

Congress of the United States
Washington, DC 20515

September 27, 2019

Hon. Mike Pompeo
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Hon. Mark Esper
Secretary of Defense
U.S. Department of Defense
1300 Defense Pentagon
Washington, DC 20301

Dear Secretaries Pompeo and Esper:

We are gravely concerned about the recent dramatic increase in Department of Defense assistance for the Republic of Azerbaijan and the clear lack of parity in financial aid to the Republic of Armenia. We urge the Departments of State and Defense to fully uphold the intent of U.S. law prohibiting assistance to Azerbaijan and to ensure any aid provided under a waiver of the law is met with parity in assistance for the Republic of Armenia.

The U.S. has substantially increased security assistance to Azerbaijan totaling more than \$102 million for fiscal years 2018 and 2019. Azerbaijan specifically received \$58.6 million in fiscal year 2018 and \$42.9 million in fiscal year 2019 from the Section 333 Building Partner Capacity program, making it the third highest recipient of aid through that program. The stated use of the funds is to aid Azerbaijan's training program for the its State Border Service and State Customs Committee and for high-speed boats, surveillance radar, and outer tactical vests.

The massive increase in security assistance appears to be related to the Trump Administration's "maximum pressure" policy aimed at the Islamic Republic of Iran in order to secure the Azerbaijani-Iranian border and increase maritime security on the Caspian Sea. While we support the goal of countering Iran's actions in the region, the historic parity in U.S. assistance to Azerbaijan and the Republic of Armenia – as underscored in title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 2002 – is a cornerstone to regional stability and U.S. geo-strategic interests. Armenia only received \$4.2 million in U.S. security assistance in fiscal year 2018 and \$2.8 million in fiscal year 2019 with just \$2.1 million planned for fiscal year 2020.

The reality is that Section 907 of the FREEDOM Support Act of 1992 specifically prohibits U.S. assistance to Azerbaijan:

"United States assistance under this or any other Act may not 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 Nagorno-Karabakh." [Pub. L. 102-511]

While the State Department has the authority to extend a waiver of Section 907, we do not believe the waiver the State Department noticed on April 18, 2019, is an appropriate use of this authority considering Azerbaijan's continued efforts to destabilize the Republic of Nagorno-Karabakh and given the ruling regime of Azerbaijani President Ilham Aliyev's documented culture of corruption and oppressive tactics against dissenters. We are also deeply concerned that the supplies, training, and manpower supported by the dramatic amount of U.S. funding will be used to further perpetuate aggression against Armenia and Nagorno Karabakh. Reports indicate that Azerbaijan's Border Guard and other U.S.-assisted military units have taken part in hostilities against Armenian forces.

We ask for the immediate halt of military aid to Azerbaijan, a reassessment of the Section 907 waiver and for your Departments to provide the detailed reports required by U.S. law to the public regarding aid to Azerbaijan. We look forward to your prompt reply to this request.

Sincerely,


FRANK PALLONE, JR.
Member of Congress


JACKIE SPEIER
Member of Congress


ADAM B. SCHIFF
Member of Congress