

# United States Senate

WASHINGTON, DC 20510

May 18, 2018

Mr. Steve A. Linick  
Inspector General, U.S. Department of State and Broadcasting Board of Governors  
U.S. Department of State  
Office of Inspector General  
1700 North Moore Street  
Arlington, VA 22209

Mr. Eric M. Thorson  
Inspector General, U.S. Department of the Treasury  
Office of Inspector General  
1500 Pennsylvania Avenue, N.W.  
Washington, D.C. 20220

Mr. Wayne A. Stone  
Acting Inspector General of the Intelligence Community  
Office of the Inspector General of the Intelligence Community  
Investigations Division  
Washington, D.C. 20511

Dear Inspectors General Linick, Thorson, and Stone:

We are writing to request that you conduct a review of your respective department's/community's role in implementing the Countering America's Adversaries Through Sanctions law (CAATSA), signed by President Trump on August 2, 2017.

Several mandatory provisions of the law have not been implemented by the administration, despite strong evidence that actions taken by or on behalf of the Russian government are in violation of the CAATSA sanctions law and applicable executive orders codified by CAATSA. For example, the U.S. government released a joint statement on April 16, 2018 with British authorities that accused Russian government-backed hackers of conducting cyber attacks in other countries, including the U.S., which should trigger sanctions under Section 224 of CAATSA. Yet the administration has not imposed any such sanctions in response, nor has it issued waivers under this provision.

Likewise, it seems clear that several weeks ago the administration had identified specific Russian entities that had played a role in supplying or otherwise supporting the government of Syria's chemical weapons program, had prepared a list of such entities for sanctions designation, and Ambassador Nikki Haley publicly announced their imminent designation -- but then the administration did not designate them, reportedly at the direction of the President. This raises obvious questions about the provision of Russian technology or support to Syria in violation of Section 234 of the law.

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Overall, CAATSA includes seven mandatory provisions (Sections 224, 225, 226, 228, 231, 233 and 234) which we believe merit further examination. We also remain concerned that the administration has not formally determined whether individuals are conducting significant transactions with the Russian defense and intelligence sectors under Section 231. Without such determinations, it is impossible to ascertain whether individuals are substantially reducing significant transactions with these entities as outlined in the law.

In light of these apparent violations and the lack of corresponding sanctions actions, we are concerned about whether the sanctions implementation process within the administration is fulfilling CAATSA's mandate and intent. In general, with respect to mandatory measures, the President is required to make determinations in the event that he has established that sanctionable behavior has taken place, and then either impose sanctions or exercise a waiver. We understand that only one determination, with respect to Section 224, has been made under new congressionally-mandated CAATSA sanctions since the law went into effect last August.


As part of your respective reviews, we request that you address the following issues and make any necessary recommendations for improvement:


1. Why have mandatory provisions of the law not been implemented, despite clear evidence of sanctions violations?
2. What are the internal processes by which your respective agencies have contributed to the creation of Russia sanctions designation packages when CAATSA or applicable executive orders are violated?
3. How has interagency coordination taken place with respect to CAATSA implementation, or other provisions of law or executive orders related to Russia, and is the inter-agency review process working as it should?
4. Are there obstacles in the inter-agency review process of which Congress should be made aware, as administration officials consider imposing additional sanctions on Russian actors consistent with current law?

Thank you for your consideration of our request.

Sincerely,

  
Robert Menendez  
United States Senator

  
Mark Warner  
United States Senator

  
Sherrod Brown  
United States Senator