese naval ships, in reality, it is inconceivable that the United States would allow a Chinese naval vessel to dock in an American port given the current geopolitical tensions. In contrast, Piraeus port has the physical potential for naval use and previously hosted a Chinese naval fleet for a "friendship visit" in 2017. However, as the trend of de-risking from China continues, the probability of such visits happening in the future could decrease.

As a general guideline, ports with drafts between 12 and 15 meters would be able to accommodate many Chinese naval vessels, including destroyers (which have 6.5 meters of draft), frigates (6 meters), aircraft carriers (11 meters), and cruisers (6.6 meters). Oil

tankers and carriers have an average draft of 16 meters; as such, it can be assumed that ports able to accommodate oil tankers could also physically handle naval vessels.

How Might China Leverage Its Overseas Ports?

Western governments have increasingly become concerned about China's potential development of overseas naval bases. Although the growing scrutiny from the West could mean that building naval bases is not an effective way for the Communist Party of China (CPC) and the Chinese government to project power globally, the CPC and the government can still influence global trade and logistics. China's heavy investment in the world's most-connected ports highlights its strong influence over the supply chains of global trade. The real leverage of the CPC and the Chinese government over the West is not necessarily in building newer and bigger naval bases; rather, China's leverage is in its varied degrees of investment and ownership in the world's busiest and most-connected ports, which underpin the global flow of goods.

China Is Investing in the Most Connected Countries

Top twenty countries or territories by shipping connectivity

Country or territory	Shipping connectivity index, 2024 Q2*	Total Chinese investment in ports	Port projects
South Korea	640	$1.2B	1
Singapore	596	$2.6B	1
United States	504	$161.9M	2
Malaysia	486	$544M	2
Spain	425	$454M	2
Japan	423	$0	0
Vietnam	403	$163.3M	2
United Kingdom	381	$0	0
Netherlands	380	$139M	1
Hong Kong	376	$0	0
Belgium	343	$39.1M	2
India	342	$180.6K	1
Taiwan	340	$0	0
Germany	305	$76M	1
United Arab Emirates	296	$227.5M	3
Italy	286	$59.1M	1
Turkey	283	$940...	1
Thailand	267	$1B	2
France	263	$446M	3
Morocco	263	No data	3

*The liner shipping connectivity index is a measure of a country or territory's integration level into global liner shipping networks.

Note: Cancelled port projects are excluded.

Sources: CFR research; United Nations Conference on Trade and Development.

COUNCIL on FOREIGN RELATIONS

Data Notes

The data in this tracker was independently collected from publicly available sources such as news articles, company press releases and news updates, and government reports and announcements. If there were multiple sources with conflicting data for a specific element of a project (such as investment total), we listed the more conservative estimate.

Each row in the downloadable dataset is a project. Multiple projects sometimes occur at the same port. We distinguish between "port projects" and "ports" as some ports, for example, are built in multiple phases and could have received Chinese investment for one or more of these phases of development. Data on the potential and agenda for dual use reflects the port at which the port project is located.

For this interactive, ownership is defined as a Chinese entity having a definitive equity stake in the specified port, wharf, container terminal, or other physical entity itself. It does not include concessions for port management and/or operations or leases.

A port lease is a long-term agreement by which the port's owner or landlord (the lessor) grants the use, management, and/or operations of the port to the tenant (the lessee) for a specified period of time in return for payment. No equity is exchanged in a lease agreement.

To suggest a data update to the interactive, fill out the suggestion form.

Creative Commons: Some rights reserved.

THE SECRETARY OF STATE
WASHINGTON

September 22, 2024

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

Dear Mr. Chairman:

I write in response to your communication dated August 12, 2024 requesting my appearance at a hearing on September 10, 2024 before your Committee regarding its investigation into the 2021 U.S. withdrawal from Afghanistan. This letter also memorializes our two phone conversations on August 19 and September 3, 2024 on this topic, during which I personally sought to reach an accommodation with you by sharing my availability to testify and offered alternative witnesses for a hearing on days in which I was not available. I am profoundly disappointed you have once again chosen to send me a subpoena and threaten contempt, rather than engage with me and the Department in a meaningful way to resolve this matter through the constitutionally-mandated accommodation process. As I have made clear, I am willing to testify and have offered several reasonable alternatives to the dates unilaterally demanded by the Committee during which I am carrying out the President's important foreign policy objectives. I urge you to withdraw your subpoena, reconsider your planned contempt proceedings, and begin good faith engagement with the Department to find an appropriate accommodation.

Consistent with the Department's letters to your Committee over the last 18 months, the Department remains committed to accommodating your need for information regarding the Afghanistan withdrawal. Since January 2023, the Department has expended thousands of hours fulfilling your requests for documents, briefings, and interviews related to Afghanistan.

This is in addition to the energy and resources dedicated to our own internal review of the Department's role in the withdrawal through the After-Action Review, of which a classified copy remains in the Committee's custody.

As you know, the Department has been balancing more than 50 unique investigatory inquiries from eight separate House committees, including more than a dozen from your Committee. Even so, at my direction, the Department has provided more than 20,000 pages of documents to your Committee over the course of this single investigation, and as part of the Department's substantial and continuing accommodation, these documents have been provided with minimal redactions. This includes the Department taking the unprecedented step of allowing House Foreign Affairs Committee Members to view a highly sensitive cable and providing the Committee internal memos related to the Department's After-Action Review. Many of the materials produced to the Committee are highly deliberative, but these minimally redacted documents were provided in an effort to ensure the Committee had information necessary for its stated oversight interests while making a modest accommodation to the longstanding Executive Branch institutional interests at issue.

Beyond document production, the Department has conducted nine high-level briefings for Members of Congress and their staffs throughout the investigation, and made available or engaged 15 current and former senior Department officials for transcribed interviews to House Foreign Affairs Committee staff and Members. Additionally, I have personally testified publicly before Congress 14 times on the withdrawal from Afghanistan, including four times directly before your Committee as recently as May 22, 2024. It was critical to have done so. Americans deserve to hear directly from their leaders on the decisions to end America's longest war and the steps taken to fulfill our commitment to the thousands of brave Afghans who stood side-by-side with the United States over the course of two decades.

President Biden acted in the best interests of the American people when he decided to bring our troops home and end America's longest war.

This decision ensured another generation of Americans would not have to fight and die in Afghanistan—a full decade after Osama bin Laden had been brought to justice. It strengthened our national security by better positioning us to confront the challenges of the future and put the United States in a stronger place to lead the world. It freed up critical military, intelligence, diplomatic, and other resources to ensure we are better poised to respond to today's threats to international peace and stability—whether that be Russia's brutal and unprovoked assault on Ukraine, China's increasingly assertive moves in the Indo-Pacific and around the world, or a persistent and global terrorist threat.

As Secretary of State, it is my personal responsibility to engage in critical, high-level diplomacy wherever and whenever it is required to advance the national security interests of the United States. However, after more than a year and a half of the Department's continued cooperation with your investigation, on September 3, you issued an unnecessary subpoena for me to appear at a public hearing before your Committee on September 19. As I previewed to you during our September 3 phone call before you issued the first subpoena, on September 19 I was in Egypt, where I met with President El-Sisi and Foreign Minister Abdelatty as part of our administration's tireless efforts to secure a cease-fire in Gaza. On September 18, you issued a "superseding" subpoena for me to appear on September 24, accompanied by a letter in which you claimed you had just become aware of my travel to the Middle East, despite the fact I had personally informed you in early September, and my staff had reiterated, that I would be in the Middle East on September 19. You also noticed a Committee markup of contempt proceedings on that date should I fail to appear for the hearing.

As I also indicated to you in our September 3 conversation, this week I am in New York participating in the United Nations General Assembly high-level week—an annual gathering of presidents, prime ministers, foreign ministers, and other world leaders to address the most pressing issues facing the world. The events of this week were scheduled many months ago, and the dates of the General Assembly's high-level week have long been publicly noticed. Throughout the week, I will be meeting with these world leaders as

I spearhead diplomatic engagements on matters of great concern to the American people, including the conflicts in Ukraine, Gaza, and Sudan.

On September 24 alone—the day you have asked me to appear—I will: represent the United States at the UN Security Council debate on the war in Ukraine, during which I will debate the Russian and Chinese foreign ministers; host alongside the President a leader-level meeting of the United States-led Global Coalition on Synthetic Drugs to fight the production and trafficking of fentanyl; accompany President Biden for his address to the General Assembly and his bilateral meeting with UN Secretary General Guterres; meet with foreign ministers in the Partnership for Global Infrastructure to secure commitments for the Lobito Corridor in Africa; and conduct several other bilateral and multilateral engagements. You have been a leader in Congress on a number of issues of vital importance to the American people—particularly regarding support for Ukraine and the need to counter the threat American lives posed by synthetic drugs—and I believe you would agree U.S. representation at the highest levels in these engagements is essential. These are engagements that advance several of the President's highest foreign policy priorities, and the Secretary of State must conduct these engagements on behalf of the U.S. Government. I cannot—and will not—agree to cede the field to our adversaries. As you said in a recent statement, "Turning a blind eye to aggression and hamstringing our friends is no way to conduct foreign policy."

These events, which have been in the works for months, must happen while world leaders are in New York and hinge on my participation. Given my travel, I offered in our September 3 call for either one of the Deputy Secretaries of State—our two most senior and Senate-confirmed officials—to testify on behalf of the Department during this window in my stead. I reiterate that offer here as a demonstration of my willingness to try to ensure that the Committee has the information it needs to exercise its oversight functions. Additionally, I remain willing to make myself available to testify after I return from my travel.

I firmly believe it is in our nation's best interest for the Committee and the Congress to take a non-partisan approach to addressing the lessons learned from U.S. involvement in and withdrawal from Afghanistan. As I said to you during our September 3 call, I am happy to engage with you immediately on any legislative proposals from the Committee, and my testimony is not necessary to begin that process. You acknowledged in a September 11 hearing with Under Secretary John Bass that I had already made that commitment to you, and I reaffirm that the Department stands ready to work alongside any Member who expresses serious interest in improving the Department's crisis preparedness and response mechanisms.

I am committed to engaging with you in accordance with the constitutionally-mandated accommodation process and hope we can reach agreement on one of the reasonable alternatives I have offered for your consideration. My staff is available to further discuss these or other accommodations at any time.

Sincerely,

Antony Blinken

Antony Blinken
Secretary of State

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

United States Department of State

Washington, D.C. 20520

September 23, 2024

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

Dear Mr. Chairman:

I write to follow up on the Secretary's letter to you dated September 22, 2024 regarding your subpoena for his testimony before the Committee on September 24. As the Secretary has reiterated to you in both of your phone conversations on August 19 and September 3, and in his September 22 letter, he is willing to testify and has offered reasonable alternatives to the date unilaterally demanded by the Committee, during which the Secretary will be carrying out the President's important foreign policy objectives.

As the Secretary has repeatedly explained, including most recently in his September 22 letter, he is currently in New York participating in the United Nations General Assembly high-level week. As you know, high-level week is an annual gathering of presidents, prime ministers, foreign ministers, and other world leaders to address the most pressing issues facing the world, including the conflicts in Ukraine, Gaza, and Sudan and the synthetic drug crisis. Given these commitments, the Secretary is not available to testify on September 24. These meetings and commitments are an essential part of the Secretary's role in representing the United States and fulfilling the President's constitutional responsibility for the conduct of foreign affairs.

We have consulted with the Department of Justice and it has concluded that the Committee may not constitutionally compel the Secretary to appear on September 24, as doing so would prevent the Secretary from fulfilling the President's directive to represent the United States at this major diplomatic

event. The Department of Justice has also advised that, as a matter of law, the Secretary may not be punished by civil or criminal means for failing to appear at the scheduled hearing.

We reiterate our offer for either one of the Deputy Secretaries of State – the Department's next two most senior, Senate-confirmed officials – to testify on behalf of the Department. The Secretary also remains willing to make himself available to testify before the Committee personally, as he has previously done on multiple occasions, after he returns from his travel. The Secretary has also noted that the Department is prepared to engage with you immediately on any legislative proposals from the Committee, and his testimony is not necessary to begin that process.

The Department stands ready to work with the Committee to pursue any of these accommodation options or to discuss other alternatives that will satisfy the Committee's legitimate oversight and legislative objectives. For these reasons, and in light of the Department's extraordinary cooperation with the Committee's inquiry to date, we once again respectfully request that you withdraw your subpoena, reconsider your planned contempt proceedings, and engage with the Department in a good faith accommodation process.

Sincerely,



Naz Durakoğlu
Assistant Secretary
Bureau of Legislative Affairs

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

Markup
House Foreign Affairs Committee
September 24, 2024, 10:15am
Rayburn 2172
Rep. Gerald E. Connolly (D-VA)

Committee Report, Recommending the House of Representatives find Antony Blinken, Secretary, U.S. Department of State, in contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Foreign Affairs; (McCaul)

When I first learned the House Foreign Affairs Committee was holding a markup this week, I figured we would focus on the two ongoing conflicts that have embroiled the Middle East and European, or the global competition with the People's Republic of China and the ensuing battle for a free, open, and secure Indo-Pacific, or even an investigation into Russia's sophisticated influence campaigns against U.S. voters. However, with so many ongoing priorities across the globe for the committee to consider, I was disappointed, but not surprised to hear that our committee today will instead consider a **partisan,** politically motivated, half-hearted committee report holding the Secretary of State in contempt seven weeks before an election.

With Chairs Comer and Jordan setting a bar lower than one could have thought possible, we must congratulate Chairman McCaul on conducting one of the few Republican-led investigations in the House that did not rely on testimony from individuals who have received formal training from Russia's FSB or China's Ministry of State Security. Let us not kid ourselves, Committee Republicans have failed to convince their Senate colleagues that their impeachment of DHS Secretary Mayorkas was anything but buffoonery. They launched an impeachment inquiry into Joe Biden and only proved he is a caring and loving father. Republicans have since quickly pivoted their focus from President Biden to trying to pin the Afghanistan withdrawal, the one that President Trump negotiated, at the feet of the Vice President, who is only mentioned three times in 3,000 pages of their report.

It stretches credulity that Republicans have forgotten the stonewalling the committee received from Secretary Pompeo and the Trump Administration. In 2020, Secretary Pompeo repeatedly refused to comply with congressional inquiries into the firing of State Department Inspector General Steve Linick when President Trump replaced him with a political ally. It was Secretary Pompeo, not Secretary Blinken, who was found to, along with his wife, misuse staff resources in a way "inconsistent with Department ethics rules and the Standards of Ethical Conduct for Employees of the Executive Branch." It was Secretary Pompeo who appeared virtually in the Republican National Convention during an official trip to Jerusalem using taxpayer funds and thereafter refused to comply with the HFAC inquiry.

We must recognize the After-Action Review is not some effort by the State Department to circumvent congressional oversight. It represents a meaningful attempt to improve oversight efforts into the actions that the Administration took in August 2021. This process has afforded over 150 State Department employees the opportunity to speak freely with seasoned and decorated Foreign Service Officer, Amb. Daniel Smith, who has taken charge of the After-Action Review.

On at least 30 occasions, the State Department has produced documents responsive to Chairman McCaul's subpoena for information regarding the After-Action Review (AAR). At Secretary Blinken's direction, the State Department has provided more than 20,000 of pages of unclassified and classified productions to the Committee. Amb. Daniel Smith, a decorated State Department Senior Foreign Service Officer, sat with the Committee for a day-long interview, and has testified that he has had absolute discretion to carry out the After-Action Review independently. The administration, also, in an unprecedented fashion, allowed Committee members to view the dissent cable that was sent from Kabul.

For the past two years, the Chairman has led a tortuous investigation in search of testimony or evidence that would spare President Trump and his Administration from sharing any blame for the disastrous Doha Agreement and subsequent events that directly led to August 2021. Similar to the investigations led by Comer and Jordan, they have found nothing and have resorted to making noise when their investigation lacks seriousness and substance.

It is crucial for this committee to highlight the root cause of why we are here today: The Trump Administration initiated the U.S. withdrawal from Afghanistan with the February 2020 Doha agreement, did not undertake preparation for an orderly drawdown, and shambolically handed off an Afghanistan policy that cut out our Afghan allies and kowtowed to the Taliban.

If Committee Republicans have any doubt about who is responsible for what led to our calamitous withdrawal from Afghanistan, they should look no further than the former President's own words. On June 26, 2021, at a political rally, former President Trump himself took full credit for the deal, stating "I started the process. All the troops are coming back home. They couldn't stop the process. Twenty-one years is enough, don't we think? Twenty-one years. They [the Biden Administration] couldn't stop the process." It is disingenuous to look at August 2021 without understanding the previous administration's negotiations that undermined the Afghan government and strengthened the hand of the Taliban.

Republicans could hold a hearing on the importance of passing the Afghan Adjustment Act to keep our promise to those that sacrificed their livelihoods, families, and country to help the United States. Republicans could hold a hearing to examine Ukraine's ammo shortages on the front lines, and the need for the House to pass the Senate supplemental. They could engage in a thorough review of the U.S.'s involvement in Afghanistan over 20 years, not cherry pick oversight efforts that fit their political narrative. Without hesitation, I will oppose today's contempt committee report as the disingenuous, unserious, and fictitious political chicanery we can all see.

H.R. 9719, To amend the Foreign Assistance Act of 1961 to modify requirements regarding management of the United States Agency for International Development, and for other purposes;

The Strengthening USAID Management Act provides a number of authorities that will be crucial for USAID to meet its mission and respond to crises and disasters as they arise around the globe. This legislation will extend the Overseas Pay Comparability for two years to allow certain federal employees who work overseas to receive compensation comparable to their domestic counterparts.

A lapse in appropriations or the OCP authorization would mean our public servants serving at the State Department, USAID, Foreign Commercial Service (FSC), Foreign Agricultural Service (FAS), Animal and Plant Health Inspection Service (APHIS), and U.S. Agency for Global Media (USAGM) would be forced to make difficult financial decisions for their families. Not only would it affect their well-being, but it would also hamstring the essential functions of these agencies that promote our interests and keep Americans safe. Failure to reauthorize the Overseas Comparability Pay would deny 22 percent of regular pay for foreign service officers and employees assigned overseas at grades FS-03 through FS-09. The federal government has a history of chronic underinvestment in its most valuable asset: the federal workforce.

Federal employees have had to endure government shutdowns, pay freezes, hiring freezes, and lost pay as a result of sequestration-related furloughs. Those who serve our country abroad often put themselves in harm's way in service of the American people. A long-term reauthorization of the Overseas Comparability Pay (OCP) will ensure that our foreign service employees can continue their invaluable work on behalf of our country and its national security.

H.Res. 1435, Raising concern about the proposed constitutional reforms in Mexico

In February 2024, the outgoing president of Mexico, Andrés Manuel López Obrador (AMLO), offered 18 constitutional amendments that would change the structure of the Mexican government. As our largest trading partner, the United States has a vested interest in a strong friendship with Mexico based in mutual respect, rule of law, judicial independence, and democratic values. The judicial reform, which is the first and only thus far to become law in Mexico, allows local and federal judges to be elected by popular vote.

What is most concerning is the replacement of a Federal Judiciary Council (CJF) which has long overseen the supervision and discipline of justices as a backstop for the judiciary's autonomy. Following the judicial reform, the Judicial Administration Body will now be appointed by the President, and the Court of Judicial Discipline will be elected by popular vote. A lack of oversight could potentially damage adjudication of legal questions under USMCA and hurt bilateral trade between the U.S. and Mexico. While we await how the Sheinbaum administration will implement the judicial reform, this resolution makes an important statement that, out of mutual respect, there are valid concerns about the future of rule of law and judicial independence in Mexico.

The judicial reform is concerning with the backdrop of other reforms AMLO and the Morena party have introduced; including an electoral reform that seeks to upend Mexico's electoral system by eliminating senators and deputies elected through proportional representation, a reform to eliminate autonomous agencies, and a reform to consolidate the integration of the National Guard in the Ministry of Defense (SEDENA). Today's resolution makes clear that the United States Congress, in a bipartisan manner, will speak out in support of Mexico's democratic institutions.

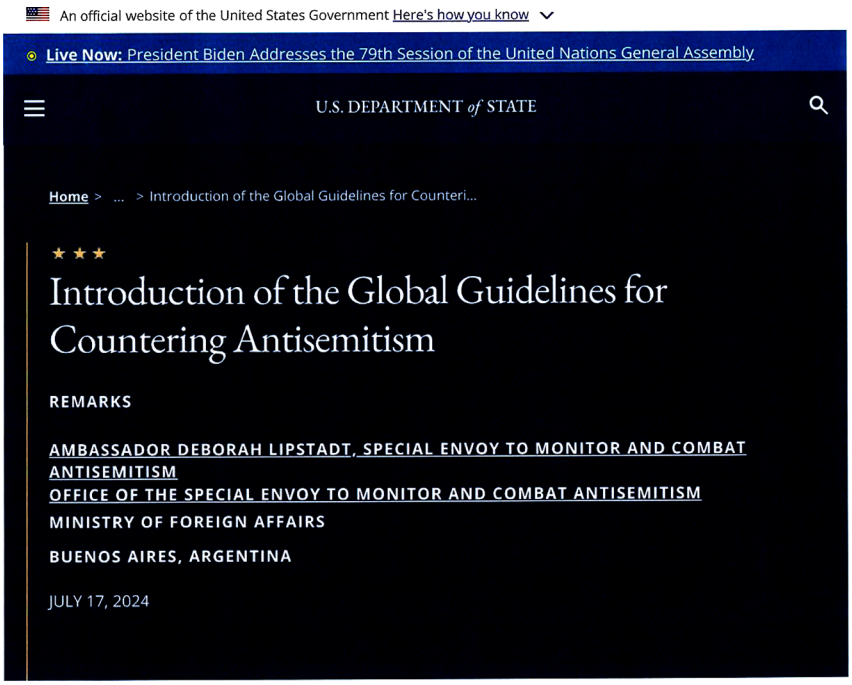
H.Res. 1449, Condemning the global rise of antisemitism and calling upon countries and international bodies to counter antisemitism

At a time where hate crimes against Jews account for 63 percent of all religiously motivated hate crimes in the United States, this resolution is a welcome measure on today's markup to condemn antisemitism in all forms. Antisemitism proffers fallacious, overly-simplistic, and pernicious narratives that have led to real acts of violence around the world. The Biden Administration has tackled antisemitism head on, setting up the first National Strategy to Counter Antisemitism. President Biden has often invoked the antisemitic hate that we witnessed in my home state of Virginia, where Neo-Nazis marched in Charlottesville and attacked the very sole of our nation. All too often, Antisemitism rears its ugly face in our daily lives, including when former President Trump remarked, "If I don't win this election … the Jewish people would

really have a lot to do with that if that happens, because at 40 percent that means 60 percent of the people are voting for the enemy." We must condemn antisemitism in every form.

H.R. 9082, To direct the Secretary of State to host regular Summits of the Americas, and for other purposes [ANS]

At the first meeting of the Summit of the Americas in Miami of 1994, President Bill Clinton focused on a number of issue areas important to the region: Strengthening Democracy, Promoting Economic Prosperity and Discrimination, and Guaranteeing Sustainable Development. While the original idea of a Summit for the Americas revolved around the notion of a free trade agreement for the region, a novel idea to increase economic partnerships in the region and that might have promised self-sustaining supply chains in the region, the Summit for the Americas remains a cornerstone of cooperation in the Americas. The Summit for the Americas remains an invaluable institution to drive our cooperation with countries in the region based on mutual respect and interests. This bipartisan bill directs the Secretary of State to continue its engagement with the Summit and ensure the Summit Coordinator at the State Department will continue its work to lead the charge for our relations with the region. As the former Chairman of a local jurisdiction, I welcome the focus of this bill on subnational diplomacy across the hemisphere, advancing a Cities Summit of the Americas as part of the larger Summit.



AS PREPARED

Let me begin by noting that everything we do here today is the direct result of partnership. Simply put: this milestone effort would not have been possible without the leadership, collaboration, unity of purpose and commitment of so many, including those with us today.

On behalf of the United States government, please accept our deepest appreciation – to each of you, and to all the countries and international bodies that are among the first to endorse the *Global Guidelines for Countering Antisemitism*. We are deeply gratified to be your partners in this important effort.

An extra word of thanks to the Government of Argentina, especially its special envoy, who is our partner and today's host. We are reminded yet again, today, that Argentina is an ally, as we were on Friday when Argentina announced the designation of Hamas as a terrorist organization.

Many of you traveled great distances to be here, including from as far as Australia and from across Europe. A special acknowledgement to our partners from Israel. I know for them a journey to Buenos Aires is long on distance and heavy with emotion.

The *Global Guidelines* emerged as a collaborative initiative among counterparts. In our own regional and national settings – as the preamble states – we represent a growing group of government officials tasked with leading public policy efforts to counter Jew hatred.

From the AMIA terrorist attack thirty years ago to the aftermath of October 7th, the danger of antisemitism is clear. That's why my colleagues and I recognize the urgent need to unite and spur international action against this evil.

We distilled these twelve "Guidelines," each one a best practice that we know to be effective. We are confident that this framework – to quote one of my colleagues in the State Department – can provide "structure and guidance" to public authorities worldwide. I am also confident that these Guidelines will broaden and deepen international diplomacy and policy discourse about how best to counter antisemitism.

Our collective efforts today in Buenos Aires are but the starting point. As significant as the introduction of the Guidelines is, the responsibility is on all of us to use them and to further broaden the circle of endorsements.

On its own, adhering to this framework will not eradicate Jew hatred, but it will help to shape how the international system responds. These Global Guidelines are a step forward in our collective efforts to counter this scourge and to prevent its normalization.

Speaking on behalf of the United States, I wish to note that one of President Biden's signature policy priorities was to create a whole-of-government approach to countering antisemitism. Just over a year ago, the White House released the first-ever U.S. National Strategy, a landmark policy framework that is one of the inspirations and sources of these Guidelines.

I am proud to have been part of the crafting and implementation of the U.S. National Strategy, which continues to garner strong bipartisan support, and I am equally proud that it – along with other national and regional action plans – serves as a source for the Global Guidelines.

I should also reiterate that this agenda – countering antisemitism – both for the United States and for our partners, is about far more than protecting vulnerable communities. It is imperative that antisemitism also be understood as posing a multilayered threat.

Antisemitism, like other hatreds, poses threats beyond its immediate targets. A threat to one group also threatens society writ large.

Antisemitism, as I am reminded every day in my role, is a threat to Jews, to democracy, to the rule of law, and to international security and stability.

History tells us that when antisemitism is left to rage – or worse, when it is exploited and fanned for political purposes – democratic life, trust in public institutions, and national security is also imperiled.

The Global Guidelines also reflect a broader understanding of the critical role of cross-community solidarity and collective action against hate, and the need for public authorities, international bodies, civic and faith coalitions, and all people of conscience to work together.

The Guidelines also place emphasis on a point that is all-too-often overlooked in shaping antisemitism policy.

Safeguarding and sustaining Jewish life, as the Guidelines make clear, is not only a question of protection. Broadening appreciation of Jewish "heritage," to borrow language from the U.S. National Strategy, ensures that hate, bigotry, and threats do not define Jewish identity.

As many of my counterparts also emphasize in their work, and more broadly as is widely recognized in counter-bias and counter-hate work that affects all vulnerable communities, public policies also have a role to play in affirming positive identity.

In this regard, education is critical, as the Global Guidelines stress, and here I quote: "Education about Jewish culture and contributions to society demystifies Jews and

Judaism."

Our national and regional policies increasingly recognize how important this is and the Global Guidelines do as well.

The Guidelines encompass twelve areas of public policy, one of which focuses on the importance of understanding antisemitism, which is undergoing a particularly rapid shift in form during the current global surge of Jew-hatred.

The legally non-binding "International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism," as the Guidelines state, "is an important internationally recognized instrument" that is widely used around the world.

For those of us engaged in this work night and day, in the field, we understand the usefulness of examples. These remain integral to the definition. "Governments need tools," as the Guidelines state, and the IHRA definition is an important instrument.

When threatening messages are chanted in public or when Jewish communal sites are defaced – instances we've seen countless times since even the first days after October 7 – it is critical to recognize that this is a form of antisemitism.

As the U.S. Department of Education recently emphasized in its "resolution" agreements with American universities and in recent policy pronouncements, respecting freedom of expression does not displace the obligation to redress a hostile environment for Jews or other vulnerable groups.

In closing, I want to underscore the special sense of urgency we all feel given the ongoing global surge in antisemitism, including in the wake of the terrorist attacks against Israel on October 7 and the continued multi-front war Israel has faced since.

I believe we have channeled that sense of urgency in a productive, creative and collaborative fashion, and by introducing these Global Guidelines we are making a major stride forward in international policy to counter antisemitism.

We welcome and encourage others throughout the international community to endorse the Guidelines and use them.

GLOBAL GUIDELINES FOR COUNTERING ANTISEMITISM

17 July 2024

Concerned states, special envoys, national coordinators, and representatives tasked by their governments to counter antisemitism, in cooperation with international bodies, offer the following best practices, which have proven to be effective guidelines in formulating public policy.

These legally non-binding guidelines, adopted in Buenos Aires, Argentina, include policies to monitor and combat antisemitism that can be implemented and adapted to a wide variety of national, regional, and cultural contexts.

We urge all states and international bodies, as well as civil society, to embrace and use these practices, many of which already form the basis of regional and country-based action plans. These guidelines can be applied everywhere, not only in societies with Jewish communities.

SPEAK OUT – Governments and political leaders should denounce antisemitism swiftly, clearly, and unequivocally, whenever and wherever it occurs. This applies to the domestic and international arenas, including regional and international organizations.

AVOID POLITICIZATION – Antisemitism can appear across the political spectrum and should be rejected without political bias and regardless of its origin.

ADOPT and IMPLEMENT – Governments and international bodies should adopt and implement strategies and action plans that engage all relevant ministries and public authorities at all levels of governance. This should be done in consultation with Jewish communities, civil society, field researchers, and other relevant stakeholders. Such policies should be assessed periodically and updated as needed.

APPOINT and EMPOWER – Governments and international bodies should consider appointing national coordinators, special envoys, or designated officials. Such officials can proactively address antisemitism as a cross-cutting public policy challenge and should be provided with the necessary authority, empowerment, and resources to be effective.

UNDERSTAND and DEFINE – In order to combat antisemitism, governments need tools to understand its various manifestations. The legally non-binding "International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism" is an important internationally recognized instrument used by over 40 U.N. member states since its adoption in 2016. In addition, hundreds of sub-national public authorities, universities, sports bodies, NGOs, and corporations rely on it.

PROTECT – There are few roles more central for governments than the security and welfare of their populations. Jewish communities are targets of physical threats and attacks from both foreign and domestic sources. Governments, working together with Jewish communities, should provide appropriate protection and security enhancements that safeguard and sustain Jewish communal life. Religious freedom and protection also encompass safeguarding unhindered religious practice.

COLLECT – Policies should be in place to support the uniform collection of data documenting incidents of antisemitism as well as the perceptions of antisemitism among Jewish communities and the broader public. Such information, drawn from community-based sources, when possible, allows for evidence-based understanding of trends and sources.

ENFORCE – Enforcement of hate crime and anti-discrimination laws is critical and should take place within legal frameworks that protect civil liberties and human rights, such as freedom of expression. Enforcement conveys the broader message that antisemitism is unacceptable, has consequences, and cannot be tolerated.

EDUCATE – Education is vital for identifying and countering antisemitism, including Holocaust remembrance and countering Holocaust denial and distortion, an especially pernicious form of antisemitism. It has also proven effective in sensitizing law enforcement. Education about Jewish culture and contributions to society demystifies Jews and Judaism. Many countries and intergovernmental organizations have linked their efforts against antisemitism to broadening appreciation of Jewish heritage and fostering Jewish life.

CULTIVATE A WHOLE-OF-SOCIETY COMMITMENT – Countering antisemitism requires a whole-of-society commitment that includes the active participation of civil society. Collaboration; bridge-building; nurturing trust among faith, civic, and cultural leaders; and fostering mutual understanding are essential, particularly since antisemitism is not solely a threat to Jews. It can endanger

members of other minority groups, democratic values, and national security and stability.

ENGAGE SOCIAL MEDIA – Antisemitism, like other forms of group hatred and disinformation, is widespread and mutating online. It has real world consequences and can lead to radicalization to violence. Stakeholders should oppose antisemitism online, stay educated on evolving trends, increase transparency about antisemitic content, assess impacts on vulnerable communities, and find solutions, within the context of existing legal frameworks.

STRENGTHEN INTERNATIONAL COLLABORATION – Coalition-building and international cooperation are paramount to effectively monitor and counter antisemitism. In an interconnected world where hate respects no borders, transnational cooperation can identify threats, raise awareness, broaden the use of best practices, and more effectively and proactively coordinate responses.

****

Congress of the United States

Washington, DC 20510

September 13, 2024

The Honorable Mike Johnson
Speaker of the House
H-232, The Capitol
Washington, DC 20515

Dear Speaker Johnson,

As Congress continues to debate legislation to extend government funding beyond the end of Fiscal Year 2024, we write to urge you to expeditiously extend the Overseas Comparability Pay authority for U.S. Foreign Service officers before the end of the Fiscal Year.

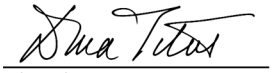
Overseas Comparability Pay (OCP) was first granted by Congress in 2009. This pay schedule ensures basic pay equity between those based in Washington, DC and officers outside of the Senior Foreign Service working overseas. Competitive pay is crucial to recruiting and retaining top talent. If Congress does not act before the end of this fiscal year, roughly 10,000 federal employees from six different agencies, including the State Department, U.S. Agency for International Development, and the Foreign Commercial Service, will be impacted, seeing an average pay cut of $21,000 representing about 22% of their salaries.

This is a mission-critical authorization with national security implications. Without an extension of OCP, the U.S. diplomatic corps – a collection of fiercely patriotic individuals who bravely advance U.S. interests abroad at great personal sacrifice – will be unfairly penalized. We must urgently act to renew the OCP authority to ensure these selfless public servants do not face financial hardship.

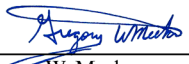
While an extension of this authority may be included in the Senate NDAA, there is no clear pathway to passage before September 30th when the current OCP authority lapses. Therefore it is imperative that Congress renew Overseas Comparability Pay in any legislation extending government funding past the end of the fiscal year. Failing to do so would erode U.S. national security and foreign policy priorities.

Thank you for your attention to this issue. We stand ready to work with you to advance this critical authority and support our U.S. Foreign Service.

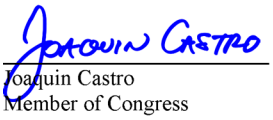
Sincerely,



Dina Titus
Member of Congress



Gregory W. Meeks
Ranking Member
House Foreign Affairs
Committee



Joaquin Castro
Member of Congress



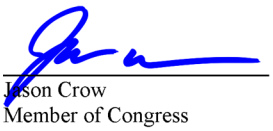
Sara Jacobs
Member of Congress



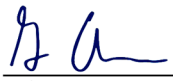
Colin Z. Allred
Member of Congress



Gerald E. Connolly
Member of Congress



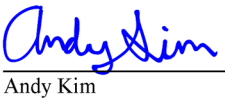
Jason Crow
Member of Congress



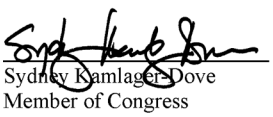
Gabe Amo
Member of Congress



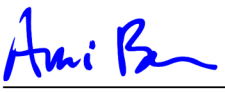
James P. McGovern
Member of Congress



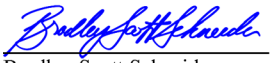
Andy Kim
Member of Congress



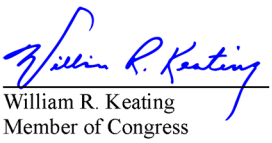
Sydney Kamlager-Dove
Member of Congress



Ami Bera, M.D.
Member of Congress



Bradley Scott Schneider
Member of Congress



William R. Keating
Member of Congress

Eric Swalwell
Member of Congress

Sheila Cherfilus-McCormick
Member of Congress

Jamie Raskin
Member of Congress

Eleanor Holmes Norton
Member of Congress

Emanuel Cleaver, II
Member of Congress

Lloyd Doggett
Member of Congress

Ed Case
Member of Congress

Mary Sattler Peltola
Member of Congress

Chris Pappas
Member of Congress

Jerrold Nadler
Member of Congress

Sylvia R. Garcia
Member of Congress

Bill Foster
Member of Congress

○