

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

MINORITY (202) 225-5051

<http://oversight.house.gov>

September 18, 2018

The Honorable Mark Green  
Administrator  
U.S. Agency for International Development  
Ronald Reagan Building, Suite 610  
1300 Pennsylvania Avenue, NW  
Washington, D.C. 20523-6100

Dear Mr. Green:

The Committee is conducting oversight over the U.S. Agency for International Development's (USAID) awards function. Several USAID awards raise questions about USAID's decision-making and specifically its vetting process.

In July 2014, USAID issued a \$200,000 sub-award to the Sudan-based Islamic Relief Agency (ISRA).<sup>1</sup> The Department of the Treasury had previously designated ISRA (also known as the Islamic Africa Relief Agency) under Executive Order 13224 for supporting terrorism in 2004.<sup>2</sup> According to Treasury, the group provided "direct financial support" to Osama bin Laden and "was responsible for moving funds to the Palestinian territories for use in terrorist activities" including "serving as a conduit to Hamas."<sup>3</sup>

World Vision International, the main grant recipient who subcontracted with ISRA, claims it informed USAID and the Department of the Treasury's Office of Foreign Assets Control (OFAC) of concerns ISRA might be related to organizations designated by the U.S. Government for supporting terrorism in November 2014. World Vision states OFAC confirmed ISRA "appears to be the same entity" designated by Treasury.<sup>4</sup> World Vision further states

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<sup>1</sup> Result for USAID Sub-Grant to ISRA, USASpending.gov, <https://www.usaspending.gov/#/search> (search "ISRA," Fiscal Years 2014 and 2015, and "USAID" then switch from Prime Awards to Sub-Awards) (last visited Jul. 26, 2018).

<sup>2</sup> Press Release, U.S. Dept. of the Treasury, Treasury Designates Global Network, Senior Officials of IARA for Supporting bin Laden, Others (Oct. 13, 2004), available at <https://www.treasury.gov/press-center/press-releases/Pages/js2025.aspx>.

<sup>3</sup> *Id.*

<sup>4</sup> Press Release, World Vision International, World Vision Statement Regarding our Past Engagement with Islamic Relief Agency in Sudan (Jul. 25, 2018), available at <https://www.wvi.org/pressrelease/world-vision-statement-regarding-our-past-engagement-islamic-relief-agency-sudan>.

OFAC subsequently authorized it to transfer \$125,000 to ISRA for completed work even after identifying ISRA as a designated entity.<sup>5</sup>

In Fiscal Year 2017, USAID awarded at least \$4.65 million to Norwegian People's Aid (NPA).<sup>6</sup> In April 2018, NPA reached a \$2.025 million settlement agreement with the U.S. government for violations of the law including providing material support to Iran and terrorist organizations including Hamas, the Popular Front for the Liberation of Palestine, and the Democratic Front for the Liberation of Palestine.<sup>7</sup>

The U.S. Agency for International Development's awarding of taxpayer funds to organizations involved in supporting terrorism raises questions. To assist the Committee's oversight of this issue, please provide the following documents and information:

1. Documents sufficient to show USAID's process for vetting awardees for involvement with terrorism;
2. A list of all known USAID awards since January 1, 2013, to entities on the Specially Designated Nationals List or otherwise believed or suspected by the U.S. government to be involved with terrorism;
3. All documents and communications referring or relating to USAID awards and sub-awards to ISRA, including but not limited to any discussion of ISRA's involvement with terrorism; and
4. All documents and communications referring or relating to USAID awards and sub-awards to NPA, including but not limited to any discussion of NPA's involvement with terrorism.

Please provide the requested documents and information as soon as possible, but no later than 5:00 p.m. on October 2, 2018. An attachment to this letter provides additional instructions for responding to the Committee's request. Should your response necessitate production of classified documents or information, please provide those as an appendix to your response letter under separate cover. In addition, please arrange to brief Committee staff on this matter no later than October 9, 2018.

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<sup>5</sup> *Id.*

<sup>6</sup> Foreign Aid Explorer, U.S. Agency for Int'l Dev. <https://explorer.usaid.gov/agencies/?agency=1&year=2017&measure=Obligations> (search awards for Norwegian People's Aid) (last visited Jul. 26, 2018).

<sup>7</sup> Press Release, U.S. Dept. of Justice, Manhattan U.S. Attorney Announces Settlement with Norwegian Not-For-Profit, Resolving Claims That It Provided Material Support to Iran, Hamas, And Other Prohibited Parties Under U.S. Law (Apr. 3, 2018).

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Please contact Ari Wisch of the Majority staff at (202) 225-5074 if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Steve Russell". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Steve Russell  
Chairman  
Subcommittee on National Security

Enclosure

cc: The Honorable Stephen F. Lynch, Ranking Member

## Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
  - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
  - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
  - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
  - (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document:  
  
BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,  
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE,  
SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,  
CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE,  
DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,  
INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,  
BEGATTACH.
6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. Unless otherwise specified, the time period covered by this request is from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.

19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

### **Definitions**

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms “person” or “persons” mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.

5. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term “referring or relating,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.
7. The term “employee” means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.

**COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM  
U.S. HOUSE OF REPRESENTATIVES  
115<sup>TH</sup> CONGRESS**

**NOTICE OF APPEARANCE OF COUNSEL**

**Counsel submitting:** \_\_\_\_\_

**Bar number:** \_\_\_\_\_ **State/District of admission:** \_\_\_\_\_

**Attorney for:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

**Pursuant to Rule 16 of the Committee Rules, notice is hereby given of the entry of the undersigned as counsel for \_\_\_\_\_ in (select one):**

**All matters before the Committee**

**The following matters (describe the scope of representation):**

\_\_\_\_\_  
\_\_\_\_\_

**All further notice and copies of papers and other material relevant to this action should be directed to and served upon:**

**Attorney's name:** \_\_\_\_\_

**Attorney's email address:** \_\_\_\_\_

**Firm name (where applicable):** \_\_\_\_\_

**Complete Mailing Address:** \_\_\_\_\_  
\_\_\_\_\_

**I agree to notify the Committee within 1 business day of any change in representation.**

\_\_\_\_\_  
**Signature of Attorney**

\_\_\_\_\_  
**Date**