

FRANK PALLONE, JR.

REPLY TO:

CHAIRMAN

6TH DISTRICT, NEW JERSEY

2107 RAYBURN HOUSE OFFICE
BUILDING

COMMITTEE ON

Congress of the United States

WASHINGTON, DC 20515

ENERGY AND COMMERCE

House of Representatives

(202) 225-4671

Washington, DC 20515

March 31, 2020

504 BROADWAY

The Honorable Adam Smith
Chairman
House Armed Services Committee
2216 Rayburn HOB
Washington, DC 20515

LONG BRANCH, NJ 07740

(732) 571-1140

The Honorable Mac Thornberry
Ranking Member
House Armed Services Committee
Washington, DC 20515

Dear Chairman Smith and Ranking Member Thornberry,

Thank you for providing me the opportunity to submit testimony to your Committee. As co-chair of the Congressional Armenian Caucus, I believe the Fiscal Year 2021 National Defense Authorization Act should reflect our unwavering commitment to building democracy and a stronger geo-strategic relationship with the Republic of Armenia. We must also make sure that any security aid sent to the South Caucasus Region prioritizes promoting lasting peace in the Republic of Artsakh (the former Nagorno Karabakh).

For years, the United States has invested in a negotiated peace to the conflict in the former Nagorno Karabakh, including humanitarian assistance funding for the HALO Trust's landmine and unexploded ordnance clearance efforts in Artsakh. Unfortunately, intimidation and cross-border attacks against Armenia and Artsakh are ongoing, in part, because of continued U.S. military assistance to the Azerbaijani government. Included in U.S. assistance is over \$100 million in security aid to Azerbaijan over the last two years through the Section 333 Building Partner Capacity program – assistance that is wholly counterintuitive to the U.S. peace mission in the South Caucasus Region. This funding defies almost two decades of parity in U.S. security assistance to Armenia and Azerbaijan. Furthermore, the fungibility and enormous amount of the aid easily allows Azerbaijani President Ilham Aliyev to shift other resources toward offensive capabilities and thus further threaten Armenian lives.

I am also concerned because the continuation of Section 333 funding to Azerbaijan ignores the State Department 2018 Country Reports on Human Rights Practices that implicated the Azerbaijani State Border Service and the State Customs Committee of committing “severe ill treatment/torture” and other human rights abuses. This information, along with other human rights abuses committed by the Aliyev regime, points to a clear violation of American principals and of Leahy Law restrictions that prohibit U.S. military assistance to foreign security force units that commit human rights abuses.

Alternatively, U.S. assistance plays a vital role in strengthening Armenia's independence by providing this pro-Western republic with a greater range of strategic options. Military aid enables Armenia's membership in North Atlantic Treaty Organization's (NATO) Partnership for Peace, promotes NATO interoperability, and supports Armenia's participation in peacekeeping operations, which have included deployments to Afghanistan (ISAF & Resolute Support Mission) and Iraq (Polish command) to Kosovo (KFOR), Lebanon (UNIFIL), and Mali (MINUSMA). Increased Foreign Military Financing (FMF) can modernize Armenia's peacekeeping capabilities, while expanded International Military Education and Training (IMET) support would ensure U.S. training opportunities for Armenian officers, non-commissioned officers, and civil servants, advancing U.S.-Armenia defense cooperation goals.

The United States should immediately suspend military aid to Azerbaijan until its government ceases its attacks against Armenia and Artsakh, agrees to the peaceful resolution of regional conflicts, and proves it has halted all human rights abuses. We must also strive to send a more supportive signal to our regional partners currently undergoing positive, democratic transitions like Armenia by increasing security assistance and bolstering strategic cooperation between our countries. In this light, I ask that you include specific language in the National Defense Authorization Act that would:

- Suspend U.S. military aid, including under Section 333 Building Partner Capacity Program, to Azerbaijan until its government ceases attacks against Armenia and Artsakh and agrees to the peaceful resolution of regional conflicts.
- Establish reporting requirements on end use monitoring for border services funding through Section 333 to ensure stronger oversight and prevent funds from going to human rights abusing regimes like the one in Azerbaijan.
- Add the following certification requirement to the President's waiver authority under Section 907 of the FREEDOM Support Act: " No funds appropriated or otherwise made available under this Act may be provided to the Government of Azerbaijan until the President determines, and so reports to the Congress, that the Government of Azerbaijan is taking demonstrable steps to cease all blockades and other offensive uses of force against Armenia and Artsakh."
- Dedicate and robustly increase the funds made available for military assistance to Armenia through programs like IMET, FMF, and Section 333.

Taking these steps will continue to build on the U.S.-Armenia strategic relationship, support democratic and civil society institutions in Armenia, and protect innocent lives from Azerbaijani aggressions in the region. I urge the Committee to invest in peace and assist Armenia at this exciting time of continued development.

Sincerely,



FRANK PALLONE, JR.
Member of Congress