

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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<http://oversight.house.gov>

September 9, 2019

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

Dear Mr. Secretary:

On August 5, 2019, the Subcommittee wrote to you requesting information related to the process by which the Trump Administration chose to impose a second round of sanctions on the Russian Federation as required by the Chemical and Biological Weapons Control and Warfare Elimination (CBW) Act of 1991. To date, your Department has not provided a response, despite the requested deadline of August 23, 2019.

After months of bipartisan prodding and repeated assurances from the Department that additional sanctions were forthcoming, on August 2, 2019, your Department finally announced that the United States would impose the following sanctions on Russia for its use of a “novichok” nerve agent against Sergei Skripal and his daughter:

1. The United States will oppose the extension of any loan or financial or technical assistance to Russia by international financial institutions, such as the World Bank or International Monetary Fund;
2. U.S. banks will be prohibited from participating in the primary market for non-ruble denominated bonds issued by the Russian sovereign and lending non-ruble denominated funds to the Russian sovereign;
3. Licenses for exports to Russia of dual-use chemical and biological items controlled by the Department of Commerce will be subject to a “presumption of denial” policy.¹

¹ See Letter from Chairman Stephen F. Lynch, Subcommittee on National Security, Committee on Oversight and Reform, to Secretary Mike Pompeo, Department of State (Aug. 5, 2019) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2019.08.05%20Lynch%20to%20Pompeo%20re%20Russia%20CBW%20Sanctions.pdf>); Department of State, *Second Round of Chemical and Biological Weapons Control and Warfare Elimination Act Sanctions on Russia* (Aug. 2, 2009) (online at www.state.gov/second-round-of-chemical-and-biological-weapons-control-and-warfare-elimination-act-sanctions-on-russia/).

According to former officials from the National Security Council, State Department, and Department of the Treasury, these sanctions, while long-overdue, are “insignificant” and will “put barely a scratch” on the Russian economy. They are not likely to have any effect on Russia’s outstanding \$22.2 billion in foreign-currency bonds and \$40.54 billion in ruble-denominated bonds, future ruble-denominated bonds or loans, or financing to state-owned enterprises. Moreover, the restrictions on licensing for exports are excessively “narrow” and “limited,” as they apply only to components of chemical and biological weapons. Finally, Russia’s reliance on international financial institution assistance is minimal, and the United States “would have voted against [any such assistance] anyway.”² According to the international law firm Norton Rose Fulbright, “the impact of these sanctions, as with the first round of sanctions issued in August, 2018, is expected to be minimal, particularly in comparison to the menu of potential sanctions that could have been imposed.”³

Your Department has claimed on multiple occasions that “we condemn in the strongest possible terms the use of chemical weapons anywhere, by anyone, under any circumstances.”⁴ These words ring hollow if they are not enforced through timely, meaningful sanctions and remedial action. I am particularly concerned this may be the case with respect to the Administration’s enforcement of the CBW Act against Russia. Specifically, the more than eight-month delay in announcing a second round of sanctions, coupled with the relative ineffectiveness of the sanctions chosen, raises serious questions about the Trump Administration’s willingness to hold Russia accountable for its use of chemical weapons and commitment to deter additional chemical weapons use in the future.

For these reasons, I respectfully request that you provide all of the information detailed in the Subcommittee’s August 5, 2019, letter by September 20, 2019.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

² *New Russia Sanctions: Justified, But Feeble and Awkward*, Atlantic Council (Aug. 5, 2019) (online at <https://www.atlanticcouncil.org/blogs/new-atlanticist/new-russia-sanctions-justified-but-feeble-and-awkward>).


³ *US Imposes Second Round of CBW Act Sanctions on Russia; Overall Impact to Remain Minimal*, Norton Rose Fulbright (Aug. 2019) (online at www.nortonrosefulbright.com/en-us/knowledge/publications/5c3e0bc8/us-imposes-second-round-of-cbw-act-sanctions-on-russia).

⁴ Department of State, *Syria: Anniversary of the Ghouta Chemical Weapons Attack* (Aug. 21, 2019) (online at www.state.gov/syria-anniversary-of-the-ghouta-chemical-weapons-attack/); Department of State, *First Anniversary of the Sarin Attack in Khan Shaykhun, Syria* (Apr. 4, 2019) (online at www.state.gov/first-anniversary-of-the-sarin-attack-in-khan-shaykhun-syria/); Department of State, *Joint Investigative Mechanism Report on Khan Shaykhun and Um Housh* (Oct. 27, 2017) (online at www.state.gov/joint-investigative-mechanism-report-on-khan-shaykhun-and-um-housh/).

The Honorable Mike R. Pompeo
Page 3

An attachment to this letter provides additional instructions for responding to the Committee's request. If you have any questions regarding this request, please contact staff on the Subcommittee on National Security at (202) 225-5051.

Sincerely,



Stephen F. Lynch
Chairman
Subcommittee on National Security

Enclosure

cc: The Honorable Jody B. Hice, Ranking Member