

**STATE DEPARTMENT'S ANTITERRORISM
ASSISTANCE PROGRAM: THE GAO REVIEW**

HEARING
BEFORE THE
SUBCOMMITTEE ON
THE MIDDLE EAST AND NORTH AFRICA
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

OCTOBER 4, 2017

Serial No. 115-67

Printed for the use of the Committee on Foreign Affairs



Available via the World Wide Web: <http://www.foreignaffairs.house.gov/> or
<http://www.gpo.gov/fdsys/>

U.S. GOVERNMENT PUBLISHING OFFICE

27-061PDF

WASHINGTON : 2017

For sale by the Superintendent of Documents, U.S. Government Publishing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON FOREIGN AFFAIRS

EDWARD R. ROYCE, California, *Chairman*

CHRISTOPHER H. SMITH, New Jersey
ILEANA ROS-LEHTINEN, Florida
DANA ROHRABACHER, California
STEVE CHABOT, Ohio
JOE WILSON, South Carolina
MICHAEL T. McCAUL, Texas
TED POE, Texas
DARRELL E. ISSA, California
TOM MARINO, Pennsylvania
JEFF DUNCAN, South Carolina
MO BROOKS, Alabama
PAUL COOK, California
SCOTT PERRY, Pennsylvania
RON DeSANTIS, Florida
MARK MEADOWS, North Carolina
TED S. YOHO, Florida
ADAM KINZINGER, Illinois
LEE M. ZELDIN, New York
DANIEL M. DONOVAN, Jr., New York
F. JAMES SENSENBRENNER, Jr.,
Wisconsin
ANN WAGNER, Missouri
BRIAN J. MAST, Florida
FRANCIS ROONEY, Florida
BRIAN K. FITZPATRICK, Pennsylvania
THOMAS A. GARRETT, Jr., Virginia

ELIOT L. ENGEL, New York
BRAD SHERMAN, California
GREGORY W. MEEKS, New York
ALBIO SIRES, New Jersey
GERALD E. CONNOLLY, Virginia
THEODORE E. DEUTCH, Florida
KAREN BASS, California
WILLIAM R. KEATING, Massachusetts
DAVID N. CICILLINE, Rhode Island
AMI BERA, California
LOIS FRANKEL, Florida
TULSI GABBARD, Hawaii
JOAQUIN CASTRO, Texas
ROBIN L. KELLY, Illinois
BRENDAN F. BOYLE, Pennsylvania
DINA TITUS, Nevada
NORMA J. TORRES, California
BRADLEY SCOTT SCHNEIDER, Illinois
THOMAS R. SUOZZI, New York
ADRIANO ESPAILLAT, New York
TED LIEU, California

AMY PORTER, *Chief of Staff* THOMAS SHEEHY, *Staff Director*
JASON STEINBAUM, *Democratic Staff Director*

SUBCOMMITTEE ON THE MIDDLE EAST AND NORTH AFRICA

ILEANA ROS-LEHTINEN, Florida, *Chairman*

STEVE CHABOT, Ohio
DARRELL E. ISSA, California
RON DeSANTIS, Florida
MARK MEADOWS, North Carolina
PAUL COOK, California
ADAM KINZINGER, Illinois
LEE M. ZELDIN, New York
DANIEL M. DONOVAN, Jr., New York
ANN WAGNER, Missouri
BRIAN J. MAST, Florida
BRIAN K. FITZPATRICK, Pennsylvania

THEODORE E. DEUTCH, Florida
GERALD E. CONNOLLY, Virginia
DAVID N. CICILLINE, Rhode Island
LOIS FRANKEL, Florida
BRENDAN F. BOYLE, Pennsylvania
TULSI GABBARD, Hawaii
BRADLEY SCOTT SCHNEIDER, Illinois
THOMAS R. SUOZZI, New York
TED LIEU, California

CONTENTS

	Page
WITNESS	
Mr. Jason Bair, Acting Director, International Affairs and Trade, U.S. Government Accountability Office	4
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
Mr. Jason Bair: Prepared statement	7
APPENDIX	
Hearing notice	30
Hearing minutes	31

STATE DEPARTMENT'S ANTITERRORISM ASSISTANCE PROGRAM: THE GAO REVIEW

WEDNESDAY, OCTOBER 4, 2017

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST AND NORTH AFRICA,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:03 a.m., in room 2172 Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the subcommittee) presiding.

Ms. ROS-LEHTINEN. The subcommittee will come to order.

After recognizing myself and Ranking Member Deutch for 5 minutes each, we will then recognize members for their opening statements for 1 minute. We will then hear from our witness. Thank you. Without objection, your prepared statement will be made a part of the record, and members may have 5 days to insert statements and questions for the record, subject to the length limitation in the rules.

The Chair now recognizes herself for 5 minutes.

The Antiterrorism Assistance Program, ATA, is one of the State Department's key tools in advancing some of our national security interests. Its primary mission is to enhance the capabilities of foreign partner nations with the goal of allowing them to better detect, deter, and prevent acts of terrorism.

The program also gives our partners the tools, the skills, and training required to respond to acts of terror and to apprehend and prosecute the individuals responsible for these atrocious acts. According to the State Department, since the program was first implemented in 1983, 84,000 personnel from 154 countries have been provided training, and the United States has provided bilateral ATA assistance to 34 partner nations.

And while the majority of the ATA training occurs in host countries, or at regional facilities, we do perform a considerable amount of activities here in the U.S. This domestic training includes tactical training, which State has subcontracted out to just two facilities, one in Virginia and the other in North Carolina. And it was concerns that there may be lax security and oversight in at least one of these facilities that has led to the report that GAO is here to testify on today. So we welcome you.

In late 2015, a South Florida reporter approached Ranking Member Deutch and me with some very concerning allegations regarding the security measures in the Virginia facility. There were also

allegations from the local residents near the facility that some of the trainees were taking unauthorized departures from training.

The reporter filmed herself driving into the facility, no questions asked. And, worst, she walked up to an explosives storage area undeterred and undetected. And while Mr. Deutch and I viewed this, we asked the GAO to conduct a review of the security measures at the domestic facilities and to document how the State Department selects, screens, and vets potential students, particularly those who come to the United States. And what we found as a result of this review is a mixed bag.

Vetting procedures are in place and appear to have been followed and implemented. The domestic facilities had done proper documentation, and likely as a result of the reporting took voluntary measures to make their facilities more secure. But then we run into many of the same issues we have repeatedly heard from these GAO reports when it comes to program management at State.

Most concerning is that we have incomplete or, even worse, inaccurate participant data. This is troubling for several reasons. First, we don't have complete or accurate data on the participants. We won't be able to follow up, then, on measures or measure the success of the program.

And, second, if we have incomplete or inaccurate data, how can we be sure that these individuals were indeed fully and properly vetted? That issue becomes compounded when looking at another GAO finding, and that is that there have been unauthorized departures from the ATA program. Perhaps more troubling, while GAO was making inquiries of ATA officials, ATA identified a further 20 former participants that DHS had no indication who had departed from the United States. Wow.

So who are these people? Where did they go? Why is there such a gap in communication between ATA and DHS? There was no formal process of actually following up and ensuring that these participants actually got on a plane and returned home. This might be a small number of participants. But given what we know, I suspect that if a deeper dive was done, we might find more unauthorized departures.

It is frustrating for us. We know that there are important programs that are vital tools that our State Department can use to further our interests. But when we see time and again serious deficiency when it comes to program management and oversight, you have to start asking the hard questions.

State Department has obligated nearly $\frac{3}{4}$ of \$1 billion for the ATA program for fiscal years 2012 to 2016. But ATA has had difficulties even getting that money out the door. GAO reported that there was about \$172 million in unobligated balances for the ATA program for those years; and, worse, \$36 million has expired. In some cases, when we do get that money out, we have no way of following up, as a recent audit by the State Inspector General's office reported.

That audit finds that there was an absence of performance reporting in Pakistan that prevented ATA from measuring the effectiveness of that program because our people were not given the visas or the access to travel around the country as would be re-

quired for proper oversight. I would imagine that there will be more of that across the ATA program.

So how do we begin to address the shortcomings so that we can ensure that this key program is as effective as it can be? And that is what we are here to discuss with GAO, and we look forward to hearing more from our witness.

And with that, I am so pleased to turn to my good friend, the ranking member, Mr. Deutch of Florida.

Mr. DEUTCH. Thank you, Madam Chairman, for convening today's hearing and for joining together to request that this GAO report be published to review the State Department's Antiterrorism Assistance Program, or ATA as it is known.

I also want to thank our witness, Mr. Bair, for joining us today and for the work that you do every day to ensure proper government oversight.

At a time when we are all concerned about the rise and spread of terrorism, I think we should be thankful for the important work of ATA. Since the program began in 1983, the State Department has worked to educate and train local law enforcement and security entities in over 150 countries across the globe.

Building the capacity of partner nations to indigenously prevent terrorist attacks, and then respond to and investigate attacks when they happen, means fewer American forces need to be sent overseas. ATA has spent hundreds of millions of dollars training nearly 90,000 security forces in countries from Morocco to India.

So the goal here today is to better understand that investment and determine how we can improve the program. The GAO report being discussed was initially requested because of some excellent reporting by a local Miami journalist who brought to the chair's attention, and to my attention, concerns with the security and implementation of the ATA program at a local training facility just a couple of hours from where we sit today.

Thanks to her reporting, that facility in Virginia, which she found to have left gates unlocked and open, allowing her to walk up to unguarded explosive lockers, has since increased its security.

She also raised concerns about international participants in the training program leaving the courses to stay in the U.S., and whether we are spending taxpayer dollars to train security forces to fight terrorism. As we spend those taxpayer dollars, I think it is fair to expect that they then use that training to go home to fight terrorism.

This one example, though, raised much bigger questions about how the State Department is using the roughly \$150 million annually allocated for the ATA program. So we are here today not to criticize the important work of the State Department or the critical counterterrorism efforts of the ATA program, but rather to fulfill our legal and constitutional duty of program oversight to ensure that American taxpayers' investments are being used effectively and efficiently.

The GAO is our trusted nonpartisan government watchdog who just completed a report analyzing this program. Unfortunately, but I would say predictably, the report finds some of the exact same problems that past reports have highlighted. The State Department struggles with management of these programs, including data col-

lection and an alarming inability to even track participants in the program.

This has made it difficult to, then, monitor and evaluate the effectiveness of the program. And if you can't evaluate how effective a program is, you can't determine how to fix it. A report from the State Department's Office of the Inspector General in May of this year found that the ATA program in Pakistan failed to implement the recommendations from the last 2012 GAO report; namely, that there is still no effective monitoring and evaluation process. That is a problem.

At the same time, I think it is important to highlight some of the good that was found in this report. ATA prides itself on training programs that emphasize the rule of law and respect for human rights, and this report showed that not to be an empty slogan. The report states that all participants studied in the program had gone through proper vetting, which prohibits the U.S. from providing assistance to any security forces implicated in any form of human rights abuses.

Additionally, the State Department performs criminal and terrorism-related screening for all potential participants in the ATA programs, allaying some concerns of potential security risks. There is a lot embedded in this report, so I think we are all looking forward to you, Mr. Bair, helping unpack it for us. We hope that you will help us better understand the significance of what you found and offer specific recommendations for improving this important Antiterrorism Assistance Program. We look forward to your testimony, and I thank the chair. I yield.

Ms. ROS-LEHTINEN. Thank you so much to the ranking member. And seeing no other requests for opening statements, I am delighted to introduce our witness, Mr. Jason Bair, who serves as the acting director of the GAO's International Affairs and Trade Team. Prior to this slot, Mr. Bair was assistant director in the same office.

And while Mr. Bair's work is familiar to the subcommittee, I am pleased that we now have the opportunity to have him testify on his team's work for the first time. I tried to convince him that we have a hazing procedure, but he didn't fall for it.

But thank you, Mr. Bair, for being with us. I know that you have led multiple teams in evaluating and proving the effectiveness of U.S. efforts to fight terrorism abroad. Your recent work has taken you to Pakistan, Yemen, the United Arab Emirates, Kenya, and elsewhere. Thank you for being here. We look forward to hearing your testimony. Congratulations on your recent promotion.

And before we start, I am so pleased to see Mr. Charles Johnson in the audience today with his GAO team. Charles is very well-known to this subcommittee, and we thank him for all of his work over the years. Thank you, Mr. Johnson, for being here.

And with that, Mr. Bair, we will proceed on to your testimony. Thank you.

STATEMENT OF MR. JASON BAIR, ACTING DIRECTOR, INTERNATIONAL AFFAIRS AND TRADE, U.S. GOVERNMENT ACCOUNTABILITY OFFICE

Mr. BAIR. Thank you. Chairman Ros-Lehtinen, Ranking Member Deutch, and other members of the subcommittee, I am pleased to

be here this morning to discuss GAO's work regarding the State Department's Antiterrorism Assistance Program.

My official statement for the record summarizes the report that you have referred to, which we are releasing today, which covers three main topics. Number 1, the security of domestic training facilities; number 2, human rights vetting and terrorist screening; and 3, oversight of ATA participants.

The main message of our work is that State should improve both its data and oversight of ATA participants. However, before I focus on those areas for improvement I would like to quickly summarize our findings related to facility security and vetting.

First, with regard to the security of ATA's domestic training facilities, we found that following media reports in 2015 there were allegations of potential vulnerabilities, and State Department officials and contractors have taken various steps to ensure security, including some after the initiation of our review. For instance, consistent with ATF regulations, both training facilities maintain locked explosive containers and have locked and alarmed armories for storing weapons and ammunition.

Second, with regard to vetting, we found that State completed required human rights vetting for ATA participants and screens all ATA participants for links to terrorism. However, with regard to the third topic of oversight of ATA participants, we found weaknesses in two important areas.

First, ATA has not maintained adequate records of its courses and participants. As a result, ATA data are incomplete and, unfortunately, sometimes inaccurate. For instance, despite reporting having trained about 56,000 participants since 2012, ATA was only able to provide records for less than half, or about 25,000 participants.

Such data weaknesses limit ATA's ability to manage the program effectively and accurately report on its performance to Congress and the American people. We are recommending that State improve its collection of data regarding the ATA program, and State has agreed to implement changes.

The second key weakness is related to ATA's oversight of participants. Specifically, we found that while ATA does have an oversight process in place during training activities, it does not confirm that participants return home after the completion of their training. With regard to overseeing participants during training, we found that 10 participants have made unauthorized departures from training, participating in the United States since 2012.

As of September 2017, 2 of the 10 have subsequently departed the United States; 6 remain in the United States, having applied to DHS for asylum; 1 is believed to be in the United States and is the subject of an open DHS investigation but is not known to pose a security threat. And as of October 3, we had not received requested information from DHS regarding the tenth individual.

I do have to note that while the vast majority of ATA participants do return home after training is complete, we have also learned about 20 individuals trained in the United States since 2012 who do not appear to have departed. ATA officials and staff at the facilities that we visited described their responsibilities for overseeing ATA participant departures, to include escorting the

ATA participants to the airport, helping them check in for their flights, and escorting them to airport security.

Importantly, because ATA lacked a process for confirming their return home, State was unaware of these 20 cases until after we began our review, some of which are more than 4 years old. State has finally notified DHS of these 20 individuals in August 2017.

We have two primary concerns about State's lack of a process to confirm that ATA participants returned to their home countries. First, ATA may not be able to assess the extent to which former participants are using their ATA training. And, second, ATA may not be able to provide information to DHS about participants whose failure to depart may warrant enforcement action.

Therefore, we are recommending that State implement a process to confirm that ATA participants return to their home countries. State has agreed to do so by the end of this year for ATA participants trained in the United States.

Chairman Ros-Lehtinen, Ranking Member Deutch, other members of the subcommittee, this concludes my prepared statement. I would be happy to answer your questions at this time.

[The prepared statement of Mr. Bair follows:]



United States Government Accountability Office

Testimony before the
Subcommittee on the Middle East and
North Africa, Committee on Foreign
Affairs, House of Representatives

For Release on Delivery
Expected at 10:00 a.m. ET
Wednesday, October 4, 2017

ANTITERRORISM ASSISTANCE PROGRAM

State Should Improve Data Collection and Participant Oversight

Statement of Jason Bair, Acting Director,
International Affairs and Trade

Chairman Ros-Lehtinen, Ranking Member Deutch, and Members of the Subcommittee:

I am pleased to be here to discuss our work regarding the Department of State's (State) management of its Antiterrorism Assistance (ATA) program. Building partner capacity is a central focus of U.S. counterterrorism strategy, and the ATA program is among State's mechanisms for accomplishing that goal. ATA's primary mission is to enhance foreign partners' capabilities to prevent acts of terrorism, address terrorism incidents when they do occur, and apprehend and prosecute those involved in such acts. In fiscal years 2012 through 2016, State allocated about \$715 million to the ATA program, which it reports to have used to train about 56,000 security force officials from more than 34 partner nations. At least 2,700 of those participants were trained at facilities in the United States. In December 2015, media reports alleged potential security vulnerabilities at a subcontracted training facility used by ATA in the United States and suggested possible weaknesses in State's management of the ATA program, including the vetting of potential participants, the security of training facilities, and the unauthorized departure of participants from ATA training.

My testimony today summarizes the findings from our September 2017 report, which is being released today, on State's ATA program management.¹ This testimony addresses for fiscal years 2012 through 2016, (1) the steps State has taken to ensure that facilities used for domestic ATA training align with applicable facility and equipment security requirements, (2) State's vetting of domestic ATA participants for human rights concerns and terrorist activity screening, and (3) State's ability to oversee ATA participants, including those trained in the United States.

For our report, we conducted fieldwork at two domestic training facilities selected because they provide tactical training: The O'Gara Group (O'Gara) facility located in Montross, VA, and Academi a Constellis Company (Academi) facility, located in Moyock, NC. In addition, we analyzed State and Department of Homeland Security (DHS) data and documentation related to participants in fiscal years 2012 through 2016 domestic training. We also interviewed State and DHS officials, including those who oversee ATA training for three partner nations (Bangladesh,

¹GAO, *Antiterrorism Assistance: State Department Should Improve Data Collection and Participant Oversight*, GAO-17-704 (Washington, D.C.: Sept. 28, 2017).

Indonesia, and Jordan) receiving significant ATA training and contractors who help implement the ATA program. More detailed information on our scope and methodology for that work can be found in the issued report. Our work was performed in accordance with generally accepted government auditing standards. We conducted our related investigative evaluation work—site surveillance—in accordance with investigation standards prescribed by the Council of the Inspectors General on Integrity and Efficiency.

State Officials and Contractors Have Taken Various Steps, Including During Our Review, to Ensure the Security of Domestic Tactical Training Facilities Used by ATA

State and the contractors who implement ATA training have taken steps to ensure that the security of facilities used for domestic training aligns with applicable requirements. State's ATA training contract requires the secure storage of weapons and explosives and that the contractors have the relevant federal, state, and local permits.² For example, the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has promulgated a regulatory framework for explosives storage, possession, and use, including licensing criteria specifying that ATF may verify by inspection that applicants for permits and licenses have places to store explosives materials that meet certain safety and security requirements.³ State reported overseeing the contractors through visits to the training facilities, including surveys examining storage security; frequent meetings, and the receipt of copies of relevant licenses such as those required for possessing explosives.

Both of the domestic tactical training facilities that we visited had relevant, unexpired licenses such as ATF licenses for transporting, storing, and possessing explosives. During site visits, we observed that both training facilities used locked explosives storage containers, as required by ATF. In addition, we observed that both training facilities had locked and alarmed armories, as required by the training contract, with the alarms monitored by private security companies. Both training facilities we visited had also taken voluntary actions related to facility security, such as building fences, securing gates, and conducting security patrols. In

²State implements ATA training through the Global Antiterrorism Training contract signed in December 2011 and in effect during fiscal years 2012 through 2016, according to State officials. ATA officials told us that they had secured two prime contractors to implement this contract who, in turn, manage subcontracts with several training facilities. In March 2017, State issued a new request for proposals to replace the expiring contract.

³27 C.F.R. § 555.49. See also 27 C.F.R. Part 555 generally and 18 U.S.C. § 843.

response to the December 2015 media reports mentioned earlier that alleged that its facility had potential security vulnerabilities, O’Gara made several changes to the physical security of its training facility, including some during the course of our review. For example, officials installed fences that impede access to and block public observation of an area used for explosives training.

In fiscal year 2017, State finalized a shift of nearly all training delivered at facilities in the United States to locations in partner nations or regional training centers outside the United States.⁴ According to State officials, this approach is expected to generate savings on costs such as international travel and accommodations.⁵

State Completed Human Rights Vetting for a Generalizable Sample of ATA Participants and Screened for Terrorist Activity

To help ensure that U.S. assistance is not used to support those who violate human rights, U.S. law prohibits the provision of assistance to any unit of foreign security forces if the Secretary of State has credible information that such unit has committed a gross violation of human rights.⁶ In response, State has established a process to determine whether there is credible information of a gross violation of human rights for any potential recipient of assistance, such as ATA training. Our analysis of a generalizable sample of 98 ATA participants trained in the United States in fiscal years 2012 through 2016 indicated that State completed all human rights vetting as required by State policy for those in our sample.⁷ In addition, we confirmed that State has not provided ATA training to individuals from countries that are state sponsors of terrorism,

⁴According to ATA officials, some courses will continue to be delivered at U.S. locations, including armored vehicle driving training, canine training, and self-funded training for the Kingdom of Saudi Arabia. In addition, ATA officials told us that if there is an increase in funding for ATA program activities, or if the capacity at regional training centers otherwise becomes insufficient, ATA may deliver other courses at U.S.-based facilities as well.

⁵ATA compared the cost of delivering one course at domestic facilities versus a regional training facility in Jordan. The training costs that ATA analyzed included labor, travel, lodging, and meals. We did not evaluate ATA’s analysis.

⁶22 U.S.C. § 2378d.

⁷The confidence interval for our estimate of those participants who were vetted to the full population of 2,271 ATA participants for whom we obtained records is between 97 and 100 percent, with a 95-percent confidence level. We could not generalize our findings about vetting from this group for which ATA had records to those participants that who were not recorded in its system.

and that U.S. embassies include criminal and terrorism activity among screening efforts conducted for all ATA participants.⁸

Weaknesses Exist in ATA Data and Oversight of Participants, Some of Whom May Still Be in the United States

ATA Course and Participant Data Are Incomplete and Sometimes Inaccurate

We found that ATA course and participant data are incomplete and sometimes inaccurate. ATA policy instructs officials to collect student names and unit affiliations, among other things, and State's fiscal year 2014 Full Performance Plan Report identifies the "number of individuals in the security sector trained in counterterrorism knowledge and skills" as a performance indicator for the ATA program for fiscal years 2014 through 2017.⁹ Further, the *Standards for Internal Control in the Federal Government* state that management should periodically review procedures and related control activities to determine that those activities are implemented appropriately.¹⁰

In response to our request for data from its participant and course data systems, ATA was only able to provide records for about 25,000 participants—less than half of the 56,000 participants ATA reported that it had trained in fiscal years 2012 through 2016.¹¹ Data on ATA courses

⁸U.S. law prohibits assistance from being provided to any country if the Secretary of State has determined that the government of that country has repeatedly provided support for acts of international terrorism. 22 U.S.C. § 2371.

⁹This indicator is included in State's performance plan for the Counterterrorism Bureau, which is responsible for ATA program oversight.

¹⁰GAO, *Standards for Internal Control in the Federal Government*, GAO-14-704G (Washington, D.C.: September 2014).

¹¹As of September 2017, ATA had not published a report covering fiscal year 2016, so ATA officials provided us with the number of participants to be reported as trained in fiscal year 2016.

delivered were also incomplete. For example, ATA's public reports covering fiscal years 2012 through 2015 indicated that 1,987 courses were delivered, but ATA's data in its system included only 1,633 courses (about 82 percent) of the courses ATA reported to have delivered in those 4 years.¹² In addition to being incomplete, the participant and course records that were included in the data ATA provided were not always accurate. For example, some participant records included inaccurate recipient countries and course dates. Further, some course records included an inaccurate number of attending participants.

While ATA had procedures for the collection of participant and course data, ATA officials told us that procedures for the collection of those data had been inconsistently implemented. Although ATA revised these procedures in 2016, in light of the inconsistent implementation of prior procedures, management review of related control activities could help ensure that revised procedures are properly implemented. However, we concluded that without improvements to the weaknesses in program data that we identified, program managers may not have comprehensive or accurate information with which to oversee participants and report on and assess the achievement of program goals. Therefore, in our report, we recommended that State take steps to ensure the implementation of its revised procedures. State concurred with our recommendation and noted that ATA had revised its standard operating procedures for collecting data and shared the document with us. We will continue to monitor ATA's steps to ensure the implementation of those procedures.

¹²We compared the number of courses included in the data provided to us with the number of courses ATA reported to have delivered in reports covering fiscal years 2012 through 2015. As of September 2017, ATA had not published a report covering fiscal year 2016.

State and DHS Have a Process to Respond to Incidents of Participants' Unauthorized Departures During Domestic ATA Training Activities

Among participants trained in the United States since 2012, ATA has documented 10 participant unauthorized departures from ATA activities and provided related information to DHS for follow-up.¹³ Of the 10, 3 departed from their training facility during overnight hours in 2013; 6 departed during escorted class excursions, such as shopping trips, in 2014; and 1 departed in 2016 during escorted transit from the airport to the training facility. After making their unauthorized departures, these 10 participants have pursued various courses of action. According to DHS data, 2 of the 10 departed the United States for countries other than their own home country, and 6 remain in the United States, having applied to DHS for asylum. The ninth ATA participant is believed to be in the United States without having applied for an alternative immigration status and, according to DHS, is the subject of an open DHS investigation.¹⁴ DHS officials told us that they are taking proactive steps to locate the individual, who was not known to pose a threat to national security. As of September 15, 2017, we had not received requested information from DHS regarding the status of the tenth individual.

At the time of each of these 10 unauthorized departures, the ATA program had standard operating procedures in place to direct officials' actions in cases where a participant made an unauthorized departure from training or during transit between the airport and training facility before and after training. However, ATA officials noted that the procedures were not always followed. Further, the procedures in place through 2014 did not specifically include a requirement for sharing information with DHS. In January 2015, ATA revised these standard operating procedures to clarify the steps to be taken if a participant

¹³In this report, we use the term "unauthorized departures" to refer to situations in which ATA participants failed to attend ATA training activities because they had departed during escorted transit or domestic training activities and could not be located by ATA or contracted officials delivering the training.

¹⁴Prior to training in the United States, ATA participants must apply for a visa at a U.S. embassy or consulate abroad or with State's Bureau of Consular Affairs. State's consular officers evaluate visa applications and issue nonimmigrant A-2 visas—those for foreign government officials and employees traveling to the United States to engage solely in official duties or activities on behalf of their national government—to eligible travelers coming to the United States for ATA training. DHS officials grant ATA participants, who are A-2 visa holders, admission to the United States for the "duration of the period for which they continue to be recognized by the Secretary of State as being entitled to that status," rather than a specific length of stay. While ATA participants are in the United States, they may be permitted to apply to DHS for certain immigration benefits and changes in immigration status, such as for asylum.

makes an unauthorized departure. For example, ATA is to notify DHS if a participant attending ATA training has been missing for 24 hours.¹⁵ For the one unauthorized departure that occurred after ATA revised its procedures, ATA officials provided information to DHS in accordance with the revised procedures.

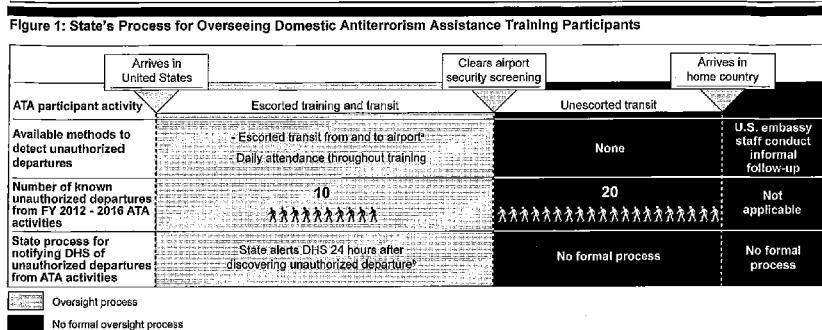
ATA's Domestic Participant Oversight Process Does Not Include Confirming that Participants Return to Their Home Countries after Completing Training, and the Departure of Some Participants Is Unconfirmed

ATA officials told us there is no formal process to confirm participants' return home following the completion of training outside their home countries, including in the United States. ATA officials and staff at the training facilities we visited described their responsibilities for overseeing ATA participant departures to include escorting ATA participants to the airport, helping them check in for their flights, and escorting them to airport security. We spoke with Regional Security Officers who help oversee ATA activities in three partner nations, all of whom described informal follow-up processes with former ATA participants, including those trained abroad, but none of whom used a systematic process to confirm the return of all participants trained in locations outside their home countries.¹⁶ ATA's standard operating procedures that provided a process for ATA officials to follow in response to the 10 unauthorized departures previously discussed do not cover this portion of a participant's travel home.

Prior to our review, ATA officials had not reviewed data to determine if any participants who completed training failed to leave the United States. In response to our inquiry, during fiscal year 2017, ATA identified 20 former ATA participants for whom DHS records did not indicate departures from the United States following the completion of their ATA training in fiscal years 2012 through 2016, as seen in figure 1 below. ATA formally notified DHS about such former participants in August 2017.

¹⁵According to State and DHS officials, if participants miss ATA course activities without authorization, and do not attain an alternative immigration status, they may become subject to removal procedures.

¹⁶Regional Security Officers at U.S. posts overseas help ensure that appropriate ATA participants are selected to receive training and that ATA activities target key focus areas, including the threat of terrorism, individual country-level operational needs, and the advancement of U.S. national security interests.



^aATA may or may not provide escort to the airport following the conclusion of training for participants who undertake personal travel, as permitted by the terms of their admission to the United States.
^bAs of January 2015.

Federal internal control standards state that agencies should design control activities such as policies, procedures, and mechanisms to achieve objectives and enforce management directives.¹⁷ In addition, a stated purpose of the ATA program is to enhance the antiterrorism skills of friendly countries by providing counterterrorism training and equipment. Without a process to confirm and document that ATA participants return to their home countries, ATA may not be able to assess the extent to which former participants are using training in line with program goals. Further, ATA may not be able to provide information to DHS about participants whose failure to depart may warrant enforcement action. In our report, we recommended that State develop and implement a process to confirm and document the return of ATA participants to their home countries following the completion of training. State concurred with the recommendation and said that, by the end of the year, it would implement a process to ensure that participants sent to ATA training in the United States returned to their home countries. We will monitor ATA's

¹⁷GAO-14-704G

implementation of such a process for participants sent to ATA training in the United States or other locations outside of their home countries.

Chairman Ros-Lehtinen, Ranking Member Deutch, and Members of the Subcommittee, this concludes my prepared statement. I would be pleased to answer any questions that you may have at this time.

GAO Contact and Staff Acknowledgments

If you or your staff have any questions about this testimony, please contact Jason Bair, Acting Director, International Affairs and Trade at (202) 512-6881 or BairJ@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. GAO staff who made key contributions to this testimony are Rachel Girshick (Analyst-in-Charge), Ashley Alley, Kathryn Bernet, Kathryn Bolduc, Debbie Chung, Martin de Alteris, Neil Doherty, Jessica Farb, April Gamble, Rebecca Gambler, K. Ryan Lester, Wayne McElrath, Ramon Rodriguez, and Helina Wong.

This is a work of the U.S. government and is not subject to copyright protection in the United States. The published product may be reproduced and distributed in its entirety without further permission from GAO. However, because this work may contain copyrighted images or other material, permission from the copyright holder may be necessary if you wish to reproduce this material separately.

GAO's Mission	The Government Accountability Office, the audit, evaluation, and investigative arm of Congress, exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO's commitment to good government is reflected in its core values of accountability, integrity, and reliability.
Obtaining Copies of GAO Reports and Testimony	The fastest and easiest way to obtain copies of GAO documents at no cost is through GAO's website (http://www.gao.gov). Each weekday afternoon, GAO posts on its website newly released reports, testimony, and correspondence. To have GAO e-mail you a list of newly posted products, go to http://www.gao.gov and select "E-mail Updates."
Order by Phone	The price of each GAO publication reflects GAO's actual cost of production and distribution and depends on the number of pages in the publication and whether the publication is printed in color or black and white. Pricing and ordering information is posted on GAO's website, http://www.gao.gov/ordering.htm . Place orders by calling (202) 512-6000, toll free (866) 801-7077, or TDD (202) 512-2537. Orders may be paid for using American Express, Discover Card, MasterCard, Visa, check, or money order. Call for additional information.
Connect with GAO	Connect with GAO on Facebook, Flickr, LinkedIn, Twitter, and YouTube. Subscribe to our RSS Feeds or E-mail Updates. Listen to our Podcasts. Visit GAO on the web at www.gao.gov and read The Watchblog.
To Report Fraud, Waste, and Abuse in Federal Programs	Contact: Website: http://www.gao.gov/fraudnet/fraudnet.htm E-mail: fraudnet@gao.gov Automated answering system: (800) 424-5454 or (202) 512-7470
Congressional Relations	Katherine Siggerud, Managing Director, siggerudk@gao.gov , (202) 512-4400, U.S. Government Accountability Office, 441 G Street NW, Room 7125, Washington, DC 20548
Public Affairs	Chuck Young, Managing Director, youngc1@gao.gov , (202) 512-4800, U.S. Government Accountability Office, 441 G Street NW, Room 7149, Washington, DC 20548
Strategic Planning and External Liaison	James-Christian Blockwood, Managing Director, spel@gao.gov , (202) 512-4707, U.S. Government Accountability Office, 441 G Street NW, Room 7814, Washington, DC 20548



Please Print on Recycled Paper.

Ms. ROS-LEHTINEN. Thank you very much. Thank you for the work that you and your team provided.

Thank you, Mr. Johnson, as well, and the entire GAO program.

I wanted to ask you a question regarding one of your recommendations that you talked about. You noted that the State Department concurred with your recommendation to develop a process to confirm the return home of any ATA participant trained outside their home country, and State response seems to indicate it only intends to implement such a process for those trained in the United States and not necessarily for those trained in one of the regional facilities or elsewhere outside their home country.

Is that your understanding of how State plans to address this issue going forward? And, if so, would you say that it is important for State to also develop a similar process for those trained overseas?

Mr. BAIR. Thank you for the question and for identifying the distinction between those two points. As we talk about in the report, certainly from a security perspective, of course we want to make sure that anyone who comes to the United States for training does depart. However, we think it is also important that the State Department make sure that those who are trained at regional training facilities return, so that they can use the training that we have paid for in order for them to be able to enhance the capabilities of the units that they return to.

Based on the comments that State has officially provided in our report, which are published in the back, they have clearly said that they are going to do the first part of that, but it is not clear that they are going to do the second part. We will continue to monitor that and follow up with the State Department as they implement.

Ms. ROS-LEHTINEN. Thank you. And do let us know your progress on that.

And regarding this inaccurate or incomplete information on participant, I think that it is one of the most concerning findings for your review. Did you identify the weakness in the process design, or was it a management and oversight issue? And without complete and accurate information, do you think that it would be possible to gauge how effective the ATA program is?

Mr. BAIR. Yes. So let me take both of those questions in turn. So on the first issue of kind of, what is the root cause of what was going on here, why did we only get about half of the participant records that we were looking for, the issue was not with a policy. They in fact have a clear policy that directs ATA staff to include all participants in that participant data system. And so it was really an implementation issue.

So when we probed with State Department officials about what exactly was going on there, they pointed to recent staff turnover. People weren't fully educated on exactly what they were supposed to do. They didn't fully understand the policy, and that is something that they have committed to address.

The second half of your question is also important in terms of, how can you assess the effectiveness of the program? That is something clearly we want to continue to focus on, and the inability to say who it is that you have trained and how they have continued

to use that capability would undermine their ability to give you a good, comprehensive answer.

Ms. ROS-LEHTINEN. Absolutely. And one last question. This is regarding State's future plans for the ATA program. State has indicated that it wants to move most, if not all, domestic training overseas, with Jordan as the most likely destination. First, how far along is State in making this shift? As I mentioned earlier, State has said it has been planning this move for years. Hasn't happened yet.

And, second, you have a footnote in your report that says that ATA officials compared costs and came to the conclusion that it would be more cost effective to do this training overseas, but that GAO did not evaluate ATA's analysis. Did ATA provide you with any details or numbers at all? And tell us more about this shift for training overseas.

Mr. BAIR. Yes. So let me first talk about what we know about the State Department's progress in implementing this shift in the program. I guess I would first start by noting about 10 percent over the last several fiscal years of the training has occurred domestically, and so that is what was really open for being moved to regional training facilities or to host partner nations.

And so that is really what the focus has been, even though during the course of our work when we were visiting the facilities in Virginia and North Carolina, they were talking to us about the fact that they had already seen some of those task orders being moved overseas.

I would also note that State Department has out for competition right now a request for proposals for a renewal of the global antiterrorism assistance contract, and that I think will govern exactly where the State Department goes. With regard to the second half of your question about evaluation of cost, we did obtain some limited information from the State Department about their analysis on cost savings that they might realize by moving overseas.

And it was really just the comparison for one theoretical training course and the cost for things like facilities and travel, whether that was completed at either the facilities here in the United States or in the facility in Jordan. We didn't evaluate that, so I can't tell you whether we would say that that was a justified response.

Ms. ROS-LEHTINEN. Thank you very much. You are an excellent witness, so congratulations.

Mr. BAIR. Thank you.

Ms. ROS-LEHTINEN. Mr. Deutch, I am pleased to recognize you now for questions.

Mr. DEUTCH. Thank you, Madam Chair. I am going to—I agree with the chair. I think you are an excellent witness, and it is a fine opportunity to express our appreciation for the important work that GAO does. So thanks to all of you.

Thanks for your testimony and for being here. Can you provide us with some examples from your engagements review of the ATA program of the most successes of the program? Where does it work the best? We are getting into the challenges and you addressed some of those, but are there successes you can highlight?

Mr. BAIR. Yes, certainly. I think this is one of those areas where we want to focus on what works in a program. And I would say in addition to GAO's analysis—and I know we have already heard about the State Office of Inspector General who recently did a review as well. I would note that there have been evaluations, independent evaluations, by the Counterterrorism Bureau that have looked at the program a little more holistically and in countries.

And in some of the countries that they have looked at, including Morocco as well as Bangladesh, they really cite the growth of the bilateral relationship on a law enforcement level in those countries, helping grow not only their counterterrorism capability but also their willingness to participate in joint investigations and things like that, which clearly provide benefits to the United States.

Mr. DEUTCH. And if—so shifting, then, if GAO reviews consistently find problems at the State Department with oversight and management, why aren't we seeing greater improvements? You talked about the recent staff turnover as being one of the problems here. Do we need to do a better job hiring career program managers instead of foreign services officers at posts to manage programs like this? Would that help address some of these problems? And if we did that, what would that look like?

Mr. BAIR. So I would say we don't specifically address that question of career versus foreign service officers in this report. I guess this is, again, just to be clear, a program which is overseen by the Counterterrorism Bureau, the Bureau of Counterterrorism and Countering Violent Extremism that provides policy direction and oversight. But it is really implemented by the Bureau of Diplomatic Security, especially their regional security officers in the host countries.

We all are well acquainted with the challenges that—the security challenges that we face at our Embassies and consulates abroad. This is an additional duty that is upon them. And as we have highlighted in a recent report looking at overall diplomatic security key issues, we have, in September of this year, put out a report that covers some of those key issues for oversight, which make it clear the Bureau of Diplomatic Security has a broad and deep set of responsibilities, and this is, admittedly, one of the responsibilities that doesn't make the press as much but certainly is very important that they need to continue to focus on.

Mr. DEUTCH. Right. As you highlight in your report and here today. And, finally, are there other State Department security assistance programs that can serve as a model for improved monitoring and evaluation of the ATA program? Specifically, thinking about the difficulties in Pakistan.

Mr. BAIR. So I would say, I wouldn't point to any specific program that I would say is doing a great job in monitoring and evaluation. I would, though, to be fair to the State Department, give them credit. They have a clear and explicit policy for monitoring and evaluation. And as I talked about in my statement and in response to earlier questions, they are doing some evaluations. They are doing some of those deeper dives.

I think some of the issues that the State OIG and we have identified over time really fall into that monitoring bucket. And that for us is more focused on managing the day-to-day operation of the

program as opposed to taking that step back every few years and saying, how well are we doing at achieving our goals? And so I think that monitoring piece is where we want to focus on, and we want to see them continue to put their time and effort.

Mr. DEUTCH. Terrific. This is very helpful, and we appreciate it. Thank you, Mr. Bair.

I yield back.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Deutch.

I am so pleased to recognize Mr. Mast, another great Floridian in our subcommittee, for his questions.

Mr. MAST. Thank you, Chairman. Thank you very much.

I appreciate your time. I just have one specific line of questioning, and it falls in line with this as we layer down the conversation. You know, you can always talk about what is possible out there in the world, and that can be an important conversation. I try to spend more time on what is probable, because I think that does often get us a little bit closer to what the real threats are.

So from you, I just want to simply know, gauge your assessment of an insider threat and our capability of combatting insider threats. What is your take on the true probability of nefarious inside activities and our ability to go out there and combat those activities? What is your assessment of that?

Mr. BAIR. So with regard to the Antiterrorism Assistance Program that we focus on in this report, I would highlight the work that we did confirming the State Department's vetting, not only for gross violations of human rights as well as for terrorist screening. I can't get into all of the details of all of the systems that they might check for terrorist screening, but I will say—

Mr. MAST. Then they would know what we do.

Mr. BAIR. Correct.

Mr. MAST. Exactly. Please continue.

Mr. BAIR. Yes. So what we did is we confirmed that in fact the State Department ATA program was doing all of the vetting that was required of them. Under the State Department Leahy Law, we are able to look at a generalizable random sample and confirm that every one of the individuals for whom we were able to get data was vetted as required.

In terms of the terrorist screening, we also confirmed that in the first instance every ATA participant is subject to terrorist screening. And then, second, for those individuals who are brought to the United States for training, obviously they need to get visas to come to the United States, and there is that additional layer of security.

And so I would say we did find a number of screens in place to ensure that State Department is doing everything that they can. Having said that, there is no system which is going to be perfect. And they do, though, I think have a reasonable assurance that they are taking the steps that they need to.

Mr. MAST. Exactly right. No system is going to be perfect. When you are combatting threats like this, you are combatting the imagination of somebody else. It is a game of cat and mouse. It is never easy to do, and so that is where I am really just looking for your opinion on, if you were given carte blanche, is it where you would want it to be at, or would you see drastic changes?

Mr. BAIR. So it is not—unfortunately, it is not something we specifically addressed in the report. But I would say, again, the State Department was able to satisfy us that they were taking the steps that they need to and there is not tremendous concern about insider threats with this program, because one of the things that they pointed out to us is that the people trained in the program are foreign law enforcement officials whose charge is to combat terrorism in their home country.

And while, again, that doesn't provide perfect assurance, these are people that we are partnering with on a day-to-day basis to try to combat—to combat terrorism in those countries.

Mr. MAST. Certainly. And I have worked with law enforcement in Afghanistan, and not always a group that, you know, in some cases it was successful work, and in many cases it was not a group that I wanted to necessarily turn my back on. And, you know, that is the reality of the situation. It is very difficult for you to deal with as well, and I appreciate your comments. Thank you.

Mr. BAIR. Thank you.

Ms. ROS-LEHTINEN. Thank you, Mr. Mast, very much.

Now we turn to Mr. Schneider. Thank you.

Mr. SCHNEIDER. Thank you. And, again, thank you for having this hearing.

Mr. Bair, thank you so much for being here and sharing your report. A number of questions, and I think you have touched on these but I am going to ask them again. Would you say you are satisfied that the security issues identified leading up to the report have been addressed by the Department of State and the ATA program?

Mr. BAIR. Yes. I would say what we have done is we looked at the foundation for what are the security requirements. Again, as we were having the conversation about before, that is fundamentally what is in the contract that the State Department has signed with the facilities.

Admittedly, those requirements are relatively general, but they do include things like having the appropriate licenses in place, whether they be from the ATF or from state or local officials, and that covers everything from controlling explosives, guarding ammunition, things like that. As well we observed not only during our site and surveillance visits that they have made some additional changes in terms of improving perimeter security, building additional fences, gates, things like that. We saw evidence that all of those things had taken place.

Mr. SCHNEIDER. Great. Now, security is not static. It is a dynamic, constant-changing challenge. Are you comfortable—to what extent and what reasons would you say you are comfortable that ATA and our contractors are committed to constantly reviewing and making the necessary changes to ensure security is up to the level we expect?

Mr. BAIR. Yes. So I would say in our conversations with both the State Department officials overseeing the program on a day-to-day basis, as well as the contractors that we visited in both Virginia and North Carolina, that we are certainly committed to that.

Having said that, as you acknowledge, we looked at this in a point in time, and there is going to be need for continued vigilance to make sure that, you know, any new security threats would be

addressed. Having said that, though, certainly the media reports did focus everyone's attention not only at the State Department but on the part of the facilities on the need to make sure that strong security measures were in place.

Mr. SCHNEIDER. Great. Shifting gears a little bit here, whose responsibility is it to oversee the effectiveness, but also the return on investment of the ATA program, that we are actually getting a return on the monies we are investing in these programs?

Mr. BAIR. So, again, as I talked about before, the program has a unique structure in that the Bureau of Counterterrorism and Countering Violent Extremism is responsible for policy and oversight, and they do some of that oversight evaluation piece that we were talking about before, and the Bureau of Diplomatic Security really does the implementation.

So I would say this is really a Bureau of Counterterrorism and Countering Violent Extremism that has that oversight piece.

Mr. SCHNEIDER. So, but there is—what I am hearing is kind of a split between responsibility and authority for the program. And in that dynamic, who ultimately ends up being accountable for its effectiveness and making sure we get the return on the monies we are spending?

Mr. BAIR. So I would still say that it is the Bureau of Counterterrorism and Countering Violent Extremism. And I will say, over the course of our job—and we did a similar report back in 2008 where we identified some challenges for the coordination between those two bureaus and made recommendations, which the bureaus have implemented to kind of solidify and clarify their relationship and what the responsibilities were for the Bureau. So that is an area where we have seen improvement, but we think certainly continued oversight will help that.

Mr. SCHNEIDER. And the last question, as we run out of time, looking forward, you mentioned a report in 2008. We have a report now in 2017. Is the frequency of review sufficient to address the challenges, or is this something that we should be working to review on a more frequent basis?

Mr. BAIR. So I will say we at GAO are always happy to do work for the subcommittee, if you have a continuing interest. I would add, back to my remarks before, there have been other evaluations, both State Department OIG completed a report earlier this summer, but they looked at specifically the program in Pakistan, and I think they may have other work ongoing, as well as the independent evaluations that have been contracted for by the Bureau of Counterterrorism.

There is an ongoing level of oversight. But having said that, certainly this committee's interest in the issue does focus the Department's perspective and attention to making sure that the program is running as effectively and efficiently as possible.

Mr. SCHNEIDER. Great. Thank you again, and I appreciate you sharing your perspective and your candor. Thank you very much. I yield back.

Mr. BAIR. Thank you.

Ms. ROS-LEHTINEN. Thank you, Mr. Schneider.

And now we are so pleased to hear from Mr. Connolly of Virginia.

Mr. CONNOLLY. Thank you, Madam Chairman, and I am not sure you know that I spent 10 years—

Ms. ROS-LEHTINEN. I had heard something about—

Mr. CONNOLLY [continuing]. On the Senate Foreign Relations Committee. Yes.

All right. Welcome, Mr. Bair. The—no, let me say, the original report of GAO had I think 22 recommendations?

Mr. BAIR. So if you are referring to the draft report that we submitted to the agencies for review, it had three recommendations in it, and our final one has two.

Mr. CONNOLLY. No, that is not what I am referring to.

Mr. BAIR. Okay. I am sorry.

Mr. CONNOLLY. Mr. Engel and I wrote a letter in November asking the State Department to implement all of your recommendations, and that was at the time 22. Seven reqs were resolved, 15 remained unresolved, and then you added 2 in the latest report, meaning there are 17 unresolved recommendations or partially resolved.

Mr. BAIR. I think you may be referring to broadly our recommendations overall to the State Department.

Mr. CONNOLLY. Right.

Mr. BAIR. What we have started as a process for—

Mr. CONNOLLY. Well, is it overall State Department, or is it Diplomatic Security Bureau?

Mr. BAIR. So we have—overall State Department. However, the vast majority of the recommendations that we have identified as priorities for the State Department to implement do relate to the Bureau of Diplomatic Security.

Mr. CONNOLLY. Yes.

Mr. BAIR. And I apologize, my—

Mr. CONNOLLY. No, that is all right.

Mr. BAIR. It was about our report here.

Mr. CONNOLLY. Right. Right. We are looking at the whole thing and trying to actually get them to comply. Is it your sense that you are getting cooperation?

Mr. BAIR. I would say that the State Department has certainly become more focused on implementing the recommendations. Historically, I think their implementation rate of GAO recommendations is slightly under about 80 percent.

We want to—we would love for that to be 100 percent, but I think they are increasingly focusing on making sure that they are providing us timely information in response to our information request, so that we can confirm that they have in fact taken the steps that we have recommended.

Mr. CONNOLLY. We had a hearing last week on the State Department reorganization. How is that reorganization affecting your recommendations and the work you have done in this sphere?

Mr. BAIR. So I don't know that I have a broad answer for you with regard to the work that we are doing—

Mr. CONNOLLY. Narrow is fine.

Mr. BAIR [continuing]. On a day-to-day basis. So what we have—what I can speak to specifically on this report regarding the Antiterrorism Assistance Program is we are not aware of any organizational changes, either in the pipeline or being considered, with

regard to this specific program. It certainly is something that, you know, we want to continue to focus on to provide you all the information that you need as you continue to do oversight.

Mr. CONNOLLY. Well, may I be so bold as to recommend that GAO might want to pay attention to it, because we are not talking about trivial cuts. If they go forward with the Trump recommendation, you are talking about a 32-percent cut to the State Department NAID. That undoubtedly would affect this Bureau and the personnel necessary to carry out your recommendations and to make sure there is decent evaluation and oversight. So I really think it is very relevant to the subject at hand, and I strongly urge you to look at it.

What is your—I was a little puzzled by the discussion about people not being properly monitored as they completed the program and were supposed to leave the country. Is there evidence that people who were in the program have stayed illegally in the United States?

Mr. BAIR. Yes. So let me clarify a little bit.

Mr. CONNOLLY. Yes.

Mr. BAIR. So, really, what we are talking about probably is the 20 individuals—the group of 20 individuals that we identified. All of those individuals did in fact complete their ATA training domestically between 2012 and 2016. State Department's policy is to escort them to the airport and to airport security.

Mr. CONNOLLY. No, I got all of that. What is your concern?

Mr. BAIR. Our concern is twofold. First and foremost, if those people haven't left the country, there is a concern about what they are doing here.

Mr. CONNOLLY. No, no. Mr. Bair, unfortunately, I have 1 minute and 14 seconds left. That is why I am interrupting you. Forgive me. Is there evidence that any of those 20 stayed here illegally?

Mr. BAIR. Nineteen of the 20 individuals, according to DHS records, are likely still in the United States.

Mr. CONNOLLY. Ah. Okay. And so we have reason to be concerned.

Mr. BAIR. They have not fulfilled the responsibilities as when they came in and were admitted to the United States.

Mr. CONNOLLY. Got it. And final question, there has been—OIG did a report on ATA in Pakistan.

Mr. BAIR. Right.

Mr. CONNOLLY. What are the concerns with the program in Pakistan?

Mr. BAIR. So, again, that is a very country-specific focus.

Mr. CONNOLLY. I know, but it is—

Mr. BAIR. I was talking about monitoring of the program and some of the contract elements of that as it related to Pakistan were really the key focus there. There was also some equipment that hadn't been used that had been sitting there for a long time because training wasn't occurring, and that is something that the IG pointed out that was potentially an opportunity for efficiency. That equipment could be taken to other places.

Mr. CONNOLLY. Okay. All right. Well, thank you very much.

Thank you, Madam Chairman.

Ms. ROS-LEHTINEN. Thank you, Mr. Connolly.

And Mr. Meadows of North Carolina is recognized.

Mr. MEADOWS. Thank you, Madam Chairman.

Mr. Bair, so let me follow up where Mr. Connolly left off because funding always becomes an issue, and actually it is a discussion we had last night as it related to making sure that there is proper funding.

And yet I guess the GAO continues to find that there is either expired or unobligated funds in this particular program. I guess my question to you is, why? I have never found a Federal agency that can't spend the money other than perhaps now we have found one. So why is that?

Mr. BAIR. Yes. So, first and foremost, State Department should have an excellent answer for that question. I can relay to you the answer that we got from them as we probed the—

Mr. MEADOWS. So I take it from your comment that it wasn't an excellent answer.

Mr. BAIR. I will let you be the judge of whether it is an excellent answer or not. I can tell you what they told us. First and foremost—

Mr. CONNOLLY. It might be a Garrison Keillor pretty good answer. [Laughter.]

Mr. BAIR. So first and foremost, the vast majority of the funds that were unobligated were fiscal year 2016 funds. The way the appropriations are—

Mr. MEADOWS. Yes. But prior year's, they expire.

Mr. BAIR. Correct. So the expiration of funds is something that we don't want to occur. We want to focus on getting them to spend those funds within the time periods that they are allotted.

Mr. MEADOWS. So why are they not?

Mr. BAIR. So the explanation largely hinged on changes in the program as it evolved over time. So let's say a training event is scheduled in Pakistan. If it is near the end of the fiscal year, and let's say the trainers can't get a visa to travel, it would have to be bumped to the next fiscal year. And if it didn't occur in the fiscal year that it needed to, those funds wouldn't have been used in time.

Mr. MEADOWS. All right. Well, so I could buy that with 2016 unobligated funds, but, as I mentioned, 2015 funds expired. Is this not a historical problem with this program?

Mr. BAIR. This is something that we certainly have had concerns about over time, and have provided—

Mr. MEADOWS. So their answer does not bear out in terms of what we know historically has happened on this program. So should we do away with the program, Mr. Bair?

Mr. BAIR. So we don't make a judgment about whether the program should continue.

Mr. MEADOWS. I do. But go ahead. What is your opinion? I am asking you your opinion.

Mr. BAIR. So it is complicated, as the chair talked about before. There are aspects of the program that are working very effectively, and there are many tens of thousands of officials that have been trained, but we think the program, if it continues, needs to be operated more effectively from a program management—

Mr. MEADOWS. So where does the buck stop? Where at State does it stop? Who are the people that we ought to have there in the hot seat instead of you to get better answers where Madam Chairman can drill down and make sure that we are effective and efficient with taxpayer dollars?

Mr. BAIR. Yes. So the Bureau of Counterterrorism and Countering Violent Extremism provides policy oversight and guidance, and the Bureau of Diplomatic Security actually implements the program on the ground.

Mr. MEADOWS. So both of them is what you are saying?

Mr. BAIR. Both of them are—

Mr. MEADOWS. Who are in those positions right now?

Mr. BAIR. I am not familiar with exactly who is in those positions. As we have talked about, there is a lot of changes going on at the State Department.

Mr. MEADOWS. So if you don't know who the—who would know?

Mr. BAIR. The State Department should be able to give you an answer to who is acting in the relevant—

Mr. MEADOWS. I guess who are you talking to at State—I mean, obviously, you are not talking to a fictitious person. Who is your contact at State?

Mr. BAIR. Yes. So I am certainly happy to come and brief you and your staff on the specific individuals that we met with. They were largely program-level officials. I think the answers that you are more interested in are—

Mr. MEADOWS. Okay. Here is what I would ask you get back to the chairman on, is we need to know the two individuals responsible for this particular issue at State, get that back to this subcommittee and the chairman, and then if you will let them know and take back that we are very concerned with the inefficient use of taxpayer dollars on a critical mission, and if it is not clear enough, if you will get back to me personally, I will be glad to make a personal phone call. Would you do that, Mr. Bair?

Mr. BAIR. I am happy to carry that back, yes.

Mr. MEADOWS. All right. Thank you.

I will yield back.

Mr. DEUTCH. Would the gentleman yield for a second?

Mr. MEADOWS. Sure.

Mr. DEUTCH. I would ask Mr. Bair if, given the role that diplomatic security plays here, does it make a difference, should it make a difference, that the Assistant Secretary of State for Diplomatic Security is currently—that position is currently vacant, and the Principal Deputy Assistant Secretary for Diplomatic Security, and the Director of the Diplomatic Security Service, that that is also a vacant position?

Mr. BAIR. It may make a difference insofar as policy decisions and who is empowered to make those decisions.

Mr. DEUTCH. Okay. Because I would—perhaps my friend might join me in urging that we move forward as quickly as possible to fill those positions in this vitally critical area, which—

Mr. MEADOWS. I will make—

Mr. DEUTCH [continuing]. Are highlighted by—

Mr. MEADOWS [continuing]. A bipartisan agreement here. I will make sure the administration acts quickly on those appointments,

if you make sure your Senate colleagues in the upper chamber will confirm and due diligence. I yield back.

Mr. DEUTCH. I look forward to working with my friend on that. Thank you.

Ms. ROS-LEHTINEN. Thank you to—and who knows? There might be more vacancies at the top or topper levels of State today. Who knows? What is happening?

Thank you so much, Mr. Bair. Thank you to the excellent team at GAO. We appreciate everything that you have done. We will follow up with the request of Mr. Meadows—excellent request—and Mr. Deutch, and we will attempt to get those answers, as soon as we get those folks there. Thank you.

With that, our subcommittee is adjourned. Muchas gracias.

[Whereupon, at 10:49 a.m., the subcommittee was adjourned.]

A P P E N D I X



MATERIAL SUBMITTED FOR THE RECORD

**SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

**Subcommittee on the Middle East and North Africa
Heana Ros-Lehtinen (R-FL), Chairman**

September 28, 2017

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on the Middle East and North Africa in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

DATE: Wednesday, October 4, 2017
TIME: 10:00 a.m.
SUBJECT: State Department's Antiterrorism Assistance Program: The GAO Review
WITNESS: Mr. Jason Bair
Acting Director
International Affairs and Trade
U.S. Government Accountability Office

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.



COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Middle East and North Africa HEARING

Day Wednesday Date 10/04/17 Room 2172

Starting Time 10:04 AM Ending Time 10:49 AM

Recesses (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Chairman Ros-Lehtinen

Check all of the following that apply:

Open Session

Executive (closed) Session

Televised

Electronically Recorded (taped)

Stenographic Record

TITLE OF HEARING:

State Department's Antiterrorism Assistance Program: The GAO Review

SUBCOMMITTEE MEMBERS PRESENT:

*GOP- Chairman Ros-Lehtinen, Reps. DeSantis, Meadows, Kinzinger, Zeldin, Mast
Dem- Ranking Member Deutch, Reps. Connolly, Gabbard, Schneider, Lieu*

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

GOP- Rep. Rohrabacher

HEARING WITNESSES: Same as meeting notice attached? Yes No
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

TIME SCHEDULED TO RECONVENE _____

or
TIME ADJOURNED 10:49 AM

Antoniella Donades
Subcommittee Staff Associate

