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# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

June 4, 2020

The Honorable Mike Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C. 20520

Secretary Pompeo,

In your May 28 letter to me you “implore[d] [me] and [my] staff to confront foreign policy issues of concern and interest to [me] and [my] constituents on an intellectual level and on the merits.” Thank you for this invitation; as you well know, I have been seeking to do exactly that for the duration of your tenure.

Indeed, for months, I have asked, repeatedly, questions about some of the most serious foreign policy and national security issues facing our nation and the world. I have asked those questions of you personally, of senior officials at the Department, and through my staff to various appropriate officials in the Administration. Despite the pressing nature of some of these concerns—including the Administration’s early response to COVID-19; the basis for withdrawing funding to the WHO; the ongoing commitment to global health priorities; the deporting of individuals from our country with COVID-19; the justification for additional arms sales to Saudi Arabia; the grounds for dismissing an independent Inspector General; details about agreements with third countries on asylees and refugees—my requests for substantive engagement on critical matters of foreign policy have gone largely ignored or woefully unaddressed.

You also note that your “job is to lead an organization focused on the execution of President Trump’s foreign policy priorities on behalf of the United States.” I would argue that part of that job is to explain to the American people—and their elected representatives in Congress—exactly what those priorities are.

I understand that Chairman Risch, with my full support, has been trying to get you to testify in front of the Senate Foreign Relations Committee since February, including by appearing remotely, on the budget request for the State Department. Additionally, given that we are currently facing a global pandemic that threatens some of the world’s most vulnerable populations, witnessing increased tension with China, and instability that threatens U.S. interests across the world, there are any number of topics that would normally trigger a Secretary of State testifying before Congress. Moreover, you have only publicly appeared in front of this Committee three times; the last time being April 10, 2019. Again, I would welcome you to come testify on any topic of your choosing.

Indeed, when you were yourself a member of Congress, you extolled Congressional oversight as a critical function of this country. In March 2014, you stated that our system of checks and balances, including Congress, “is the best [system] devised by humankind for a way to provide oversight on a country’s

incredibly important intelligence operations.”<sup>1</sup> Surely the same logic would apply to our foreign policy operations. In March 2016, you told a newspaper that the State Department “ought” to “respond to a legitimate inquiry from the legislative branch, duly authorized by statute and cooperate.”<sup>2</sup> I could not agree more.

As our country’s shining light as the beacon of freedom and democracy continues to dim under this Administration, it would behoove our standing in the world and strengthen our own democratic fabric if the nation’s leading diplomat would engage on these and other issues.

In the spirit of your request, below is a representative, non-exhaustive list of requests I have sent over the last year on foreign policy matters of grave concern to me and my constituents, to which the State Department has failed to respond to fully or at all and about which you have yet to come to Congress to testify. I look forward to your prompt engagement on these matters, and to having you testify before the Committee in short order.

Sincerely,



Robert Menendez  
Ranking Member

**Outstanding Requests regarding U.S. Foreign Policy:**

1. Legal analysis and determination for the Trump administration’s decision not to make a legally-required determination under the Global Magnitsky Act regarding the role of Mohammed bin Salman in the murder of *Washington Post* journalist and U.S. resident Jamal Khashoggi, including relevant records and information – requested **Feb. 14, 2019**
2. Information on the Administration’s climate change policy following reports that the NSC was pursuing the establishment of a commission to undermine the utilization of climate science in national security planning – requested **Feb. 20, 2019**
3. Information on the Trump administration’s climate leadership plans in light of U.S. withdrawal from the Paris Agreement – requested **Feb. 28, 2019, Sept. 27, 2019 and earlier.**
4. Answers regarding reports that the U.S. government committed to paying \$2 million to North Korea to secure the release of Otto Warmbier – requested **May 3, 2019**
5. Records and information related to the State Department’s role in delaying security assistance to Ukraine and facilitating meetings between the President’s personal agent, Rudy Giuliani, and Ukrainian officials – requested **Sept. 24, 2019**

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<sup>1</sup> Darren Samuelsohn, “Hill draws criticism over NSA oversight,” *Politico*, Mar. 2, 2014,

<sup>2</sup> Susan Crabtree, “Scandals surround Clinton's gatekeeper at State,” *Washington Examiner*, Oct. 19, 2016,

6. Adequate answers and documents responsive to 31 outstanding questions for the record from the September 25, 2019, Senate Foreign Relations Committee hearing on Mexico and Central America, including all agreements and arrangements and associated documentation between the U.S. and Mexico and the U.S. and the Northern Triangle (El Salvador, Guatemala, and Honduras) – requested **Sept. 27, 2019**
7. Information on your role and the State Department role in the July 25 Trump-Zelenskyy call and surrounding events – requested **Sept. 27, 2019**
8. Communications, information, and any legal opinion relating to the July 2019 Joint Department of Health and Human Services and State Department letter to more than 70 countries urging them to oppose abortion access – requested **Oct. 28, 2019**
9. Written details and briefing on the State Operations Center and reports that the Department was limiting it to document calls with foreign leaders – requested **Dec. 6, 2019**
10. Information on the State Department’s birthright citizenship initiative – requested **Jan. 24, 2020**
11. Briefing with Assistant Secretary Ford to discuss State’s Cyber Office – requested **Feb. 2020**
12. Documents showing the division of non-security assistance in Iraq between U.S. Agency for International Development (USAID) and State Department and of all non-security assistance and staffing for religious and ethnic minorities in Iraq and Syria – requested **Feb. 3, 2020 with several follow ups, most recently on June 1, 2020**
13. Information fully responsive to my questions, asked with Senator Warren and 23 other Democratic Senators, to you, Attorney General Barr, and Acting Secretary of Homeland Security Chad Wolf, about the negotiation and implementation of three international “Asylum Cooperative Agreements” (ACAs, or Safe 3<sup>rd</sup> Country agreements) in El Salvador, Guatemala, and Honduras – requested **Feb. 5, 2020**
14. Clarification as to whether Turkey’s purchase of the S-400 will be included in the calculation of Turkey’s progress towards its two percent Wales commitment – requested **Feb. 28, 2020**
15. Information about the Trump administration’s strategy for countering Russian interference in African elections; and a description of all activities funded by State or USAID specifically aimed at countering Russian interference in African elections, with funding amounts – requested **Mar. 3, 2020**
16. Explanation from the Bureau of Western Hemisphere Affairs (WHA) of the Administration’s policy toward asylum seekers in response to the coronavirus outbreak, and a detailed explanation from the Office of the Legal Adviser Office of Human Rights and Refugees (L/HRR) of how this policy comports with domestic and international legal obligations toward asylum seekers – requested **Mar. 18, 2020**
17. Information about Global Engagement Center operations – requested **Mar. 23, 2020**
18. Information and document request regarding the Bureau of Intelligence and Research and China COVID-19 cables – requested **Mar. 24/30, 2020**

19. Briefing on COVID-19 origins – requested **Apr. 2, 2020**
20. Briefing on Open Skies Treaty – requested **Apr. 3, 2020**
21. Explanations for the role of the U.S. in the Serbia-Kosovo talks, why the U.S. has not imposed sanctions on Serbia pursuant to the Countering America's Adversaries Through Sanctions Act (CAATSA), and whether the suspension of the Millennium Challenge Corporation's (MCC) Kosovo programs is in keeping with the MCC's mission – requested **Apr. 13, 2020**
22. Briefing on Chinese nuclear testing – requested **Apr. 16, 2020**
23. Information about the State Department's response to warning signs in the early stages of the COVID-19 outbreak – requested **Apr. 16, 2020**
24. Information from the Bureau of International Organization Affairs (IO) about how suspension/cessation of the World Health Organization (WHO) contributions is affecting engagement related to COVID-19 and health programming on the ground in Mozambique – requested **Apr. 23, 2020**
25. Legal opinion related to Iran that was provided to one or more Republican Senators before Biegun's confirmation as Deputy Secretary of State – requested **Apr. 27, 2020**
26. Briefing on State's plans to address the growing threat of foreign white supremacist terror, and request for you to immediately provide clarity on the employment status of Mr. Matthew Gebert following his August 2019 suspension, as well as for you to call out bigotry and unequivocally reject the promotion of hatred – requested **Apr. 28, 2020**
27. Information on whether State is conducting a review of our response to COVID-19, whether the findings of the review we are asking WHO to conduct will be used to inform the U.S. response, whether the U.S. is providing staff to assist WHO with the review, and a copy of Ambassador Bremberg's remarks as delivered at the WHO Executive Board meeting in February 2020 – requested **May 1, 2020**
28. Information on COVID-19 testing for migrants before deportation, medical treatment for those who test positive, and ending deportations of individuals who have tested positive or exhibited symptoms of COVID-19, as well as the results of the Centers for Disease Control and Prevention (CDC) review of the impact of deporting individuals that have tested positive for COVID-19 upon arrival in Guatemala – requested **May 1, 2020**
29. Briefing on the failed mercenary incursion into Venezuela that occurred on May 3, 2020, and resulted in the capture of two American citizens, as well as related potential violations of the International Traffic in Arms Regulations (ITAR) – requested **May 4, 2020**
30. Documents relating to the State Department's engagement with the WHO in the face of the COVID-19 global pandemic – requested **May 5, 2020**
31. Documents related to origins of, and early preparation for, COVID-19, including all cables regarding the CDC and China, the WHO, and the Department's pandemic preparedness or response plan – requested **May 7, 2020**

32. Briefing on the inadequate report received from the Department, pursuant to the VERDAD Act, on the Maduro regime's potential involvement in crimes against humanity. The VERDAD Act includes a statutory requirement that a briefing on this report be provided within 15 days – requested **May 7, 2020**
33. Briefing on Ethiopia security sector engagement – requested **May 8, 2020**
34. Briefing from the Bureau of Democracy, Human Rights, and Labor about accountability for abuses by Cameroon security forces – requested **May 8, 2020**
35. Information on the Administration's asylum ban justified, in part, on conditions related to COVID-19 – requested **May 12, 2020**
36. Information and briefing on rescissions at the Department – requested **May 12, 2020**
37. Information regarding “non-public” disclaimer language from the Department's Office of the Legal Adviser – requested **May 12, 2020**
38. Update on the economic and political situation in Jordan – requested **May 13, 2020**
39. Briefing with Special Envoy Billingslea on arms control issues – requested **May 14, 2020**
40. Briefing on the Sacoolas case and Interpol – requested **May 15, 2020 (following-up on 2019 requests)**
41. Further information on the status of Egyptian purchase of Su-35, in violation of CAATSA - requested **May 19, 2020**
42. Further information on the Unalienable Rights Commission purpose, membership selection, and expected outputs – requested **May 20, 2020**
43. Information about U.S. engagement with civil society organizations that are monitoring the implementation of African Development Bank (AfDB) and World Bank projects in Zimbabwe – requested **May 27, 2020**
44. Impact of COVID-19-related travel restrictions on Bureau of Educational and Cultural Exchanges J1 Visa programs – requested **May 27, 2020**
45. Determinations that allowed the Asylum Cooperative Agreements to enter into force – requested **May 27, 2020**
46. Information on U.S. objections to the concept of “discrimination” and its understanding of how the concept of “equal protection of the laws” applied in an OAS declaration in support of LGBTI rights – requested **May 28, 2020**
47. Information about how State's African Affairs Bureau is planning to mitigate loss of credibility and moral authority on messaging on democracy and governance, respect for human rights, and accountability for security sector abuses in Africa given U.S. police abuses and President Trump's tweets – requested **June 1, 2020**

### **Outstanding Requests regarding State Department Management and Operations:**

1. Information regarding Special Representatives and Special Envoy Status – ongoing series of requests, dating back to **2019**
2. Information and records on how State protected and defended Ambassador Yovanovitch, why she was removed early, and what State is doing to ensure State Department personnel know their rights under federal whistleblower laws – requested **Oct. 10, 2019**
3. Briefing by Under Secretary for Management on steps taken to address retaliation at the Department, including in the IO bureau – requested **Oct. 11, 2019**
4. Explanation of the steps taken to investigate the alleged surveillance of Ambassador Yovanovitch – requested **Jan. 15, 2020 and Jan. 29, 2020**
5. Request for interviews related to joint political retaliation investigation on – requested **Feb. 24, 2020**
6. Clarification of Diplomatic Security policy on background investigations – requested **Mar. 4, 2020**
7. Follow-up information on diversity issues at the State Department – requested **Mar. 25, 2020**
8. Update on staffing at the U.S. Consulate in Thessaloniki, Greece – requested **Mar. 25, 2020**
9. Information on whether the Department weighed in on Mari Stull’s candidacy to be the Washington D.C. Representative of the OAS Inter-American Institute for Cooperation on Agriculture (IICA) and what details the State Department provided to IICA about retaliation allegations against Stull – requested **Mar. 27, 2020**
10. Information about the Department’s review of Ambassador McCarter’s tweets referring to COVID-19 as the Wuhan Flu and any directives from State to Ambassadors to avoid the term – requested **Apr. 22, 2020**
11. Information request to Ambassador McCarter about the review process of his tweets referring to COVID-19 as the Wuhan Flu – requested **May 6, 2020**
12. Documents related to the firing of State Department Inspector General Linick – requested **May 16, 2020**
13. Details regarding the firing of State Department Inspector General Linick and appointment of Acting Inspector General Akard – requested **May 16 and 18, 2020**
14. Legal basis for appointing Lee Rizzuto as “Principal Officer” for U.S. Consulate General in Bermuda – requested **May 27, 2020**