

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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WASHINGTON, DC 20515-6143

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<https://oversight.house.gov>

May 23, 2023

The Honorable Antony Blinken  
Secretary  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520

The Honorable Janet Yellen  
Secretary  
U.S. Department of the Treasury  
1500 Pennsylvania Avenue N.W.  
Washington, D.C. 20220

The Honorable Lloyd Austin  
Secretary  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301

The Honorable Samantha Power  
Administrator  
U.S. Agency for International Development  
Ronald Regan Building  
Washington, D.C. 20523

Dear Secretaries Blinken, Austin, Yellen, and Administrator Power:

The Committee on Oversight and Accountability (Committee) is investigating the withdrawal of U.S. forces and the evacuation of U.S. citizens and Afghan allies from Afghanistan. One critical partner in helping the Committee assess issues related to security, humanitarian, economic, and governance assistance to the Afghan people has been the Special Inspector General for Afghanistan Reconstruction (SIGAR). SIGAR has notified the Committee on multiple occasions of the Department of State's (State), the U.S. Agency for International Development's (USAID), the Department of Defense's (DoD), and the U.S. Department of Treasury's (Treasury) refusals to cooperate with SIGAR's ongoing evaluations.<sup>1</sup> This lack of cooperation is unacceptable. The Administration will neither avoid SIGAR's important oversight work nor flout accountability to the American people for its catastrophic failures in Afghanistan.

Inspector General John Sopko, the head of SIGAR, testified before the Committee on April 19, 2023, "Due to the refusal of State or USAID to fully cooperate with SIGAR, I cannot report to this Committee or the American people on the extent to which our government may be

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<sup>1</sup> Letter from Hon. John Sopko, Special Inspector Gen. for Afghanistan Reconstruction to Hon. James Comer, et. al., Ranking Member, H. Comm. on Oversight & Reform (June 22, 2022); Email from staff, Special Inspector Gen. for Afghanistan Reconstruction to staff, H. Comm. on Oversight & Reform (Oct. 11, 2022); Briefing from Special Inspector Gen. for Afghanistan Reconstruction staff to H. Comm. on Oversight & Reform staff (Oct. 28, 2022); *The Biden Administration's Disastrous Withdrawal from Afghanistan: Part I: Review by the Inspectors General, Hearing before H. Comm. on Oversight & Accountability*, 118<sup>th</sup> Cong. (April 19, 2023) (statement of Hon. John Sopko, Special Inspector Gen. for Afghanistan Reconstruction).

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funding the Taliban and other nefarious groups with U.S. taxpayer dollars.”<sup>2</sup> Since August 2021, the U.S. has provided or otherwise made available \$8 billion to assist the Afghan people.<sup>3</sup> This includes \$2.2 billion for humanitarian and development efforts, and the \$3.5 billion in Afghan Central Bank reserves transferred to the newly created Afghan Fund to stabilize Afghanistan’s economy.<sup>4</sup> The Committee is not confident the Biden Administration can guarantee that funding will make it to its intended recipients and not the Taliban or other sources of terrorism.

The Biden Administration’s claims that SIGAR no longer has oversight jurisdiction over humanitarian aid and development assistance is a radical departure from its own past practice.<sup>5</sup> For the twelve years leading up to the August 2021 U.S. troop withdrawal, State and USAID readily provided information and assistance to SIGAR on these matters for audits, investigations, lessons learned reports, and other inquiries.<sup>6</sup> The Committee questions why the Biden Administration’s posture has changed towards SIGAR and if it is because SIGAR has voiced concerns about the Administration’s efficacy in Afghanistan to date.

SIGAR’s mission did not change with the withdrawal of U.S. forces from Afghanistan. The National Defense Authorization Act for Fiscal Year 2008 makes clear that SIGAR is to report quarterly on:

1. Amounts used to establish or reestablish a political or societal institution of Afghanistan (*e.g.*, the Afghan Fund to recapitalize the Afghan Central Bank).<sup>7</sup>

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<sup>2</sup> *The Biden Administration’s Disastrous Withdrawal from Afghanistan: Part 1: Review by the Inspectors General, Hearing before H.Comm. on Oversight & Accountability*, 118<sup>th</sup> Cong. 4 (April 19, 2023), (statement of Mr. John Sopko, Special Inspector Gen. for Afghanistan Reconstruction).

<sup>3</sup> SPECIAL INSPECTOR GEN. FOR AFGHANISTAN RECONSTRUCTION, 2023 HIGH-RISK LIST, Title Page 2 (April 19, 2023).

<sup>4</sup> *Id.* at 4.

<sup>5</sup> Letter from Richard Visek, Acting Legal Advisor, U.S. Dep’t of State & Margaret Taylor, General Counsel, USAID to John Arlington, General Counsel, Special Inspector Gen. for Afghanistan Reconstruction (April 25, 2022).

<sup>6</sup> SPECIAL INSPECTOR GEN. FOR AFGHANISTAN RECONSTRUCTION, SIGAR 20-10-AR, EMERGENCY FOOD ASSISTANCE TO AFGHANISTAN: INCOMPLETE REPORTING AND LIMITED SITE VISITS HINDERED USAID’S OVERSIGHT OF MILLIONS OF DOLLARS OF FOOD ASSISTANCE (Nov. 21, 2019); SPECIAL INSPECTOR GEN. FOR AFGHANISTAN RECONSTRUCTION, SIGAR-16-47-AL, AUDIT LETTER: EFFORTS TO SUPPORT AFGHAN IDPs (July 25, 2016); SPECIAL INSPECTOR GEN. FOR AFGHANISTAN RECONSTRUCTION, SIGAR 15-83-AR, AFGHAN REFUGEES AND RETURNEES: CORRUPTION AND LACK OF AFGHAN MINISTERIAL CAPACITY HAVE PREVENTED IMPLEMENTATION OF A LONG-TERM REFUGEE STRATEGY (Aug.27, 2015); SPECIAL INSPECTOR GEN. FOR AFGHANISTAN RECONSTRUCTION, SIGAR AUDIT 13-14, CONTRACTING WITH THE ENEMY: STATE AND USAID NEED STRONGER AUTHORITY TO TERMINATE CONTRACTS WHEN ENEMY AFFILIATIONS ARE IDENTIFIED (July 24, 2013); *See* SIGAR’s Quarterly Reports for which DOD, State, and USAID provided voluminous information:

<https://www.sigar.mil/quarterlyreports/index.aspx?SSR=6>

<sup>7</sup> National Defense Authorization Act for Fiscal Year 2008, Pub. L. No. 110-118, § 1229

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2. Amounts used to provide products or services to the people of Afghanistan (e.g., humanitarian and development aid).<sup>8</sup>

On April 19, 2023, as the Committee was conducting its hearing on the U.S. withdrawal from Afghanistan, the White House Press Secretary claimed in a press briefing, “the Administration has consistently provided updates and information...to numerous inspectors general.”<sup>9</sup> Following this statement, Chairman James Comer asked Inspector General Sopko if this was true.<sup>10</sup> Inspector General Sopko confirmed that State, USAID, DoD, and Treasury continue to obstruct SIGAR’s mission.<sup>11</sup> SIGAR has informed the Committee the Biden Administration continues to delay, and sometimes ignore requests altogether.<sup>12</sup> For example:

1. SIGAR requested access to the Doha Peace Agreement materials including implementing agreements and classified annexes. There was no response from State after multiple follow-ups from SIGAR’s senior leadership.<sup>13</sup>
2. Inspector General Sopko was denied a meeting to interview Special Representative for Afghanistan Thomas West. After SIGAR’s senior leadership followed up with State on multiple occasions, there has still been no response.<sup>14</sup>
3. State directed its employees not to participate in SIGAR interviews.<sup>15</sup> SIGAR has provided to the Committee an email exchange between a State employee and SIGAR employee verifying this information.
4. USAID continues to refuse to allow SIGAR to interview its employees.<sup>16</sup>
5. State and USAID refused to provide SIGAR with certain information related to their ongoing efforts in Afghanistan, claiming that information is “sensitive.”<sup>17</sup>

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<sup>8</sup> *Id.*

<sup>9</sup> Press Briefing, The White House, Press Briefing by Press Secretary Karine Jean-Pierre (April 19, 2023).

<sup>10</sup> *The Biden Administration’s Disastrous Withdrawal from Afghanistan: Part I: Review by the Inspectors General, Hearing before H. Comm. on Oversight & Accountability, 118<sup>th</sup> Cong. (April 19, 2023).*

<sup>11</sup> *Id.*

<sup>12</sup> Memo from the Special Inspector Gen. for Afghanistan Reconstruction to H. Comm. on Oversight & Accountability (April 20, 2023).

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

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6. State has instructed a contractor to not to participate in a SIGAR audit.<sup>18</sup>
7. State has instructed USAID and Treasury to not participate any requests for information about the Afghan Fund.<sup>19</sup>
8. DoD has refused to respond to SIGAR's inquires in 2022 caused months of delays in responding to the Committee's bipartisan request for SIGAR to report on why the Afghan Security Forces collapsed.<sup>20</sup>

In a May 4, 2023 bipartisan briefing with the Committee, State, and USAID, State and USAID raised concerns regarding SIGAR's attention to sensitive matters.<sup>21</sup> Given SIGAR's extensive experience handling not only sensitive, but also classified information—and SIGAR's full, federal law enforcement authority<sup>22</sup>—the Committee is confident in SIGAR's ability to handle sensitive information.

The Administration's refusal to cooperate with SIGAR has inhibited SIGAR's ability to conduct independent, robust, and meaningful oversight. As U.S. taxpayer dollars continue to assist the people of Afghanistan, it is imperative SIGAR's mission remain unobstructed. Congress has granted SIGAR authority to carry out this mission of providing whole-of-government oversight,<sup>23</sup> and it is Congress's authority alone to determine SIGAR's jurisdiction and scope of mission. Therefore, the Committee urges the Administration to cooperate fully with SIGAR on any prior, ongoing, or future requests for information, audits, evaluations, oversight, interviews, or any other tool SIGAR deems necessary to complete its mission.

Please respond in writing if you object to the Committee's request. If you have any follow-up questions, please contact the Oversight and Accountability staff at (202) 225-5704.

The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X.

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<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Supra* n. 2.

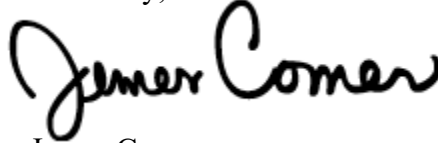
<sup>21</sup> Briefing from Dep't of State & U.S. Agency for International Development Staff to H. Comm. on Oversight & Accountability Staff (May 4, 2023).

<sup>22</sup> *Investigations Directorate*, Special Inspector Gen. for Afghanistan Reconstruction, *See* <https://www.sigar.mil/investigations/index.aspx?SSR=3>

<sup>23</sup> *Supra* n. 7.

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Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive, slightly slanted style.

James Comer  
Chairman  
Committee on Oversight and Accountability

cc: The Honorable Jamie Raskin, Chairman  
Committee on Oversight and Accountability

Inspector General John Sopko  
Special Inspector General for Afghanistan Reconstruction