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July 2, 2010

The Honorable Hillary Clinton
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington DC, 20520

Dear Secretary Clinton:

I appreciate the efforts you and the State Department have made to build a comprehensive relationship with the Government of Pakistan, and note positive outcomes of the recent Strategic Dialogue held with Pakistan. I certainly appreciate the complexity of the U.S. relationship with Pakistan and the important role it plays in our regional strategy, particularly with respect to Afghanistan. However, despite all of this, democracy and institutions of civil society in Pakistan are as fragile as ever, allowing the Taliban to expand its reach.

As you know, Faisal Shahzad pleaded guilty last week to the failed act of terrorism in Times Square, confirming that the Tehrik-i-Taliban Pakistan (TTP) helped train and finance him. I urged you to place the TTP on the list of Foreign Terrorist Organizations, and I have committed to joining fellow Senators in advancing legislation that designates the TTP as an FTO. These recent events have made clear that we must do more to assess the progress of our counter-terrorism efforts in Pakistan. In the interest of strengthening our national security and protecting the American people, I am writing to urge you to provide several outstanding, Congressionally-mandated updates on the effectiveness of U.S. assistance to Pakistan and on that government's efforts to cease support for terrorist groups.

Although the recent failed attack in New York serves as another wake-up call, the ties to Pakistan come as no surprise. As early as February 2008, I co-requested a series of reports from the Government Accountability Office to assess controls and counter-terrorism efforts along the Afghanistan-Pakistan border. Among their findings was that the U.S. lacked a comprehensive plan to combat the terrorist threat in the FATA, and that congressional oversight and agency monitoring efforts were needed to ensure U.S. funds were used as intended.

To address these critical needs, Congress passed the Enhanced Partnership with Pakistan Act of 2009, which was signed into law on October 15, 2009. As the chairman of the Senate Foreign Relations subcommittee in charge of foreign assistance, I secured provisions in Section 302(a) of the legislation mandating an assessment of the effectiveness of assistance provided in achieving desired objectives and outcomes. Section 302(a) of the Act also requires the State Department, in consultation with the Secretary of Defense, to provide an evaluation of efforts undertaken by the Government of Pakistan to disrupt, dismantle, and defeat al Qaeda, the Taliban, and other

extremist and terrorist groups in the FATA and settled areas. This report was due to Congress on June 15, 2010, and has not yet been received.

Additionally, section 301(b) of the Act mandates that the President produce a comprehensive interagency regional security strategy to eliminate terrorist threats and close safe havens in Pakistan. I understand this security strategy is still being cleared by the State Department. Similarly, section 301(c) of the Act mandates that the Secretary of State provide a comprehensive security-related assistance plan, but that has also not been received. Both reports were due by April 15, 2010, and I urge the prompt completion of these important reports.

Absent these reports, my concern about our lack of a comprehensive plan to combat the terrorist threat in the FATA was amplified by new findings from the RAND Corporation. RAND determined that the rising number of terrorist plots in the U.S. with links to Pakistan is partly a result of an unsuccessful strategy by Pakistan and the U.S. to weaken the range of militant groups operating in Pakistan. It further suggested that “currently, U.S. assistance focuses too little on conditioning aid on verifiable progress.”

Since September 11, 2001, the U.S. has sent more than \$13 billion in military and economic foreign assistance to Pakistan, including \$7.2 billion in Coalition Support Funds intended to aid in Pakistan's fight against terrorists. Now that the Enhanced Partnership with Pakistan Act has tripled non-military aid to \$1.5 billion annually until FY 2014, it is more critical than ever that oversight and accountability controls are abided by to ensure that American taxpayer money is used effectively and responsibly.

Analysis from independent observers like RAND and new threats from those like Faisal Shahzad reaffirm the necessity to define, revisit, and if necessary, reassess our strategy. That is why in the U.S. Senate, I have been an advocate for a smart and comprehensive strategy—one with quantifiable metrics and regular monitoring to ensure not only accountability, but to provide a framework for constant improvement.

There is no doubt that we are dealing with complicated issues in a volatile region; the threat of terrorism originating from Pakistan is no less complex and challenging. It calls for a plan utilizing all elements of U.S. national power, which is why I urge the prompt completion of the comprehensive strategy and monitoring reports on security and foreign assistance in the region. I look forward to the assessments of the State Department, and to continuing to work together in keeping America safe.

Sincerely,

A handwritten signature in black ink, reading "Robert Menendez". The signature is fluid and cursive, with a large, stylized initial "R" and "M".

Robert Menendez
United States Senator