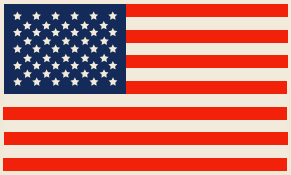
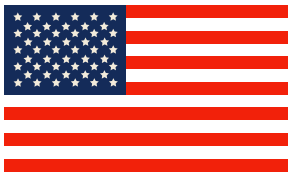


THE RSC NATIONAL SECURITY STRATEGY

STRENGTHENING AMERICA & COUNTERING GLOBAL THREATS

THE REPUBLICAN STUDY COMMITTEE'S TASK FORCE ON NATIONAL SECURITY AND FOREIGN AFFAIRS



THE RSC NATIONAL SECURITY STRATEGY

STRENGTHENING AMERICA & COUNTERING GLOBAL THREATS

RSC

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FELLOW AMERICANS,

At the beginning of each Congress, every member raises his or her right hand and swears an oath to support and defend the Constitution from all enemies, both foreign and domestic. Today, our constitutional government, our American way of life, and the U.S.-led world order based on freedom face a variety of growing threats from abroad. Our nation's two political parties are offering very different ideas for how we tackle those threats.

For eight years, President Obama's failed policies allowed our greatest adversaries to grow stronger while weakening America's position as the world's preeminent power. During this time, Communist China and Russia went completely unchecked, Iran was gifted a plane full of cash, jihadist groups such as ISIS were casually dismissed as the "JV squad," key allies were offended, foreign aid and United Nations dues failed to advance U.S. interests, and America behaved sheepishly on the world stage.

In contrast, since taking office, President Donald Trump has restored bold American leadership and credibility by advancing an "America First" national security and foreign policy agenda. This approach seeks to advance American global interests above all else and restore confidence in America's purpose. It recognizes the United States is the best force for good in the world and that our strength creates more freedom, prosperity, and potential for people everywhere. The idea of "American Exceptionalism" shines bright again. As a result, America is standing up to Communist China for the first time in decades, Russia has been exposed as a national security threat, Iran's sweetheart nuclear deal has been replaced with a maximum pressure campaign, and we have decimated traditional ISIS strongholds. Additionally, international governing bodies and recipients of U.S. foreign aid have been put on notice that American support comes with "America First" conditions. And importantly, President Trump has stood by our most important ally in Israel, even taking the long overdue, extraordinary step of moving our embassy to Jerusalem.

Congressional Democrats have fought this commonsense "America First" strategy at every turn. They have repeatedly questioned the president's aggressive posture against Communist China, even defending China's handling of the COVID-19 crisis. Despite supporting President Obama's weak posture on Russia, they now claim to be "Russia hawks" even though there is ample evidence to the contrary. They were outraged when President Trump pulled out of the Iran nuclear deal and even more upset when he took down terrorist leader Qassem Soleimani

in defense of American lives. Instead of celebrating our embassy's move to Jerusalem, Congressional Democrats expressed silence or open disdain. They continue to support the same failed foreign policies that undermined American credibility, damaged our alliances, and emboldened tyrants and terrorists.

We, the members of the Republican Study Committee's National Security & Foreign Affairs Task Force, are committed to building upon President Trump's efforts to keep our country safe and to advancing policies in Congress that will strengthen American leadership. The RSC National Security Strategy: Strengthening America & Countering Global Threats provides a comprehensive blueprint with over 130 policy recommendations for how Congress can engage in this important debate.

The crisis our country is currently enduring makes it vitally important that American leadership on the global stage remains robust. The ideas we present here would ensure that remains the case for generations to come.

RSC Chairman, Rep. Mike Johnson

Task Force Chairman, Rep. Joe Wilson

Rep. Rob Wittman

Rep. Ann Wagner

Rep. Alex Mooney

Rep. Don Bacon

Rep. Jack Bergman

Rep. Neal Dunn

Rep. Clay Higgins

Rep. Ralph Norman

Rep. Dan Crenshaw

Rep. Bryan Steil

Rep. Michael Waltz

THE RSC NATIONAL SECURITY STRATEGY

STRENGTHENING AMERICA & COUNTERING GLOBAL THREATS

Since the end of World War II, the United States has been the dominant force on the global stage. The strength of our national character and our economic and military might cannot be matched, and we have used our position as a force for good, fostering a world order rooted in our values of freedom, human rights, the rule of law, and open markets. The fall of the Soviet Union in the early 1990s left the U.S. as the sole remaining superpower, and the loss of our competition gradually caused a shift in our national security strategy.

America is still the freest, most powerful, and most prosperous nation in all the world. However, over the past two decades, U.S. dominance has increasingly been challenged by numerous rising threats to the U.S.-led global order. These threats point to the reemergence of powerful competition, the likes of which we have not seen since the Cold War, and they require us to reevaluate our national security strategy once again.

There is perhaps no bigger threat to continued U.S. dominance than China. For decades now, the prevailing foreign policy consensus on that nation has been misguided. Conventional wisdom was that a narrow strategy of simply integrating China into global markets and facilitating a more robust trading relationship would transition Beijing away from communism and toward freer markets. Instead, China has exploited its opportunities to double down on authoritarianism and use international markets to amass enormous economic and military strength, often by nefarious means. Beijing now leverages this strength to undermine the U.S.-led international order by replacing our leadership with their own distorted worldview. The recent COVID-19 crisis has clearly illustrated the danger of allowing this to happen.

Meanwhile, throughout the last decade in particular, Russia has aggressively reasserted itself as a global power with its own clear intent to undermine the U.S.-led international order. Under the leadership of dictator and former KGB agent Vladimir Putin, the Kremlin's goals are to advance authoritarianism both at home and abroad. It has invaded and occupied several neighboring democracies, helped prop up other authoritarian regimes, used its vast natural resources to blackmail its neighbors, and sought to undermine Western democracies, including the U.S., with disinformation campaigns. Russia also maintains a military that is capable of challenging the U.S. and has worked to undermine NATO, the most successful alliance of democracies in the world.

While the rise of China and Russia pose the biggest strategic threats to the United States, rogue regimes like Iran remain extremely dangerous as well. Iran continues its pursuit of nuclear weapons, seeks Israel's destruction, and stands as the world's most prolific sponsor of terrorism. More broadly, Salafi-jihadist groups like ISIS and Al Qaeda have grown in a number of new theaters and remain a top security concern.

These growing threats require Congress to adopt new policies focused on advancing America's interests at home and abroad. Protecting the liberty, security, and prosperity of the American people is the most fundamental role of our government, and it must be done efficiently and effectively. A strong America is essential because our strength enables us to counter threats, oppose tyrants and terrorists, and advance the ideals of peace, freedom, and prosperity around the globe. By contrast, the Russian and Chinese governments seek to dominate their own people and assert control over the other countries of the world.

Congress has an important, but too often underutilized, role in the development and execution of national security policy. This report by the Republican Study Committee's National Security & Foreign Affairs Task Force presents a comprehensive blueprint for how Congress can fulfill its responsibility and includes more than 130 policy recommendations focused on strengthening America and countering our global threats.

COMMUNIST CHINA: A NEW STRATEGY FOR COUNTERING AMERICA'S TOP THREAT

"The PRC's [People's Republic of China] rapid economic development and increased engagement with the world did not lead to convergence with the citizen-centric, free and open order as the United States had hoped. The CCP has chosen instead to exploit the free and open rules based order and attempt to reshape the international system in its favor. Beijing openly acknowledges that it seeks to transform the international order to align with CCP interests and ideology. The CCP's expanding use of economic, political, and military power to compel acquiescence from nation states harms vital American interests and undermines the sovereignty and dignity of countries and individuals around the world."

– The White House, *U.S. Strategic Approach to the People's Republic of China* [1]

The COVID-19 pandemic, which originated in Wuhan, China, has caused a renewed focus on the challenge that China poses to the United States. From the beginning of the outbreak, the Chinese Communist Party (CCP) has worked to conceal events and manipulate the narrative. China silenced doctors and journalists who spoke out and pressured international organizations such as the World Health Organization (WHO) to defend the country's pandemic response and even disseminate Chinese government talking points.[2] Chinese officials then created an alternative narrative, fueling a conspiracy theory, peddled through state sponsored outlets, that the virus was created by the U.S. military.[3]

Yet, China's coercive and deceptive actions should not be surprising. China, after all, is a communist nation that seeks to overtake the United States as the world's preeminent power. It is a strategic competitor and the foremost national security challenge that the United States faces today. It has worked to displace the United States in the Indo-Pacific region, expand the reaches of its state-driven economic model, and reorder the region in its favor.[4] But, as President Trump's National Security Strategy notes, China also seeks to both challenge America's overall power and influence and shape a world that is antithetical to U.S. interests.

In November 2012, at the 17th CCP Congress, China's President Xi Jinping, the country's most authoritarian leader in modern memory, first announced his vision for achieving "the Chinese dream of national rejuvenation" and military and economic dominance.[5] Five years later at the 18th CCP Congress, Xi explained that "the dream of the Chinese people is closely connected with the dreams of the peoples of other countries; the Chinese Dream can be realized only in a peaceful international environment and under a stable international order."[6] This dream, as many experts have noted, is for the CCP to replace the American-led international system with one under CCP leadership.[7] Former Under Secretary of Defense for Policy John Rood has noted, "China wants not only to become the world's largest and most influential economy, but also to be the world's largest and most influential nation in all spheres of life."[8]

China is on its way to achieving that dream, primarily through rapid economic growth and military modernization. China currently has the world's second-largest economy in terms of nominal GDP ($14.14 trillion) and the largest in terms of purchasing power parity (PPP) GDP ($27.31 trillion).[9] In 2000, China controlled only four percent of the global economy, and the United States controlled 31 percent. Today, China stands at 15 percent, and the United States' share has dropped to 24 percent.[10]

The growth of China's centrally controlled economy has been fueled largely by tools of economic coercion, including intellectual property theft and economic espionage of U.S. companies. In 2019 alone, one in five North American-based companies said that Chinese firms had stolen their intellectual property (IP) within the last year.[11] Between 2013-2017, the economic damage of IP theft totaled $1.2 trillion.[12] The CCP also deliberately sends thousands of Chinese students to the United States and other nations under the guise of international scientific collaboration to systematically target critical technologies to advance China's national security interests. Secretary of Defense Mark Esper has stated that China "is perpetrating the greatest intellectual property theft in human history."[13]

As part of the "Chinese dream," China aims to become the world's science and technology leader by 2050.[14] If current trends continue, the National Science Board estimates that China may become the leading global investor in research and development in just a few years.[15] Much of this growth is due to China's theft of IP. As Secretary Esper has noted, China is combining "direct state investment, forced technology transfer, and intellectual property theft to narrow the gap between U.S. and Chinese equipment, systems, and capabilities."[16] A report by the Center for a New American Security (CNAS) has noted that, while the Soviet Union was never able to match the American technological superiority, the same may not be true for China.[17]

China has, in turn, used this wealth and technology theft to embark on an ambitious project of military modernization.[18] The Department of Defense's 2019 Report on the Military and Security Developments Involving the People's Republic of China notes that "China uses a variety of methods to acquire foreign military and dualuse technologies, including targeted foreign direct investment, cyber theft, and exploitation of private Chinese nationals' access to these technologies, as well as harnessing its intelligence services, computer intrusions, and other illicit approaches."

According to The Heritage Foundation's 2020 Military Index, China is the "most comprehensive threat that the U.S. faces," being both "formidable" in its military capabilities and "aggressive" in the scope of its provocative behavior.[19]

In addition to its economic aggression and military modernization, China conducts political warfare and disinformation campaigns against the United States and other democracies. It frequently targets academia, the media, business, and cultural institutions to suppress criticism and promote positive views of the CCP.[20] It uses so-called "Confucius Institutes," Chinese-language centers in American universities, to peddle pro-Chinese political narratives to college students. A 2019 Senate Permanent Subcommittee on Investigations report found that Confucius Institutes are located at more than 100 American colleges and have received more than $150 million in support from the Chinese government.[21]

The CCP has also used its increasing wealth to pursue "financial diplomacy" through state-directed investment projects overseas. While on their face, these initiatives seem to simply finance infrastructure improvements in developing nations, the CCP uses them as a direct attempt to "counterbalance" the United States and advance a China-centric vision.[22] Its efforts include more than $48 billion in infrastructure investment between 2000-2016 in East Asia alone.[23] China's One Belt One Road Initiative—the centerpiece of this strategy—plans to invest over $1 trillion in infrastructure across the globe.[24]

For the CCP, foreign assistance and involvement in international organizations are a means to cast its political system and approach to economic development as superior alternatives to those of the United States and other democratic countries. As part of this approach, Beijing has increased pressure on foreign countries, companies, and even individuals to conform to its worldview.[25] China's soft power strategy has paid dividends, including being appointed to bodies such as the United Nations (U.N.) Human Rights Council, where it possesses the ability to vet candidates for critical U.N. human rights posts.[26]

The CCP's aggressiveness abroad is in many ways rooted in its authoritarianism at home. Xi has concentrated more power than any Chinese leader since Mao Zedong. In March 2018, the National People's Congress voted nearly unanimously to amend their constitution to remove presidential term limits. Under President Xi, China has become even more totalitarian in its cen-

sorship of media and the internet and has established an elaborate system of surveillance of its citizens.[27] It has also undertaken a strategy of "sinicization" of all religion, which attempts to control and manipulate all aspects of religious faith into a socialist mold with Chinese characteristics. This has been particularly evident in the Muslim-majority province of Xinjiang and the Buddhist-majority province of Tibet, which, in the words of the U.S. Commission on International Religious Freedom (USCIRF), "increasingly resemble police states."[28] Christians have also faced increasing persecution from the CCP, including forced church closures, the jailing of pastors, and even the issuance of a state-sanctioned translation of the Bible, which promotes a "correct understanding" of the text that emphasizes compatibilities with communism.[29] Additionally, the CCP has worked to quash democracy in Hong Kong despite assurances to the international community that it would respect "One Country, Two Systems."[30] In May 2020, China announced that it would be taking over Hong Kong by instituting a national security law that would apply mainland Chinese law to the special administrative region. This action would essentially mean the end of the "One Country, Two Systems" framework.[31]

China's actions in Hong Kong are just the latest example of how the CCP fears liberal democracy more than anything else and views itself in ideological competition with Western democratic values. Shortly after Xi took power in 2012, the General Office of the CCP circulated a document entitled the Communiqué on the Current State of the Ideological Sphere or–Document No. 9–that made clear the CCP's authoritarian vision sees itself at war with the American values of constitutional democracy, free markets, rule of law, and human rights. The document states that promoting Western democracy is an attempt to undermine the system of socialism with Chinese characteristics, that promoting "universal values" is an attempt to weaken the theoretical foundations of the CCP's leadership, and that promoting civil society and free markets are an attempt to undermine the CCP.[32]

In sum, the Chinese grand strategy of achieving the "Chinese dream" entails transforming the international system to one under CCP leadership. Industrial espionage, intellectual property theft, malign political influence in democratic nations, making developing countries dependent on Chinese loans and construction projects, and discrediting liberal democratic notions of human rights are all tools China has used in its effort to assert international dominance.[33] The CCP's goal was probably best described by former Vice President Dick Cheney's national security adviser Aaron Friedberg as "making the world safe for authoritarianism."[34]

The old way of thinking about China has failed. A strategy limited to trade and economic integration alone has not caused China to democratize or grow less aggressive in its behavior. On the contrary, the CCP has grown more authoritarian and aggressive. The Task Force believes that Congress must adapt to a new strategy, one which seeks also to push back against the CCP and its efforts to undermine U.S. interests, remake the world order, and promote an alternative form of governance. The CCP's efforts are multifaceted and require reforming existing laws and enacting new legislation in a broad variety of areas. The Task Force knows that Congress must take the lead in pushing such a strategy forward. Pushing back against China must begin by advancing policies in at least five different areas. First, we must push back against China's industrial espionage and intellectual property theft and malign economic behavior. Second, we must stop China's malign political influence and disinformation campaigns. Third, we must stand up to China's human rights violations. Fourth, we must counter China's global military modernization. Fifth, we must strengthen our alliances in the Indo-Pacific region.

COUNTERING CHINA'S INDUSTRIAL ESPIONAGE AND INTELLECTUAL PROPERTY THEFT

"The Chinese government is determined to acquire American technology, and they're willing to use a variety of means to do that—from foreign investments, corporate acquisitions, and cyber intrusions to obtaining the services of current or former company employees to get inside information. If China acquires an American company's most important technology—the very technology that makes it the leader in a

field—that company will suffer severe losses, and our national security could even be impacted."

– FBI Director Christopher Wray[35]

The CCP is undertaking a project of massive intellectual property theft and industrial espionage in an effort to surpass the United States technologically and economically. According to the 2017 Commission on the Theft of Intellectual Property, China is the world's top intellectual property infringer.[36] This problem was made worse by President Obama, who failed to respond forcefully to China's hacking of the Office of Personnel Management network, which was the greatest theft of sensitive personnel data in history. In response to the cyberattack, President Obama refused to impose sanctions on China or publicly blame them for the attack, opting instead to negotiate a failed diplomatic agreement with Xi to end cyber espionage. [37]

In recent years, Congress has taken a number of important steps to combat Chinese IP and technology theft. It has passed key statutes, such as the Defend Trade Secrets Act (DTSA), which allowed private rights of action against Chinese companies in certain circumstances; the Export Control Reform Act (ECRA), which gave the Committee on Foreign Investment in the United States (CFIUS) authority over "emerging" and "foundational" technologies; and the Foreign Investment Risk Review Modernization Act of 2018 (FIRRMA), which expanded the scope of covered transactions in CFIUS' jurisdiction.

The Trump administration has also made protection of American IP a high priority. For instance, it has elevated IP protection as a major issue in U.S.-China trade talks. Phase One of the Economic and Trade Agreement signed by the two nations forces China to make major IP-related concessions, including limiting its ability to require foreign companies to transfer intellectual property to Chinese entities as a condition for doing business.[38] In February 2018, the Department of Justice (DOJ) also announced a "China initiative" to combat economic espionage through a number of new enforcement actions, including bringing more actions for theft of trade secrets and intellectual property.[39] Thus far, this initiative has brought forth a spike in prosecutions, with over 1,000 investigations currently open, according to FBI Director Wray.[40] During the Obama administration from 2013-2016, the DOJ did not charge a single person with spying for China. In contrast, since announcing its China Initiative in 2018, the DOJ has filed over 20 criminal cases pertaining to economic espionage, trade secret theft, and export controls.[41]

While these measures have been a good start, the Task Force believes that Congress can do a great deal more to combat China's theft of intellectual property and industrial espionage. A number of reforms supported by the Task Force are listed below.

Congress should enhance the ability to bring cases for IP theft by ensuring the Defend Trade Secrets Act applies extraterritorially.

In 2016, Congress enacted the Defend Trade Secrets Act (DTSA) to create a new civil private federal right of action for companies to sue for trade secret misappropriation. Previously, trade secret misappropriation was handled through criminal enforcement under the Economic Espionage Act (EEA) of 1996.[42] The EEA's criminal penalties apply extraterritoriality if "(1) the offender is a natural person who is a citizen or permanent resident alien of the United States, or an organization organized under the laws of the United States or a State or political subdivision thereof; or (2) an act in furtherance of the offense was committed in the United States."[43] Congress, however, was silent on whether civil cases under the DTSA applied extraterritorially. Fortunately, some federal courts have recently ruled that the EEA's extraterritoriality provisions also apply to private civil claims under the DTSA, allowing American courts to gain jurisdiction over overseas companies involved in trade secret theft.[44]

The current ambiguity in the DSTA may create problems down the line if the statute is challenged by Chinese or other foreign companies. The Task Force, thus, believes that Congress should amend the DTSA to explicitly clarify that it applies extraterritorially to ensure that the DTSA remains an important tool for U.S. companies to protect their trade secrets from misappropriation occurring in China.

Congress should require Chinese businesses to assign an agent for service of process in the United States.

Kevin Rosier of the United States-China Economic and Security Review Commission (USCC) has argued that Chinese businesses participating in the United States can effectively operate behind a firewall that can keep them largely immune from the jurisdiction of U.S. courts and regulatory agencies.[45] This can leave U.S. partners, competitors, and investors vulnerable. Rosier notes that if a U.S. plaintiff files a complaint against a China-based firm, the typical first response from the Chinese firm is that it is not subject to U.S. jurisdiction. Since China-based companies typically do not keep a representative of their company in the United States, domestic companies have little recourse to pursue complaints against China. Although international protocols, such as the Hague Service Convention and the Hague Evidence Convention, are supposed to facilitate the pursuit of claims brought by U.S. companies, in practice such litigation is costly, and China interprets its obligations in a way which protects its firms from litigation.[46]

The Task Force recommends that Congress strengthen U.S. laws to ensure Chinese companies that have harmed U.S. citizens and businesses cannot evade accountability in U.S. courts. In particular, Congress should require companies from China, and other nations that skirt the rule of law, to assign an agent based in the United States to accept service of process as a prerequisite to access U.S. markets. By doing so, aggrieved U.S. entities will have an avenue for immediately establishing personal jurisdiction against a Chinese firm.

Congress should address sovereign immunity abuses to better enable private sector litigants to seek legal redress against Chinese companies for IP theft.

The 2017 U.S.-China Economic and Security Review Commission report noted that "The application of the sovereign immunity defense to commercial cases presents a potential risk for U.S. businesses and individuals, allowing Chinese state-owned enterprises (SOEs) to conduct unlawful activity in the United States without legal consequences. Some Chinese SOEs are evading [civil] legal action in the United States by invoking their status as a foreign government entity under the Foreign Sovereign Immunities Act."[47] Thus, as the USCC notes, Chinese firms often disguise the actual or beneficial owner to make them appear as a Chinese SOE. This then places the burden on American firms to prove that one of the FSIA exceptions of sovereign immunity applies, such as the commercial activity exception.[48]

Robert Spalding, President Trump's former Director of Planning at the White House National Security Council has stated, "Typically, the first thing Chinese companies do is try to deploy the Foreign Sovereign Immunities Act to protect themselves against American companies."[49] Spalding described the Chinese approach as "lawfare," a form of warfare that exploits U.S. law to deter private parties from exercising their rights. He explained that the CCP will use every obstacle necessary to hemorrhage the resources of American companies until they can no longer afford to do battle.[50] American firms often do not have access to the same level of resources as their Chinese counterparts, which has a "chilling effect" that deters lawsuits.[51]

The Task Force endorses the recommendation by the 2017 U.S.-China Economic and Security Review Commission report that Congress amend the FSIA to allow U.S. courts to hear cases against a foreign state's corporate affiliates under the commercial activity exception. The Task Force also supports the Commission's recommendation that the SEC require Chinese firms to waive any potential claim of sovereign immunity if they do business in the United States. This would force Chinese state-owned companies to play by the rules rather than continue to exploit U.S. law to get away with theft. It would also galvanize private sector litigants to go after Chinese companies that steal IP.

Congress should reform the evidentiary requirements of Section 337 of the Tariff Act to facilitate cases for cyber theft of trade secrets.

Section 337 of the Tariff Act of 1930 allows U.S. companies to protect themselves from imports that infringe on IP rights by filing a complaint with the International Trade Commission (ITC).[52] While the ITC cannot award damages, it can direct Customs and Border Protection

(CBP) to block infringing products at the ports of entry.[53] The ITC can serve as an important tool to protect U.S. companies from infringing foreign imports but it can be limited in its ability to sufficiently deter government-backed cyber theft of trade secrets. In particular, it is difficult to gather evidence in cyber theft cases when countries, such as China, direct state-sponsored hackers to steal IP from U.S. companies and then go on to pass that information to Chinese firms that then export products using the IP into the United States. Thus, companies may be unable to prove that products were developed as a result of theft from Chinese government-backed cyberattacks.[54] This is compounded by the problem that the Chinese government entities that commit the cyberattacks are often different than the companies who end up benefiting from and using stolen IP.[55]

The Task Force recommends that Congress should examine the feasibility of reforming the burden of proof in cases when an American company has been the victim of cyber intrusion, including by state-sponsored entities. In such cases, if the complainant can show that it was the victim of cyber theft that compromised a trade secret and that a subsequent import relies on fundamental elements of that trade secret, Congress could statutorily shift the burden of proof to the foreign importer to show that the product was developed independently. Most obviously, this could be accomplished by documenting its own research and submitting this evidence to the ITC. The ITC could also be allowed to consider patterns of behavior, in particular, if a sector has seen multiple findings of cyber theft in a short period of time. The Task Force is cognizant of the potential concern that shifting the burden in such a manner would encourage filing frivolous claims. Thus, Congress should also consider instituting reasonable penalties for the filing of claims with questionable merit, which may include increasing the availability of attorney's fees awards for an innocent defendant. These measures will help make it more difficult for Chinese firms to continue to export products developed with stolen IP as a result of cyber theft into the United States.

Congress should sanction companies that steal American IP and require an annual report identifying such companies.

The Trump administration has used tariffs as a tool to pressure China to stop its theft of IP. However, as Derek Scissors of the American Enterprise Institute has noted, "Tariffs hit all makers of selected products, not just bad actors. 'Snapback' tariffs if China keeps stealing IP would also punish everyone. The thieves at least might get what they're chasing; firms which obey U.S. laws just get the tariff. Tariffs are the wrong tool on IP."[56]

Rather than use tariffs, the Task Force proposes introducing new legislation authorizing the Department of the Treasury to sanction foreign individuals, institutions, organizations, and companies that are involved in significant theft of IP or cyberespionage or that directly benefit from or use stolen IP. As Eric Lorber of the Foundation for Defense of Democracies (FDD) has noted, using targeted sanctions as a tool against China, especially on issues of intellectual property or cyberespionage, would signal to Chinese companies that engaging in such activity entails significant risks.[57] The Commission on the Theft of American Intellectual Property has aptly stated, "No foreign entity that steals IP should be able to access the U.S. banking system."[58]

The Task Force proposes first requiring an annual report by the Department of the Treasury identifying which companies have significantly stolen IP from U.S. companies or have directly benefited from the use of such stolen IP. Such a report could put Chinese companies on notice that their theft of IP and technology will no longer be tolerated and give Congress more insight into the scope of the problem. Treasury could then be required to warn these companies to stop. If they did not stop within six months, they would be sanctioned as Specially Designated Nationals (SDN) and cut off from the U.S. financial system. If a Chinese company was proven to have stolen IP at a later date, Treasury could immediately impose sanctions.

Congress should codify the Department of Commerce's Denied Persons List as well as other tools, short of sanctions, to punish foreign companies with a pattern of breaking U.S. laws.

The Department of Commerce's Bureau of Industry and Security's (BIS) Denied Persons List is a list of people

and companies whose export privileges have been denied. It is prohibited for American companies or individuals to participate in an export transaction with a person on the Denied Persons List. This is different from the Entities List, which identifies foreign parties that are prohibited from receiving some or all items subject to BIS' Export Administration Regulations (EAR) unless the exporter secures a license. Essentially, a denial order is a tool that is stronger than putting a person on the Entities List but weaker than sanctioning someone as a SDN. Denial orders create a formal option to prohibit doing business with a company that has a pattern of behavior with multiple occasions of breaking U.S. laws, such as ZTE, which regularly evaded export laws and sanctions for years.[59] The Task Force believes that the Denied Persons List should be codified by Congress to formalize this important tool for the Department of Commerce.

Still, the Department of Commerce should have additional, more tailored authority to reprimand foreign companies displaying an egregious pattern of breaking U.S. laws. The current options at the Department of Commerce's disposal are not flexible enough. The Entity List and the Denied Persons List have serious drawbacks because they only restrict exports from the United States and not imports. On the other end, an SDN designation, which is enforced by the Department of the Treasury, more closely resembles criminal punishment and includes asset seizure. The Task Force believes that Congress needs to create another option giving the Department of Commerce new authorities to address foreign companies breaking U.S. laws, one that is more comprehensive than the Entity and Denied Persons Lists and less severe than the SDN list. In particular, such a new option should grant the Department of Commerce the ability to go after any business, especially two-way investment, rather than just exports. In this way, such a new option would fill the existing gap to give the Department of Commerce a range of choices to fit the situation.

COUNTER CHINA'S IP THEFT AT AMERICAN RESEARCH INSTITUTIONS AND ACADEMIA

In recent decades, China has utilized a number of underhanded methods to pilfer the IP of the United States and other Western nations. The U.S. Senate's Committee on Homeland Security and Governmental Affairs noted the following in a November 2019 report:

> American taxpayer funded research has contributed to China's global rise over the last 20 years. During that time, China openly recruited U.S.-based researchers, scientists, and experts in the public and private sector to provide China with knowledge and intellectual capital in exchange for monetary gain and other benefits. At the same time, the federal government's grant-making agencies did little to prevent this from happening, nor did the FBI and other federal agencies develop a coordinated response to mitigate the threat.[60]

China's Thousand Talents Program (TTP) is one of the primary avenues by which the Chinese have sought to reap the benefits of Western research and innovation. Under this program, China induces international experts who are engaged in research and development, including in the United States, to take the knowledge and research to China in exchange for salaries, research funding, lab space, and other incentives.[61] A report by the Hoover Institution found that, according to the Chinese government's own websites, more than 300 U.S. government researchers and more than 600 U.S. corporate personnel have accepted TTP money.[62]

The FBI has also found that China sends student spies to the United States to obtain sensitive research and trade secrets.[63] According to the FBI, the Chinese government has used some students and professors in science, technology, engineering, and math (STEM) fields as "non-traditional collectors of intellectual property."[64] The Task Force understands, as the FBI has pointed out, that "the vast majority of the 1.4 million international scholars on U.S. campuses pose no threat to their host institutions, fellow classmates, or research fields. On the contrary, these international visitors represent valuable contributors to their campuses' achievements, providing financial benefits, diversity of ideas, sought expertise, and opportunities for cross-cultural exchange."[65] Still, President Obama may have made the problem of student spies worse by extending Chinese student visas from one year to five years and by extending the

amount of time foreign STEM students could remain in the United States to work through the Optional Practical Training program. These two policies were reversed by the Trump administration.[66]

The Task Force believes a number of measures should be taken to prevent China's IP theft from American universities and research institutions.

Congress should enact a visa disclosure requirement for foreign students receiving funding directly or indirectly from the Chinese government.

The Task Force believes that more needs to be done to ensure our vetting mechanisms are working properly to prevent technology and IP theft by China through foreign students. The 2019 U.S.-China Security and Economic Commission (USCC) report raised the idea of looking into the feasibility of a visa disclosure requirement for foreign students, indicating whether or not they are receiving funding from the Chinese government or an intermediary entity acting in support of China's government.[67] The Task Force supports implementation of such a disclosure requirement.

Congress should require a report on the efficacy of the Department of State's visa screening mechanism to mitigate Chinese IP theft and require the creation of a list of research institutions associated with China's People's Liberation Army and Ministry of State Security.

The Department of Defense's Defense Innovation Unit Experimental (DIUx) noted in a 2008 report that the Department of State does not consider "the protection of critical technologies" when vetting visa applications.[68] The Task Force, thus, supports the 2019 USCC Report's recommendation to have the Government Accountability Office (GAO) conduct an assessment on the efficacy of the Department of State's visa screening mechanism to mitigate the risk of IP and technology theft by China. This report should include the number of foreign students and researchers from China studying in STEM fields, past and current affiliations, primary areas of research, duration of stay in the United States, and subsequent employment. The report should also identify whether federally funded university research related to emerging technologies may have been unlawfully appropriated by individuals acting on behalf of Chinese entities and identify the risks posed by China's efforts to co-opt U.S. researchers or students at U.S. universities for unlawful appropriation of IP. [69] Finally, as Bradley Bowman of FDD has suggested, Congress should also require the production of a report containing a comprehensive, unclassified list of research, scientific, and engineering institutions associated with China's People's Liberation Army and Ministry of State Security to help prevent granting visas that will be used for exploiting U.S. universities and research centers.[70]

Congress should require student visa holders to report to the Department of Homeland Security if they change majors and require periodic revetting upon reentering the United States.

Current visa screening mechanisms apply before a foreign student has entered the United States and end after the student has entered the country. This creates a vulnerability where students may come to the United States originally wanting to study in one field but then a few years later switch majors to STEM-related fields or may intern with a major U.S. company with technology-related trade secrets. To remedy this, the Task Force proposes that foreign nationals be required to self-report to the Department of Homeland Security under certain circumstances. These circumstances should include whenever the student changes field of study—notably the fields of robotics, aviation, and high-tech manufacturing—or undertakes research, employment, an internship, or volunteer activity with an American company significantly involved in one of these fields. Congress should also require the Department of Homeland Security (DHS) to undertake periodic revetting of students upon reentering the United States.

Congress should end visas, particularly student and tourist visas, for Chinese government officials, active duty members of the Chinese military, and senior officials in the CCP, as well as their immediate family members until China ends IP theft from American universities and research institutions.

A detailed report by the Australian Strategic Policy Institute found that since 2007, approximately 500 Chinese military scientists were sent to the United States to study. According to the report, China's People's Liberation Army (PLA) has been sending its soldiers to study science and engineering in Western universities, including in the United States, as part of a widespread effort to collect military technology.[71]

It should go without saying that Chinese government officials and senior CCP officials and their family members should not be able to study in the United States while China undertakes a campaign of IP theft and economic espionage against the United States. The Task Force proposes that members of the Chinese cabinet, active duty members of the Chinese military, and senior officials of the CCP be prohibited from studying in the United States until the president certifies that the CCP has ceased its efforts to steal U.S. IP through American universities and research institutions. The CCP is a large organization of over 90 million members, which many Chinese citizens are forced to join.[72] A blanket prohibition on visas to CCP members could lead to unintended consequences. However, it would be appropriate to include the senior leadership including the Politburo of 25 members,[73] the Central Committee of 205 full members and 171 alternates,[74] and all 2,280 delegates of the 19th National Congress of the CCP,[75] and their spouses and children.

Congress should impose conditions on the ability of foreign students to be involved in sensitive federally funded research and enact the Protect Our Universities Act.

The Task Force recommends enactment of the Protect Our Universities Act, sponsored by Rep. Jim Banks (R-IN), which would address Chinese economic espionage in American universities by establishing an interagency task force led by the Department of Education to address the vulnerabilities present on college campuses. This task force would also manage a list of Sensitive Research Projects, which would be based upon the Commerce Control List,[76] the U.S. Munitions List,[77] and foundational principles developed for advanced military technologies. This would prohibit students from China, as well as Russia, Iran and North Korea, from participating in sensitive research projects funded by the Department of Defense, the U.S. intelligence community, and the Department of Energy unless those students received a waiver from the Director of National Intelligence (DNI). In addition, this bill would prohibit the technology developed by the Chinese and Russian governments, including Huawei, ZTE, and Kaspersky, from being used in federally funded sensitive research projects.

Congress should require Department of Defense research grant applicants to certify that no recipients have ever participated in a Chinese talent recruitment program.

The Senate Homeland Security Committees' investigation into the TTP revealed the extent to which Chinese talent recruitment plan members "misappropriated U.S. government funding, provided early basic research ideas to their Chinese employers, stole intellectual capital from U.S. basic research before it was published, and engaged in intellectual property theft."[78] Section 1286 of the Fiscal Year (FY) 2019 National Defense Authorization Act (NDAA) required the Secretary of Defense to undertake an initiative to support protection of national security academic researchers from IP theft, undue influence, and other security threats. The Task Force believes that U.S. law needs to go further and that applicants for Department of Defense research grants should be required to certify that no individuals who would be funded by the grant have ever participated in any talent recruitment programs operated by China. If funding recipients could not provide that certification, the Task Force believes the Department of Defense should deny such grants. This is similar to an amendment proposed, but not adopted, by Rep. Mike Gallagher (R-WI) to the FY 2019 NDAA.[79]

Congress should require a report detailing the extent China has benefited from U.S. taxpayer funded research and from Chinese funding of U.S. research institutions.

According to the Senate Homeland Security Committee, in 2008, there were more than 35,000 foreign nationals, including 10,000 from China, conducting re-

search in the Department of Energy's National Labs.[80] According to the Department of Education, "one university received research funding from a Chinese multinational conglomerate to develop new algorithms and advance biometric security techniques for crowd surveillance capabilities," while another "had multiple contracts with the Central Committee of the Communist Party of China."[81] The Task Force believes that Congress should require a report on: (1) the extent to which U.S. taxpayer-funded research has benefitted China; and, (2) the extent to which China's funding of U.S. taxpayer-funded research institutions has benefitted China. This information could give Congress more insight into the issue.

Congress should enact the Safe Career Transitions for Intelligence and National Security Professionals Act.

A major threat to the security of state secrets is the recruitment of federal workers with newly acquired security clearances to work at private entities with questionable ties to nefarious governments. Security clearances are a state privilege, and many companies are seeking consultants with clearances under the guise of innocuous purposes in order to exploit their access to classified information. With the current debate raging over Huawei as an example, the threat of foreign government affiliated companies exploiting access to America's secrets through individuals with limited experience cannot be overstated.[82] In fact, President Obama's Senior Director for Cyber Security Policy is now a lobbyist for a Chinese government shell company.[83] The Safe Career Transitions for Intelligence and National Security Professionals Act, sponsored by Rep. Banks, is a leading proposal to address this issue.[84] This legislation would ban companies that are barred from doing business with the federal government, such as Huawei and ZTE, from being able to hire former civil servants with security clearances. It would also give the DNI the ability to add companies to the list.

EXPOSING CCP-LINKED CORPORATE SUBTERFUGE

According to the American Enterprise Institute (AEI) and The Heritage Foundation's China Global Investment Tracker, the United States received over $180 billion in Chinese investment between January 2005 and December 2019. Chinese investment does support American jobs and has many benefits for the American economy. However, as the two think tanks have noted, "China is not a friend. The U.S. certainly should not ban Chinese investment, but, as Congress has directed, Chinese firms and individuals should not be permitted to buy advanced technology that could have military uses. Chinese firms that receive stolen intellectual property should be punished."[85] Moreover, Chinese SOEs are directly connected to the CCP, which uses investment as a tool to further Chinese national security interests.

The Task Force recommends the implementation of the following measures, which are designed to enhance the federal government's ability to control technology transfer to China, as a means of addressing key challenges posed by Chinese investment in the United States without stymieing its domestic economic benefits.

Congress should establish an Office of Critical Technologies and Security to help prevent the transfer of critical emerging, foundational, and dual-use technologies to countries of concern.

The federal government currently lacks an office that can coordinate the whole variety of aspects of security policy related to preventing the transfer of critical emerging, foundational, and dual-use technologies to adversarial nations, including China. Instead, the responsibility overlaps between the National Security Council, the National Economic Council, and a multitude of federal agencies and state and local entities. As Sen. Marco Rubio (R-FL) has noted, establishing a central Office of Critical Technologies and Security would help protect the United States by streamlining efforts across the government.[86] To that end, legislation, co-led by Sen. Rubio in the Senate and Rep. Mike Conaway (R-TX) in the House, has been introduced to establish the Office of Critical Technologies and Security. Under the bill, the office would be required to develop a long-term strategy for U.S. technological superiority; coordinate a whole-of-government response to protect critical emerging, foundational, and dual-use technologies; and effectively enlist the support of feder-

al agencies, the private sector, and other scientific and technical hubs, including academia, to support and assist with such response.[87] The Task Force strongly endorses this legislation.

Moreover, the federal government should examine ways to emphasize the increasing importance of neuroscience and its application in the development of dual-use technology, including by better coordinating existing federal efforts to develop this emerging technology.

Congress should enact legislation requiring Chinese companies to disclose internal CCP committees and financial support provided by the Chinese government.

The Task Force supports the 2019 U.S. China Economic Commission's recommendation to require Chinese companies to disclose any CCP committees within the company and disclose financial support provided by the Chinese government.[88] American and European companies involved in joint ventures with state-owned Chinese firms have been asked to give internal CCP cells an explicit role in decision-making.[89] As Ashley Feng of the CNAS has written, Western governments cannot tell if Chinese firms work for the CCP. Tech companies, such as Baidu, Alibaba, and Tencent, have police-embedded cells within them that hand over sensitive information to the Chinese government. Feng notes that "Chinese companies still have some autonomy. They're able to direct their own research and development, decide where to expand, and have control over most everyday decisions. But when the party comes calling, they have almost no power to resist direct requests, lest they want to lose their privileged positions."[90]

Chinese companies that want to operate in the United States should have to disclose their ties to the CCP. Not only is such information material to American investors, it also affects the national security interest of the United States.[91]

Congress should enact the Holding Foreign Companies Accountable Act to require Chinese companies to adhere to U.S. laws as a condition of being listed on American stock exchanges.

As of February 25, 2019, there were 156 Chinese companies listed on the NASDAQ, New York Stock Exchange, and NYSE American, with a total market capitalization of $1.2 trillion. There were at least 11 Chinese state-owned companies listed on the three major U.S. exchanges.[92] The Securities and Exchanges Commission (SEC) oversees the Public Company Accounting Oversight Board (PCAOB), which, in turn, is the principal U.S. regulator that oversees the audits of public companies and SEC-registered brokers and dealers. The PCAOB is required by U.S. law to conduct regular inspections of all registered public accounting firms, both domestic and foreign, that issue such audit reports or play a substantial role in the preparation of them.[93] However, according to a joint statement by the SEC and PCAOB from December 2018, "China's state security laws are invoked at times to limit U.S. regulators' ability to oversee the financial reporting of U.S.-listed, China-based companies."[94]

On May 20, 2020, the Senate passed the Holding Foreign Companies Accountable Act by unanimous consent, legislation which would prohibit securities of a company from being listed on any of the U.S. securities exchanges if the company has failed to comply with the PPCAOB audits for three years in a row.[95] As Rep. Conaway—sponsor of a similar bill in the House—has stated, "Beijing shows no apprehension while obstructing attempts to audit Chinese companies or breaking U.S. law. Without the EQUITABLE Act, the Chinese government will only escalate this malicious pattern of conduct."[96]

Congress should enact the Promoting Secure 5G Act to establish a U.S. policy to oppose international financing for 5G networks that lack appropriate security measures.

5G is the newest generation of wireless networks to enable faster data speeds. Chinese company Huawei, the world's biggest telecommunications equipment maker, is a leader in 5G equipment. In January 2009, Huawei was indicted by the DOJ for the theft of trade secrets.[97] According to Ajit Pai, Chairman of the Federal Communications Commission, Huawei takes direction from the Chinese government in accordance with Chinese law

and could be compelled to spy on individuals and businesses or install malware or spyware on networks.[98] If Huawei, a Chinese state-directed company with a history of IP theft, gains a foothold in global 5G networks, some fear China could have an unprecedented opportunity to attack critical infrastructure and compromise intelligence sharing with key allies.[99]

To counter the threat of Huawei's dominance in next generation 5G networks, the Trump administration has pressured U.S. allies to reject the use of Huawei equipment in developing 5G systems. Australia has already banned Huawei from supplying equipment for 5G networks as of 2018.[100] Unfortunately, however, in January 2020, the European Union rejected an outright ban on Huawei equipment in developing its 5G networks. Furthermore, the United Kingdom granted Huawei a limited role in developing its 5G systems. However, on May 24, 2020, Britain's National Cyber Security Centre (NCSC) announced it would conduct a new review into granting Huawei such a role.[101]

The Promoting Secure 5G Act of 2020, sponsored by Rep. William Timmons (R-SC), would leverage U.S. aid to international financial institutions, such as the International Monetary Fund (IMF) or the International Finance Corporation, to discourage recipients from using Huawei in their 5G networks. The bill would specifically make it U.S. policy to only lend to such countries for infrastructure, wireless technologies, and policy reforms through multilateral organizations only when those countries take sufficient security measures in their networks. It would also encourage cooperation with U.S. allies to strengthen support for secure wireless technologies.

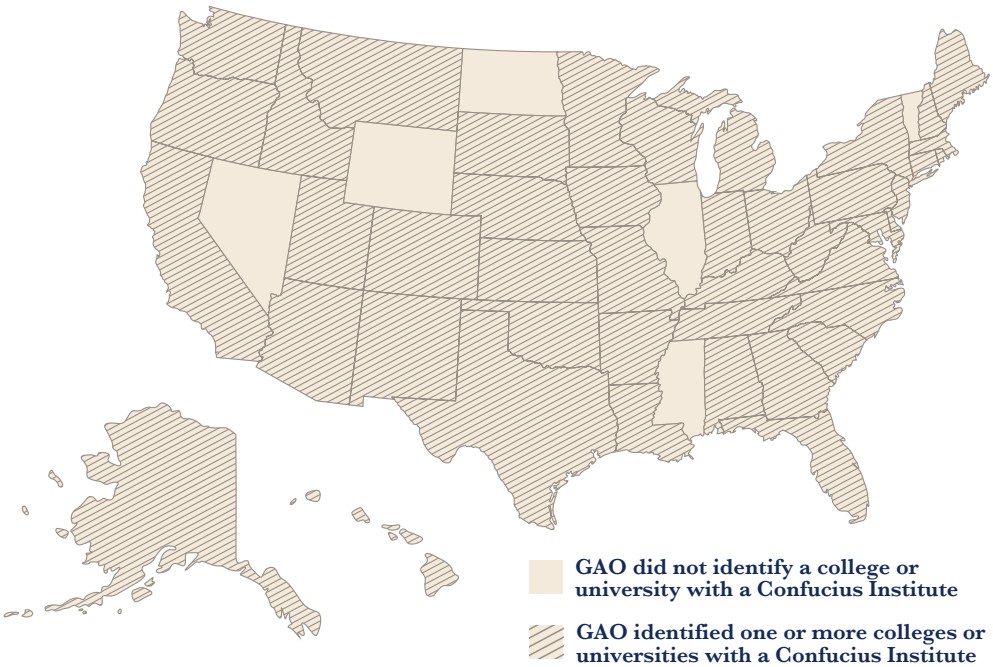
STOPPING CHINA'S MALIGN POLITICAL INFLUENCE AND DISINFORMATION CAMPAIGNS

"China conducts influence operations against cultural institutions, media organizations, and the business, academic, and policy communities of the United States, other countries, and international institutions to achieve outcomes favorable to its security and military strategy objectives... China harnesses academia and educational institutions, think tanks, and state-run media to advance its soft power campaign in support of China's security interests."

– Department of Defense,
Military and Security Developments Involving the People's Republic of China 2019[102]

CONFUCIUS INSTITUTES ACROSS AMERICA

All but Six U.S. States Have at Least One Confucius Institute on University Campuses



Source: GAO analysis, as of January 2019, of Confucius Institute agreements, school documents, and Department of Education National Center for Education Statistics data | GAO- 19-278

China's spread of disinformation about the origins of COVID-19 and false accusations blaming the U.S. military for creating the virus in a lab have introduced many Americans to China's malign influence and political warfare operations.[103] Yet, Chinese disinformation operations have long targeted multiple facets of American life to shape a narrative favorable to China and, in the process, have created a sophisticated network throughout the United States to spread its malign influence—a network which can be used at any time to shape public perception.[104] China does this through building a presence in educational institutions, think tanks, media, and the business community. While the United Front Work Department, the CCP's agency in charge of the coordination of influence operations, directs most of these efforts, it is, according to Larry Diamond of the Hoover Institution, "one of many institutions within the Chinese party-state involved in influence operations."[105] Other institutions include seemingly private civil society, academic, Hollywood, or even religious groups, that ultimately take direction from the CCP.[106]

In recent years, Confucius Institutes have come to the forefront as one key tool used by the CCP to influence public perception.[107] In April 2017, the National Association of Scholars (NAS) released a comprehensive report illustrating how Confucius Institutes infiltrated American colleges and universities to enhance China's image and educate a generation of American students to know nothing more of China than the regime's official history. The Chinese government approves all teachers, events, and speakers in the institutes.[108] Since Confucius Institutes provide financial support for universities to run free Chinese language programs, colleges become hesitant to allow activities on campus that would draw the CCP's ire and engage in self-censorship.[109] As Peter Mattis has said in testimony before the House Foreign Affairs Committee, "CCP programs, like the Confucius Institutes, are less important for their specific content in dealing with U.S. universities than for establishing a relationship. By facilitating U.S. universities investment in facilities, research collaboration, or programs, the CCP creates a vulnerable relationship that can be used to apply pressure to the university unless the latter is prepared to walk away."[110]

Congress passed legislation in August 2018 as part of the NDAA to prohibit the Department of Defense from funding Chinese language programs at institutions that host Confucius Institutes except in cases in which the institutions have obtained a waiver.[111] Since then, some universities have closed their institutes. According to the NAS, there are now 86 Confucius Institutes in the United States, with five more set to close in the summer of 2020.[112] While this is a step in the right direction, more needs to be done to counter the threat that Confucius Institutes and other propaganda tools pose.

The Task Force believes that the following steps by Congress can enhance efforts to counter the CCP's malign political influence.

Congress should create new authority to sanction state-backed disinformation networks and mandate placing such sanctions on the CCP's United Front Work Department.

Congress should amend the Global Magnitsky Human Rights Accountability Act (Global Magnitsky Act), which authorizes the President to impose sanctions on individuals and entities engaged in gross violations of human rights and significant corruption, to also allow the President to designate state-backed networks purveying harmful disinformation campaigns.

The United Front Work Department is a fundamentally malign entity used to confront any source of potential opposition to the authority and policies of the CCP.[113] Xi has even called the front a "magic weapon" for the "Chinese people's great rejuvenation."[114] It is also used to harass, spy on, and co-opt Chinese citizens in the United States. According to the 2015 Central Committee, this is actually its primary mission.[115] Confucius Institutes are funded by Hanban, an organ of the United Front, and were founded in 2014 by the former head of the United Front, Liu Yangdong.[116] In countries like Australia and New Zealand, where the problem of CCP malign influence is much more pervasive, United Front affiliates have even held political office and controlled important media outlets.[117]

Nevertheless, the United Front is highly active in the United States. Peter Mattis testified before the House Foreign Affairs Committee in 2019 that he could identify within a few hours "more than 250 organizations in the United States with individuals who actively and probably wittingly work to support the party's united front activities." Mattis also noted that the United Front has "sponsored dozens of visits by hundreds of local and state government officials, journalists and students to China" adding that such visits are "used to influence and evaluate the participants for their future usefulness."[118]

The Task Force believes that new sanctions authorities should be granted to the president under the Global Magnitsky Act to allow the targeting of state-sponsored propaganda and disinformation networks. Furthermore, the Task Force believes that Congress should mandate sanctions on the United Front Work Department, including its officials and their immediate family members under such new authorities, barring access to the U.S. financial system and U.S. visas. Despite the fact that the United Front is not a violent entity nor engaged in terrorist attacks, it is a wing of the CCP that is involved in activities that threaten the United States. Designating the United Front will make their ability to operate in the United States much more difficult and prohibit American institutions and organizations from dealing directly with them.

Congress should enact legislation to require Confucius Institutes to register as foreign agents under FARA, ensure they do not exert influence over host schools, and require reporting of foreign gifts to universities starting at $50,000.

Task Force Chairman Joe Wilson (R-SC) is the sponsor of the Foreign Influence Transparency Act.[119] This legislation would narrow an exception that currently exists under the Foreign Agents Registration Act (FARA) excluding foreign agent registration for "educational" institutions.[120] This is an important exception that allows foreign educational institutions to operate in the United States. However, this bill would ensure educational institutions that promote a political agenda, such as Confucius Institutes, would be required to register under FARA and report their activities.

Rep. Wilson's Foreign Influence Transparency Act and Rep. Kevin Hern's (R-OK) America Foreign Influence Resistance Starts with Transparency (FIRST) Act both take another important step. They would amend the Higher Education Act to require universities to disclose donations, contracts, or the fair market value of in-kind gifts from any foreign source if the amount is over $250,000. Reducing the reporting threshold to $50,000 would allow more transparency into the Chinese government's efforts to fund Confucius Institutes as well as other hostile efforts on American campuses.

The Task Force also supports current Department of Education efforts to enforce university reporting of foreign gifts.[121] A 2019 report by the Senate Permanent Subcommittee on Investigations found that 69 percent of colleges that received $250,000 or more in annual funding from Hanban, a Chinese government entity that funds the Confucius Institutes, had failed to report the funding.[122]

Until the Task Force's ultimate goal of severing the link between universities and the malign entities that exert control over Confucius Institutes is complete, steps can be taken to curb any coercive influence they may have on a host school. For instance, Rep. Chip Roy's (R-TX) Transparency for Confucius Institutes Act would require universities that currently insist on hosting a Confucius Institute to at least adopt a program participation agreement that, among other things, would have to delineate distinct physical and authoritative roles between the school and Confucius Institute and ensure the school maintains final decision-making authority.

Congress should require think tanks and nonprofits to disclose contributions from certain foreign entities over $50,000 annually.

Part of the CCP's disinformation operations in the United States include funding Washington D.C. think tanks. A report by the USCC noted that a number of Washington D.C. think tanks and universities have received funding from Tung Cheehwa, a vice chairman of the Chinese People's Political Consultative Conference, which is a group that directs the United Front Work Department.[123]

According to the CNAS Report "Rising to the China Challenge":

> A number of U.S. universities, academic departments, individual scholars, think tanks, and other civil society organizations receive substantial funding from Beijing that is often targeted at shaping views and discourse on China. Higher degrees of transparency can help to ensure that this funding is not generating hidden forms of foreign lobbying, self-censorship, or other activities that undermine core U.S. democratic principles.[124]

Although universities are required to report foreign gifts above $250,000 as part of the Higher Education Act, this requirement does not currently exist for think tanks and other nonprofit organizations that may operate under the pretext of educational activities. The Task Force therefore believes that think tanks and similar nonprofit institutions receiving significant funding, over $50,000 a year, from foreign governments, foreign political parties or foreign military entities, should be required to disclose that information for purposes of identifying conflicts-of-interest. However, such disclosures should not be mandated for funding below $50,000 a year, or from bona fide non-government entities, so as not to create overly burdensome requirements or hamper legitimate non-government apolitical foreign research funding.

Congress should enhance FARA to strengthen penalties for state-backed violators, require disclaimers on direct foreign government propaganda, improve its public database, and repeal exceptions for certain foreign private sector entities.

FARA was enacted in 1938 and requires certain agents of foreign principals who are engaged in political or other enumerated activities to make periodic public disclosure of their relationship with foreign principals, as well as activities, receipts, and disbursements in support of those activities.[125] However, until recently, FARA was not frequently enforced. In September 2016, DOJ's Office of the Inspector General issued a report that counted a total of only seven prosecutions under FARA since 1966.[126] The report also found that many aspects of FARA's language are outdated, vague, and contain loopholes that may make criminal enforcement difficult.[127] This assessment is shared by a number of analysts studying Chinese political warfare operations that note reporting requirements under FARA are quite minimal, among other criticisms.[128]

The Task Force believes that an updated FARA is essential to give DOJ the tools it needs to counter political warfare operations from the Chinese and other nations. Specifically, the Task Force would make the following adjustments to FARA:

1. Exceptions from registration for foreign persons and entities in the private sector should be repealed. Currently, foreign entities who register under the far less stringent Lobbying Disclosure Act of 1995 are exempted from FARA. This and other important reforms were laid out in the Disclosing Foreign Influence Act, sponsored by RSC Chairman Rep. Mike Johnson (R-LA).

2. The maximum criminal fine should be increased from $10,000 to $200,000, and it should be unlawful for an agent of a foreign principal to willfully fail to disclose being a FARA-registered agent during a meeting with a Member of Congress, as is set out in Sen. Chuck Grassley's (R-IA) Foreign Agents Disclosure and Registration Enhancement Act of 2019.[129]

3. Reporting requirements should include more substance and specificity about the messages delivered between the foreign agent and principal as well as services provided to make the reporting mechanism more transparent, as recommended by Peter Mattis.[130]

4. FARA's public website should be simpler, easier to understand, and updated more frequently rather than on a quarterly basis as it is currently. This could be modeled after the Australian Foreign Influence Transparency Scheme (FITS) database, as recommended by Peter Mattis.[131]

5. Chinese and other state media should be required to label their public productions with clear and prominent disclaimers that indicate their funding streams, particularly from foreign governments, as was recommended by the congressionally mandated report on China by CNAS.[132]

Congress should enact the Countering the Chinese Government and Communist Party's Political Influence Operations Act.

This bill would direct the Department of State to devise a long-term strategy to counter the Chinese government's political influence operations and would require a report on the Chinese influence operations in the United States. Such a report would identify the key institutions, individuals, entities, and ministries that carry out malign influence operations, and distinguish them from the ongoing cultural, educational, and people-to-people exchanges which may benefit the people of both the United States and China.[133]

HUMAN RIGHTS AND INTERNATIONAL INSTITUTIONS

"In China, the Chinese Communist Party uses high-tech surveillance systems to monitor potential dissidents. It's imprisoning religious minorities in internment camps—part of its historic antipathy to religious believers. As I've said before, the CCP's record in Xinjiang is the "stain of the century." It tries to hide what it's doing by intimidating journalists. Chinese citizens who want a better future are met with violence."

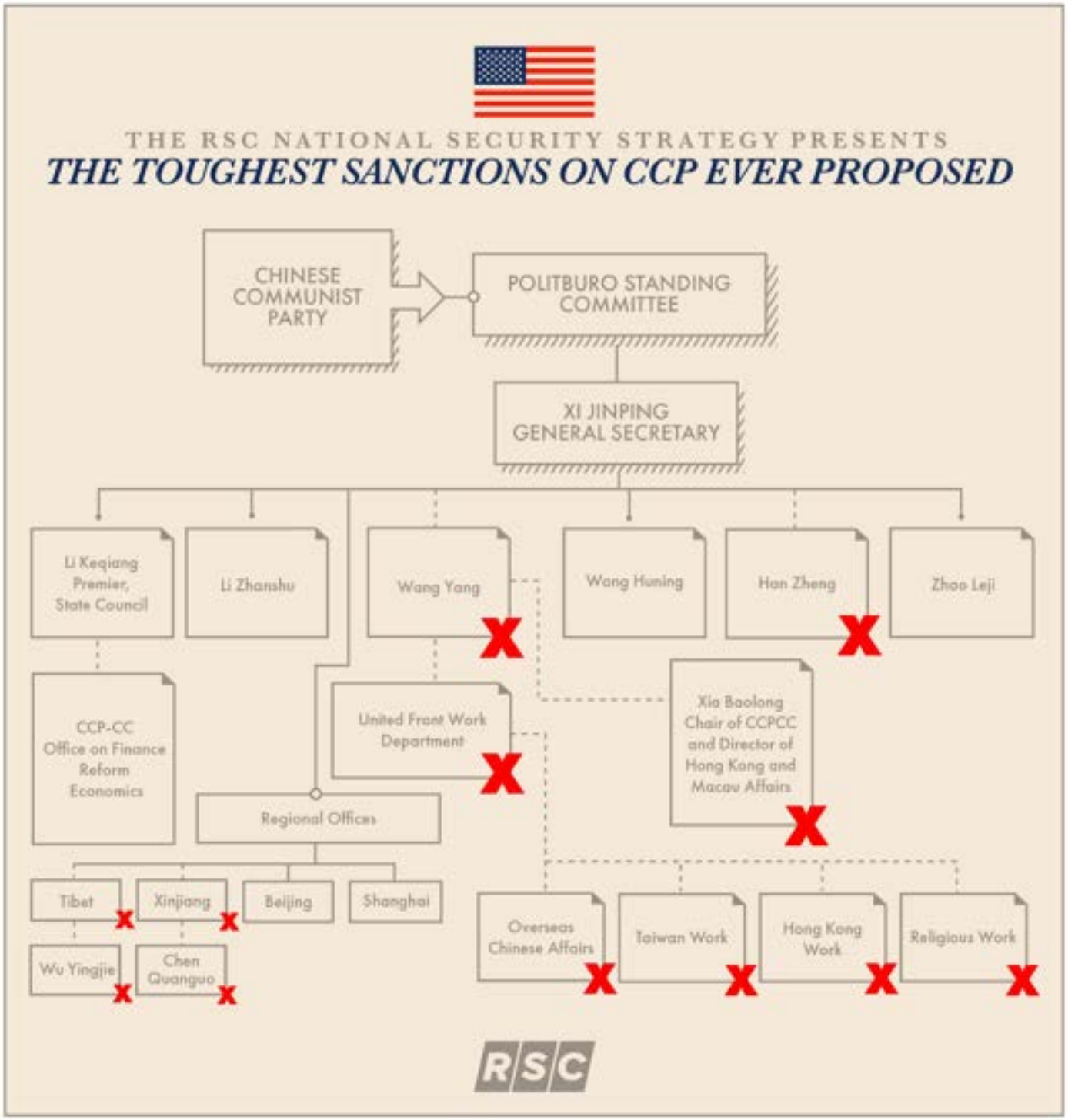
– Secretary of State Mike Pompeo[134]

China's increasingly authoritarian regime under Xi is a threat to freedom and human rights not only inside China but around the world. The CCP's efforts economically, militarily, and through its influence operations all aim to promote an alternative form of governance under which our understanding of freedom and human rights would not exist. Chinese government leaders have called this vision "human rights with Chinese characteristics," rejecting the notion that all humans are endowed by their Creator with certain inalienable rights.[135] This effort is best demonstrated by China's efforts to hijack and use international institutions to redefine human rights and promote a China-centric order.[136] China's efforts to dominate international organizations were highlighted during the COVID-19 crisis when it used its influence over the WHO to mask China's role in exacerbating the global pandemic, eventually prompting President Trump to halt funding to the WHO.

The United States has the support of millions of Chinese people who yearn for freedom and human rights and are aligned with American values. In June 2019, over two million people in Hong Kong protested against Chinese attempts to enact an extradition bill that would completely destroy rule of law and civil liberties in Hong Kong.[137] China's latest bold actions to forcibly takeover Hong Kong undermine its autonomy and democracy and violate its past international agreements.[138] The crisis in Hong Kong is a watershed moment in the battle between freedom and authoritarianism. As China attempts to promote an alternative theory of governance, the United States must double down on our values of freedom, democracy, and human rights as part of our strategy to counter China's threat. The Task Force believes a number of actions can be taken to counter China's violations of human rights and coercion of international institutions.

Congress should mandate sanctions on Chen Quanguo, Wu Yingjie, other senior CCP members, and other Chinese officials responsible for human rights abuses in Xinjiang, Tibet, and Hong Kong.

Chen Quanguo has been called the "architect of China's Muslim camps" and is the CCP Party Secretary for the Xinjiang region.[139] Quango got his start in Tibet in 2011, where he created so-called "convenience police stations" and first began instituting an automated surveillance state while cracking down on the Buddhist population.[140] Olivia Enos notes that "to date, no Chinese official has been sanctioned for his or her repression of Uighurs in Xinjiang."[141] The House and Senate have passed different forms of the Uyghur Human Rights Policy Act of 2019 which would have required sanctioning Chen Quanguo if he met the criteria for sanctions.[142] Unfortunately, this language was removed from the final form of the legislation that passed Congress.[143] The Heritage Foundation has noted, the United States must make more active use of the Global Magnitsky Act to hold Chinese officials and entities responsible for their roles in undermining freedom and human rights in Xinjiang, Tibet, Hong Kong, and elsewhere."[144] The Task Force supports new legislation that would mandate sanctions on Chen Quanguo using Global Magnitsky Act authorities for his gross human rights abuses.



Furthermore, the Task Force believes that Congress should also mandate that the Department of the Treasury impose sanctions on key CCP leaders involved in gross human rights violations in Tibet and Hong Kong using the Global Magnitsky Act's authorities. This should include CCP Party Secretary for Tibet Wu Yingjie, who oversees the brutal repression of Buddhists in the province, and who has openly called on Tibetans to fight the Dalai Lama and his followers.[145] They should also include the director of the Hong Kong liaison office Luo Huining, and Han Zheng, a member of the seven-person elite Politburo of the CCP, who has been called President Xi's "point man" on Hong Kong affairs. They should also include, Xia Baolong the head of the Hong Kong and Macau Affairs Office who previously oversaw a hardline crackdown against churches in eastern China.[146] Finally, such a list should include the Minister of Public Security Zhao Kezhi who oversees the ministry responsible for storing the DNA of Uighurs and running many of the internment camps.[147]

Congress should enact a statement of policy that responding to the human rights abuses in Xinjiang is a central aspect of U.S.-China relations.

As Olivia Enos has written, "China views Xinjiang as a core issue, central to its continued internal stability. Given the immense priority China places on Xinjiang, the United States should place responding to mass arbitrary internment in Xinjiang as a much higher foreign policy priority in its dealings with China than it currently does."[148] The Tibet Policy Act of 2002 set out a number of statements of policy and findings expressing that it was U.S. policy that Tibet was an "occupied country" and that the United States should pressure China to engage in meaningful negotiations with the Dalai Lama.[149] The Task Force believes a similar statement of policy making Xinjiang a major issue in U.S.-China relations should be enacted to increase the pressure on China.

Congress should create a rebuttable presumption that goods originating in Xinjiang are products of forced labor for purposes of prohibiting their import under Section 307 of the Tariff Act.

According to Section 307 of the Tariff Act of 1930, goods produced in whole or in part with forced labor are barred from being imported to the United States. Such goods are subject to seizure and criminal investigations by the CBP.[150] Under Section 321(b) of CAATSA, a rebuttable presumption was created by Congress that all goods originating in North Korea were the products of forced labor.[151] The Task Force believes that Congress should pass similar legislation extending this rebuttable presumption to goods originating in the Xinjiang province. Sen. Rubio has introduced the Uyghur Forced Labor Prevention Act in the Senate containing similar provisions.[152]

Congress should require the GAO to report on the effectiveness of current pro-democracy and human rights funding going to China through the Department of State and National Endowment for Democracy.

U.S. government programs funding pro-democracy and human rights efforts in China should be reviewed to make sure they are achieving their desired effect. For example, since 2004, the American Bar Association's Rule of Law Initiative has provided training to Chinese bar associations and judges.[153] The CEEC has written about how Chinese judges are not independent and are hand selected by the CCP.[154] The Chinese Bar Association is also closely affiliated with the CCP and, since 2012, all new lawyers have had to pledge allegiance to the party.[155] Using funding on the CCP is not only ineffective but also deprives democratic activists inside China from those resources.

Congress should statutorily support the President's effort to withdraw from the WHO and redirect support to other global health initiatives.

On May 29, 2020, President Trump announced that the United States would "withdraw" from the WHO after the organization failed to implement reforms demonstrating its independence and accountability.[156] The United States is the largest donor to the WHO and contributes between $400-500 million per year.[157] Despite this, the WHO has apparently helped to cover up China's mistakes in handling the COVID-19 pandemic, while criticizing President Trump for implementing a travel ban on China early on in the crisis.[158] The Task Force recommends that Congress take action supporting the President's announcement to withhold funding and withdraw from the WHO. In particular, Congress should enact clear statutory language directing the president to divert WHO funding to other deserving global health initiatives and withdraw from the WHO upon a certification that the WHO does not meet specific independence and accountability reforms. The Task Force also recommends that Congress direct the president to explore new mechanisms for multilateral cooperation among democratic countries, including for pandemic response.[159]

Congress should require the Congressional Executive Commission on China (CECC) to report on China's coercive influence over international bodies and its efforts to re-define human rights.

China's appointment to an influential U.N. Human Rights Council panel that picks the world's human rights

investigators is the latest example of the CCP's efforts to promote "human rights with Chinese characteristics" and re-define human rights.[160] The Task Force believes that Congress should direct the CECC to report on China's undue influence of international bodies to redefine human rights and spread the CCP philosophy, especially in institutions receiving U.S. taxpayer dollars. Congress should then use this information to cut funding for such institutions until they demonstrate their independence.

Congress should require the Department of State to issue a strategy to counter Chinese efforts to control key international standard setting bodies and other multilateral organizations.

China's effort to control international standard setting bodies, such as the World Intellectual Property Organization (WIPO), are long-term economic and national security threats to the United States. Chinese control of the WIPO, for instance, could allow it to steal a great deal of U.S. intellectual property since this international organization is responsible for global technical infrastructure to connect IP systems and as a world reference source for IP information.[161] As The Heritage Foundation's Brett Schaefer has written, "one of the most sensitive activities overseen by WIPO is maintaining the confidentiality of patent applications under the Patents and Technology Sector. Under the PCT international patent system, inventors apply for a patent with WIPO for a fee that allows them to file a single 'international' patent application that applies across all 153 contracting states. This application includes technical and confidential information relating to the invention." Schaefer has noted the director of WIPO could gain access to "proprietary information on all WIP patent applications, 18 months before they become public."[162] In addition, Chinese attempts to control the WHO and other bodies allow them, rather than the United States, to shape key international norms in a way which is directly harmful to U.S. interests. The Task Force therefore recommends that the administration put together a strategy on how to counter China in this area. Such a strategy should include a description of how the United States plans to win upcoming multilateral agency campaigns at the Organization for Economic Co-operation and Development, the World Bank, the World Food Program, and key U.N. agencies.

Congress should enact legislation to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the WHO.

The Task Force believes one step that the WHO could take to illustrate its independence from China would be to admit Taiwan as an observer country. In 2015, China blocked a bid by Taiwan to join as a member country. Despite this, Taiwan actually attempted to help the WHO respond to the COVID-19 outbreak, while the WHO ignored Taiwan's warning that COVID-19 spread through human-to-human transmission.[163] The Task Force endorses legislation, sponsored by Rep. Ted Yoho (R-FL), that would direct the Department of State to develop a strategy to regain observer status for Taiwan in the WHO.

COUNTERING CHINA'S GLOBAL MILITARY MODERNIZATION

Chinese leaders characterize China's long-term military modernization program as essential to achieving great power status. Indeed, China is building a robust, lethal force with capabilities spanning the air, maritime, space and information domains which will enable China to impose its will in the region. As it continues to grow in strength and confidence, our nation's leaders will face a China insistent on having a greater voice in global interactions, which at times may be antithetical to U.S. interests.

- Defense Intelligence Agency Director Lt. Gen. Robert Ashley Jr.[164]

China's military modernization has been one of the fastest in history. It is now the second largest military in the world behind the United States. According to the Department of Defense, the PLA Navy is, by some estimates, now the world's largest in terms of total assets.[165] According to an analysis by Jane's, a military analysis company, by 2025, China seeks to possess strategic sealift and airlift capabilities to fight and win a high-tech limited maritime war; by 2030, to project power to [Belt and Road Initiative] countries and win overseas high-tech wars; and after 2030, to project power globally by relying on overseas

bases.[166] Jane's also notes that "China is also rapidly developing capability in emerging defense technologies, including but not limited to unmanned and autonomous systems, artificial intelligence, cyber capabilities, quantum capabilities, hypersonic weapons, and directed energy weapons. These could allow China to impose significant costs on adversaries or deter adversaries disproportionate to the number of physical platforms it possesses."[167]

The Department of State's Assistant Secretary of State for International Security and Nonproliferation Christopher Ford has stated that stealing IP and technology from the United States through a strategy of "military civilian fusion" is the "CCP's blueprint for China's global 'return to military preeminence."[168]

The Task Force has already set out many policies to counter China's economic espionage and IP theft. The Task Force recommends the following additional steps for Congress to counter China's military modernization.

Congress should require the Department of Defense to publish a list of Communist Chinese military companies operating in the United States.

Section 1227 of the 1999 NDAA required the Secretary of Defense to make a determination of those persons operating directly or indirectly in the United States that are Communist Chinese military companies and publish a list of those persons in the Federal Register.[169] Congress passed this legislation, prior to Permanent Normal Trade Relations with China, to help ensure that the transfer of sensitive technology was not occurring.[170]

The deadline to release this list was January 15, 1999. However, to date, this list has not been issued. Six months after the deadline had been missed, a number of members of Congress, including then-Rep. Dennis Hastert (R-IL) and Majority Leader Richard K. Armey (R-TX), sent a letter to President Clinton dated July 19, 1999 asking why the report had not been published. On September 21, 1999, after being unsatisfied by the Clinton administration's continued delay, the group of members of Congress again wrote to President Clinton.[171] Over 20 years later, Sen. Tom Cotton (R-AR) led a letter to the Department of Defense in September 2019 seeking an answer to this question.[172] Congress should continue to push for publication of this list.

Congress should direct the Department of Defense to examine the feasibility of public-private partnerships for the secure development of hypersonic technology.

The United States is currently behind Russia and China in terms of operationally ready hypersonic weapons systems. Much of the problem can be attributed to the currently fragmented testing and prototyping process. Some of this lack of coordination will be alleviated by the establishment of a Joint Hypersonics Transition Office as authorized in the 2020 NDAA.[173] However, there is still a need to accelerate development of these systems ahead of the current timeline of the mid-2020s. Strategic parity in this new field, particularly in scramjet vehicles, is imperative for retaining a balance of power in critical theatres of operations.[174]

New government-owned and industry-operated manufacturing facilities near testing sites would significantly accelerate development of America's hypersonic capabilities. The development of hypersonic weapon systems requires specialized testing equipment and facilities that can create prototypes as well. The creation of a secure location with access for industry and government oversight of classified and sensitive IP in a compartmentalized facility will increase recruitment and retention of top talent and crucial data while speeding up development.[175]

The Task Force believes that Congress should direct the Department of Defense to examine the possibility of a public-private partnership to create a secure hypersonics research, development, and production facility. Some of these insights could potentially have dual-use applications creating a strong incentive beyond purely defense applications. Furthermore, the talent shortage in this area requires private sector expertise. However, the need for a highly secure facility also means the Department of Defense needs to ensure compartmentalization. American leadership in this field remains a paramount priority since this technology has the ability to change the pace and range of warfare.

STRENGTHENING OUR ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC AND BEYOND

"We are committed to upholding a free and open Indo-Pacific in which all nations, large and small, are secure in their sovereignty and able to pursue economic growth consistent with international law and principles of fair competition. We will compete vigorously against attempts to limit the autonomy and freedom of choice of Indo-Pacific nations."

– U.S. Department of State, A Free and Open Indo-Pacific: Advancing a Shared Vision[176]

The Trump administration has worked to strengthen our alliances in the Indo-Pacific as an essential aspect of the National Defense Strategy. This is probably best illustrated by the administration's reactivation of the Quadrilateral Security Dialogue (or "the Quad") among the United States, Japan, India, and Australia during the 2017 ASEAN summit after an eight-year hiatus. The Quad, which shares common values of liberal democracy and open markets, has been an important development for the security architecture of the Indo-Pacific. The Department of State has defined the Quad's main mission as upholding rules-based order in the Indo-Pacific, including freedom of navigation and overflight.[177] As The Heritage Foundation has noted, "the most important thing that unites the Quad countries, however, is an awareness that managing the rise of China is the defining challenge of our era."[178]

China continues its military buildup in the South China Sea threatening the United States as well as allies and partners by building runways and dozens of hangars for fighter aircraft on a handful of islands, as well as anti-ship cruise missiles, anti-aircraft batteries and missile defenses.[179] China even put up two research stations and sank a Vietnamese fishing boat during the COVID-19 pandemic.[180] The Obama administration largely ignored China as it militarized the South China Sea, even after China occupied an island belonging to the Philippines. Even when the Obama administration chose to conduct "freedom of navigation" operations in the South China Sea, it sent mixed messages, calling them "innocent passages," which actually strengthened China's territorial claims.[181] As a result, China grew more aggressive in its efforts to challenge U.S. interests. Unlike the previous administration, President Trump has shown leadership in boldly asserting the right for U.S. freedom of navigation in the South China Sea, approving 11 freedom of navigation operations and stepping up military support for countries that contest Chinese claims to the South China Sea.[182]

Furthermore, despite the progress on security integration in the Indo-Pacific, more can be done to expand trade and economic cooperation with partner nations, especially Southeast Asian countries threatened by Chinese dominance. Expanding trade is essential to achieving a prosperous and free Indo-Pacific region as called for in the National Defense Strategy. As Michael Mazza of AEI has noted, "a broader and deeper embrace of free markets and of responsive and accountable government would undergird America's pursuit of its security objectives in the region."[183] In September 2018, President Trump announced he had renegotiated the U.S.-South Korea Free Trade Agreement, which mostly consisted of minor tweaks.[184] In September 2019, President Trump announced that he had signed limited trade agreements with Japan and was looking to negotiate a "more comprehensive" trade agreement in the future.[185] President Trump has also expressed his interest in eventual free trade agreements with the Philippines and India.[186]

Future free trade agreements with Japan, the Philippines, and India would be welcome developments. Yet, more can be done, particularly through concluding bilateral free trade agreements with other partners in the region. The United States must especially expand trade relations with democracies facing pressure from a rising China, such as Taiwan, Indonesia, Mongolia, and other nations. The Trump administration has already begun the building blocks of such an effort proposing to create a "Economic Prosperity Network" of free trade agreements with trusted partners to rely economically on China less.[187] The Trump administration has also attempted to use trade as a tool to counter China's predatory development finance practices in Africa, such as through the Prosper Africa initiative, which seeks to enter into a free trade deal with Kenya.[188]

Additionally, the Task Force also believes that President should establish a free trade agreement with Brazil, a nation with a strong pro-American position.

As Cliff May of FDD has recently argued, trade agreements with our democratic allies would not only counter China but also strengthen the liberal world order and help enhance our economic prosperity.[189] The Task Force believes that Congress can enhance the administration's efforts to strengthen our partnerships in the Indo-Pacific to counter China through the following security and economic measures.

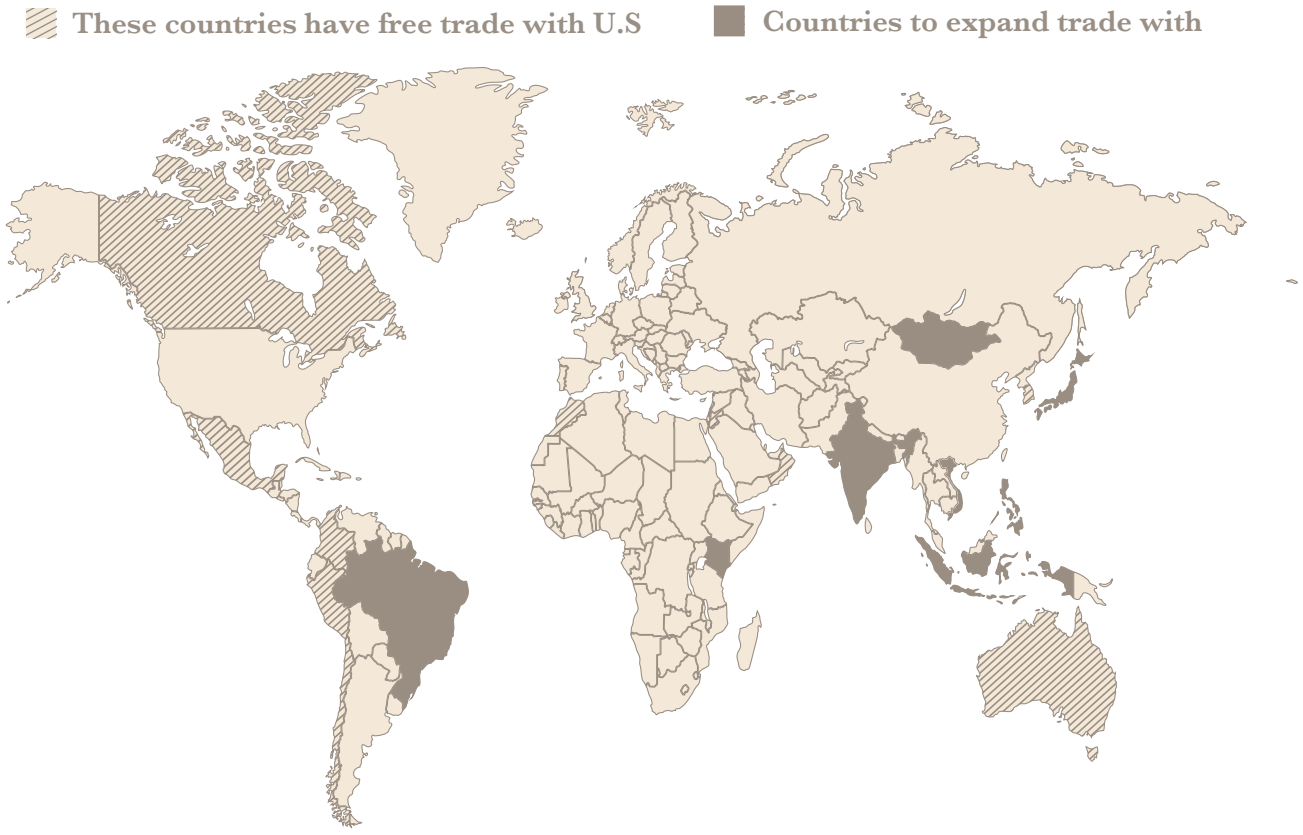
Congress should pass the South China Sea and East China Sea Sanctions Act.

This bill, sponsored by Rep. Gallagher, would impose sanctions on Chinese persons and entities that participate in certain activities related to China's territorial disputes in the South China Sea and East China Sea. Specifically, it would require the president to impose property-blocking and visa-denial sanctions on Chinese persons and entities that: (1) contribute to development projects in parts of the South China Sea contested by a member country of the Association of Southeast Asian Nations; or, (2) engage in actions or policies that threaten the peace or stability in disputed South China Sea areas or in an East China Sea area administered by Japan or South Korea. Finally, this bill would prohibit U.S. entities from investing in or insuring projects involving sanctioned entities in either sea.[190]

Congress should encourage the Trump administration to explore expanded trade with India and enact the United States-India Enhanced Cooperation Act to reduce restrictions on arms sales to India.

The Trump administration has made India a cornerstone of its Indo-Pacific strategy. India is the largest democracy in the world and has taken small but important steps towards market liberalization in recent years. India has also consistently stood up to China, including through challenging its influence on the South China Sea and has worked closely with the United States to fight Salafi-jihadi terrorists in southeast Asia.[191]

RSC'S BOLD FREE TRADE AGENDA



Source: Office of the United States Trade Representative, combined with RSC recommendations.

The Task Force believes that expanding trade with India is in the United States' national security interest. Ken Juster, the U.S. Ambassador to India, noted in January 2018 that "a strategic view of our economic relationship could eventually lead to a roadmap for a U.S.-India Free Trade Agreement."[192] As Raymond Vickery of CSIS has noted, the case for a free trade agreement with India is both economic and strategic, as the U.S. economy is the second-largest in the world on a purchasing power basis, while India ranks third.[193] While India is not yet ready for a free trade agreement, President Trump has stated his willingness to strike a deal to ease some tariffs with India. However, negotiations during the president's visit to India in February 2020 failed to achieve a deal.[194]

Furthermore, the Task Force endorses legislation introduced by Task Force Chairman Rep. Joe Wilson (R-SC), the U.S.-India Enhanced Cooperation Act, which would designate India as a Major Defense Partner to strengthen our alliance and enhance our security cooperation with India. This would grant India a status similar to that of U.S. allies, such as Australia and Japan, making it easier for the United States to export defense articles to India.[195]

Nevertheless, the Task Force believes both increased economic and security cooperation with India should be conditioned on significant improvements in the human rights situation and economic freedom. In recent years, India has seen a sharp uptick of attacks on religious minorities, especially Christians and Muslims. The Department of State's 2019 Human Rights Report on India notes that the government "had detained thousands of residents" in Kashmir.[196] Open Doors USA, a watchdog organization for persecution of Christians, has found that India is the 10th most dangerous country on earth to practice Christianity.[197]

Congress should encourage the Trump administration to begin negotiations for a free trade agreement with Taiwan.

Taiwan was the United States' 12th-largest trading partner for goods and services, importing and exporting a total worth $95.4 billion.[198] In addition to being a beacon of democracy in Asia, Taiwan is the 10th freest economy in the world, according to The Heritage Foundation, surpassing even the United States. In December 2019, Rep. Steve Chabot (R-OH) led a letter of 157 members of Congress pushing for a U.S.-Taiwan free trade agreement.[199] The Task Force believes that now is the time for such an agreement, especially as China continues to exert massive pressure on Taiwan even during the COVID-19 pandemic.

As Riley Walters from The Heritage Foundation has noted, "previous administrations often cast aside the idea of a U.S.-Taiwan free trade agreement in favor of economic and strategic dialogues with China."[200] A free trade agreement with Taiwan could reduce Taiwanese reliance on China's 5G telecommunications development, high-tech research and development, and other sectors, such as tourism, finance, and agriculture. It would also help Taiwan become a full participant in the international community.[201] Taiwan's President Tsai Ing-wen has argued that a U.S.-Taiwan FTA would help promote the rules-based order in Asia, diversify the island's economy, and move it away from a reliance on production bases in China.[202]

Congress should encourage the Trump administration to prioritize free trade agreements with the Philippines and Indonesia and explore trade with Vietnam.

The United States and the Philippines have had a mutual defense pact since 1951, yet in the past few years, the Philippines has moved closer to Russia and China. As Hal Brands has argued, the Obama administration's refusal to impose costs on China for its building and militarizing islands on the South China Sea and its inaction in the wake of the 2012 Chinese takeover of Scarborough Shoal—a ring of reefs less than 200 miles from the main Philippine island of Luzon—has pushed President Duterte to lose confidence in the United States as an ally and hedge his bets with China. President Duterte's human rights abuses during a brutal drug war and his regular anti-U.S. threats, including to pull out of the 1998 Visiting Forces Agreement (VFA), have also contributed to the deterioration of the relationship[203]. At the same time, as Brands notes, this is no reason

to abandon the Philippines, who is still a treaty ally, as "Duterte's anti-Americanism is not widely shared among Filipinos, and his successor will almost certainly be friendlier to Washington."[204]

In November 2017, after a bilateral meeting between President Trump and President Duterte in Manila, the White House stated the "United States welcomed the Philippines' interest in a bilateral free trade agreement and both sides agreed to discuss the matter further through the United States-Philippines TIFA."[205] As Michael Mazza of AEI has argued, a U.S.-Philippines FTA should be a priority not only to counter Chinese influence with this U.S. ally, but also because the Philippines has already taken steps to reform its economy as part of Trans Pacific Partnership (TPP) negotiations, and would be able to move relatively swiftly to comply with provisions on State Owned Enterprises.[206] The United States and the Philippines have had a very close trade relationship for more than a hundred years.[207]

Indonesia is the world's third largest democracy, the largest economy in southeast Asia, and a key security partner of the United States in the Indo-Pacific. Former Secretary of Defense James Mattis said that "we probably engage with the Indonesian military more than any other nation anywhere in terms of mil-to-mil engagements."[208] Indonesia has boldly stood up to Chinese claims in the South China Sea, including mobilizing fishermen to join warships in the Sea to help defend against Chinese vessels.[209] In bilateral trade, since 1998, Indonesia and the United States have had a Trade and Investment Framework Agreement (TIFA). U.S. bilateral goods trade with Indonesia totaled more than $29 billion in 2018, while bilateral trade in services totaled an estimated $3.9 billion.[210] Indonesia requires further economic reform to be ready for a full FTA.[211] However, the Task Force believes a free trade agreement with Indonesia would promote a free and prosperous Indo-Pacific and encourages the Trump administration to begin negotiations leading to such an agreement.

Finally, China's increasingly hostile aggression in the South China Sea has brought the United States and Vietnam closer together on security cooperation.[212] In fact, in 2019, Vietnam stated in an official defense white paper that "depending on circumstances and conditions," it was prepared to abandon its traditional doctrine of neutrality and strengthen defense ties with the United States if China continued its hostile behavior in the South China Sea.[213] Economic cooperation has also increased rapidly in the past 25 years since the normalization of relations. In 2019, the United States was Vietnam's second-largest trading partner.[214] A number of significant obstacles exist towards a U.S.-Vietnam FTA. State Owned Enterprises are still granted a large role in Vietnam's economy. The country also lacks robust protection of IP.[215] Vietnam also remains under the control of the Communist Party and has a terrible human rights record that includes wide-scale unlawful and arbitrary killings, torture, and the detention of many political prisoners. Nevertheless, the Task Force believes that, contingent on improvements in both human rights and economic freedom, the Trump administration should consider expanding the trade relationship with Vietnam at a future date.

Eventual progress towards a U.S.-Vietnam FTA would help enhance that partnership considerably and lead to ripple effects of more economic cooperation in the region in general. Michael Mazza of AEI argues "A successful U.S.-Philippines or U.S.-Vietnam FTA should encourage the region's other (potential) economic dynamo, Indonesia—which had previously expressed interest in the TPP (although with some trepidation)—to reform and further open its own economy. Malaysia (already a CPTPP member) and Thailand might follow suit."[216]

Congress should enact the Mongolia Third Neighbor Trade Act.

Mongolia is an important democratic partner of the United States. It has deployed troops to both Iraq and Afghanistan, and could be a key strategic partner in countering both Russian and Chinese malign influence. Mongolia is currently economically reliant on China, with more than 80 percent of Mongolia's exports flowing to China annually. On the other hand, U.S.-Mongolia trade is low and has been decreasing. Total U.S.-Mongolia trade in 2012 measured $707 million and dropped to just $91.6 million by 2017. This bill, sponsored by Rep. Yoho, would help expand trade with Mongolia by allowing duty-free entry of Mongolian cashmere into the United States. The cashmere industry

is particularly important to Mongolia's economy, but while Mongolia produces over a third of the world's raw cashmere, it produces few finished products.[217]

> Congress should encourage the Trump administration to complete a free trade agreement with Kenya to counter China's growing influence in Africa.

The Trump administration announced the Prosper Africa initiative in December 2018 to expand trade with Africa and enable the United States to compete with China and other nations who have business interests in Africa.[218] As Dan Runde of CSIS has noted, this initiative is "a compelling alternative to rivals like China and Russia."[219] China has sought closer ties with Kenya in recent years working to build railways and infrastructure projects that have saddled Kenya with predatory levels of debt.[220] The Task Force supports the Prosper Africa initiative, and the Trump administration's efforts to negotiate a bilateral free trade agreement with Kenya, which President Trump has said will "probably happen" in February 2020.[221] Congress should encourage the Trump administration to get started on an agreement as an essential step towards countering Chinese influence in Africa and beginning to create deeper trade ties with many other African countries.

RUSSIA: ROLLING BACK AGGRESSION THROUGH A STRATEGY OF DETERRENCE

"China and Russia challenge American power, influence, and interests, attempting to erode American security and prosperity. They are determined to make economies less free and less fair, to grow their militaries, and to control information and data to repress their societies and expand their influence… China and Russia want to shape a world antithetical to U.S. values and interests."

– President Donald J. Trump, National Security Strategy of the United States of America [222]

The threat Russia still poses to our nation should not be underestimated. According to former Secretary of Defense Jim Mattis, Russia is "the principal threat" to our nation.[223] As former Chairman of the Joint Chiefs of Staff Jim Dunford has explained, Russia is the most "militarily capable country" that threatens the United States and "from [an] aggregate capacity and capability perspective, Russia is the most capable state actor that we face."[224] The list of aggressive Russian behavior in recent years is long. For instance, under Vladimir Putin's authoritarian regime, Russia has invaded and annexed parts of its neighbors (Georgia in 2008 and Ukraine in 2014), engaged in disinformation campaigns to undermine democratic elections in many Western democracies—including the United States, used military grade chemical weapons for assassination purposes, coordinated militarily in Syria with the Iranian Islamic Revolutionary Guard Corps and Hezbollah, and supported the Taliban in Afghanistan.

In the past decade, Russia has also reasserted itself as a destabilizing world power. In the Middle East, it has backed the murderous Assad regime in Syria while also strengthening its ties with traditional U.S. allies in the Gulf and with NATO ally Turkey. In Libya, it has supported General Khalifa Haftar's destabilizing military campaign and maintained a presence some have said is worse than ISIS.[225] Russia's actions in Syria, according to Air Force Gen. Philip M. Breedlove, the former Supreme Allied Commander for Europe, are a deliberate weaponization of migration into Europe with the goal of intensifying the refugee crisis "to overwhelm European structures and break European resolve."[226] In Latin America, Putin has deployed troops to Venezuela to prop up the socialist dictatorship of Nicholas Maduro. Russia has sold oil to North Korea, openly violating U.S. sanctions.[227] And in the Balkans, Russia supported an attempted military coup of Montenegro as a last-ditch attempt to prevent that nation from joining NATO.[228]

The Trump administration has identified the re-emergence of great power competition, namely with Russia and China, as the central challenge to U.S. national security rather than the threats posed by non-state actors. The National Defense Strategy acknowledges that "China and Russia want to shape a world consistent with their authoritarian model—gaining veto authority over other nations' economic, diplomatic, and security decisions."[229] Adding to the challenge is Russia's cooperation with China to undermine the United States. According to the Defense Intelligence Agency (DIA), "China and Russia are more aligned than at any point since the mid-1950s, and the relationship is likely to strengthen," which will increase the risk of regional conflicts particularly in the Middle East and East Asia.[230]

While China is a peer-competitor that is rising economically and poses a greater long-term challenge, the threat posed

RUSSIA'S EXPANDING AGGRESSION

Source: Institute for the Study of War and Radio Free Europe

by Russia is more immediate. As James Dobbins of the Rand Corporation notes, "Both countries seek to alter the status quo, but only Russia has attacked neighboring states, annexed conquered territory, and supported insurgent forces seeking to detach yet more territory."[231]

Russia, like China, seeks to erode U.S. leadership in the world, reshape the international system, and undermine the world's faith in the democratic form of government. According to former National Security Adviser Lt. Gen. H.R. McMaster, Russia "has used old and new forms of aggression to undermine our open societies and the foundations of international peace and stability."[232] Putin has severely increased restrictions on civil society organizations in Russia, arrested dissidents, shut down independent media, and especially cracked down on U.S.-funded NGOs inside Russia out of fear that such pro-democracy organizations could help topple his regime.[233] Putin's regime is built on repression, as demonstrated by its violent reaction to protests in 2011-2013, 2017, and 2019.[234]

As appealing as it might be to hope that the United States and Russia could find common ground and work together, this is highly unlikely under Putin's regime. Much of Russia's aggressiveness and anti-democracy efforts are rooted in Putin's own desire to position himself as a power on the world stage in order to preserve his

regime and iron grip on the Russian state. As Russian democracy activist Gary Kasparov has testified before Congress, diplomatic engagement and appeasement do not work on Putin because he does not care about Russia's national interests or his image abroad. Instead, he and his small mafia-like group of elites only care for their own power and money.[235]

In pursuit of his objective of undermining democracy and the U.S.-led international order, Putin has sought to divide and undermine NATO, which he views as an obstacle to achieving his goal. His regime has deployed disinformation campaigns, cyberattacks, political influence operations, and illicit financial flows in pursuit of the Kremlin's foreign policy agenda.[236] In that regard, Russia's political warfare has led to immense success in Europe. The European Council on Foreign Relations found a large rise in pro-Russia, anti-American political parties, many with direct links to the Kremlin.[237] According to 2019 Gallup poll, Russia's approval rating around the world has risen considerably in recent years and now ties its all-time high from 2008.[238]

Putin has also sought to rebuild Russia's global military footprint while strategically deploying small units of Russian troops to hot spots around the world to constrain and shape America's actions. Fundamentally, as the Institute for the Study of War (ISW) has pointed out, Putin seeks to re-establish "spheres of influence" and get a "seat at the table" to transform himself into a mediator and convener in the international system while shaping outcomes toward Russia's interests.[239]

The Obama administration never took Putin seriously despite warnings from its own Department of Defense.[240] President Obama pushed an initiative to "reset" relations with Russia through a campaign of appeasement to Putin. For example, in September 2009, President Obama cancelled plans originating in the Bush administration to establish a missile defense shield in Poland and the Czech Republic.[241] The Obama administration also lifted sanctions imposed by President Bush on Russians who had sold weapons to Iran and, in 2005, allowed Russia to sell Iran five S-300 surface-to-air missile systems despite a UNSC resolution barring such transactions.[242] President Obama famously mocked Mitt Romney during a 2012 presidential debate for suggesting that Russia was the biggest geo-strategic threat that the U.S. faced.[243]

President Obama's campaign of appeasement yielded little results and instead emboldened Putin. In 2014, the Obama administration found Russia in "serious violation" of the Intermediate-Range Nuclear Forces (INF) treaty over its testing of a medium-range grounded launched cruise missile (GLCM).[244] These violations only worsened during Obama's presidency. Yet, he refused to impose sanctions on Russia for the treaty breach.[245] Similarly, in February 2014, Russia illegally invaded and annexed Crimea in response to popular pro-Western protests that overthrew Ukraine's previous Russia-backed President Viktor Yanukovich. President Obama's weak response was illustrated in a speech one month later in Brussels where he stated, "This is not another Cold War that we're entering into. The United States and NATO do not seek any conflict with Russia."[246] In April 2014, just one month later, Putin expanded his incursions into Ukraine, militarily supporting pro-Russia separatist insurgents in the eastern Ukrainian region of the Donbas.[247] In September 2015, Russia intervened militarily in Syria targeting mostly U.S.-backed opposition groups. As the ISW has noted, this had the effect of "restricting the operations of the U.S. and the anti-ISIS coalition."[248]

Despite Putin's escalating aggression, President Obama dismissed Russia as a "regional power."[249] Rather than imposing penalties on Putin's regime, President Obama continued to laud Russia as a partner, even offering intelligence cooperation and military partnership with Russia in Syria.[250] The Obama administration was also silent over chemical weapons attacks in Syria to assuage Russia.[251] And, despite pleas and authorization from Congress, the Obama administration refused to provide Ukraine with Javelin anti-tank weapons to defend itself from Russian aggression out of fear that such assistance would provoke Putin into further escalating the conflict.[252] In response to Putin's disinformation campaign during the 2016 election, President Obama rejected options to impose heavy costs on Russia and even failed to blame Putin directly, instead opting for mostly symbolic sanctions out of fear that it would provoke an escalation from the Kremlin.[253]

In contrast, President Trump has increased the costs on Russia for its brazen behavior. In his first year as President, he provided Javelin anti-tank weapons to Ukraine, shut

down Russian diplomatic facilities in response to their election interference, signed the Countering American Adversaries Through Sanctions Act (CAATSA) into law—the toughest sanctions on Russia ever assembled, and empowered the Pentagon's European Deterrence Initiative to support rotational combat forces in Europe to deter Russia.[254] The Trump administration has also convinced NATO member states to agree to contribute their fair share of defense resources.[255]

President Trump has also imposed unprecedented sanctions on Russia for its illegal annexation of Crimea, gross violations of human rights, poisoning of Sergei and Yulia Skripal in March 2018, and meddling in U.S. elections.[256] President Trump also withdrew from the flawed INF treaty on August 2, 2019, following repeated Russian violations.[257] In pursuing all of these actions, President Trump has made it clear that the United States seeks a good relationship with Russia if Russia changes its aggressive behavior.[258] Simultaneously, congressional Democrats have peddled a false narrative that President Trump is weak on Russia while also criticizing his tough moves against the Putin regime, including withdrawal from the INF treaty.[259]

Congress has played an integral role in confronting Russian aggression through funding the EDI, mandating sanctions in CAATSA, and supporting efforts to counter Russian disinformation and support democracy and human rights inside Russia. Yet, the Task Force believes that Congress can do much more to counter and prevent Russian aggression. Congress should work to strengthen President Trump's hand against Russia by enhancing the tools the Executive Branch has available to fight malign Russian influence. The Task Force's strategy to counter Russia involves the following three steps: first, enacting the toughest package of sanctions on Russia ever proposed by Congress; second, enhancing U.S. support of NATO and other allies and partners facing of Russian aggression; and, third, supporting the pro-democracy movement inside Russia and communicating directly with the Russian people.

ENHANCING SANCTIONS ON RUSSIA

"Russia has used old and new forms of aggression to undermine our open societies and the foundations of international peace and stability. Estonia, Latvia, and Lithuania have all been targeted by Russia's so-called hybrid warfare, a pernicious form of aggression that combines political, economic, informational, and cyber assaults against sovereign nations. Russia employs sophisticated strategies deliberately designed to achieve objectives while falling below the target state's threshold for a military response. Tactics include infiltrating social media, spreading propaganda, weaponizing information, and using other forms of subversion and espionage. So for too long some nations have looked the other way in the face of these threats. Russia brazenly and implausibly denies its actions. And we have failed to impose sufficient costs."

– Lt. Gen. H.R. McMaster[260]

Since Russia's illegal occupation and annexation of eastern Ukraine, the United States has imposed severe economic sanctions on Russia. Unfortunately, despite such sanctions, Putin continues his aggression against Ukraine and his malign efforts around the world. Russia has also expanded the theaters that it is operating in. In May 2020, Russia even deployed military aircraft to Libya, which was confirmed by U.S. Africa Command.[261] It is clear that the current level of sanctions have failed to impose sufficient costs on Russia to change its behavior. At the same time, the Task Force believes that sanctions on Russia should not be seen necessarily as solely focused on behavior change, as Putin is unlikely to change his ways as long as he remains in power. Such an approach may eventually lead to a reduction in resolve in maintaining both U.S. and international sanctions against the Kremlin. This is a goal sought by Putin who has tried repeatedly and unsuccessfully to push Western countries to lift sanctions, including through electoral interference.[262] If sanctions were not having an impact in imposing costs on Putin, he would not continue to attempt to push for their lifting.[263] Rather, the Task Force believes that sanctions should be seen as a tool to both punish and counter Russian aggression and malign behavior. In this vein, the Task Force proposes the following steps, which would be the toughest package of sanctions on Russia ever proposed by Congress.

Designate Russia as a State Sponsor of Terrorism for its support of the Iranian Islamic Revolutionary Guard Corps, Hezbollah, the Taliban, and the Russian Imperial Movement.

Russia has sponsored terrorism throughout the world yet it paints itself as a counterterror partner. The top U.S. Commander in Afghanistan has stated that Russia is directly arming the Taliban.[264] Russia has directly coordinated with and given air cover to the Iranian Islamic Revolutionary Guard Corps (IRGC) and Hezbollah in the war in Syria.[265,266] Russian operations in Syria targeted mostly U.S.-backed rebel forces fighting ISIS. In one instance, in October 2015, Russian air strikes even provided air cover for ISIS positions against U.S.-backed groups.[267] Russia also allows the neo-Nazi militia Russian Imperial Movement, recently designated as Specially Designated Global Terrorists, to operate freely within its borders and fight in eastern Ukraine against the Ukrainian government.[268]

The Task Force recommends designating Russia as a State Sponsor of Terrorism for its support of the IRGC, Hezbollah, the Taliban, and Russian Imperial Movement. A State Sponsor of Terrorism designation imposes a number of sanctions by law, including controls over dual-use items, lifting diplomatic immunity to allow families of terrorist victims to file lawsuits in U.S. courts, and prohibitions on economic assistances and arms-related exports and sales.[269] As a first step, however, Congress could enact the Stop Malign Activities from Russian Terrorism (SMART) Act, sponsored by Sen. Cory Gardner (R-CO), to require the Secretary of State to determine whether Russia qualifies as a State Sponsor of Terrorism. The bill also requires the Department of State to report to Congress as to whether the following armed entities qualify as foreign terrorist organizations: (1) entities in the Donbas region of Ukraine controlled or aided by Russia; and, (2) entities controlled by or associated with the Donetsk People's Republic or Lugansk People's Republic.

Congress should impose secondary sanctions on companies supporting special Russian petroleum and natural gas projects.

While traditional sanctions punish designated entities by cutting them off from business with the United States, secondary sanctions add another layer by cutting off designated entities and their third-party business partners from transactions with U.S. entities. This further insulates designated entities from gaining access to the resources they need to function. Congress should impose secondary sanctions against third parties helping Russian oil and natural gas projects, whether through providing technology, building the pipelines, or other types of assistance. Such sanctions should specifically include entities supporting the completion of the Nord Stream 2 project. Sen. Ted Cruz (R-TX.) has recently led the effort to bolster existing sanctions in this way to block completion of the project.[270]

It should be clear to any company or entity engaging in such projects with Russia that they will lose access to tangible financial benefits for assisting in such projects. Such sanctions would more aggressively curtail Russia's ability to extract its energy resources, export those resources, and increase its influence abroad.

Congress should sanction the purchase of new Russian sovereign debt.

Sanctions on Russian sovereign debt are intended to make it more difficult for Russia to finance its aggressive and destabilizing behavior. Existing sanctions on Russian sovereign debt prohibit lending "non-ruble denominated funds to the Russian sovereign" or taking part "in the primary market for non- ruble denominated bonds issued by the Russian sovereign."[271] These existing sanctions do not affect the purchase of ruble-denominated Russian sovereign or to debt issued by state-owned enterprises. CNAS has pointed out that an analysis by Citi estimated "foreign owners of Russian ruble-denominated debt make up more than 20 percent of total holders."[272] Additionally, "Russia has been able to continue borrowing at a sovereign level while providing assistance to state-owned and independent companies affected by sanctions."[273] Therefore, the Task Force recommends that Congress require the President to close these gaps on the purchase of Russian sovereign debt if Russia does not cease its destabilizing activities.

Congress should enact the Defending American Security from Kremlin Aggression Act.

Sen. Graham's Defending American Security from Kremlin Aggression Act (DASKAA) of 2019 would create new sanctions on Russia for its election interference and aggressive behavior.[274] The Task Force supports enactment of DASKAA. As Clay Fuller and Nate Sibley of AEI and Hudson have argued, DASKAA could be an "effective deterrent to Russia's bad behavior."[275] DASKAA is a multifaceted bill which would, among other things, require the President to impose sanctions on "Russian individuals and entities that facilitate or benefit from Russian President Vladimir Putin's corruption," as well as those who "knowingly engage in significant financial transactions with individuals that support or facilitate Russian malicious cyber activities." The bill would also impose sanctions on Russian interference in democratic processes. The bill would also prohibit funding from being used to withdraw the United States from NATO unless the Senate passes a resolution consenting to the withdrawal.[276]

Congress should require the Department of the Treasury to place Vnesheconombank on the Specially Designated Nationals and Blocked Persons (SDN) list.

Vnesheconombank (VEB) is a state-run development bank that Putin used to finance the Sochi Olympics, provide export financing for a range of Russian exports, and serve as the payment agent for Russian payments on existing sovereign bonds.[277] VEB Chairman Igor Shuvalov is a close associate of Putin and was formerly the Deputy Prime Minister of Russia.[278] In January 2014, the Department of the Treasury prohibited U.S. persons from providing new financing to VEB as part of sanctions imposed on Russia for its annexation of Crimea. These sanctions, however, did not place VEB on the SDN list.[279] In January 2018, the Department of the Treasury, in a report mandated by Sec. 241 of CAATSA, identified Shuvalov as a senior Russian political figure and oligarch.[280] The Task Force supports placing VEB on the SDN list as an important first step in tightening sanctions on the Russian financial sector.[281]

Congress should mandate sanctions on Russian propaganda chiefs and those undermining U.S. partners from the former Soviet Union and direct the Department of State to produce a report on Kremlin-connected oligarchs who finance Russian military aggression.

Sanctions on Russia should be extended to the leaders of its disinformation campaigns. The same new sanctions authority on propagators of state-backed disinformation that the Task Force has proposed regarding China could also be used on Russian propaganda chiefs and Russian proxies in other countries acting on Putin's behalf. For example, this would entail legislation mandating sanctions under such new authorities on Vladimir Yevtushenkov, a Russian billionaire oligarch. Additionally, current sanctions have not sufficiently addressed Putin's foreign cronies who undermine the sovereignty of former-Soviet countries. Bidzina Ivanishvili, the richest man in Georgia, is a close ally of Putin and involved in destabilizing Georgia on Russia's behalf. Viktor Medvedchuk is a pro-Russian oligarch and proxy in Ukraine who has used his media empire to actively assist Russia's efforts to spread harmful disinformation within the country.[282] Furthermore, the Department of State should produce a report listing Kremlin-connected oligarchs who help finance Russian military aggression through proxies and mercenary armies. Such a report would be useful for Congress to determine the necessity of future sanctions and would deter individuals and entities from working with the Kremlin.

Congress should require an interagency report on Russian influence in key domestic sectors.

Understanding the full depth of Russia's impact on key domestic sectors is key in assisting Congress to address gaps in our current legislative architecture that allow detrimental Russian influence. Such a report should, for example, examine Russian influence on industries, such as energy extraction (estimated field deposits, ownership structure and licensing agreements, corporate and subsidiary leadership, prime and second-tier contractors, pipelines system and supporting infrastructure), ferrous and non-ferrous

metallurgy; logging and paper industry, electrical power networks; natural gas distribution networks and their management companies; banking, the high-tech sector, wholesale and retail commerce, agriculture and agricultural land market, and railroads.

Congress should mandate sanctions on the Society for Worldwide Interbank Financial Telecommunication (SWIFT) until it expels Russia from the international SWIFT code system.

SWIFT is a unified international financial transaction messaging service that allows a financial institution in one country to communicate with its branches or correspondent institutions.[283] The United States does not control SWIFT, but it can use its influence to remove Russia from SWIFT through legislation authorizing sanctions on SWIFT itself if it does not expel Russia. The United States has effectively used this strategy with Iran. The Iran Threat Reduction and Syria Human Rights Act authorized the president to impose such sanctions, and its passage ultimately led to the removal of Iranian banks from the system.[284] In 2014, then-British Prime Minister David Cameron proposed kicking Russia out of the international SWIFT code banking system after its illegal annexation of Crimea and eastern Ukraine.[285] Six years since this suggestion was made, Russia has continued its illegal annexation and has grown even more aggressive throughout the world. Legislation mandating sanctions would effectively cut off Russian businesses from the global financial system because most international payments flow through SWIFT. It would also make it harder for Russian oil companies to process their U.S. dollar payments for oil. The Task Force recommends that legislation draw out a process wherein such sanctions are only lifted if the Secretary of State can certify that Russia is in compliance with the Minsk Agreement, a ceasefire agreement entered into by Russia and Ukraine calling for a withdrawal of Russian forces from Ukrainian territory, and full Ukrainian government control over its border.[286]

Congress should mandate regular public "financial exercises" that demonstrate the United States and its allies would seize and freeze assets in the event of Russian aggression.

While the United States and its allies often undertake military exercises to show readiness in the event of Russia aggression, the same is not the case for the imposition of financial sanctions despite the fact that such sanctions are being used more and more as a response to military aggression. "Financial exercises" could show Russia how quickly the United States and its allies—primarily in Europe—could come together to enact major sanctions and freeze assets in the event of Russian aggression. Such exercises could act as a deterrent for future Russian aggression and would improve the readiness of the United States and its allies. They would ensure that such measures could be imposed quickly in the event of a further Russian invasion of Ukraine or Russian aggression in the Baltics or Georgia.

IMPROVING RUSSIAN CONTAINMENT BY SUPPORTING NATO AND OUR ALLIES

"NATO's 29 member states encompass almost a billion people, who together produce almost half of the world's GDP. This extraordinary alliance is facing the next 70 years with 70 years of hard-won experience, success, and strong relationships. And so while the challenges before us loom large, with renewed American leadership on the world stage, together we're demonstrating every day that we can make the future of the free world brighter than ever before... For seven decades, the United States has stood with our European allies to defend our way of life against an array of threats large and small. When the ravages of war left a continent in ruins, we worked together to rebuild Europe. When the specter of communism was at Europe's door, we stood arm-in-arm against the Soviet menace. When the Berlin Wall fell and the old Soviet empire crumbled, we welcomed new democracies of Eastern Europe into our ranks."

– Vice President Mike Pence[287]

President Trump has worked to strengthen NATO by encouraging our allies to meet their commitments to spend two percent of GDP on defense.[288] In countering Russian aggression, working with our allies and

partners is essential. The NATO alliance has been the cornerstone of transatlantic relationships and United States and European security since its inception in 1949.[289] The Task Force has laid out a number of measures to support NATO, strengthen our alliances, and support democratic partners, such as Ukraine and Georgia that have been victims of Russian aggression.

Congress should require the Secretary of State and Secretary of Defense to make deterring Russian aggression a top agenda item at all NATO summits.

NATO was founded with the explicit objective of protecting its members and, if necessary, defeating the Soviet Union. Yet, despite its original focus on Russia, NATO has veered from its primary mission, becoming involved in military operations in Bosnia and Kosovo, Afghanistan, and Libya. As Luke Coffey of The Heritage Foundation has noted, "Russia represents a real and potentially existential threat to NATO members in Eastern and Central Europe, and a significant threat and challenge to the rest of the Alliance. As NATO continues its transition back to collective defense, now is not the time to be coy about why defense is necessary. Allies should talk openly and frankly about the threat from Russia, and which steps are being taken to deter Russia, and bolster defensive capabilities."[290] Congress can help ensure that NATO remains focused on its primary and original mission by passing legislation requiring that the Secretary of State and Secretary of Defense advocate for deterring Russia as an explicit and top agenda item at all NATO summits.

Enact the Crimea Annexation Non-Recognition Act to enhance opposition to Russian annexation of Crimea.

The Welles Declaration was a public diplomatic statement made in July 1940 by then acting Secretary of State Sumner Welles that established the official position that the United States did not recognize the Soviet annexation of the Baltic states.[291] This statement of policy lasted for 50 years until the Baltic states declared their independence from the Soviet Union. Similarly, the Crimea Annexation Non-Recognition Act would codify existing U.S. policy that the United States will not recognize the Russian annexation of Crimea and will forbid any federal agency from recognizing it in the future. The Crimea Non-Recognition Act passed the House on March 12, 2019 but has yet to pass the Senate.[292] The Task Force supports its enactment

Strengthen Georgia's readiness and defense capabilities by enacting the Georgia Support Act.

Georgia is a democratic U.S. ally that has sent troops to both Iraq and Afghanistan. In fact, as Alexis Mrachek of The Heritage Foundation notes, at the time of Russia's invasion of Georgia in 2008, Georgia's troop numbers were second to the United States' in Iraq, and Georgia suffered the most per capita loss in Afghanistan of any nation. Georgia is the largest non-NATO troop contributor to the NATO Resolute Support Mission. In 2017, the United States launched a three-year bilateral Georgia Defense Readiness Program.[293] The Task Force believes that Congress should continue to work to strengthen Georgia's readiness and defense capabilities by approving arms sales to Georgia in support of its efforts against Russian aggression, offering military assistance, and improving Georgia's interoperability with NATO. The Georgia Support Act, which has passed the House but not the Senate, mandates a report on how the United States can work with Georgia to counter Russian disinformation and ensure Georgian security needs. It also requires the president to impose sanctions against foreign persons responsible for or complicit in serious human rights abuses in the Russian-occupied Georgian regions of Abkhazia and Tskhinvali.[294]

Congress should continue to renew the Ukraine Security Assistance Initiative and expand it to include anti-ship weapons.

As mentioned above, the Obama administration refused to provide Ukraine with Javelin anti-tank weapons to aid in its defense against Russian aggression, fearing what Russia would do in response. In contrast, President Trump—in March 2018 and October 2019—approved the sale of Javelin anti-tank missiles and launchers to Ukraine.[295] The Task Force believes that Congress should continue to authorize this lethal aid

for Ukraine in the NDAA, including anti-tank, anti-ship, and anti-aircraft defense systems. The Task Force also believes that Congress should pass the U.S.-Ukraine Security Cooperation Enhancement Act, which would also require the Secretary of State to submit a report to Congress that reviews U.S. security assistance to Ukraine, including areas of need for Ukraine to effectively deter Russian aggression.

Congress should continue to support the European Deterrence Initiative.

As stated in the RSC's 2019 Budget "A Framework for Unified Conservatism," continued support of the Department of Defense's European Deterrence Initiative (EDI) is essential to deterring future Russian aggression into Europe.[296] The European Deterrence Initiative—originally the European Reassurance Initiative (ERI)—began in 2014 in response to Russia's annexation of the Crimean Peninsula and its ongoing support for separatist rebels in Ukraine's eastern reaches. The EDI was expanded significantly by the Trump administration. It supports American and allied operations in other parts of Europe to deter Russian aggression, including battalions of troops in Poland and the Baltic states. The EDI's main points include exercises and training, enhanced pre-positioning, infrastructure improvements, and partnership capacity building.[297] The Task Force recommends continuing this important support for the EDI.

COUNTERING DISINFORMATION AND SUPPORTING DEMOCRACY ACTIVISTS WITHIN RUSSIA

"Of our friends in democratic countries, we ask only one thing: please stay true to your values. We are not asking for your support—it is our task to change Russia, and we will do it ourselves. The only thing we ask from you is that you stop supporting Mr. Putin by treating him as a respectable partner on the world stage and by allowing his cronies to use your countries as havens for their looted wealth. Please don't enable corruption and human rights abuses in our country by welcoming their perpetrators on your soil and in your banks... And, above all, please stop falling for that tired and dishonest stereotype that Russians are somehow uniquely "unsuited" or "not ready" for freedom. We are suited. We are ready. And we will get there, just like you."

– Vladimir Kara-Murza[298]

Finally, the Task Force believes that any strategy to counter Putin's regime must ultimately work to support democratic activists in Russia and the thousands of Russians who are victims of this authoritarian regime. As Russian pro-democracy activist Vladimir Kara-Murza has pointed out, despite the prevalent notion in the West that Putin is supported by a majority of Russians, his regime refuses to allow free and fair elections to test this proposition.[299] Protecting democracy requires more than just countering Russian disinformation in the United States. Rather, it is essential to bring a voice to pro-democracy activists in Russia and also bring the truth to the Russian people about the reality of Putin's regime. In this vein, the Task Force recommends the following measure.

Congress should direct the Department of State to assemble a strategy to communicate information directly to the Russian people.

As Tom Hill of the U.S. Institute for Peace has noted, the Obama administration was reluctant to directly challenge Moscow by providing news and information directly to the Russian people. He feared that communicating directly to the Russian people "would be an escalation and therefore should be avoided."[300] The Task Force believes that directly supporting the Russian people—especially pro-democracy activists—with the truth must be part of any strategy to counter Russian disinformation. Such facts could, as Hill has suggested, aim to provide accurate information about the human rights abuses of the Putin regime and eventually lead the Russian people to "pressure behavior modification of their own regime" or at least pressure Putin to "divert resources away from his efforts to subvert sovereign states to pacify domestic unrest."[301] The Task Force recommends that Congress enact legislation directing the Department of State to deliver a strategy to Congress on how it will message pro-democracy messages to the Russian people inside Russia.

Finally, the Task Force also recommends a wholesale overhaul of U.S. public diplomacy and counter-disinformation efforts in the world more broadly through reconstituting the U.S. Information Agency later on in the final section of this report. disinformation efforts in the world more broadly through reconstituting the U.S. Information Agency later on in the final section of this report.

ADVANCING AMERICAN INTEREST IN THE MIDDLE EAST: CONFRONTING IRAN & THE JIHADI TERRORIST MOVEMENT

[Iran] remains the world's leading state sponsor of terrorism, and provides assistance to al Qaeda, the Taliban, Hezbollah, Hamas, and other terrorist networks. It develops, deploys, and proliferates missiles that threaten American troops and our allies. It harasses American ships and threatens freedom of navigation in the Arabian Gulf and in the Red Sea. It imprisons Americans on false charges. And it launches cyberattacks against our critical infrastructure, financial system, and military...The regime violently suppresses its own citizens; it shot unarmed student protestors in the street during the Green Revolution. This regime has fueled sectarian violence in Iraq, and vicious civil wars in Yemen and Syria. In Syria, the Iranian regime has supported the atrocities of Bashar Al-Assad's regime and condoned Assad's use of chemical weapons against helpless civilians, including many, many children...The regime's two favorite chants are "Death to America" and "Death to Israel."

– President Donald J. Trump[302]

Iran is not a great power or strategic competitor, but it still presents a significant challenge as a rogue regime backed by a military and intelligence apparatus while being the world's leading state sponsor of terrorism.[303] It has given aid and comfort to Hamas, Hezbollah, Al Qaeda, and the Taliban, as well as other Iranian-backed terrorist militias. It has supported groups that have killed and targeted Americans and seeks to destroy Israel. Iran and its leadership see the United States as an enemy. It promotes a radical revolutionary ideology that "blends Marxism with Shiite millenarianism and imagines a world without the West."[304] They seek, in the words of Iran's own Supreme Leader, to bring about "death to America" and "wipe out Israel."[305]

Contrary to the myths propagated by the Obama administration, Iran's statements are not words "intended for a domestic political audience" but the driving force behind all of the regime's malign activity.[306] We only have to take the words of Iran's supposedly "moderate" President Hassan Rouhani who explained "Saying 'Death to America' is easy. We need to express 'Death to America' with action."[307]

According to the Defense Intelligence Agency (DIA), Iran's military has two main immediate goals: (1) ensuring the survival of its regime; and, (2) achieving a dominant position in the Middle East to threaten the United States and its allies.[308] In pursuit of its aims, Iran has attempted to use traditional means to develop its military capacity through seeking a nuclear weapon and developing ballistic missiles. It has also used what Lt. Gen. McMaster calls the "Hezbollah model"—creating weak governments in the region through supporting terrorist militias and making those governments dependent on Iran to reduce U.S. influence in the region.[309]

The Iranian Revolutionary Guard Corps (IRGC) has created, sponsored, and commanded a worldwide legion of tens of thousands of militia fighters. They come from as far as Afghanistan and Pakistan to create a "land bridge" where Iranian-backed militias now control territory from Tehran through Iraq, Syria, and Lebanon to the border of Israel. Maj. Gen. Mohammad Ali Jafari, the commander-in-chief of the IRGC, confirmed in 2019 that the IRGC commands

100,000 militiamen in Syria and Iraq alone.[310] Iran has also armed and trained the radical Houthi militia in Yemen and given it ballistic missiles that were used to attack Saudi Arabia.[311] Iran expert Nader Uskowi calls this the largest Shi'a militant force ever assembled. By comparison, ISIS commanded only 33,000 fighters at its peak.[312]

President Obama never understood the threat from Iran, even stating that Saudi Arabia and other Gulf states needed to "find an effective way to share the neighborhood" with Iran.[313] The Obama administration adopted an overly restrained approach in dealing with Iran's aggression. In doing so, it sacrificed its entire Middle East policy while attempting to reach a nuclear agreement with Iran. It abandoned pro-democracy "Green Movement" protests in 2009 fearing how Iran's totalitarian rulers would respond.[314] The Obama administration later attempted to extricate itself from supporting the rebellion in Syria. Despite public statements from Gen. Mattis that the fall of Syrian President Bashar al-Assad would be "the biggest strategic setback for Iran in 20 years," the administration even refused to enforce its own "red line" after Assad's use of chemical weapons.[315] Yet, it was the war in Syria, as Hanin Ghaddar has observed, which gave Iran the "unmatched opportunity to expand its 'foreign legion' and first laid the seeds for its land bridge."[316]

The Obama administration negotiated the Joint Comprehensive Plan of Action (JCPOA) with Iran as its attempt to prevent Iran from developing a nuclear weapon. However, the JCPOA failed to block Iran's path to nuclear weapons. In fact, it actually created a legal path for Iran to develop one within a decade.[317] The deal gave Iran over $100 billion in frozen assets, which former Secretary of State John Kerry admitted would be used by the regime to fund terrorism.[318] President Obama also, at the same time as the deal was being carried out, secretly flew $400 million to Iran as ransom for Iran's release of five captured Americans. Iran then doubled down on its destabilizing behavior in the region, using its newfound cash to fund tens of thousands of terrorist militias to support the Assad regime,[319] fund Hezbollah, and support Iranian-backed militias in Iraq and the Houthis in Yemen.[320]

The Obama administration's backwards approach to Iran did not stop at the JCPOA. President Obama also saw Iran and its proxy militias as potential partners in the war on ISIS, even going so far as to write a letter to Iranian Supreme Leader Ayatollah Khamenei arguing that the United States and Iran had "shared interests" in fighting ISIS in Iraq and Syria.[321] Under the leadership of then-Special Envoy in the Counter-ISIS Campaign Brett McGurk, the Obama administration armed and trained Iranian-backed militias in Iraq as part of the fight against ISIS.[322]

President Trump has worked to reverse these harmful policies, treating Iran as the adversary and rogue nation it is. He has pulled out of the flawed JCPOA and imposed unprecedented sanctions on Iran as part of a campaign of "maximum pressure." Secretary of State Pompeo has laid out 12 points which Iran must fulfill for a new agreement. In summary, Iran must begin to act like a normal nation. Overall, Iran must stop their support of terrorism, destabilizing behavior in the region, development of ballistic missiles, and nuclear program forever[323]. As part of his approach to rein in Iran's domination of the region, President Trump has increased pressure on Iraq and Lebanon and increased support to Israeli operations against Iran in Syria as well as the Saudi-led coalition in Yemen. Moreover, President Trump ordered the operation that killed Specially Designated Global Terrorist Iranian Quds Force leader Qassem Soleimani, taking him off the battlefield and saving countless lives.[324]

President Trump's approach has begun to yield real success. Iran is weaker economically than ever before, starved of revenue from oil sales, and struggling to pay its terrorist militias in the region.[325] In recent years, Iran has begun to witness real backlash at home with large-scale anti-regime protests breaking out throughout the country. At the same time, major pro-democracy protest movements that have developed in Iraq, Lebanon, and Syria have demanded an end to Iranian domination of their countries.[326]

The Task Force believes conservatives in Congress can work with President Trump to support his Iran strategy in a number of key ways. Congress can strengthen a number of economic sanctions to enhance the

maximum pressure campaign. President Trump has continued to enhance this campaign himself, and the Task Force is strongly supportive of his May 27, 2020 decision to end Iran's civil nuclear waivers—an action conservatives in Congress had long pushed for.[327] Yet, despite the strides made under President Trump, the Task Force believes more needs to be done. The package of sanctions that the Task Force has put forward would be the toughest package of sanctions on Iran ever proposed by Congress. The Task Force also believes that conservatives must reject efforts to end U.S. support for Saudi operations in Yemen and to prevent the president from future defensive actions to kill Iranian terrorist leaders like Soleimani or fighters in the proxy militias he led. Such efforts only increase the likelihood of war between the United States and Iran by undermining deterrence and incentivizing Iranian aggression. Finally, the United States must end support and funding for countries under Iran's control to counter Iran's influence in the region. U.S. taxpayer dollars should not go to Iranian-backed terrorist militias or military forces in the region which work with them. The United States should also stand with protesters in those countries, as well as in Iran itself, to push back against Tehran's influence.

ENHANCING PRESIDENT TRUMP'S MAXIMUM PRESSURE CAMPAIGN ON IRAN

"President Trump is really the first administration in 39 years to be on the strategic offensive with the Iranians. The maximum pressure campaign is absolutely first rate if you get into the specifics of it, it is designed to change Iran's behavior in the region and designed to change how Iran treats its own people. That has got to be our strategic focus."

– Gen. Jack Keane[328]

As FDD has detailed and Rouhani has admitted publicly, the Iranian regime—which has a history of diverting resources meant for humanitarian purposes—has attempted to inappropriately leverage the present COVID-19 pandemic to convince the United States to lift sanctions imposed through its maximum pressure campaign.

Lifting sanctions is unnecessary because U.S. sanctions exempt humanitarian assistance, medicine, medical devices, and food. Moreover, in January 2020, the United States completed a shipment of medicine through a special U.S.-Swiss channel for humanitarian trade with Iran. It also has roughly $90 billion, and its Supreme Leader controls funds worth tens of billions of dollars, all of which could be spent on medicine and healthcare.[329] In the words of Mark Dubowitz and Richard Goldberg, "Iran has millions of dollars to spend on supporting terrorism, but when it comes to COVID-19 they claim that cash is 'nowhere to be found.'"[330] Finally, President Trump has offered to send medical devices to Iran to respond to COVID-19 on many occasions. Nonetheless, Iran's Supreme Leader has rejected aid and promoted Chinese government conspiracy theories that the United States created the virus and that American medical devices would only spread the virus in Iran.[331]

Instead, Iran has argued the United States should lift sanctions so it can gain access to fungible cash, which could be used to spread terrorism rather than medical care. The Task Force thus rejects calls to weaken sanctions on Iran in response to COVID-19. Rather, Congress should act to expand sanctions on Iran significantly and help enhance the President's maximum pressure campaign. The Task Force recommends the following measures.

Congress should limit executive waivers that lift sanctions on Iran.

The Task Force believes that Congress should prohibit the lifting of sanctions on Iran without approval from the House and Senate. Similar provisions were enacted in the last Congress in CAATSA, which narrowed the waivers that allow the president to lift sanctions on Russia. This could be the model of legislative restrictions on the lifting of sanctions on Iran.

Congress should urge the Trump administration to trigger snapback sanctions against Iran.

According to the International Atomic Energy Agency (IAEA), since November 2019, Iran has tripled its

stockpile of enriched uranium in clear violation of the JCPOA.[332] The JCPOA's "snapback mechanism" says that any signatory can raise an issue of Iranian noncompliance and demand that Iran resolve it within 30 days. Otherwise, U.N. sanctions would snap back into force. This mechanism gives the United States the ability to invoke a mechanism to restore international restrictions against Iran's ballistic missile program, uranium enrichment, and plutonium-related work.[333]

In January 2020, the U.K., France, and Germany invoked the dispute resolution mechanism of the JCPOA after Iran announced it would no longer abide by the deal.[334] That put into effect a 65-day period where Iran could come back into compliance with the deal or face snapback U.N. sanctions if any one of those three countries found Iran in noncompliance. After talks with Iran, the U.K, France, and Germany decided to extend this period rather than pursue snapback sanctions.[335] While the United States is no longer a party to the JCPOA, the Department of State confirmed its opinion that the United States, as a member of the UNSC, retains the right to demand snapback sanctions pursuant to UNSC Resolution 2231.[336] As Richard Goldberg, President Trump's former Director of Countering Iranian WMD at the White House National Security Council, has noted, "if America snaps back sanctions at the Security Council, all restrictions on Iran return indefinitely: the arms embargo, missiles, nuclear restrictions, and the demand that Iran halt all enrichment activities on its own soil."[337] Secretary Pompeo has said that the United States is strongly considering pushing for snapback sanctions on Iran at the UNSC.[338]

The Task Force believes that triggering snapback sanctions on Iran is essential to achieving maximum pressure on Iran. The Task Force supports passing legislation directing the United States to use its voice, vote, and influence in the UNSC to trigger snapback sanctions. Furthermore, the Task Force believes that the United States has key leverage on the post-Brexit U.K., which seeks a free trade agreement with America. The United States should use this leverage to push the U.K. to invoke snapback sanctions on Iran. Even though the United States retains the legal right to impose snapback sanctions based on UNSC Resolution 2231, the U.K.'s imposition of snapback would be less controversial internationally because it remains part of the JCPOA.

Congress should proactively prepare for the expiration for the U.N. arms embargo on Iran and direct the Department of the Treasury to sanction IRGC Aerospace Force commander Amir-Ali Hajizadeh under Weapons of Mass Destruction (WMD) authorities.

Seeking snapback sanctions becomes even more important given the October 2020 expiration of the U.N. arms embargo on Iran. Congress should support efforts by the Trump administration to seek an extension of the embargo through a new UNSC resolution. However, in the event that the embargo expires and snapback sanctions are not triggered,[339] the Task Force believes that Congress must be proactive in preventing countries, such as Russia and China, from entering new weapons deals with Iran or assisting Iran with its ballistic missile program. Ideally, the United States would lead a wider multilateral attempt to effectively rebuild the embargo by comprehensively sanctioning weapons transactions. Such an effort with like-minded countries would underscore the fact that an Iran flush with new weapons will bring more war and destruction to the Middle East, not less. Specifically, Congress should consider new sanctions on the arms industries of countries like Russia and China that return to selling weapons to Iran, the banks facilitating any sale of weapons to Iran, and the companies shipping weapons.

The Task Force also recommends Congress direct the Department of the Treasury to sanction IRGC Aerospace Force commander Amir-Ali Hajizadeh under Weapons of Mass Destruction (WMD) authorities. Hajizadeh was sanctioned in 2019 under counterterrorism authorities for his unit's role in shooting down a U.S. drone in international waters. However, he has provided extensive support for Iran's ballistic missile ambitions, including helping to increase their range and accuracy. His unit is tasked with overseeing Iran's ballistic missile arsenal, the largest in the Middle East. He has also bragged about Iran's growing space capabilities, particularly a potential multi-stage solid fuel satellite launch vehicle, which many in the West fear could be indicative of Iran moving toward a potential ICBM.[340]

Congress should impose sanctions on Iran's petrochemical, financial, automotive, and construction sectors.

As Iran tries to evade the full range of penalties tied to the transfer, sale, shipment, and storage of oil, its non-oil industries—which continue to generate funds for the regime— should not be forgotten. Tightening the noose on Iran's non-oil sector would increase Iran's macroeconomic contraction and could create further financial and political instability. Congress has imposed sectoral sanctions on Iran's energy, shipping, and shipbuilding sectors as mandated by the IFCA.[341] Congress should expand the IFCA to go after the petrochemical, financial, and automotive sectors of the Iranian economy.

The petrochemical sector is Iran's second-largest export industry after oil.[342] The petrochemical and financial sectors of Iran's economy also have strong ties to the IRGC. As United Against a Nuclear Iran (UANI) has suggested, a first step could be mandated sanctions on Tamin Petroleum & Petrochemical Investment Co. (TAPPICO), a subsidiary of state-owned Social Security Investment Company (SSIC) and a major investment vehicle holding majority stakes in multiple petrochemical plants, projects, and companies.[343] The automotive sector is also a concern because, as Dubowitz has noted, "technology and raw materials for car production can be dual-use." Dubowitz has cited a number of examples of Iran using carbon fiber, hardened steel, and other sophisticated machinery to manufacture centrifuges.[344] Finally, Iran's construction sector should also be the target of sanctions. The IRGC's engineering and construction arm, Khatam al-Anbiya Construction Base (KCB), allows the IRGC to solicit foreign investment. As UANI has noted, "as Iran's largest contractor for industrial and construction projects with hundreds of satellite firms under its control, KCB is the most critical element in the IRGC's economic dominance over the Iranian economy."[345]

Congress should sanction the Instrument in Support of Trade Exchanges and its Iranian counterpart, the Special Trade and Financial Institute.

The Instrument in Support of Trade Exchanges (INSTEX) is a European special-purpose vehicle established in January 2019. Its design facilitates non-USD and non-SWIFT transactions that shield European companies from U.S. sanctions on Iran. In April 2019, Tehran created the Special Trade and Finance Instrument (STFI) as a counterpart to INSTEX. As Dubowitz and Ghasseminejad have found, the seven banks that hold shares in the STFI are regime-controlled entities that are already subject to U.S. sanctions.[346] On March 31, 2020, the first transaction between the EU and Iran through INSTEX was successfully concluded in response to the COVID-19 pandemic.[347] If the EU is able to directly enter into transactions with sanctioned entities, U.S. sanctions on Iran have no meaning. Task Force member Rep. Brian Steil (R-WI) introduced the Stop Evasion of Iran Sanctions Act, which would grant the Secretary of the Treasury the explicit authority to sanction a financial institution operating outside the United States that knowingly conducts a significant sanctionable transaction related to INSTEX.[348] The Task Force endorses this legislation and further recommends mandating such sanctions on INSTEX.

Congress should require the Office of Foreign Assets Control to broaden the scope of activities constituting "significant support" to Iran's shipping sector.

According to Deputy Assistant Secretary of State for Counter Threat Finance and Sanctions David Peyman, Iran has evaded sanctions through the use of ship-to-ship transfers and shippers turning off their transponders. The Trump administration has promised to sanction oil that is in "bonded storage" in Chinese ports.[349] As United Against Nuclear Iran has noted, a web of maritime firms, including "port authorities, importing agents, management firms, charterers, operators, marine insurers, classification societies, and all other 'maritime services providers'," are allowing Iran's 200-strong fleet of sanction-designated vessels, as well as non-Iranian vessels carrying sanctioned Iranian goods, to dock and unload cargo at ports all around the world.[350] The United States should aggressively target all businesses and countries engaged in storing Iranian oil regardless of the location. Congress should direct the Office of Foreign Assets Control (OFAC) to broaden the scope of sanctionable maritime services by expanding the list

of services constituting "significant support" to Iran's shipping sector services.

Congress should codify and expand current human rights sanctions on Iran.

Presently, three Executive Orders (EO) address the human rights situation in Iran. They are not, however, codified in statute. EO 13553 targets serious human rights abuses by the government of Iran; EO 13606 targets grave human rights abuses by the governments of Iran and Syria using information technology; and EO 13628 targets those who prohibit the freedom of expression or assembly by the Iranian people. The Task Force recommends that these three EOs be codified to support human rights in Iran.

Furthermore, the Task Force recommends that Congress enact legislation targeting a number of individuals and entities involved in human rights abuses in Iran, including those contained in the following list, which has been highlighted by UANI:

> Iran's Justice Minister Alireza Avaei, given his role in the 1988 massacre of thousands of Iranian dissidents; Iran's Attorney General Mohammad Jafar Montazeri, Secretary of Iran's Supreme Council of Cyberspace Abolhassan Firouzabadi, and Iran's entire Ministry of Information and Communications Technology and National Information Network for their role in enabling the internet blackout during the November 2019 protests. Interior Minister Abdolreza Rahmani-Fazli, Deputy Interior Minister Hossein Zolfaghari, the Ministry of the Interior, as well as Tehran Revolutionary Court head Mousa Ghazanfarabadi should also be considered for designation for their roles in suppressing the protests and threatening protesters with grave consequences; and the Tehran Revolutionary Court's head Mousa Ghazanfarabadi, as well as its infamous "hanging judge," Abolqassem Salavati, for the harsh sentences they have leveled on protesters in the past and will inevitably hand down this time as well.[351]

Congress should also require the Trump administration to use Global Magnitsky Act authorities to sanction the Iranian heads of foundations and holding groups constituting the Iranian Supreme Leader's financial empire. These entities include the Execution of Imam Khomeini's Order (EIKO), the Mostazafan Foundation, and the Razavi Economic Organization, which together hold up to $200 billion in assets.[352] As Dubowitz and Saeed Ghasseminejad have noted, the Mostazafan Foundation, and the Razavi Economic Organization have not been sanctioned by the United States, and sanctioning these two entities would help prevent sanctioned entities from reemerging under new names.[353]

While the Trump administration has sanctioned EIKO as part of the withdrawal from the JCPOA, such sanctions should be codified into law using Global Magnitsky Act authorities that target significant corruption. A 2013 investigation by Reuters found that EIKO's massive financial empire is taken mostly from property seizures. According to Reuters, EIKO "holds stakes in nearly every sector of Iranian industry, including finance, oil, telecommunications, the production of birth-control pills and even ostrich farming."[354]

Congress should also sanction the Islamic Republic of Iran Broadcasting (IRIB). A study by Toby Dershowitz and Talia Katz of FDD found that, in addition to spreading disinformation and regime propaganda, IRIB regularly aired forced confessions by political prisoners who were victims of torture.[355]

Finally, Congress should enact House Foreign Affairs Committee Ranking Member Rep. Michael McCaul's (R-TX) Iran Human Rights and Hostage-Taking Accountability Act, which would require sanctions on senior regime officials and others responsible for hostage-taking and other human rights abuses.[356]

Congress should enact the Stop Corrupt Iranian Oligarchs and Entities Act to report on corrupt Iranian oligarchs and state-affiliated entities.

Rep. David Kustoff (R-TN) has introduced the Stop Corrupt Iranian Oligarchs and Entities Act, which

requires the Department of the Treasury to report on Iranian oligarchs, including their net worth, sources of income, and levels of corruption. Treasury would also be required to report on the role of key state-affiliated entities in the Iranian economy. In the past year, protestors in Iran have highlighted the corruption of Iranian officials as part of their demands for reform. This bill would give more insight into corrupt Iranian oligarchs who have stolen the money of the Iranian people.

Congress should support and expand Secretary of State Pompeo's twelve points for the removal of sanctions on Iran in a statement of policy.

Secretary of State Pompeo outlined the goal of the maximum pressure campaign in a May 2018 speech at The Heritage Foundation. He outlined twelve points Iran had to meet in order act like a normal country and be a responsible member of the international community.[357] His twelve points focus on Iran's destabilizing behavior toward the international community through its nuclear weapons and ballistic missiles program, support of terrorism, and malign regional presence in Syria and Iraq. They lay the foundation for what a future agreement with Iran should look like. Congress should endorse and appropriately update these points in legislation as a statement of policy to make clear they are the official policy of the United States.

Despite being painted as the "Great Satan" by Iran's radical rulers, the Iranian pro-democracy movement has looked towards the United States as the leader of the free world for leadership and support. President Trump has responded to their call by tweeting in Farsi about the need for human rights inside Iran in what was the most-liked Farsi language tweet in history.[358] President Trump's maximum pressure campaign on Iran has created new leverage that can be used to improve human rights for the Iranian people. Therefore, the Task Force supports UANI's recommendation that a thirteenth point should be added in recognition of the Iranian people's desire for freedom. This additional point should demand that Iran allow peaceful protests, release political prisoners, and end its human rights abuses.[359]

PROTECTING AMERICA BY SOLIDIFYING THE PRESIDENT'S WAR AUTHORIZATION

"It is impossible to overstate the importance of this particular action. It is more significant than the killing of Osama bin Laden or even the death of [Islamic State leader Abu Bakr] al-Baghdadi. [Soleimani] was the architect and operational commander of the Iranian effort to solidify control of the so-called Shia crescent, stretching from Iran to Iraq through Syria into southern Lebanon. He is responsible for providing explosives, projectiles, and arms and other munitions that killed well over 600 American soldiers and many more of our coalition and Iraqi partners just in Iraq, as well as in many other countries such as Syria. So his death is of enormous significance."

– Gen. David Petraeus[360]

Congressional Democrats have tried on numerous occasions this Congress to handcuff the President's ability to respond to Iran-backed aggression. In 2019, Congress—led by Democrats—passed a resolution directing the removal of U.S. Armed Forces from hostilities in the Republic of Yemen.[361] The resolution also would have prohibited the United States from participating in arms sales with the Saudi Arabian-led coalition supporting the legitimate U.N.-recognized government of Yemen in its fight against radical, Iran-backed Houthi militias. President Trump vetoed the measure. Also, in the wake of the operation that killed Soleimani, Congress—again led by Democrats—passed measures opposing the strike and limiting the President from future military action against both the IRGC and its proxy militias in Iraq.[362] The House also voted to repeal the 2002 Authorization for Use of Military Force (AUMF), which authorized the U.S. military presence in Iraq.[363]

Although some conservatives may be concerned with increasingly degraded congressional war powers, these politically driven resolutions were overly prescriptive in the limits they placed on executive power to defend the United States. They created a blanket prohibition on the President's ability to respond to Iran's increasing aggression against U.S. forces and allies in the Middle

East. Placing excessive constraints on the President's war powers to respond to Iranian attacks only increases the likelihood of war and escalates hostilities with Iran by removing the President's ability to enhance our deterrent capability. The Task Force therefore proposes the following as one possible option to consider to both reassert Congress' role and stand against efforts by House Democrats to limit the President's war powers on Iran.

Congress should enact a new AUMF to ensure the President has clear authority to keep the country safe from Foreign Terrorist Organizations.

The 2001 and 2002 AUMFs are both outdated and not ideally structured to serve the purposes for which they are currently used. Still, attempts to repeal such resolutions without replacing them with adequate authority to respond to today's threats would be disastrous to our national security and embolden our enemies. Doing so would unduly limit the President's ability to keep the country safe from terrorist groups including ISIS, Al Qaeda, or Iranian backed militia groups in Iraq.

The 2001 AUMF gave the president authority to go after any group responsible for the 9/11 attacks and countries that harbor such groups.[364] Yet it is currently being used to go after groups like ISIS, which did not exist at the time. ISIS has even engaged in combat with Al Qaeda, the group actually responsible for 9/11.[365] The 2002 AUMF, which authorized the War in Iraq, grants the President the authority to use force to defend the United States from the "threat posed by Iraq." It is currently being used to authorize the U.S. presence in Iraq and military strikes against Iranian-backed terrorist militias.[366] These stretched meanings have caused a conundrum for many conservatives who want to grant the President authority to keep the country safe while, at the same time, want the President to act consistently with authorizations passed by Congress.

The Task Force urges lawmakers to consider replacing the outdated 2001 and 2002 AUMFs to clearly allow the President to respond to both Iranian-backed aggression and terrorist threats such as ISIS and Al Qaeda. One option lawmakers could pursue would be to design an AUMF that authorizes the President to engage in operations against any currently designated Foreign Terrorist Organization (FTO) that is on the Department of State's list at the time of enactment. Such an AUMF would be similar to the amendment to S. J. Res. 68 offered by Sen. Tom Cotton (R-AR) which would have allowed the United States to engage in military operations directed at designated FTOs.[367] However, unlike the Cotton Amendment, such an AUMF could be limited to only those FTOs on the list at a certain point in time to avoid granting the President unfettered authority to add groups to the FTO list to unilaterally expand war powers. This would mean that a President could not designate a new group as an FTO and gain the same AUMF authority. Rather, Congress would have to act again to update the AUMF to include the additional group. A new AUMF should also contain a sunset requirement to ensure Congressional evaluation in the future.

The process of designating an FTO is laid out by the Antiterrorism and Effective Death Penalty Act of 1996. The process involves the Secretary of State finding that a foreign organization engages in terrorist activity that threatens U.S. national security. Current law requires the Secretary of State to consult with Congress one week before a designation is final and grants designated parties the ability to seek judicial review in the U.S. State Court of Appeals for the District of Columbia.[368] The current list of Department of State designated FTOs includes many groups the United States has already engaged in combat with since 9/11, including ISIS, Al Qaeda, Kata'ib Hezbollah, and the IRGC.[369]

The Task Force believes granting the President the explicit authority to engage in military operations against terrorist threats is common sense. It would also better align the letter of the law with current U.S. military operations around the world. A properly structured AUMF would balance giving the President sufficient authority to go after terrorist organizations for a definitive length of time without granting vague and indefinite war powers.

COUNTERING IRAN'S REGIONAL ROLE

"Iran's effort to establish a land bridge across Syria and Iraq is connected to a four decade-long proxy war that Iran is waging to pursue its revolutionary agenda... The IRGC grows militias like Hezbollah in Lebanon that lie outside those governments' control, which Iran can use to coerce those governments into supporting Iran's designs in the region and reducing U.S. influence. Iran has that coercive power in Lebanon, Syria, and Iraq. The IRGC is also pursuing control of strategic territory in Yemen through its support of Shiite Houthi militias engaged with forces supported by the Saudis and Emiratis in that devastating civil war. The chaos that Iran's strategy promotes sets conditions for the establishment of its land and air bridge across the region."

– Lt. Gen. H.R. McMaster[370]

Iran's regional role—especially its malign behavior in Iraq, Syria, Lebanon, and Yemen— poses a direct threat to the United States, Israel, and Gulf allies such as Saudi Arabia. The Task Force believes that any set of policies to counter Iran cannot ignore its malign regional role. In this vein, the Task Force recommends the following collection of policies which aim to go after Iran and its proxies in the region and cut U.S. taxpayer funding to governments which have been hijacked by Iran and its militias.

IRAQ

Congress should require the Department of State to designate a number of Iranian-backed proxy militias in Iraq and Syria as FTOs and maintain a watchlist of future Iranian-backed proxy militias.

The IRGC has created, armed, trained, and commanded a number of proxy militias in Iraq and Syria that have yet to be designated as terrorist organizations. These militias include groups such as the Badr Corps, Iran's oldest proxy in Iraq, which fought on Iran's side during the Iran-Iraq war. Badr's leader, Hadi Al-Ameri, was involved in the December 2019 terrorist attack on the U.S. Embassy in Baghdad.[371] After pressure from Congress following the House's passage of several bills in the 115th Congress,[372] the Trump administration began to designate a number of Iranian-backed proxy militias, including Fatemiyoun, Zainabiyoun, Harakat Hezbollah al-Nujaba, and 'Asa'ib Ahl al-Haq. Still, many of these groups have still not been designated as terrorist organizations despite being backed by the IRGC-Quds Forces (IRGC-QF), which is an FTO. In fact, the Badr Corps, led by al-Ameri, continues to dominate the Iraqi Interior Ministry and Federal Police, which receive U.S. assistance in the fight against ISIS.[373]

The Task Force recommends that Congress should require the president to designate Ameri, the Badr Corps, along with other Iranian backed militias in Iraq, such as Kata'ib Imam Ali, Suraya al-Khorasani, Kata'ib Sayyid al-Shuhada, Liwa Abu Fadl al-Abbas, Harakat al-Awfiya, Harakat Jund al-Imam, and Sarayya Ashoura. These militias are not only Iranian proxies but have also signed a statement in April 2020 vowing to confront the United States.[374]

Furthermore, Congress should require the Department of State to issue an annual report regarding new entities owned or controlled by the IRGC and IRGC-QF in Iraq. The Pre-venting Destabilization of Iraq Act, which passed in the House in the 115th Congress, contains language mandating such a report. This report would keep up with Iran's shell game of creating new splinter militias in Iraq that go unsanctioned for years. Finally, Congress should expand the Act to require the President to identify foreign persons that knowingly assist or support Iran's new proxy militias.

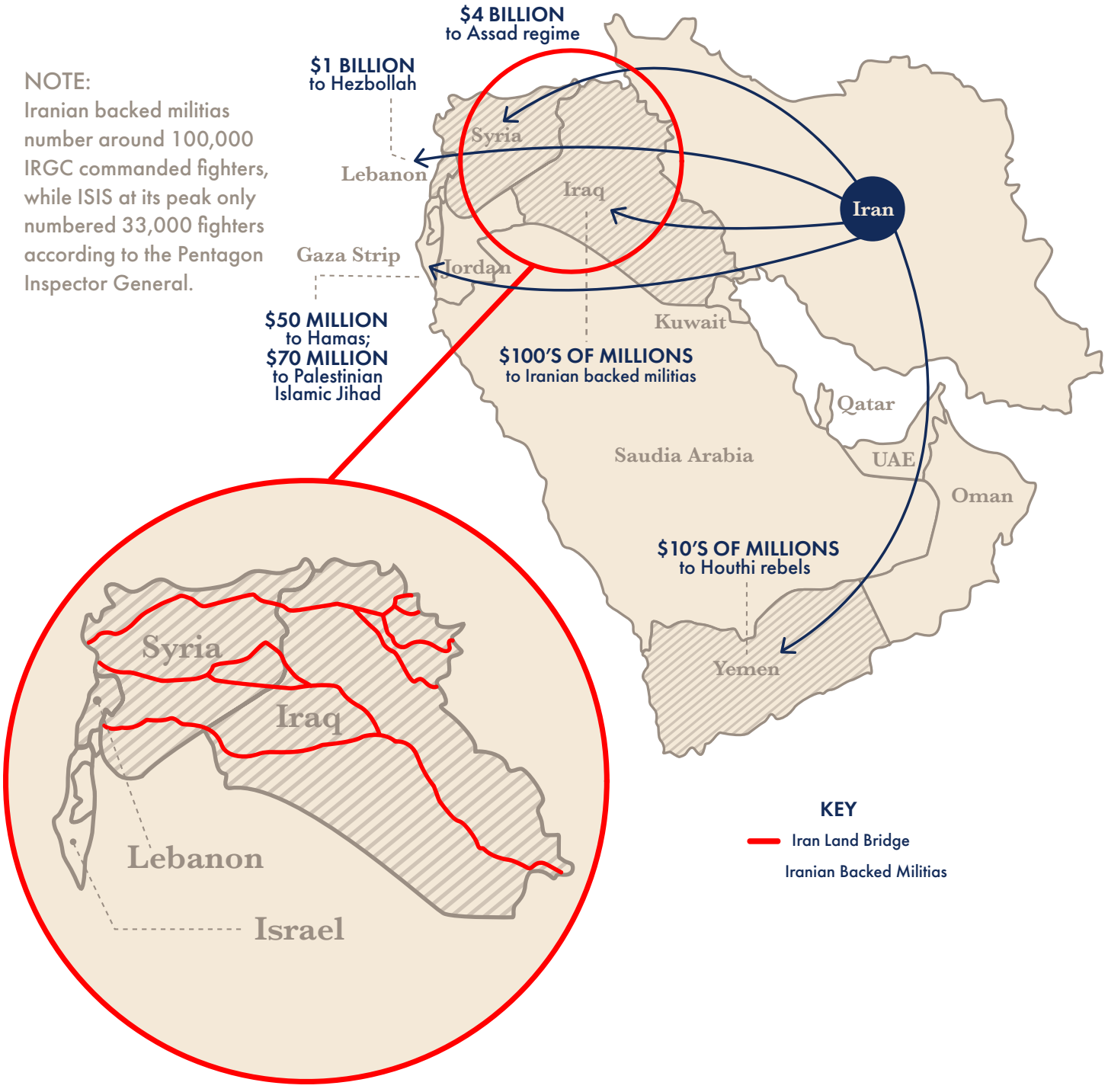
Congress should require a report on the long-term threats posed by backing the Iraqi Popular Mobilization Forces and other Iranian-backed militias in the war on ISIS.

The Obama administration's decision to work with Iranian-backed militias to fight ISIS has led to catastrophic results. This strategic mistake has empowered Iran—now a greater threat than ISIS—and increased the sectarian polarization in Iraq and Syria, which creates conditions ripe for the re-emergence of ISIS and other Salafi-jihadi terrorist

IRAN'S LAND BRIDGE

Iranian Backed Militias are Now Greater in Number & Geographic Area than ISIS at It's Peak

NOTE:
Iranian backed militias number around 100,000 IRGC commanded fighters, while ISIS at its peak only numbered 33,000 fighters according to the Pentagon Inspector General.



Source: Data collected from Michael Pregent, Senior Fellow Hudson Institute and the Israeli Foreign Ministry

groups. The Iraqi Popular Mobilization Forces (PMF), a group of mostly Shiite Iraqi militias that are disproportionately made up of IRGC-backed proxy groups, was funded and supported by the Iraqi state during the counter-ISIS campaign. Congress must understand the full na-ture of this problem and undertake a full audit of how Iranian-backed groups in the PMF took advantage of U.S. assistance to the Iraqi government in the anti-ISIS campaign.

The Trump administration has pushed the Iraqi government to exert control of these militias and bring them into the military and under state control. This, unfortunately, has not happened yet. In fact, as Lt. Gen. McMaster has noted, Iran has used the "Hezbollah model" to make these militias stronger than the state itself, with the objective of capturing the state and bringing it under Iranian domination.[375] Despite the PMF's increasing strength, Congress has continued to fund the Iraqi security forces. It is important that Congress re-quire a report regarding Iranian penetration in Iraq as a way to enhance President Trump's maximum pressure campaign, exercise oversight over U.S. funding to Iraq, and attempt to find new solutions to counter Iran in Iraq.

Such a report should include the following information: (1) The number of Iranian backed militias in Iraq that benefited directly or indirectly from U.S. security assistance during Operation Inherent Resolve; (2) which Iranian backed militias in Iraq benefitted from U.S. security assistance; (3) whether such militias have threatened the United States or worked with any designated FTO; (4) the long term counterterrorism risks created by the strategy of working with Iran to fight ISIS; (5) the connections the PMF has with Iranian-backed militias and terrorist organizations; (6) the threat the PMF poses to the U.S. homeland, Israel, the Kurdistan Regional Government (KRG), Saudi Arabia, Jordan, Turkey, Egypt, and other regional partners; and, (7) the extent to which Iran and its militias bene-fited from U.S. security assistance during the war on ISIS.

Congress should block funding for the Iraqi Ministry of Interior and Federal Police until cer-tain safeguards are met.

Since the emergence of ISIS in 2014, the Department of State has provided Iraq with $1.2 billion in Foreign Military Financing (FMF) to fund the Iraqi Security Forces (ISF). In that same time period, the Department of State provided Iraq with $4.2 million for International Military Education and Training (IMET). Additionally, the Department of Defense provided $4.0 billion for the fight against ISIS to the ISF through the former Iraq Train and Equip Fund (ITEF) and the current Counter-ISIS Train and Equip Fund (CTEF).[376]

During most of this period, the Iraqi Ministry of Interior (MOI) was under the control of the Iranian proxy Badr Corps through Interior Minister Qassem Al-Araji. Although the Badr Corps no longer formally runs the Ministry, it still plays a leading role there, where senior leaders in the Federal Police are Badr Corps operatives.[377] As Mike Pregent, a senior fellow at the Hudson Institute and former Army Intelligence Officer in Iraq has testified, Badr Corps' leader Hadi Al-Ameri and his associates "facilitate IRGC-QF militia activities, procure U.S. M1 Abrahams tanks, have access to U.S. intelligence through [former Interior Minister] Qassem al-Araji's MOI, and have access to funds through the Prime Minister's security budget."[378]

> The origins of this partnership date back to the flawed policies of the Obama administration. According to a 2015 report by Norman Cigar for the U.S. Army War College Strategic Studies Institute, at that time, the U.S. military was "operating in the same battlespace as the [Iranian-backed] militias, whether with air operations, training missions, or even providing unwilling support, as in arming the militias, even if only indirectly." Moreover, as Cigar explained, U.S.-supplied arms that have been transferred by Iraq to Iranian-backed militias making the United States a de facto collaborator in "combined" operations with some militias.[379]

Pregent described the strategy used by Iran to exert control over Iraqi entities and its effects as follows:

Qassem Soleimani used the Hezbollah model to create loyal IRGC-QF proxies in Iraq and the Badr model

to infiltrate the Iraqi Ministry of Interior and Ministry of De-fense. The Hezbollah model replaced ISIS with IRGC-QF militias throughout Iraq, and the Badr model is now being used in Lebanon to co-opt the Lebanese Armed Forces (LAF). The "building institutions to counter Iran" strategy we hear from ac-ademics, diplomats, and national security officials, is actually building institutions for Iran to co-opt, to infiltrate, and to saturate. IRGC-QF proxies have access to U.S. funds and equipment in the Iraqi MOD and MOI and Hezbollah has access to the same with the LAF.

Moreover, both the MOI and Federal Police have committed gross violations of human rights in their violent crackdowns against anti-Iran Iraqi protesters. It is unconscionable that U.S. taxpayer dollars continue to flow to the Iranian co-opted Iraqi MOI and Federal Police.[380]

Congress should enact the Iraq Human Rights and Accountability Act to support the Iraqi pro-democracy protesters standing up to Iranian domination.

The Iraq Human Rights and Accountability Act, sponsored by Task Force Chairman Rep. Wilson, supports democracy and human rights in Iraq. It also demonstrates solidarity with the Iraqi protest movement that has openly called for the end of Iranian domination over their country.[381] The bill requires the Department of State to determine if senior Iraqi officials involved in the attacks on protesters, including senior leaders in the PMF, meet crite-ria for the imposition of sanctions pursuant to the Global Magnitsky Act. It also encourages government reform to combat corruption and strengthen the rule of law and transparency in Iraq, condemns attacks against peaceful protesters, and demands accountability for those involved in perpetrating human rights violations against protesters in Iraq.

Congress should require Iraq to comply with sanctions on Iran.

The Department of State has granted Iraq waivers from complying with sanctions on Iranian energy imports.[382] Secretary of State Pompeo has stated that while the United States continues to periodically renew the waiver extensions, it will assess whether to provide future waivers based upon the makeup of the next Iraqi government.[383] The Department of State has noted that the purpose of this waiver "is to meet the immediate energy needs of the Iraqi people."[384] Yet, granting these waivers has not changed the Iraqi government's behavior nor stopped Iraq from doing Iran's bidding. Rather, the opposite has happened. Iran has used Iraq as a channel to bypass U.S. sanctions.[385] Also, Iraq has only grown more dependent on Iran's energy imports, contrary to a primary objective of the waivers. The Task Force recommends that Congress pass legislation terminating these waivers to exert pressure on Iraq and make it harder for Iran to use Iraq as a channel to bypass sanctions.

LEBANON

Congress should cut off U.S. security assistance funding to the Lebanese Armed Forces and prohibit an IMF bailout of Lebanon.

Countering Iran's regional domination must address Lebanon where Iranian-proxy Hezbollah lays right on Israel's doorstep. The United States grants the Lebanese Armed Forces (LAF) $160 million a year in taxpayer-funded support. The purpose of such assistance, according to U.S. law, is to "professionalize the LAF to mitigate internal and external threats from non-state actors, including Hizballah."[386] Despite this noble goal, U.S. funding of the LAF has been largely counterproductive. In fact, the LAF has not acted against Hezbollah. The Israeli Defense Forces (IDF) have noted Hezbollah's "increasing influence" over the LAF. According to the IDF, Hezbollah exercises a great deal of power within LAF decision bodies. As the IDF points out, the Hezbollah aligned coalition has a majority inside the body in charge of managing the state's most sensitive security matters.[387]

As Tony Badran of FDD has noted, the misguided U.S. policy of strengthening so-called state institutions in Lebanon has only worked to the advantage of Hezbollah, which controls these institutions. According

to Badran, the LAF has been deployed alongside Hezbollah, looked the other way while Hezbollah built cross-border tunnels into Israel, and even "allowed the import through Lebanon's international airport of technology, flown in by Iranian planes, to upgrade Hizballah's projectiles into precision-guided missiles."[388] Furthermore, with the Lebanese government now under the control of Hezbollah and its allies, which hold a solid majority in the parliament, it is even harder to argue that funding the LAF is achieving anything other than propping up the Iranian order maintained by Hezbollah.[389]

These realities have led to a renewed debate about the wisdom of funding the LAF. The Trump administration instituted a hold on $105 million in security aid to Lebanon in October 2019, but it was eventually released in December.[390] Sen. Ted Cruz (R-TX) and Rep. Lee Zeldin (R-NY) have introduced the Countering Hezbollah in Lebanon's Military Act to withhold 20 percent of U.S. military assistance to the LAF unless the President can certify it is taking necessary steps to end Hezbollah and Iran's influence over the LAF.[391] The Task Force recommends going further and completely cutting taxpayer funding to the LAF.

Moreover, Lebanon is currently seeking an IMF bailout because of its dire economic situation.[392] Due to Hezbollah's control over Lebanon, the Task Force believes Congress should pass legislation prohibiting any taxpayer money to the IMF from going to a bailout of Lebanon. Such a bailout would only reward Hezbollah at a time where protesters in Lebanon are demanding an end to corruption and standing against Hezbollah's rule.[393]

Congress should expand sanctions on Hezbollah and its allies in Lebanon.

Both Congress and the Trump administration have steadily increased sanctions on Hezbollah in recent years with the enactment of the Hezbollah International Financing Preven-tion Act of 2014 and the Hizballah International Financing Prevention Amendments Act of 2018. These sanctions have had a real impact on the organization by drying up the funds it can access, especially from Lebanese banks.[394] However, more can be done to enhance sanctions on Hezbollah.

The Task Force recommends new sanctions legislation on Hezbollah to plug existing loopholes. First, such legislation could, as UANI has suggested, sanction all current or future parliamentarians and government ministers who are direct members of Hezbollah. It could also sanction so-called independent cabinet members who are actually Hezbollah supporters, including current Health Minister Hamad Hassan, MP Jamil Al-Sayyed, and former Foreign Minister Fawzi Salloukh. In addition to sanctioning Hezbollah itself, such legislation should also go after Hezbollah's strongest allies from outside of the organization for their support of Hezbollah, such as former Foreign Minister Gibran Bassil and head of the Amal Movement and the Speaker of the Lebanese Parliament Nabih Berri.[395] New legislation could require the President to examine whether these two individuals and other strong allies of Hezbollah within their March 8th Movement political bloc—especially those in the Free Patriotic Movement and Amal Movement political parties—meet the criteria to be sanctioned under the Hezbollah International Financing Prevention Act of 2015, the Hezbollah International Financing Preventing Amendments Act of 2018, and the Caesar Syria Civilian Protection Act of 2019. Such legislation could also mandate that such authorities be used to sanction Hezbollah linked entities in Latin America.

The Task Force also recommends Congress pass legislation targeting Hezbollah's vast economic holdings in Lebanon as well as its offshore companies. The Task Force applauds President Trump for sanctioning Atlas Holding—a holding company which is partially owned by Hezbollah's Martyr Foundation—and its subsidiaries, including Amana Fuel Co. and Amana Plus Co., which own a chain of gas stations and trade in fuel and oil derivatives and Shahed Pharm, which is a pharmaceutical drug company in Lebanon, and MEDIC, which imports and sells pharmaceuticals, cosmetics, and medical equipment.[396] In addition, new sanctions legislation on Hezbollah could target Iranian religious endowments that provide Hezbollah with funding, including the Astan Quds Razavi (Imam Reza Shrine Foundation), the Bonyad-e Mostazafan va Janbazan (Foundation of the Oppressed and Disabled), Bonyad-e Panzdah-e Khordad (15 Khordad Foundation), and the Bonyad Maskan (Housing Foundation). Finally, such

legislation could require the Treasury Department's Financial Crimes Enforcement Network (FinCEN) to determine whether under Section 311 of the Patriot Act south Lebanon should be designated as a primary money laundering concern, particularly in areas where Hezbollah is dominant. This would prohibit opening or maintaining correspondent accounts in the United States for, or on behalf of, south Lebanese financial institutions as well as the use of foreign financial institutions' correspondent accounts at covered U.S. financial institutions to process transactions involving south Lebanese financial institutions. Notably, FinCEN used this authority to designate Iran as a primary laundering concern in November 2019.[397]

SYRIA

Congress should support the Trump administration's push for a political transition and withdrawal of all Iranian forces from Syria and require the Department of Defense to produce a feasibility assessment for a no-fly zone in Idlib, Syria.

As Ken Pollack of the American Enterprise Institute noted, "If the United States is going to push back on Iran, Syria is the best example of the first category—a place where Iran is vulnerable and where we can do more harm to them than they can to us."[398] The brutal Assad regime and Iran have enjoyed a close alliance since the Iranian Revolution in 1979. Iran relies on Assad as the heart of its land bridge so it can project the power of its militias on the border of Israel.[399] The Iranian regime views the potential removal of Assad as an existential threat and has sent tens of thousands of its proxy militias, as well as Hezbollah, to Syria to fight to maintain the regime. In doing so, it has committed war crimes, such as starvation sieges, sectarian cleansing in the Damascus suburbs, and supporting the regime's ruthless campaign that has killed over half a million people.[400] Iran's backing of Assad has perpetuated a refugee crisis that has overrun Europe and created the sectarian polarization and vacuum that led to the emergence of ISIS.[401] The recent assault by Hezbollah and other Iranian-backed militias from the ground, backed by Russian and Assad air cover, on Idlib in northern Syria created the largest wave of refugees in the history of the Syrian conflict.[402]

Congress last year passed the Caesar Syria Civilian Protection Act of 2019, which calls for a political transition to a government that respects human rights and enacts tough sanctions on the Assad regime and its supporters. The Task Force recommends that Congress go further and make a statement of U.S. policy supporting a free and democratic Syria and stating that there can be no solution to the conflict in Syria if the Assad regime remains in power. It should also support President Trump's demand that all Iranian-commanded forces withdraw from Syria.[403] Such a statement would illustrate Congress' commitment to pushing back against Iran in Syria.

Furthermore, the Task Force calls upon the Department of State and Department of the Treasury to aggressively enforce the Caesar Act and use its authorities to sanction Iranian, Russian, and Hezbollah entities supporting the Assad regime. Congress should consider additional legislation requiring the Department of State and the Department of the Treasury give extra scrutiny to countries that are exploring or expanding economic relations with the Assad regime such as the UAE, Oman, Lebanon and Jordan, as well as other jurisdictions known for sanctions evasion. The departments could achieve this through an annual report that examines whether or not the criteria for Caesar Act sanctions are met by government officials and businessmen in such countries.

Furthermore, due to the dire situation in Idlib, the Task Force recommends that Congress require production of a report examining the feasibility of a no-fly zone "on humanitarian and counterterrorism efforts in Syria and the surrounding region." Such a report would have been required by Sec. 303 of the House passed Caesar Syria Civilian Protection Act of 2016.[404] This report has become more pressing as there have been renewed calls for a no-fly zone in Syria, including by U.S.-ally Germany.[405] A no-fly zone in Syria, as Task Force Chairman Rep. Wilson has noted,[406] would be essential to both counter the Iranian expansion in northwest Syria and help stem the tide of refugees overrunning Europe.[407]

YEMEN

Congress should sanction the Houthis in Yemen as a Foreign Terrorist Organization and codify sanctions on those supporting the Houthis and destabilizing Yemen.

The Iranian-backed Houthi rebel group in Yemen took power in a military coup in Sep-tember 2014, ousting the legitimate government that sought assistance from a coalition of countries led by Saudi Arabia.[408] Unlike Iranian-backed militias in Iraq, like Kata'ib Hezbollah or the Badr Corps, the Houthis are not directly commanded by the IRGC. They are a homegrown Yemeni group that was once somewhat independent of Iran.[409] Still, the militia, whose slogan is "Death to America" and "Death to Israel,"[410] receives significant support from Iran and has launched ballistic missile attacks against Saudi Arabia, attacking its military bases, civilian airports, and oil infrastructure.[411] Yet, it has not been designated as an FTO.

The Task Force recommends that Congress pass legislation requiring the examination of whether the Houthis meet the criteria to be designated as an FTO due to its ties with other terrorist organizations, such as the IRGC, and its terrorist attacks against Yemeni civilians and Saudi Arabia. Furthermore, the Task Force recommends that Congress sanction those who support the Houthis as well as those who the President determines knowingly provide support to those who are in violation of UNSC Resolution 2216.[412]

Congress should refrain from cutting arms sales to Saudi Arabia and the UAE.

Cutting arms sales to Saudi Arabia in Yemen would, as The Heritage Foundation has noted, strengthen the Houthis and make a peace agreement to end the war in Yemen less likely. This would undercut Saudi Arabia, give Iran a green light to expand its support to the Houthis, and allow the Houthis to gain momentum on the battlefield and expand even further.[413] Allowing the Houthis to grab a permanent foothold on Saudi Arabia's border in Yemen would create a situation similar to Hezbollah's on the border with Israel, granting Iran even more extensive strategic depth in the region.

Congress should direct the Department of Defense to provide a comprehensive assessment of U.S. capabilities to defend against Iranian ballistic missiles, cruise missiles, and unmanned combat aerial vehicles.

As The Heritage Foundation has noted, Iran and its proxies, including the IRGC, the Houthi rebels of Yemen, and Iranian-backed militias in Iraq, are increasingly carrying out attacks using drones, ballistic missiles, and unmanned aerial vehicles (UAVs) on U.S. forces in Iraq and on critical infrastructure in Saudi Arabia.[414] The Task Force recommends the Department of Defense assess the threat U.S. forces face from Iranian missiles and drones in addition to our relevant defenses, including soft-kill and hard-kill options.

THE SALAFI-JIHADI MOVEMENT

"ISIS and Al Qaeda deny the worth and dignity of the individual. Here's how Osama bin Laden once put it: "We love death. The U.S. loves life. That is the big difference between us." ... Our enemies reject religious liberty—indeed all liberty—as they seek to rule by constant bloodshed. They reject equality and seek to empower themselves at the expense of those they regard as their inferiors. And they reject pluralism because they regard any other religion— indeed, any other tradition within Islam itself—as a crime punishable by death. And so, as we confront terrorists on the battlefield, in courts of law, and in other theaters, we also must confront the twisted ideas they use to justify their barbarism."

–Amb. Nathan Sales [415]

The focus on great power competition should not blind us to the threats faced by Salafi-jihadi organizations. These groups, such as ISIS and Al Qaeda, and the barbaric ideology that animates them, are enemies of liberty and humanity. President Trump's National Security Strategy states that "Jihadist terrorist organizations present the most dangerous terrorist threat to the Nation," and notes that "even after the territorial defeat of ISIS and Al-Qa'ida in Syria and Iraq, the threat from

jihadist terrorists will persist."[416] The Institute for the Study of War (ISW) has pointed out that despite the fact that Salafi-jihadi military organizations—especially ISIS and Al Qaeda—"lack the ability to destroy us militarily, the danger they present is no less existential."[417]

In the last decade, ISIS and Al Qaeda have killed thousands in overseas terrorist attacks around the world, and tens of thousands within conflict zones in Iraq, Syria, Afghanistan, Mali, and Yemen. An analysis by CNN found that from June 2014 to February 2018, ISIS conducted more than 140 terrorist attacks outside of Iraq and Syria that killed at least 2,043 people around the world.[418] The death toll from conflict zones in which ISIS operates has been much higher. According to the Institute for Economics and Peace, between 2014 and 2019, ISIS has been responsible for 27,947 deaths.[419] ISIS's chapter in Afghanistan is responsible for 2,800 deaths, with most of these victims being Muslims themselves.[420] Last year, under President Trump's leadership, ISIS was no longer the deadliest terrorist group in the world for the first time since 2014.[421]

The defeat of ISIS's territorial caliphate does not eliminate its threat or that from Al Qaeda and other Salafi-jihadi groups. In fact, ISIS still has an estimated 18,000 fighters left in Iraq and Syria, albeit that figure is down from over 70,000 in 2014.[422] A 2020 Department of Defense Inspector General report notes that ISIS remains cohesive even after the 2019 killing of its leader Abu Bakr al-Baghdadi by U.S. forces.[423]

Moreover, policymakers often focus on specific organizations, like ISIS, or the nebulous specter of "terrorism" rather than the underlying Salafi-jihadi movement and its ideological foundation. The Salafi-jihadi movement, as described by Katherine Zimmerman of AEI, is "the ideological movement that holds that it is a religious obligation for individual Muslims to use armed force to cause the establishment of true Muslim state governed under a Salafi interpretation of shari'a [Islamic law]."[424] In understanding the ideological underpinnings of this movement it is important to understand the meaning of the terms Salafi and jihadi. As Zimmerman has explained:

> Salafi because its adherents believe they must return all Muslims to the beliefs and practices of the time of the Prophet Mohammad and the early generations of Mus-lims (the salaf). Jihadi because they claim that every individual Muslim has a religious obligation to wage violent war in pursuit of this aim. The overwhelming ma-jority of Muslims reject these beliefs. Salafi-jihadis seek to impose them on all.[425]

The number of Salafi-jihadi groups has skyrocketed since 1980, with the vast majority in the Middle East, North Africa and South Asia—specifically Syria, Libya, Afghanistan, and Pakistan. This expansion is due primarily to the increasing number of conflicts available for Salafi-jihadi groups to inject themselves. All together, these groups consist of 100,000 to 230,000 fighters, the highest number in the past 40 years.[426] Salafi-jihadi groups thrive on conflicts. They position themselves as the savior of local people to gain their support.[427] Zimmerman points out that the power vacuum created by a collapsing government, such as in Iraq, Syria, Yemen, Libya, Somalia, Mali, Nigeria, Afghanistan, and parts of South Asia, was the single biggest factor in the rise of Al Qaeda and ISIS. Salafi-jihadi groups exploit these distressed populations to spread their violent ideology.[428]

In addition to Syria and Iraq, where ISIS first emerged, ISIS and Al Qaeda have established footholds in ongoing conflicts in Libya, Yemen, the Sahel, eastern Africa, and Afghanistan. These footholds threaten to be magnets of a new Salafi-jihadi resurgence. In Mali, years of instability and conflict has allowed Salafi-jihadi groups such as Al Qaeda and Ansar al-Islam to grow.[429] A shift toward great power competition with China and Russia does not mean that these potential future safe havens can afford to be ignored. Strategic competitors, such as Russia, have often raced to fill vacuums before the United States, destabilizing areas and often making the terrorism problem worse. For example, as Emily Estelle of AEI has pointed out, Russian intervention in Libya exacerbated that country's underlying civil war and has been a key driver to the resurgence of both Al Qaeda and ISIS.[430]

The Salafi-jihadi ideology has been indirectly fueled by state-sponsored educational systems and the media in many Muslim-majority countries. These tools have been used by authoritarian regimes to spread hatred and intolerance, deemphasize critical thinking, and directly promote radical ideologies, even in children. A detailed review of Arab educational curriculum in the Middle East by the think tank IMPACT-SE found textbooks—even in supposedly secular Arab governments such as Syria—have promoted anti-Semitism, Holocaust denial, and terrorism. Meanwhile, Palestinian textbooks glorify suicide bombers and the murder of Jews.[431] IMPACT-SE found that, despite some improvement over time, Saudi Arabia's textbooks continue to teach Salafi ideology and enmity toward Jews and Christians.[432] ISIS even adopted official Saudi textbooks until it could publish its own.[433] Gulf state-funded satellite media channels often promote radical clerics that preach intolerance and hatred. Qatar, Saudi Arabia, and the UAE, for example, aired a firebrand cleric who calls for the destruction of Shiites, Alawites, Christians, and Jews.[434] Qatar-backed Al-Jazeera, in particular, has worked to promote anti-Semitic and anti-American voices.[435]

Countering this movement's ideology or messaging alone will not defeat it. Nor will the United States be able to "kill its way out of this war." Rather, according to Zimmerman, to win, the United States must also focus on the people in order to break the existing ties between Sunni populations and Salafi-jihadi groups, on whom Sunnis have relied to survive.[436]

The success of the Iraq surge during the Bush administration illustrates the best example of a policy that acknowledged these realities. Under the leadership of Gen. David Petraeus, the United States moved to a population-centric counterinsurgency strategy. The United States addressed the grievances of Iraqi Sunnis and increased support to moderate Sunni tribal leaders to keep them from siding with extremist forces. The result was a massive reduction in casualties from the 2007 peak and the temporary defeat of Al Qaeda in Iraq.[437]

Pregent and Derek Harvey, two former military intelligence officers who served in Iraq, believe that Al Qaeda franchises, including new ones that have emerged in Syria, cannot be defeated without putting together a coalition of local Sunni Arabs (such as the Sunni Awakening) to fight against the group, and such coalitions of locals cannot happen without U.S. support. Additionally, allowing the local government or outside powers such as Iran to drive forward sectarian policies will only strengthen groups like Al Qaeda and ISIS.[438] As Lt. Gen. McMaster has noted, brutal regimes such as the Assad regime in Syria or the sectarian policies of Iran only fuel a cycle of violence and sectarian polarization which strengthens groups such as ISIS.[439]

The Obama administration's weak foreign policy reversed all of the gains of the Iraq surge.[440, 441] Additionally, it was under President Obama's watch that ISIS first emerged and Al Qaeda grew rapidly in the Middle East. At the end of 2011, President Obama prematurely withdrew from Iraq, refusing to leave a residual force behind.[442] Soon thereafter, sectarian violence sparked back up as former Iraqi Prime Minister Nouri al-Maliki began an authoritarian campaign of arrests of Sunni politicians. These led to protests by Sunnis that were later shot at by the Iraqi government.[443] As Harvey and Pregent noted, Maliki "proceeded to methodically undermine reconciliation and reintegration programs... brick by brick," which caused "the Sunni Arabs who were most important to the defeat of Al Qaeda in Iraq to switch sides."[444]

Similarly, the ongoing civil war in Syria, fueled by Assad's Iran-backed crackdown on the civilian population, created what Gen. Petraeus called a "geopolitical Chernobyl of extrem-ism." This atmosphere of sectarian polarization ultimately led to the rise of ISIS, Al Qaeda, and other Salafi-jihadi groups.[445] On the Syrian side of the border, Assad dealt brutally with the Syrian rebellion, using barrel bombs and chemical weapons against his own people. This caused an influx of Salafi-jihadi groups and foreign fighters into the country, numbering over 25,000 from over 100 nations, according to U.N. estimates[446]. Al Qaeda reemerged in Iraq, established a presence in Syria, and declared an Islamic State in Iraq and Sham (Greater Syria) or ISIS. Then, in June 2014, it declared a "Caliphate" in eastern Syria and western Iraq.[447] At its peak, ISIS held a land area the size of Indiana, which it used to launch attacks against the West. ISIS also undertook a campaign of genocide against Yazidis, Christians, and other minorities in Iraq.

It also took thousands of sex slaves, destroyed ancient historic sites in a "cultural genocide," and killed tens of thou-sands of Sunni Muslims.[448]

President Obama dismissed the growth and lethality of ISIS and never took the reemergence of Al Qaeda in Iraq seriously. He famously dismissed ISIS as a "JV team."[449] Salafi-jihadis and ISIS thrived when he avoided taking real action against both Maliki's crackdown in Iraq and the Assad regime's brutality in Syria. He was late intervening militarily against ISIS during its creation, and his subsequent attempts to train and equip Syrians failed. In Iraq, President Obama worked closely with Iranian-backed militias in the fight against ISIS, which often just led to land being swapped between Salafi-jihadis and Shiite jihadis.[450] President Obama also refused to call out the Salafi-jihadi movement and ideology directly, instead condemning "violent extremism."[451]

Under President Trump's watch, ISIS's physical caliphate has been defeated.[452] Abu Bakr Al-Baghdadi, the brutal leader of ISIS, has been killed by U.S. forces.[453] Early on in his administration, President Trump worked closely with Muslim countries to combat the radical Salafi-jihadi ideology. For example, at the 2017 Arab-Islamic American Summit, he boldly called upon Muslim nations to take steps to counter extremist ideology and terrorist financing, and he established the Global Center for Combating Extremist Ideology.[454] The Trump administration has also, according to Amb. Nathan Sales, worked to win the battle of ideas by, partnering with forces in the Muslim world to push American values, such as "the inherent worth and dignity of every human being," the inalienable rights to liberty—including religious liberty—and equality in front of the law.[455] And finally, President Trump enacted the most significant update to counterterrorism sanctions authority since September 2001 with new executive orders making it easier to sanction terrorists and cut off the financing for their violent actions.[456]

Although much still needs to be done, President Trump's ideological outreach strategy has already shown tremendous results as Saudi Arabia, Morocco, Jordan, and a number of different governments have begun to take steps to promote religious scholarship with a message of tolerance and religious freedom.[457] Egypt's Al-Azhar, traditionally the most respected seat of learning in Sunni Islam, has signed a historic agreement with the Vatican on the importance of upholding human dignity and rejecting the use of violence for religious ends.[458] The Saudi Arabian-led Muslim World League, traditionally a purveyor of Salafi ideology, has even issued an unprecedented statement acknowledging the Holocaust and led a trip to Auschwitz.[459]

The Task Force believes that Congress can play an important role in countering the Salafi-jihadi movement. Specifically, the Task Force supports a three-part strategy that includes: countering Salafi-jihadi ideology, eliminating safe havens, and working to block funding and state support for extremists. Countering the ideology will involve direct efforts to work with the Muslim world to discredit the ideology and enhance counter-disinformation efforts. Eliminating safe havens can ensure that fragile and failed states suffering from human rights violations are addressed before they become the site of an outbreak of Salafi-jihadi organizations. Countering financing and support for extremists involves strengthening our sanctions policy to ensure that such organizations do not get the financing that allows them to carry on their brutal activities.

COUNTERING SALAFI-JIHADI IDEOLOGY

"Unfortunately, transnational networks of salafi-jihadist terrorists, including ISIS, Al Qaeda, and regional affiliates, continue to wage war—by their own choice—on the United States, its civilians, and its allies. The challenge is not violent extremism, per se. Rather, it is specific groups of human beings with hostile intent toward the United States. We cannot develop satisfactory strategies to counteract these enemies if we cannot bring ourselves to identify them."

– Prof. Colin Dueck [460]

The Task Force recommends more precisely countering the Salafi-jihadi ideology and movement rather than simply its terrorist activities. This will require efforts to respond to the ideology itself and its underpinnings directly. In this vein, the Task Force recommends both more accurately defining the enemy and pushing back against the indoctrination of this radical ideology.

Congress should more accurately define its goals of countering ISIS and Al Qaeda as countering the global Salafi-jihadi movement.

As AEI and the ISW noted in a seminal report:

> "Al Qaeda and ISIS are Salafi-jihadi military organizations seeking to impose their vision of radical, intolerant, and violent Islam upon the entire world by force of arms... Al Qaeda and ISIS are not simply terrorist organizations and never have been. Terrorism is but one weapon they deploy in pursuit of their much larger objectives... It was a mistake to define the fight against Al Qaeda as a war on terror, and it is a mistake to try to parse the terrorism and the individuals who perpetrate it from the larger organizations that employ it along with many other instruments of warfare."[461]

To more precisely match U.S. policy means and objectives, Congress should enact a state-ment of policy declaring that it is U.S. policy to counter the Salafi-jihadi movement. As part of this approach, U.S. efforts to address ISIS and Al Qaeda disinformation should holistically respond to the Salafi-jihadi movement rather than just the efforts of terrorists. This effort should be undertaken with our allies including those in the Muslim world.

Until the United States focuses on the hateful and violent principles of the Salafi-jihadi ideology, efforts to promote U.S. values of democracy, human rights, religious freedom, and rule of law will not be effective. The Trump administration has already shown real leadership in working with Muslim allies to support such initiatives. However, more should be done in this respect.

Congress should enact the Saudi Educational Transparency and Reform Act to require reporting on violent educational materials published by Saudi Arabia's Ministry of Education.

The Saudi Educational Transparency and Reform Act, sponsored by Task Force Chairman Rep. Wilson, would direct the Department of State to report to Congress annually on educational materials published by Saudi Arabia's Ministry of Education. The report would detail whether such educational materials include content that could encourage violence and intolerance toward religious groups, including Muslims who hold dissenting views. The report would also discuss related subjects, including the extent such materials are exported and efforts by the Saudi government to remove the intolerant content.

ELIMINATING SAFE HAVENS AND BREEDING GROUNDS OF THE SALAFI-JIHADI MOVEMENT

"If countering jihadism is the American priority in the Middle East, this requires strengthening relations with neighboring Sunni powers—Saudi Arabia, the UAE, and Turkey in particular—and working with them to create better, more durable political conditions in the Sunni areas of Iraq and Syria. The perception is widespread in these areas, and in the broader Sunni Arab community, that Iran's growing influence in the Middle East—in Iraq, Syria, Lebanon, and Yemen—constitutes a bid for regional hegemony at the expense of Sunni power. The jihadis have done well to exploit this sense of disenfranchisement; incidentally, the recently struck nuclear deal with Iran confirms Sunni perceptions of an American tilt in Iran's favor."

– Dr. Cole Bunzel [462]

The Task Force believes that political instability—including authoritarian repression, civil war, and sectarian or ethnic violence—are all factors which help to create safe havens that allow Salafi-jihadi movements to emerge and thrive. Preventing such conditions from existing in the first place is a cheaper, more efficient, and more lasting way to defeat and stop expansion of Salafi-jihadi movements throughout the world. Therefore, the Task Force recommends the following policies to help eliminate such safe havens and promote building more durable political conditions.

Congress should create a strategic office designed specifically to defeat the Salafi-jihadi movement and strongly consider granting short-term stabilization authorities to the Department of Defense.

As Zimmerman has noted, no strategic planning or coordination office for countering the Salafi-jihadi movement exists in the U.S. government. Instead, "for foreign assistance program managers in State Department regional and functional bureaus and at USAID, strategic clarity on how to align these programs with an effort to counter the Salafi-jihadi movement is... absent." The Task Force supports creating a strategic planning or coordinating office to defeat the Salafi-jihadi movement as a whole, rather than solely from a counterterrorism approach, as one step toward solving this problem.[463]

The Task Force also supports developing an expeditionary civilian capacity, as recommended in the Stabilization Assistance Review (SAR) to better enable the United States to counter the Salafi-jihadi vanguard's efforts. The SAR recommends the Department of State, USAID, and the Department of Defense work together to build stabilization, transition, and response teams to support the chiefs of mission and Combatant Commands in their efforts.[464] The Task Force endorses this recommendation as well.

Congress should address growing ISIS and Al Qaeda safe havens by requiring a report assessing the risks of a premature U.S. withdrawal from the Sahel region of Africa and enacting the Trans-Sahara Counterterrorism Partnership Act.

Salafi-jihadi groups, including both ISIS and Al Qaeda, have been rapidly reconstituting themselves in the Sahel. They have been gaining control over large swaths of territory in Mali, Burkina Faso, and Niger by capitalizing on ethnic and tribal tensions.[465] Gen. Stephen Townsend testified to Congress this year that "ISIS and Al Qaeda are on the march in West Africa," increasing their terror activity fivefold in the past year alone.[466]

The Task Force believes that Congress can play a key role in pushing for a continued U.S. presence in the Sahel. It should start by requiring a report assessing the long-term costs and risks of a premature U.S. withdrawal from the Sahel. The goal of this report would be to ensure that the United States does not repeat its mistake in Iraq where U.S. withdrawal was quickly followed by the reemergence of ISIS and an even costlier U.S. intervention.

Furthermore, the Task Force also supports enactment of the Trans-Sahara Partnership Act. This bill, sponsored by Rep. McCaul, would codify the Department of State's Trans-Sahara Counterterrorism Partnership (TSCTP), which coordinates all federal support for counterterrorism activities undertaken by foreign military and law enforcement entities in North and West African countries. It has already been passed by the Senate, but has not been considered in the House.

Congress should reject partnering with Russia to combat ISIS in Libya and enact the Libya Stabilization Act.

Russia's intervention in Libya seeks to undermine NATO and challenge American leadership.[467] By backing warlord Khalifa Haftar, Russia has escalated the Libyan civil war, fostered the Salafi-jihadi presence in the country and created the conditions that will allow Islamic State and Al Qaeda-linked militants to regain strength there.[468] The Task Force supports the Libyan Stabilization Act, legislation co-led by Task Force Chairman Rep. Wilson. This legislation would require a report on the activities of ISIS and Al Qaeda in Libya. It would also impose mandatory sanctions on those supporting Russian military intervention in Libya, as well as persons threatening the peace or stability of Libya or perpetrating human rights abuses.[469]

Congress should support the ceasefire in Yemen and a resolution to the Yemeni civil war to help defeat Al-Qaeda in the Arabian Peninsula.

Al Qaeda's Yemen branch, known as Al Qaeda in the Arabian Peninsula (AQAP), has been responsible for a number of terror attacks around the world, including the January 2015 attack against French magazine Charlie Hebdo.[470] AQAP used the Yemeni civil war to expand and strengthen its safe haven within Yemen, where it has continued to plot attacks against the West. According to Zimmerman, without a solution to the underlying civil war, AQAP cannot be defeated.[471] The November 2019 Riyadh Agreement and the proceeding ceasefire

between the Yemeni government and Houthi rebels was a good first step, but unfortunately, that effort has experienced a number of recent setbacks as the Houthis have violated the agreement on numerous occasions.[472] Congress should continue to push back on the attempts by congressional Democrats to end both military support and arms sales to Saudi Arabia and the UAE in Yemen as a means of increasing their leverage for a settlement. Congress should also continue to support the Riyadh Agreement and push for a political settlement that would allow all parties to concentrate on fighting and defeating AQAP and other Salafi-jihadi groups.

Congress should enact a statement of policy to support human rights in Iraq and reject partnering with the Assad regime in Syria or Iranian militias in Iraq.

There is a major risk of an ISIS resurgence in Syria and Iraq. According to Jennifer Cafarella, ISIS "is stronger today than its predecessor Al Qaeda in Iraq (AQI) was in 2011, when the U.S. withdrew from Iraq," and its next iteration could be even more devastating.[473] CENTCOM warned in February 2019 that if Sunni Arab "socio-economic, political, and sectarian grievances are not adequately addressed by the national and local governments...it is very likely that ISIS will have the opportunity to set conditions for future resurgence and territorial control."[474]

Iran's exploitation of the anti-ISIS fight has sustained a cycle of sectarian violence, which according to Lt. Gen. McMaster, creates an atmosphere which may lead to ISIS's reemergence.[475] Cafarella argues that "the U.S. must acknowledge that its local partners are not going to address these grievances without substantial outside help, while other factions—such as Assad, Russia, and, Iran—will exacerbate them."[476] The Task Force recommends that Congress pass a statement of policy rejecting the idea of working with Russia, Iran, or the Assad regime in the fight against Salafi-jihadism. Congress should also make clear that it believes the Iraqi government must respect the human rights of its own citizens. Congress should also declare its support for a political solution in Syria that transitions away from the Assad regime and a withdrawal of all Iranian forces from the country.

Congress should enact a statement of policy supporting the use of U.S. intelligence, reconnaissance, and air strikes to aid local Iraqi and Syrian forces fighting ISIS, prevent the rise of other Salafi-jihadist terror groups, and, in Syria, prevent oil resources from being taken by Iran.

As the RSC's Budget for FY 2019 noted, "U.S. policy should not repeat the mistakes of the previous administration in precipitously withdrawing from the region without ensuring that our interests and security are guaranteed and secured."[477] Although the Trump administration has drawn down our troop presence in Syria and Iraq throughout 2019-2020, U.S. forces remain in eastern Syria to "keep the oil" and protect oil resources from being taken over by a resurgent ISIS or by the Assad regime and Iranian-backed militias. U.S. forces also remain in the al-Tanf garrison, a strategic area on the borders of Syria, Iraq, and Jordan, blocking both ISIS and Iran's attempts to create a "land bridge." The U.S. presence in these areas is essential to prevent a resurgence of ISIS, Al Qaeda, or other Salafi-jihadi groups. Congress should enact a statement of policy supporting these efforts.

Congress should enact the Ensuring a Secure Afghanistan Act.

ISIS and Al Qaeda remain significant threats in Afghanistan, where Osama bin Laden originally organized and planned the 9/11 terrorist attacks. The Ensuring a Secure Afghanistan Act, sponsored by Rep. Banks, would confirm that any withdrawal from Afghanistan would be done in a secure way. Specifically, it would prohibit the Department of Defense from using funds to reduce the number of U.S. Armed Forces personnel deployed in Afghanistan to below 10,000 unless the Office of the Director of National Intelligence certifies that Taliban leaders have: (1) rejected Al Qaeda by name; (2) committed to not fight alongside or have any affiliation with Al Qaeda; and, (3) agreed to protect the rights of women and

girls and support the Afghan Constitution. This would ensure peace with honor in Afghanistan and that any future peace agreement would meet American national security needs.

BLOCKING FUNDING AND STATE SUPPORT OF THE SALAFI-JIHADI MOVEMENT

"Treasury is a leading actor in the U.S. Government's counterterrorism effort, focusing on bolstering the counterterrorism finance laws of our partners and international regimes, while working closely with those same partners to disrupt global terrorist finance and facilitation networks. In 2018, OFAC designated more terrorists than in any one of the last 15 years, causing significant financial impact to terrorist networks worldwide by targeting leadership, operatives, facilitators, financiers, investors, and key global procurement networks."

– Former Under Secretary of Treasury for Terrorism and Financial Intelligence Sigal Mandelker[478]

The Task Force believes that halting terrorist financing and drying up their resources is an essential element in countering the Salafi-jihadi movement. As Col. Joel Rayburn has pointed out in his seminal study of the U.S. Army in the Iraq War, one of the major lessons drawn from the United States in Iraq was that counterterrorism and counterinsurgency activities are made much more difficult when external state actors give sanctuary, funding, or strategic assistance to terrorist and insurgent groups.[479] The Task Force endorses the following measures to block funding and state support for Salafi-jihadi terrorists and insurgent groups.

Congress should codify EO 13224 with enhancements made by President Trump to ensure the President has adequate statutory authority to target and designate terrorist organizations.

EO 13224 has been, according to the Department of the Treasury, the "cornerstone of Treasury's efforts to prevent terrorist attacks by cutting off sources of funding and denying access to the international financial system." This EO, issued after the 9/11 terrorist attacks, declared a national emergency and authorized the Department of the Treasury to designate Specially Designated Global Terrorists (SDGTs) and impose sanctions on such entities. [480]This authority is in addition to the State Department's authority to designate entities as FTOs.[481] The Department of the Treasury has this authority through the International Economic Emergency Powers Act (IEEPA) of 1997. The Trump administration expanded and modernized EO 13324 on September 10, 2019.[482] He granted the Department of the Treasury and Department of State new tools to designate terrorists, making it easier to sanction terrorist organizations by streamlining the designation of affiliate groups. He also established secondary sanctions prohibiting foreign financial institutions that have "knowingly conducted or facilitated a significant transaction with any" SDGT from opening or maintaining a correspondent account in the United States. The enhancements also consolidated counterterrorism authorities into a single sanctions program, eliminating two other redundant EOs.[483]

Nevertheless, these important authorities have never been codified by Congress. Congress should codify these EOs to prevent a future president from rolling back such authorities. This will help ensure that the president continues to have the tools necessary to go after the financing of terrorist organizations which seek to harm our country.

Congress should take bold steps to pressure Pakistan to cease its support of terrorist groups.

President Trump noted in an August 2018 address that the "next pillar" of the United States' new strategy on Afghanistan is changing our approach to dealing with Pakistan. He said, "We can no longer be silent about Pakistan's safe havens for terrorist organizations, the Taliban, and other groups that pose a threat to the region and beyond."[484] President Trump followed up with action and cut $300 million in aid to Pakistan in 2018.[485] Yet, despite these early steps, more needs to be done.

Pakistan has had a long-term relationship with the Taliban, the Haqqani Network, and other terrorist

groups connected to Al Qaeda. As Bill Roggio of FDD has testified before Congress, "we can list dozens or scores of groups that Pakistan supports in India, in Afghanistan, groups that are designated terrorist organizations, groups that provide aid and support for Al Qaeda."[486] The Taliban continues to work closely with Al Qaeda in Afghanistan and Pakistan, even supplying the terrorist group with explosives and other weaponry.[487] Al Qaeda has even openly praised the Taliban and called upon Afghans to support and join the group.[488]

There can be no political solution to Afghanistan that defeats the Salafi-jihadi movement without stopping Pakistan's continued support for the Taliban. The Task Force supports Hussain Haqqani and Lisa Curtis's recommendation that the United States cut security and economic assistance to Pakistan until it upholds its commitments to stop support for the Taliban and Haqqani Network. It should also consider sanctioning senior officials in the Pakistani defense and intelligence apparatus if they continue to support terrorism and efforts to destabilize Afghanistan. The United States should also examine whether or not Pakistan meets the definition to be a State Sponsor of Terrorism.[489]

Congress should increase resources to OFAC and grant it direct-hire authority to increase the speed and effectiveness of sanctions implementation.

OFAC administers and enforces sanctions against foreign regimes, terrorists, transnational criminal organizations, and other national security threats.[490] Since 9/11, sanctions have increasingly been used as a fundamental national security tool to cut off terrorist financing. In recent years, the use of sanctions has only grown, especially with respect to terrorism, human rights abuses, and transnational criminal networks.[491] Nevertheless, as many analysts, including former OFAC officials have noted, OFAC is understaffed and underfunded.[492] A recent report by the GAO found that "At the start of fiscal year 2020, 21 percent of OFAC's authorized sanctions investigator positions (13 of 62) were not filled."[493] According to the GAO, these unfilled positions were due primarily to three factors: competing with other agencies which have "direct-hire authority," not being able to compete with private sector salaries, and the long period of time required to complete the security clearance process.[494]

The Task Force recommends that Congress consider possible options to increase resources to OFAC and grant it "direct-hire" authority to allow it to quickly hire unfilled sanctions investigators. As the GAO has explained, such authority—in conjunction with OPM approval and public notice—allows an agency to hire "any qualified applicant without regard to certain competitive hiring requirements" and "expedites the typical hiring process."[495]

MAINTAINING AN INTERNATIONAL ORDER BASED ON AMERICAN VALUES

Above all, we value the dignity of every human life, protect the rights of every person, and share the hope of every soul to live in freedom. That is who we are, Americans, Poles, and the nations of Europe value individual freedom and sovereignty. We must work together to confront forces . . . that threaten over time to undermine these values.

– President Donald J. Trump[496]

PROTECTING AN AMERICAN VISION OF HUMAN RIGHTS

The United States is an exceptional nation, conceived in liberty and rooted in the basic truth that all men are created equal and endowed by their Creator with certain inalienable rights. As the President's National Security Strategy states, America's founding principles have made the United States "among the greatest forces for good in history" and a superpower. This was "neither inevitable nor accidental" but the result of millions of Americans fighting and dying to defend liberty from the tyrannical forces of Nazism, imperialism, fascism, and communism.[497]

America's global leadership has produced a world order based on freedom, human rights, and open markets. These fundamental principles have benefited not only Americans, but also helped spread freedom, security, and prosperity throughout the world. In the aftermath of World War II, the U.S. led the world in creating the U.N., the Universal Declaration of Human Rights (UDHR), and the international economic system based on freer and more open trade at Bretton Woods.[498]Yet some of these same international organizations which the United States helped build are posing an increasing threat to American security, sovereignty, and human rights. They have become corrupted by dictatorial regimes and aided by global bureaucrats that seek to distort the meaning of human rights to serve their own purposes.

Conservatives have always understood that the battle between those governments that promote freedom and human rights and those that promote tyranny and human subjugation is key to our national security. China, Russia, Iran, North Korea, Venezuela, Cuba, and Syria are all authoritarian regimes and all fail to respect freedom and traditional notions of human rights. They often support each other, and by doing so collectively support terrorism, transnational criminal networks, and nuclear proliferation. China and Russia have also worked to spread their authoritarian model of governance through a development policy which props up burgeoning tyrannical regimes.[499]

This ideological struggle is critical to understanding our great power competition with China and Russia, or with rogue states like Iran and North Korea. Dan Twining, of the International Republican Institute has noted, "[Americans] define our peer competitors with reference not to their material power—otherwise, Germany and Japan would have been adversaries not allies for the past 70 years, and India would be seen as a rising challeng-er—but with respect to the nondemocratic values that make us suspicious of their power, as can be seen with China, Russia, and Iran today."[500]

Today, aggressive authoritarian regimes like China and Russia and rogue states like Iran and North Korea increasingly seek to undermine the American-led international order, delegitimize the very concept of democracy and human rights, and, in the words

of the National Security Strategy "exploit" the very international institutions that the United States helped build.[501] It would be a mistake to ignore the role of values in foreign policy. As Twining has also observed, "If our great power competitors understand the contest underway as an ideological one pitting free societies against authoritarian state capitalists, why would we in the United States shy away from describing the challenge in similar terms?"[502]

After World War II, and in the face of the Soviet Union, the United States took up the mantle of global leadership and sought to establish an international order based on American values of freedom, human rights, and open markets. This represented a major break from the realpolitik of the previous eras, when nation states ignored the role of values in foreign policy and prioritized only their own security and economic interests. This was a uniquely philosophical moment in history and rare moment of human clarity. As Margaret Thatcher put it, "No other nation has been built upon an idea – the idea of liberty. While other nations are "the product of history," America stands alone as the "product of philosophy."[503]

The United States played an integral role in the drafting of the UDHR in 1948. Even though the declaration is a non-binding statement, it is still remarkable the United States was able to obtain unanimous support.[504] Many conservatives, such as Piero Tozzi,[505] Joseph Loconte,[506] and Tom Finegan,[507] have noted that the UDHR, while imperfect, nevertheless grounded human rights in objective and fixed truths resembling the U.S. Constitution's Bill of Rights. As Tozzi has noted," the UDHR's chief draftsmen, such as (Orthodox) Charles Malik and (Catholic) Jacques Maritain, were very much attuned to the importance of the Natural Law as a bulwark against State tyranny."[508]

The UDHR's thirty provisions mostly reflected the American tradition of political and civil rights. They included mandatory protections on the freedoms of speech and religion as well as prohibitions on cruel and unusual punishment. A number of economic, social, and cultural provisions were considered aspirational.[509] Later, two separate treaties made many of these principles into binding international law—the International Covenant on Civil and Political Rights (ICCPR), which focused on "negative rights" in line with the principles of the American constitutional tradition, and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which was promoted by the Soviet Union and is rooted in "positive rights" provided by the state. It is critical to understand that so-called 'social and economic rights" have their roots in Marxism and socialistic ideas.[510] While the name social and economic rights to some Americans may sound like the right to economic liberty, the freedom to contract, and civil rights, such so-called rights as proposed by international organizations actually have the opposite meaning. They refer to rights to socialist-inspired, state-supported entitlements like free education, employment, housing, and public health care. The United States ratified the ICCPR, but wisely not the ICESCR, even though President Carter signed the ICESCR and submitted it to the Senate for ratification.[511]

As Hillel Nuer of U.N. Watch has noted, "Russia, China, Saudi Arabia, Pakistan and Syria [are] the main proponents of these 'third-generation' utilitarian rights because they help them hide behind their authoritarian regimes and are used as a weapon to attack the very idea of human rights."[512] Human rights scholar Aaron Rhodes has observed that countries like Russia and China "often boast about their often illusory economic and social programs as evidence of human-rights compliance and their own legitimacy."[513]

What began as an attempt to stand for natural rights rooted in America's constitutional tradition has been replaced by a human rights system today which, in the words of Jim Kelly, President of the Solidarity Center for Law and Justice, is "in danger of becoming a global technocracy led by Geneva-based bureaucrats who believe they can best manage civil, political, economic, social, and cultural outcomes for individual nations."[514] Unelected human rights experts in the Office of the U.N. High Commissioner for Human Rights (OHCHR), according to Kelly, ignore how American exceptionalism "inspired some drafters of the UDHR and positively influenced the development of the international human rights agenda." They are creating new rights out of thin air through commentaries, general comments, and observations.[515] Such "human rights inflation" is also

aided by frequent votes in the U.N. General Assembly, where a majority of countries are dictatorships. Human rights treaty monitoring bodies, such as the Human Rights Committee, also have increasingly rewritten international human rights instruments through interpretations which are outside of their mandate.[516]

Peter Meyers of The Heritage Foundation has also noted such an "unsustainable proliferation of rights... endanger the overall cause of human rights."[517] Along those same lines, Rhodes has argued that states that actually honor human rights should resist the bureaucratization of human rights in multilateral institutions like the U.N. because authoritarian regimes have used such institutions to delegitimize the very idea of human rights. [518]

The U.N. Human Rights Council regularly serves as the home for some of the worst human rights violators, including China, Cuba. and Venezuela.[519] Former Amb. Richard Williamson testified to the House Foreign Affairs Committee over a decade ago that "Ultimately, the fact that democracies and non-democracies have equal status and the fact that oppressors, as well as those who respect human rights, have common status creates fundamental weaknesses in the U.N.'s ability to address some of these serious [human rights] concerns."[520] In 2011, the U.N. General Assembly even held a moment of silence for the brutal North Korean dictator Kim Jong Il after his death.[521] Russia and China regularly use their veto in the UNSC to protect authoritarian regimes and even block humanitarian aid from going to those who most need it.[522] The U.N. Development Program (UNDP) has been found funding terrorist organizations like Hamas.[523] In Syria, the U.N. has even given tens of millions of dollars in humanitarian assistance to the brutal Assad regime.[524]

Constantly changing notions of human rights robs the concept of rights of their very meaning and is a threat to liberty at home and around the world. The Left has resisted fixed notions of human rights and instead embraced either a constantly changing notion of human rights, or, even worse, a sinister moral relativism that believes that the United States standing up for human rights and democracy overseas is "neo-imperialist" for telling other countries how to live their lives[525]. Coupled with a lack of self-confidence in America's very own ideals, this has created a toxic combination, which has given comfort to dictatorial regimes around the world. President Obama's legacy was one of coddling dictators and authoritarian regimes. During the Green Revolution, as the Iranian regime cracked down on protesters chanting "Obama, Obama, are you with them or with us," President Obama went silent, believing America's word would hurt the protesters.[526] In Burma, the Obama administration lifted all sanctions on the country in 2016, only one year after the U.S. Holocaust Memorial Museum had warned there was a risk of genocide against Rohingya Muslims in the country.[527]

The Obama administration also promoted the idea that so-called social and economic rights were valid international human rights despite the United States not having ratified the ICESCR. In June 2011, the Obama administration supported a resolution at the U.N. Human Rights Council endorsing the U.N. list of Guiding Principles on Business and Human Rights, which included references to social and economic rights.[528] In September 2014, President Obama declared that he would put together a National Action Plan to promote business conduct consistent with the U.N. Guiding Principles on Business and Human Rights.[529] President Obama reestablished ties with the communist Castro regime and, during a historic trip to the island, praised the country's socialist system as evidence of their "human rights" record.[530]

The Obama administration also lacked the courage to call out authoritarian regimes for their human rights violations and frequently exhibited the belief that freedom was not universal. Vice President Biden even praised China's one child policy saying, "Your policy has been one which I fully understand—I'm not second-guessing—of one child per family."[531] When it came to pro-democracy protesters in Syria who were slaughtered by the brutal Assad dictatorship, Vice President Biden dismissed the idea that democracy could work in that country, stating that no "moderate middle" existed and that there was "no Thomas Jefferson behind the sand dune."[532] This notion was rooted in a soft-bigotry of low expectations that Vice President Biden held for years. In 2006, with regard to Iraq, he said, "I think the President thinks there's a Thomas Jefferson or Madison behind every sand dune waiting to jump up. And there are none." [533]

These radical ideas persist with congressional Democrats. Last year, Rep. Alexandria Ocasio-Cortez (D-NY), a self-declared "democratic socialist," introduced legislation instructing the President to reinitiate the ratification process for the ICESCR, the treaty which upholds so-called social and economic "rights."[534] Sen. Bernie Sanders (I-VT) has defended the human rights record of some of the worst dictators and human rights abusers, such as the Castro regime in Cuba, the Ortega regime in Nicaragua, and Maduro in Venezuela.[535] Rep. Ilhan Omar (D-MN) has put together a "Pathway to Peace," a collection of six pieces of "human rights" legislation that would, among other things, require the United States to implement the U.N. Convention on the Rights of the Child, and sign up for the anti-American International Criminal Court.[536] The Heritage Foundation has pointed out how the U.N. Convention on the Rights of the Child would undermine parenting authority, expand abortion rights, and even promote prostitution.[537]

The Trump administration has reemphasized human rights as part of its foreign policy and pushed back on efforts to redefine them. In July 2019, Secretary of State Pompeo put together the Commission on Unalienable Rights, composed of human rights experts and philosophers. The Commission's goal is to conduct a thorough review of the philosophical underpinnings of human rights according to American First principles in order to push back against the distortion of the concept of human rights by authoritarian regimes within the U.N. The Trump administration also pulled out of the U.N. Human Rights Council. Under the leadership of former Amb. Nikki Haley, the United States has spoken out against tyranny at the U.N.[538] President Trump has used human rights sanctions as a tool in an unprecedented fashion.[539] President Trump, according to Mengqi Sun of the Wall Street Journal, "has designated more than 700 individuals and entities linked to corruption or human rights abuse under a variety of sanctions programs, including the Global Magnitsky authorities."[540] These include war criminals, such as Dan Gertler, who the Obama administration refused to sanction despite his involvement in human rights abuses in the Congo.[541]

President Trump has also fiercely advocated for human freedom against totalitarian socialism, condemning the Maduro regime in Venezuela and ending President Obama's normalization of ties with Cuba.[542] Finally, the Trump administration has stood up strongly for religious freedom and called out China for its atrocities against Uighur Muslims.[543]

The Task Force believes that Congress should take additional steps to stand up for human rights and democracy. Congress should pressure international organizations and their bureaucracies pushing for a distorted vision of human rights that conflicts with the principles of the American founding. Congress should also build on the work of the Commission on Unalienable Rights. Accordingly, the Task Force urges congressional action on the following recommendations.

Congress should elevate global human rights as an issue effecting U.S. national security.

Congress should consider supporting the forthcoming recommendations of the Trump administration's Commission on Inalienable Rights, including holding hearings on the Commission's findings. Furthermore, Congress should host an annual hearing on the state of democracy and human rights in the world, as has been recommended by Nicole Bibbins-Sedaca of the George W. Bush Presidential Center.[544] Such a hearing could ensure a continual focus on democracy and human rights by Congress and keep the issue in the public eye. Finally, Congress should enact a statement of policy that standing for democracy and human rights is in the U.S. national security interest and is a core foreign policy objective of the United States. Such a clear and concise statement of policy coming from Congress and signed by the President will reaffirm the importance of democracy and human rights.

Congress should lower the threshold under the Global Magnitsky Act from "gross" violations of human rights to "serious" violations of human rights.

The Global Magnitsky Act authorizes the President to impose sanctions on foreign persons "responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights."[545] In EO 13818, President Trump declared a national emergency

as part of an effort to fight back on international human rights abuses. In doing so, he ordered the imposition of financial sanctions on any individual "responsible for or complicit in, or to have directly or indirectly engaged in, serious human rights abuse."[546] Congress should codify EO 13818 as an amendment to the Global Magnitsky Act to ensure the President maintains the ability to sanction serious human rights violations. Congress should also authorize using the authorities in the Global Magnitsky Act for serious human rights violations which occurred in the past 10 years, as currently the President will not designate individuals or entities which committed the serious human rights abuses prior to the past five years.[547] Congress should also reauthorize the Global Magnitsky Act before its expiration in 2022. This will preserve an essential tool for the President to go after human rights violators around the world.

Congress should remove references in U.S. law that rely upon the UN or other international organizations for human rights determinations.

Moving forward, statutory references to human rights should be limited to the U.S. Constitution, the UDHR, treaties that the United States has ratified, such as the ICCPR, or to those specifically enumerated by lawmakers in legislation. U.S. laws should not rely on the constantly evolving definitions of human rights provided by international organizations, such as the U.N. Congress should also endeavor to change references in existing law that already rely on definitions from international organizations. In particular, Congress should amend the Foreign Assistance Act of 1961 by striking references to the U.N. and the Organization of American States in defining whether or not a country has violated internationally recognized human rights.[548]

Congress should prohibit the State Department from using federal funding to report on violations of social and economic rights.

The State Department's Country Reports on Human Rights Practices are mandated by Sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961. These essential reports are required to consider country violations of both the UDHR, as well as worker rights, both of which are in line with U.S. law and traditions. Congress should make clear that only these two sources can be used in preparing the State Department's reports. It should also prohibit references to so-called "social and economic rights," which have often been mentioned or referenced in their reports, and which may be misinterpreted to legitimize new human rights the United States does not recognize.[549]

Congress should prohibit the use of federal funding for promoting international guidelines and standards obligating businesses to protect and fulfill social and economic rights.

The U.N. Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, which were promoted by the Obama administration, are not treaties and were never ratified by Congress. These principles, which include references to so-called "social and economic rights," could be interpreted in ways which undermine U.S. sovereignty and impose requirements on the U.S. government to undertake certain regulations of business.[550] As Kelly has noted, these "soft law norms" have been created "to hold multinational business enterprises accountable for protecting and fulfilling economic rights."[551] Congress should require a GAO audit of any and all programs which use federal taxpayer dollars to promote these international guidelines and standards and eliminate funding for such purposes.

Congress should direct the Department of State to report on human rights inflation, including efforts of the U.N. bureaucracy to bypass normal procedures for recognizing universal human rights.

Newly manufactured human rights by U.N. organizations undermine the legitimacy of the international human rights system.[552] Yet some of these efforts may be directly or indirectly funded by U.S. taxpayer dollars through contributions into the U.N. system or democracy and human rights programming abroad. A report from the State Department could give Congress more insight into the efforts and strategies of the U.N. bureaucracy and international NGOs into

manufacturing new human rights, and illustrate where funding could be cut to stop this practice. It should include a list of U.N. agencies, international non-profit organizations, and other activist groups which have received funding to create "soft law" to manufacture new human rights.

Congress should codify the Ministerial to Advance Religious Freedom as an annually held, U.S.-led forum.

The Ministerial to Advance Religious Freedom (MARF) began in 2018 as an effort by the Trump Administration to encourage the promotion of religious freedom around the world.[553] The Ministerial has been a key platform by the Trump administration to speak out against China for its violations of religious freedom against Christians, Uighur Muslims, and Tibetan Buddhists.[554] Codifying the ministerial would ensure that it continues beyond the Trump administration.

PROMOTING ACCOUNTABILITY AND REFORM AT THE U.N.

"The United Nations was founded for a noble purpose—to promote peace and security based on justice, equal rights, and the self-determination of people. But it has many member nations whose leaders completely reject that purpose. When that happens, many well-meaning countries adopt a position of neutrality in the hope of coming to agreement with these nations. They effectively allow dictatorships and authoritarian regimes to control the agenda... Moral clarity becomes a casualty of the need to placate tyrants, all in the name of building consensus. In such a situation it is imperative for the United States to use the power of our voice to defend our values. That's as true today as it was during the Cold War, maybe even more so."

– Amb. Nikki Haley[555]

As Dan Runde, who also served at USAID during the Bush administration, has noted, "the multilateral system, for all its faults, is an effective vehicle for collective action and burden-sharing. The U.S. created the World Bank, regional development banks, the UN, and other multilateral organizations to advance broad U.S. interests."[556] The U.N. has noble aims, including preserving global peace, promoting international cooperation, encouraging respect for democracy and human rights, supporting international development, and the self-determination of peoples.[557] However, as Runde has observed, the U.N. system faces many practical problems: it has become unaccountable, corrupt, and often empowers anti-American dictatorial regimes.[558] As became clear in the WHO's response to COVID-19, authoritarian regimes like China have seized control of a number of multilateral organizations under the U.N. umbrella, often at the expense of U.S. interests, despite receiving a majority of their funding from U.S. taxpayers.[559]

One of the reasons the U.N. is hard to reform is because many countries pay a tiny fraction of dues to the organization compared to the United States, and thus, have little skin in the game. The United States, as Schaefer has noted, contributes 19 percent of all U.N. revenues alone. The next closest contributors are Germany, Japan, and the U.K., all of whom pay around 6 percent of U.N. revenues. The United States pays seven times the amount China does to the U.N. system.[560]

Despite the massive share of U.N. funding coming from the United States, the U.N. has been largely unresponsive to our concerns over accountability and reform. According to Schaefer, this is due in large part to the fact that the U.N. relies on assessed contributions rather than voluntary ones from member states. In other words, "member states have legally committed to providing funding at levels determined by the organization."[561]

It was for this reason that conservatives in Congress have attempted on a number of occasions to pass legislation moving the U.N. to a more voluntary contribution structure and to condition funding of the U.N. on a number of reforms.[562] Eventually, in response to the concerns of whistleblowers at the U.N., Congress passed new funding limitations which required a 15 percent withholding of U.S. contributions to U.N. agencies unless the Secretary of State certified that they had adopted best practices on whistleblower protection.[563] This provision should be a model for how to use U.S. contributions to push for reform and accountability at the U.N.

It is essential to work to prevent countries like Russia and China from taking over U.N. agencies with money and global influence to further their global authoritarian agenda. As Runde has explained, China has invested strategically in specialized U.N. agencies, especially those that have upcoming elections, and has worked with allied countries to take control of them. These tactics have helped China effectively take control of four U.N. agencies: the International Civil Aviation Organization (ICAO), which manages global airspace; the U.N. Food and Agriculture Organization (FAO), a humanitarian agency; the U.N. Inter-national Telecommunication Union, which facilitates international communications net-works; and the U.N. Industrial Development Organization (UNIDO), which promotes industrial development for poverty reduction, inclusive globalization, and environmental sustainability.[564] Countering undue Chinese influence within U.N. agencies is an essential national security interest. In March 2020, the Trump administration illustrated how this could happen by working successfully to block China from taking control of WIPO. The administration mobilized and worked with allied nations to rally behind Singapore as a candidate to take the position.[565]

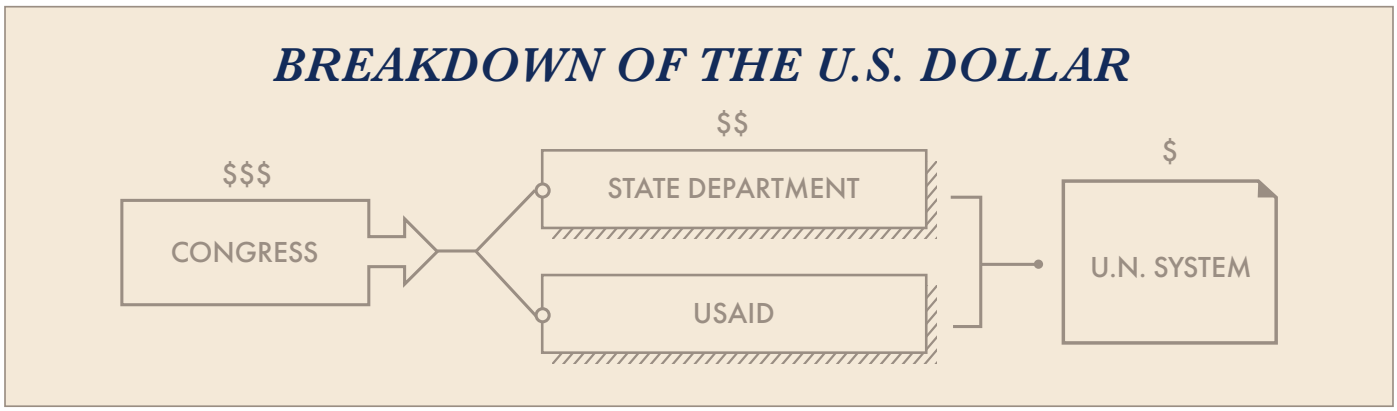
Other international organizations are also in need of major reform. As Danielle Pletka of AEI has noted, China's tight grip of the WHO during the COVID-19 crisis may be a sign that the old multilateral organizations and institutions, which the United States designed after World War II, are failing to serve the interests of democratic countries.[566] Since China, Russia, and other authoritarian regimes have corrupted the U.N. system, development finance institutions, and other multilateral organizations, Pletka even argues for establishing new global institutions made up of democratic nations only to meet current challenges.[567] President Trump has taken a step towards this by announcing a withdrawal from the WHO and his intent to create alternative structures for multilateral cooperation with democracies to fight pandemics.[568] A shift away from existing international agencies that presently fail to serve U.S. interests could be pursued with respect to other international bodies as well.

As an immediate step, Congress should condition funding for multilateral organizations on reforms designed to displace the control of authoritarian regimes and undo their warped views on human rights.[569] Moreover, the United States must be prepared to withdraw from bodies where it shares little interests and which are unwilling or unable to change. In this spirit, the U.K. carried out a Multilateral Aid Review in 2010 to understand what worked and defund that which did not work.[570] This review caused the U.K. to stop funding to four U.N. agencies: the UNIDO (an agency which the Clinton administration withdrew from in 1996), the International Labor Organization (ILO), the U.N. Habitat, and the U.N. International Strategy for Disaster Reduction.[571] President Trump's National Security Strategy sees things the same way and emphasizes that ceding leadership of multilateral bodies to authoritarian regimes would cause the United States to lose opportunities to serve its interests. At the same time, the document states that "all institutions are not equal," and that the United States "will prioritize its efforts in those organizations that serve American interests, to ensure that they are strengthened and supportive of the United States, our allies, and our partners."[572]

The Task Force recommends that Congress take the following actions to ensure that these priorities and goals are put into action.

Congress should direct the President to pressure the U.N. to shift member contributions toward a voluntary basis.

A transition to voluntary contributions, which would allow the United States to fund only U.N. agencies that advance U.S. interests, would result in a competition among U.N. entities for funding and increase their transparency and accountability. The Task Force recommends that Congress pass legislation directing the President to use U.S. influence at the U.N. to shift toward a voluntary funding model. Additionally, Congress should condition a sufficient percentage of future U.S. contributions on the U.N.'s adoption of such a model as well as U.N. adoption of real reforms including new mechanisms for accountability and transparency as well as countering the malign influence of authoritarian regimes—especially China and Russia. The Task Force would encourage that any withheld



funding be allocated instead toward the establishment of alternative multilateral organizations made up of democratic countries.

Congress should direct the Department of State Inspector General to inspect and audit the use of U.S. funds by international organizations and make a portion of U.S. contributions to international organizations contingent on cooperation.

As Schaefer has proposed, the Department of State should establish an investigatory unit to carry out an audit on how U.S. funds are being used by international organizations. Doing so would improve accountability by ensuring that U.S. funds are spent appropriately.[573] Such a unit could also carry out periodic reports on U.N. organizations which receive U.S. funding such as the WHO or the UNDP. This could bring about more insight regarding the activities of these organizations and provide more oversight of U.S. funding.

Congress should direct the Department of State to rank U.N. organizations in terms of how valuable they are to U.S. interests.

As recommended by Schaefer, Congress should require the Department of State to produce a report in which it assesses how vital each U.N. organization is to U.S. interests. This could help assist Congress in understanding which U.N. organizations are worth continued funding. If U.S. interests are negligible or overridden by more urgent priorities, the United States should terminate its support and membership. Forcing the Department of State to rank the organizations prevents them from making the argument that all are equally important.

Congress should continue to enforce the 25 percent cap on funding for U.N. peacekeeping.

In 1994, Congress put in place a 25 percent cap on U.S. funding for the total of all as-sessed contributions for peacekeeping operations for every year after 1995.[574] This cap created a gap between U.S. contributions and U.S. assessed obligations, which put pressure on the U.N. This eventually led to the Helms-Biden agreement in November 1999 under the Clinton administration, which conditioned the payback of $926 million in arrears, which the United States owed to the U.N. over peacekeeping, on specific reforms being implemented.[575] This included recalculating the United States' peacekeeping assessments in a way which would have lowered the U.S. share to 25 percent, and capping the United States' share of the U.N. Regular Budget at 22 percent.[576] Unfortunately, in reality, peacekeeping assessments remained at 28 percent and Congress waived the 25 percent cap for most years throughout the 2000s[577]. Yet, since FY 2017, Congress has no longer raised the 25 percent cap, leading to the accumulation of an additional $900 million in arrears. In March 2018, then Amb. Nikki Haley announced that peacekeeping was a "shared responsibility" and the United States would no longer pay over 25 percent of peacekeeping anymore.[578]

The Task Force believes that Congress should continue to enforce the 25 percent statutory cap on U.N. peacekeeping and refuse to pay any arrears until there is an agreement to reduce the maximum U.S. assessment to 25 percent.

Congress should require the State Department's annual Voting Practices in the United Nations

report to include information on foreign assistance awarded to each nation and enact legislation making U.N. voting habits a mandatory consideration in U.S. foreign assistance decisions.

President Trump has wisely proposed linking U.S. foreign aid to U.N. voting practices.[579] As Schaefer has noted, advancing U.S. interests in the U.N. system is a foreign policy priority of the U.S. However, a country's voting record in the U.N. is not a mandatory consideration in allocating U.S. foreign aid. The State Department's annual report on Voting Practices in the U.N. details the voting practices of every nation at the U.N. The data in this report has shown that most recipients of U.S. foreign aid regularly vote against the U.S. in the U.N. For example, Egypt, Jordan, Afghanistan, Kenya, and Iraq—some of the largest recipients of U.S. foreign assistance—all voted with the United States less than 30 percent of the time.[580] However, this report does not clearly and directly include information regarding the amount of U.S. foreign assistance received by each country. Congress should expand this report to include such information.

Furthermore, in 1983, Congress passed legislation linking the U.N. voting report and U.S. foreign assistance by forbidding U.S. assistance from going to any country "engaged in a consistent pattern of opposition to the foreign policy of the United States." This policy was eliminated in 1990.[581] The Task Force supports legislation which would again make U.N. voting habits a mandatory consideration in U.S. foreign assistance allocation. This does not mean that foreign assistance would be conditioned on voting in the U.N., but it would mean that U.N. voting habits would have to be one factor to be considered. Finally, U.S. Ambassadors should be required to bring up the issue of country voting practices every year with the Minister of Foreign Affairs in the countries they are assigned to.

Congress should restrict a portion of U.S. voluntary contributions to the U.N. on it increasing its employment of U.S. nationals.

U.S. nationals have "historically been under-represented in UN organizations," according to The Heritage Foundation.[582] This is true even though the United States has long sought to increase such employment. This lack of representation has reduced U.S. influence within the bureaucracy of the U.N. system despite being the largest donor to the U.N. Increasing employment of U.S. nationals could also be helpful in combatting Chinese influence within the U.N. system.[583] The Task Force believes that Congress should condition a portion of its total voluntary contributions to the U.N. system every year on a certification by the Secretary of State that the U.N. has employed a sufficient amount of U.S. nationals.

Congress should end U.S. funding for the U.N. Development Program, the U.N. Office of Disarmament Affairs, the U.N. Human Settlements Program, the U.N. High Commissioner for Human Rights, the U.N. Intergovernmental Panel on Climate Change, and the U.N. Framework Convention on Climate Change.

The UNDP is a voluntarily funded U.N. agency for which the United States is the third largest contributor. The United States has given $80 million a year since 2012 to UNDP's core operating budget.[584] Yet, the agency largely carries out the same sorts of programming done by the United States directly through both USAID and State Department programs for democracy, human rights, and labor. Having such programs done under the U.N. banner does not provide tangible benefits to U.S. foreign policy interests and creates inefficiencies, overhead, and decreases effectiveness. Furthermore, aid distributed through the UNDP lacks oversight and transparency mechanisms that are present within U.S. government entities. In one particularly egregious example, the UNDP was found to have deliberately misappropriated millions of dollars from the Global Environment Facility intended to reduce greenhouse gas emissions in Russia. The UNDP then covered this up through its official auditing office.[585] In fact, a 2013 report by the UNDP itself found that the organization's efforts had only a "remote connection" to relieving poverty and were "seriously compromised."[586]

The U.N. Office of Disarmament Affairs "supports multilateral efforts aimed at achieving the ultimate goal of general and complete disarmament under strict and effective international control."[587] Yet, in effect, what it

works to do is undermine American nuclear defense by calling on the United States to disarm.[588] This program receives its funding through mandatory assessed contributions to the U.N. Regular Budget. In 2020, it received $13.25 million total from the U.N. Regular Budget, meaning the U.S. share would be $2.91 million (22 percent).[589] Congress should deduct a portion of its voluntary contributions to the U.N. until the Secretary of State can certify that U.S. taxpayer dollars are no longer funding this organization.

Three other examples of taxpayer-funded U.N. organizations that fail to sufficiently advance U.S. national interests include the U.N. Human Settlements Program, U.N. High Commissioner for Human Rights, and the U.N. Intergovernmental Panel on Climate Change. The U.N. Human Settlements Program promotes "socially and environmentally sustainable towns and cities."[590] The U.N. High Commissioner for Human Rights is the leading U.N. entity on human rights and has recently said that parental notification laws for abortion in a number of U.S. states were an example of "extreme hate," "torture," and "gender-based violence against women."[591] The U.N. Intergovernmental Panel on Climate Change is the U.N. body for assessing the science related to climate change. For FY 2020, $14 million was provided for the U.N. High Commissioner, $6.4 million for the U.N. Inter-governmental Program on Climate Change, and $700,000 for the U.N. Human Settlements Program.[592] The Task Force supports elimination of this funding.

Congress should statutorily block funding for the U.N. Population Fund Agency (UNFPA) and codify President Trump's enhanced Mexico City policy.

Since 2017, the Trump administration has withheld funding from the UNFPA upon a determination by the State Department that it "supports, or participates in the management of, a program of coercive abortion or involuntary sterilization" through its China program.[593] In fact, every Republican administration for the last 35 years has made this same determination with respect to China.[594] The Task Force vehemently supports the President's action to stop funding the UNFPA and believes that Congress should reject any future funding to the UNFPA. Similarly, the Task Force supports efforts to codify President Trump's enhanced Mexico City policy and Protecting Life in Global Health Assistance plan.[595]

Congress should enact the Stop U.N. Aid for Assad Act.

Syria is perhaps the most egregious example of how U.N. assistance gets funneled to brutal regimes and militia groups. The WHO, U.N. High Commissioner of Refugees (UNHCR), and UNICEF, all of which receive U.S. taxpayer dollars, have propped up the Assad regime.[596] A 2016 investigation by The Guardian found that the U.N. had directly entered into tens of millions of dollars in contracts with the Assad regime and affiliated militias, including a $5 million contract by the WHO to a blood bank controlled by the Syrian military. This is the same military responsible for the humanitarian crisis through its aerial bombardment of Syrian civilians. UNICEF had also paid $267,933 to the Al-Bustan Association, a so-called charity that doubles as an armed militia controlled by Assad's cousin Rami Makhlouf.[597] Even Robert Ford, President Obama's former Ambassador to Syria, has testified that "Congress and the Administration should consider cutting assistance to UN humanitarian aid programs in Syria," noting "through the UN we the United States, have subsidized the Syrian government with one-sided humanitarian aid even while the Syrian government flouted humanitarian law and agreements and blocked other aid to some of its own people."[598] The Task Force supports the Stop U.N. Support for Assad Act, sponsored by Task Force Chairman Rep. Wilson, to help solve this problem. The bill would require the Secretary of State to certify that U.N. programming in Syria does not materially support the Assad regime. If the Secretary of State cannot make such a certification, the bill would redirect U.S. funds to USAID's Office of Foreign Disaster Assistance for Syria programming.[599]

Congress should enact a statement of policy promoting the Community of Democracies as an alternative multilateral organization to the U.N.

Congress has always played an important role in U.N. reform efforts. As mentioned before, the Task Force

believes that the U.N. system plays an important role in pushing international cooperation and multilateralism, but the time has come for Congress to discuss replacements for some international organizations, especially those within the U.N. umbrella, that would be more democratic, efficient, and accountable. In this vein, the Senate passed S.Con.Res.83 in 2004. promoting President Bush's efforts to promote the establishment of a Democracy Caucus at the U.N.[600] The Task Force believes that Congress should pass a statement of policy promoting the Community of Democracies as an alternative multilateral organization for political affairs rather than the U.N. Such a statement should stress that only through a multilateral institution made up of only democracies, which respect rule of law and open markets, can international action be legitimate.

A RESULTS-ORIENTED APPROACH TO FOREIGN AID AND INTERNATIONAL DIPLOMACY

"Unlike the state-directed mercantilism of some competitors that can disadvantage recipient nations and promote dependency, the purpose of U.S. foreign assistance should be to end the need for it. The United States seeks strong partners, not weak ones. U.S. development assistance must support America's national interests. We will prioritize collaboration with aspiring partners that are aligned with U.S. interests. We will focus on development investments where we can have the most impact— where local reformers are committed to tackling their economic and political challenges."

– President Donald J. Trump, National Security Strategy

FOREIGN AID REFORM

U.S. foreign assistance can help in advancing U.S. foreign policy interests. It can be used as a tool to promote good governance in fragile states, democracy, and human rights. It can assist the United States in responding to global challenges such as the COVID-19 pandemic. President Trump, for instance, used aid to help control the spread of this disease around the globe, especially in the world's poorest countries with the weakest public health systems.[601] Foreign aid can also lead to long term free trade relationships. Eleven of America's top 15 trading partners were once recipients of U.S. aid.[602]

U.S. foreign assistance programs may also serve as a means of countering China and Russia. Both nations have increased their investments in development assistance around the globe and created predatory debt-dependency schemes in the developing world to challenge U.S. influence. While U.S. foreign assistance programs promote democratic values, rule of law, and an eventual transition to free trade and open markets, Russia and China have promoted a model which actually encourages corrupt and authoritarian governance and dependency.

Nevertheless, unlike what Democrats may profess, foreign assistance should not be administered as charity, but must be directly connected to the goals of U.S. foreign policy. Too often our foreign aid programs have not reflected this important reality. U.S. foreign assistance must also be efficient and eliminate waste and overhead. Our foreign assistance programs are sprawling and uncoordinated with 12 departments, 26 agencies, and more than 60 offices of the federal government being responsible for its implementation.[603] Consequently, too many foreign aid programs are ineffective and inefficiently use U.S. taxpayer dollars. Finally, foreign assistance programs have been bogged down through dozens of legislative directives that have undercut the effectiveness of assistance in promoting U.S. foreign policy.

While conservatives may disagree over the extent to which the federal government should provide assistance to foreign countries, the Task Force believes that it is still critical to ensure that any aid the United States does provide is reformed to best reflect U.S. foreign policy objectives and increased effectiveness. The Foreign Assistance Act in particular must be updated to meet the needs of the modern day and the current threats we face. The Millennium Challenge Corporation is a strong example of a foreign assistance program which requires countries to demonstrate a commitment to free markets, rule of law, and democratic principles. The United States must use foreign development assistance, in particular, in a more targeted way to promote markets

and rule of law and eventually transition toward trade, not aid, in developing countries. Accordingly, the Task Force supports the following recommendations.

Congress should replace the Foreign Assistance Act with legislation that implements various reforms from The Heritage Foundation's comprehensive foreign assistance reform plan by James Roberts and Brett Schaefer.

In September 2017, the Heritage Foundation put together a comprehensive report entitled An Overhaul of America's Foreign Assistance Programs Is Long Overdue, by James Roberts and Brett Schaefer.[604] This landmark report recommends a number of important conservative foreign assistance reforms and a complete restructuring of U.S. foreign assistance in a way which is effective, accountable, and in line with U.S. foreign policy. The report recommends ending congressional legislative directives in foreign aid, consolidating foreign assistance programs, replacing USAID with a new State Department managed agency that deals specifically with humanitarian aid, moving many of remaining USAID programs to the MCC, and empowering Ambassadors to control more decisions regarding foreign assistance. The Task Force believes these principles should help form the basis for legislation within Congress to replace the Foreign Assistance Act of 1961, the statute which organizes the structure of U.S. foreign assistance programs.[605]

Congress should reduce legislative directives in foreign assistance.

As the report mentions, legislative directives are a major problem in foreign assistance. In 2001, the bipartisan Hart-Rudman Commission on State Department reform noted that "Congress has larded the Foreign Assistance Act with so many earmarks and tasks for the U.S. Agency for International Development (AID) that it lacks a coherent purpose."[606] As Roberts and Schaefer note, although many of these directives may be well-intentioned and may promote worthy goals, together they "inadvertently hinder effective use of assistance" because "instructions enacted to address specific concerns remain the law long after their motivation recedes as a priority." Furthermore, these mandates bind the Executive Branch to providing foreign assistance to items of special interest rather than areas of high value. This hinders the effectiveness of taxpayer dollars used on aid for advancing U.S. national interests. This is especially true since Congress fails to update these mandates in a timely manner.[607] The Task Force agrees and believes that Congress should undertake a process of removing unhelpful legislative directives.

Congress should consolidate foreign aid programs.

The Heritage Foundation report also recommends getting rid of the considerable overlap between foreign assistance programs. For instance, the United States provides food assistance through three separate programs, one implemented through the Department of Agriculture and overseen by USAID, another directly through USAID, and a third through the State Department-supported World Food Program. A number of Department of State programs overlap with USAID, and many programs also overlap with multilateral organizations.

Instead, Schaefer and Roberts recommend that Congress consolidate these programs and establish four assistance accounts with clear purposes and well-defined lines of authority, including: "(1) humanitarian and health assistance, (2) development assistance, (3) political assistance, and (4) military and security assistance—with a clear lead agency identified for those programs."[608] Schaefer and Roberts describe that such a new foreign assistance authorization law could move targeted assistance programs into increased funding to the regional bureaus at the State Department, and move humanitarian assistance such as the President's Emergency Program for AIDS Response (PEPFAR) into a newly created "U.S. Health and Humanitarian Assistance Agency" which would replace USAID and be within the Department of State. Finally, development assistance could be transferred into an "expanded MCC, which would remain independent and focused on promoting economic freedom."[609]

Congress should move USAID under the Department of State.

The Task Force agrees with Schaefer and Roberts' plan that it is critical to allow foreign assistance to more closely reflect U.S. foreign policy goals. Placing most of what currently is USAID into the Department of State is likely the most important reform Congress could undertake in this respect. Although Democrats have been critical of this idea in the past, as Roberts has noted "Sweden, Norway, Denmark, and Canada — are way ahead of the U.S. and have already merged their foreign aid and diplomatic agencies."[610] By being placed under the Department of State, USAID would have to conduct its activities in ways to more directly meet U.S. foreign policy objectives. In addition, Schaefer and Roberts suggest, and the Task Force agrees that U.S. Ambassadors should be given greater control over political assistance. "For U.S. development assistance to become more effective, the ambassador should be seen as the "go-to" person for assistance projects."[611] Schaefer and Roberts propose that:

> The U.S. Ambassador in recipient countries should have authority to guide and approve political assistance and freeze other assistance if political circumstances warrant. This would also shore up the relevance of U.S. Ambassadors with governments. Although modern communication is enormously beneficial for coordination, the reputation and authority of Ambassadors has eroded as decisions are increasingly made in Washington. There should be no question that the U.S. Ambassador is the representative of the U.S. government and has power and authority over issues that matter in the bilateral relationship.[612]

Congress should empower the Millennium Challenge Corporation.

Finally, the Task Force supports transitioning more of USAID's development assistance work to the Millennium Challenge Corporation (MCC). This will allow Congress to assess the potential benefits of eventually moving all of USAID's development assistance programs to the MCC, as proposed by Schaefer and Roberts. This will also allow Congress the opportunity to examine USAID's effectiveness under the Department of State, as recommended above. Congress should also require the MCC to ensure that developing countries receiving assistance adopt policies to strengthen the rule of law, enhance economic freedom, and attract private investment. Doing so would eventually reduce their dependence on foreign aid. The MCC should carry out development assistance "with the explicit goal of encouraging low-income countries to adopt economic and governance policies that increase economic growth and private-sector investment." Congress should also examine merging all other smaller U.S. development assistance programs into the MCC. [613]

STATE DEPARTMENT REFORM

The State Department is the most important tool of U.S. foreign policy responsible for representing the United States on the world stage and the painstaking diplomacy needed to keep America safe. Yet, the Department has also gone six decades without a major reform effort to make it more effective. During this time, most other major government agencies, including the Department of Defense, have undergone significant reforms. The issues faced by our nation and the State Department sixty years ago are far different than those of today. In June 2017, a report commissioned by the State Department found "the people of the Department lack clarity and alignment on that which is the mission of the organization."[614]

As Tom Hill has noted, despite being the diplomatic arm of the U.S. government, diplomacy is now something that is being carried out by a multitude of government agencies, each of which is now operating in the international space. The Department of Defense conducts its own diplomacy and controls 60 percent of all security funds, up from 25 percent in 2002. The White House National Security Council has become, in the words of the Atlantic Council, "a mini foreign ministry."[615]

The State Department has also grown bloated and inefficient. Despite the common perception that the Department is understaffed, its core staffing has nearly doubled since 1995 from 13,179 foreign service and civil service employees to 24,724 foreign service and civil service employees in 2015. Furthermore, the

current staffing system at the State Department, like in the federal government more broadly, does not emphasize meritocracy or modern private sector hiring practices. Many of the offices at the State Department are redundant of other programs, and many U.S. foreign assistance programs have been wasteful and inefficient. Despite the massive expansion in staffing, the Department has been undermined by other government agencies engaging in foreign policy. Ambassadors, in particular, have been disempowered and have seen their authority undermined. According to Hill, the State Department needs to concentrate on its "comparative advantage" while giving up its control over aspects of foreign policy which are best done by other government agencies, and "Congress should help in that effort by clarifying lanes of authority."[616]

The Task Force believes that the State Department should be required to streamline its efforts and go back to its core functions wherein it has an advantage, abandoning those efforts that are either unnecessary or redundant.

Congress should replace the Foreign and Civil Service with a modern hiring structure that better reflects the challenges of the day.

The Department of State Foreign Service was founded in 1924 and now consists of over 13,000 employees that carry out work as the U.S. diplomatic corps.[617] However, the institution of the Foreign Service has muddled along for nearly 50 years without meaningful reform, failing to evolve to meet the challenges of today and tomorrow. Today, the Foreign Service is not competitive with the private sector. It no longer attracts the best and brightest, fails to reward agents based on merit, and instead rewards those with the longest tenure.[618] A complete reimagining of a modern diplomatic corps is long overdue and critical to America's civilian foreign policy effectiveness. The Task Force believes the Foreign Service should be replaced with a new diplomatic corps where personnel decisions are based on merit more akin to private sector hiring.

A new diplomatic corps starts with recruitment. The current Foreign Service system provides few opportunities for lateral entry of qualified applicants at middle and senior levels and does not recruit for specific jobs, relying instead on a system where most new hires are trained once hired.[619] This creates enormous inefficiency, requiring a separate bureaucracy to train new hires in skills that are already in abundance in the private sector. The existence of both a separate civil and foreign service prevents the efficient allocation of human capital within the Department and limits competition for jobs both domestically and overseas, often resulting in underqualified individuals in critical positions.

Instead, the Task Force supports the creation of a new diplomatic corps that hires to fill specific jobs and encourages a flow of personnel between the private sector and the Department of State. Such a workforce would also allow the Department to contract and shift its workforce to meet new needs and phase out others, while maintaining a concentration on core functions. All jobs at the Department, including those in overseas posts, should be open to competition from both government and private sector applicants. The concept of an individual having a 30-year career in the Foreign Service does not reflect the modern workforce and is not attractive to those currently entering the workforce. A modern diplomatic corps must adapt to be competitive with the market for talented individuals.

Congress should eliminate the Under Secretary of State for Economic Growth, Energy, and the Environment.

The Under Secretary of State for Economic Growth, Energy, and the Environment develops and implements policies related to economic growth, energy, agriculture, the ocean, the environment, and science and technology and is responsible for the Bureau of Economic and Business Affairs, the Bureau of Energy Resources, the Bureau of Oceans and International Environmental and Scientific Affairs, the Office of Global Partnerships, the Office of the Chief Economist and the Office of the Science and Technology Adviser. These issues are not within the Department of State's core competencies and are redundant to the work of other federal agencies. For instance, the Bureau of Economic and Business Affairs "promotes a strong

American economy by leveling the playing field for American companies doing business in global markets," while the Bureau of Energy Resources develops and executes "international energy policy to promote: energy security for the United States and its partners and allies."[620] These functions are nearly identical to those of the International Trade Administration at the Department of Commerce, and the International Affairs Office at the Department of Energy.

Congress should eliminate the Bureau of Conflict and Stabilization Operations.

The Bureau of Conflict and Stabilization Operations (CSO) operates under the Under Secretary for Civilian Security, Democracy, and Human Rights. This Bureau is completely redundant to the Office of Transition Initiatives (OTI) at USAID. CSO's mission "is to anticipate, prevent, and respond to conflict that undermines U.S. national interests. The bureau implements this mission in two complementary ways: through data-driven analysis and forward deploying stabilization advisors to conflict zones."[621] OTI "seizes emerging windows of opportunity in the political landscape to promote stability, peace, and democracy by catalyzing local initiatives through adaptive and agile programming."[622] The GAO has published a number of reports which conclude that OTI and CSO have virtually identical missions and conduct the same types of programs.[623]

Congress should reform current Under Secretary positions within the State Department to elevate its work on human rights and the oversight of multilateral affairs and international organizations.

The Task Force supports a recommendation from Brett Schaefer to create an Under Secretary for Multilateral Affairs that would coordinate a whole host of disconnected parts of the Department of State and serve as point-person for dealing with multilateral organizations. Currently, the Undersecretary of Civilian Security, Democracy & Human Rights handles multilateral affairs. This is too broad of a portfolio to allocate sufficient attention to reforming multilateral organizations. Most of the bureaus under the current Under Secretary, including the Bureau of Population Refugees and Migration and the Bureau of International Narcotics and Law Enforcement, could be incorporated in a new Undersecretary of Multilateral Affairs. The Task Force also supports a recommendation from Schaefer to move the more security-oriented Bureau of Counterterrorism to the Under Secretary for International Security Affairs.[624]

Furthermore, the current environment of great power competition demands a greater role for democracy promotion as part of the Department of State's efforts. Thus, the Task Force supports establishing an Under Secretary for Democracy and Human Rights. This would elevate these issues as a central aspect of U.S. foreign policy.[625]

Congress should reconstitute the U.S. Information Agency and eliminate the Under Secretary of State for Public Diplomacy and Public Affairs and most of its bureaus, including the Global Engagement Center.

The U.S Information Agency (USIA) was the U.S. government agency in charge of public diplomacy, counter-disinformation, and international broadcasting efforts from 1953-1999. Dan Runde has noted that the "USIA took the lead in the war of ideas between the United States and the Soviet Union following World War II" and was highly effective in presenting U.S. ideals and values through public diplomacy campaigns.[626] In 1999, as part of the Foreign Affairs Reform and Restructuring Act of 1998, Congress placed the public diplomacy aspects of USIA into the Department of State's new Under Secretary of State for Public Diplomacy and Public Affairs, while broadcasting elements like the Voice of America were placed into the newly created BBG, which later became the U.S. Agency for Global Media (USAGM).[627] USAGM is made up of five media organizations: Voice of America, Radio Free Europe/Radio Liberty, Office of Cuba Broadcasting, Radio Free Asia, and Middle East Broadcasting Networks.

Rather than improving public diplomacy efforts, however, the current design has largely failed to

advance U.S. interests, especially in an age with rising Russian and Chinese disinformation campaigns. According to Runde, because the Department of State has "traditionally focused on state-to-state relations and has a deep aversion to risk" the dismantling of USIA "crippled U.S. public diplomacy operations in ways that have been lasting and profound—a self-inflicted wound from which the United States is still recovering."[628] Current public diplomacy campaigns are not efficiently integrated into country-specific strategies. Instead the Department of State's campaigns have often stressed the promotion of cultural affinity and understanding. The GAO has found that the Department of State's public diplomacy programs lack detailed country level plans and a "campaign-style approach."[629] The point of public diplomacy should not be to promote cultural affinity and understanding but to advance U.S. foreign policy. The Under Secretary of State for Public Diplomacy and Public Affairs and the Bureau of International Information Programs and Bureau of Educational and Cultural Affairs have failed to meet the challenge.

In addition, there have been major concerns over U.S. broadcasting programs through the USAGM that Congress has worked to address over the years. This includes empowering one CEO to oversee international broadcasting efforts in the 2017 NDAA to replace the previous Broadcasting Board of Governors (BBG)'s part-time, nine-member board.[630] Nevertheless, as U.S. Special Representative for Iran Brian Hook recently noted, the delay by the Senate to confirm President Trump's nominee for the agency, Michael Pack, caused USAGM to be less responsive and accountable.[631] According to Hook, Voice of America's Persian service would more accurately be called "Voice of the Mullahs" due to its content often supporting the Iranian regime.[632] Tom Hill has similarly argued that rather than simply report the news, the AGAM's role should be to target audiences with strategic messaging intended to advance U.S. foreign policy.[633] Instead of simply funding news, which is often done in a way which helps adversarial regimes, the mandate of USAGM should be changed to focus on actively supporting democratic governance and exposing authoritarian regimes, such as China, Russia, Iran, Venezuela, and others.

Furthermore, the Global Engagement Center (GEC) is a relatively new government agency within the Department of State that falls under the Under Secretary of State for Public Diplomacy and Public Affairs. The GEC's noble mission is to "direct, lead, synchronize, integrate, and coordinate efforts of the Federal Government to recognize, understand, expose, and counter foreign state and non-state propaganda and disinformation efforts aimed at undermining or influencing the policies, security, or stability of the United States, its allies, and partner nations."[634] The GEC grew out of the Center for Strategic Counterterrorism Coordination (CSCC), which was created under the Obama administration to reduce radicalization efforts by terrorists. The CSCC was largely seen as a completely ineffective, and, as Hill notes, "in 2015 a panel of experts commissioned by President Obama recommended a complete rethink of the effort."[635] In 2016, President Obama rebranded the CSCC as the GEC, and it was given a $15 million dollar budget (up from $5 million) and a new mission to refute ISIS propaganda. In the 2017 NDAA, as a response to Russia's disinformation campaign in the U.S. elections, Congress passed legislation expanding the mandate of the GEC to counter not only ISIS and Al Qaeda but also to "lead, synchronize, and coordinate efforts of the Federal Government to recognize, understand, expose, and counter foreign state and non-state propaganda and disinformation efforts aimed at undermining United States national security interests."[636] Yet, despite a $50 million budget, Hill contends the agency is still "dysfunctional and a waste of taxpayer money."[637] Countering Chinese and Russian disinformation campaigns should be a priority of U.S. foreign policy. However, the federal government is not known to be a bastion of creativity and media production.

In this vein, the Task Force believes that Congress should eliminate the Under Secretary of State for Public Diplomacy and Public Affairs and most of its bureaus, including the Bureau of International Information Programs and the Bureau of Educational and Cultural Affairs, and put them back into a reconstituted USIA which would include USAGAM. This reconstituted USIA should have the new express mission of supporting democratic governance, rule of law, human rights, and open markets, and exposing

adversarial and authoritarian regimes, such as China, Russia, Venezuela, Iran, North Korea and others. Russia Today (RT) and China Central Television (CCTV) actively promote their countries foreign policy and their values, and a reconstituted USIA should be promoting America and its values rather than just being a global news agency. The GEC should also be eliminated and its functions, including recognizing, understanding, exposing, and countering foreign state and non-state propaganda and disinformation should also be put into a reconstituted USIA.

In addition, USAGM should be able to allow its five media organizations to provide grants in a competitive process to both for-profit and nonprofit private organizations to create content for counter disinformation effort. In the media landscape, the private sector is more dynamic and creative than government bureaucrats at the Department of State, and the Task Force believes it is in our interests to leverage that expertise and talent wherever possible. In counter-messaging, government should retain editorial oversight, but it is highly unlikely that government content providers can produce programming that competes with the private sector.

Congress should eliminate redundant, outdated, irrelevant, and duplicative State Department reports

Congressionally mandated reports are often an important tool for Congress in creating national security policy, and, for this reason, the Task Force has recommended a number of such reports to assist in countering a number of global threats. Nevertheless, as Schaefer has noted, Congress has required a number of reports over the years that now are related to outdated issues. Such irrelevant reports are a waste of the Department of State's valuable time and resources.[638] The Task Force recommends legislation eliminating reports over three decades old that are not specifically determined by the State Department to be relevant, useful, and important for U.S. foreign policy, such as annual Country Reports on human rights, terrorism, religious freedom, human trafficking, and other important reports.

CONCLUSION

New global threats make American leadership more imperative now than ever before. Americans have risen to the challenge time and time again to confront threats to our homeland and to the world at large. Our success is fueled by our national character marked by the ideals of liberty, human rights, and open markets. This is not the first time the American way of life has been challenged. Whether during World War II, the Cold War, or the Global War on Terrorism, conservatives have provided solutions rooted in these bedrock principles to help us face a variety of threats. In this critical time, a retreat from global leadership does not only mean a strengthening of Russia, China, Iran, and the Salafi-jihadi terrorist movement, but it also means a retreat of liberty and prosperity itself around the world, and a threat to our own national security and economic prosperity.

The Republican Study Committee Task Force on National Security and Foreign Affairs has recommended over 130 new policy solutions for Congress in this report to keep America strong, and to stand up for the international order rooted in liberty, human rights, and open markets. This agenda should serve as a blueprint for Congress to strengthen America and confront global threats.

ENDNOTES

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POLICY RECOMMENDATIONS

Communist China: A New Strategy for Countering America's Top Threat

Countering China's Industrial Espionage and Intellectual Property Theft

1. Enhance the ability to bring cases for IP theft by ensuring the Defend Trade Secrets Act applies extraterritorially
2. Require Chinese businesses to assign an agent for service of process in the U.S.
3. Address sovereign immunity abuses to better enable private sector litigants to seek legal redress against Chinese companies for IP theft.
4. Amend the Foreign Sovereign Immunities Act to allow suits against foreign states' corporate affiliates under the law's commercial activity exception
5. Require Chinese firms to waive any potential claim of sovereign immunity doing business in the U.S.
6. Reform the evidentiary requirements of Section 337 of the Tariff Act to facilitate cases for cyber theft of trade secrets
7. Congress should sanction companies that steal American IP and require a report identifying such companies
8. Require the Department of the Treasury to produce an annual report identifying companies that have stolen or benefited from stolen IP from U.S. companies
9. Codify the Department of Commerce's Denied Persons List as option to punish for foreign companies with a pattern of breaking U.S. laws

Counter China's IP Theft at American Research Institutions and Academia

10. Enact a visa disclosure requirement for foreign students receiving funding directly or indirectly from the Chinese government
11. Require a report on the efficacy of the Department of State's visa screening mechanism to mitigate Chinese IP theft and creation of a list of research institutions associated with China's People's Liberation Army and Ministry of State Security
12. Require student visa holders to report to the Department of Homeland Security if they change majors and require periodic re-vetting upon reentering the U.S.
13. End visas for Chinese government officials, active duty members of the Chinese military, and senior officials in the CCP, and their immediate family members until China ends IP theft from American universities and research institutions
14. Enact the Protect our Universities Act
15. Congress should require Department of Defense research grant applicants to certify that no recipients have ever participated in a Chinese talent recruitment program
16. Require a report detailing the extent China has benefited from U.S. taxpayer funded research and from Chinese funding of U.S. research institutions
17. Enact the Safe Career Transitions for Intelligence and National Security Professionals Act

Exposing CCP-linked Corporate Subterfuge

18. Establish an Office of Critical Technologies and Security to help prevent the transfer of critical emerging, foundational, and dual-use technologies to countries of concern
19. Require Chinese companies to disclose internal CCP committees and financial support provided by the Chinese government
20. Enact the Holding Foreign Companies Accountable Act
21. Enact the Promoting Secure 5G Act

Stopping China's Malign Political Influence and Disinformation Campaigns

22. Create new authority to sanction state-backed disinformation networks and mandate placing such sanctions on the CCP's United Front Work Department
23. Enact legislation to protect our universities from CCP propaganda
24. Require think tanks and non-profits to disclose contributions from certain foreign entities over $50,000 annually
25. Enhance FARA to strengthen penalties for state-backed violators, require disclaimers on direct foreign government propaganda, improve its public database, and repeal exceptions for certain foreign private sector entities

Human Rights and International Institutions

26. Enact the Countering the Chinese Government and Communist Party's Political Influence Operations Act
27. Mandate sanctions on Chen Quanguo, other senior CCP members, and other Chinese officials responsible for human rights abuses in Xinjiang, Tibet, and Hong Kong
28. Enact a statement of policy that responding to the human rights abuses in Xinjiang is a central aspect of U.S.-China relations
29. Create a rebuttable presumption that goods originating in Xinjiang are products of forced labor for purposes of prohibiting their import under Section 307 of the Tariff Act
30. Require GAO to produce a report on the effectiveness of current pro-democracy and human rights funding going to China through the Department of State and the National Endowment for Democracy
31. Statutorily support the President's effort to withdraw from the WHO and redirect support to other global health initiatives.
32. Require the Congressional-Executive Commission on China (CECC) to report on China's coercive influence over international bodies and its efforts to redefine human rights based on Communist Party philosophy
33. Cut funding to international bodies compromised by the CCP.
34. Require the Department of State to issue a strategy to counter Chinese efforts to control key international standard setting bodies and other multilateral organizations
35. Direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the WHO

Countering China's Global Military Modernization

36. Require the Department of Defense to publish a list of Communist Chinese military companies operating in the U.S.
37. Direct the Department of Defense to examine the feasibility of public-private partnerships for the secure development of hypersonics technology

Strengthening our Alliances and Partnerships in the Indo-Pacific and Beyond

38. Enact the South China Sea and East China Sea Sanctions Act
39. Encourage the Trump administration to pursue expanded trade with India and elicit human rights improvements
40. Enact the United States-India Enhanced Cooperation Act
41. Encourage the Trump administration to begin negotiations for a free trade agreement with Taiwan
42. Encourage the Trump administration to prioritize free trade agreements with the Philippines and Indonesia and conditionally with Vietnam
43. Enact the Mongolia Third Neighbor Trade Act
44. Encourage the Trump administration to complete a free trade agreement with Kenya to counter China's growing influence in Africa
45. Encourage the Trump administration to begin negotiations for a free trade agreement with Brazil

Russia: Rolling Back Aggression Through a Strategy of Deterrence

Enhancing Sanctions on Russia

46. Designate Russia as a State Sponsor of Terrorism
47. Impose new secondary sanctions against companies supporting special Russian petroleum and natural gas projects, including the Nord Stream 2 project
48. Expand sanctions on the purchase of new Russian sovereign debt
49. Enact the Defending American Security from Kremlin Aggression (DASKAA) Act
50. Require the Department of the Treasury to place Vnesheconombank (VEB) on the Specially Designated Nationals and Blocked Persons (SDN) list
51. Sanction Russian propaganda chiefs and those undermining U.S. partners from the former Soviet Union
52. Direct the Department of State to produce a report on Kremlin-connected oligarchs who finance Russian military aggression
53. Require an interagency report on Russian influence in key domestic sectors
54. Mandate sanctions on the Society for Worldwide Interbank Financial Telecommunications (SWIFT) until it expels Russia from the international SWIFT code system
55. Mandate regular public "financial exercises" that demonstrate how the U.S. and our allies would seize and freeze assets in the event of Russian aggression

Improving Russian Containment by Supporting NATO and Our Allies

56. Require the Secretary of State and Secretary of Defense to make deterring Russian aggression a top agenda item at all NATO summits
57. Enact the Crimea Annexation Non-Recognition Act
58. Enact the Georgia Support Act
59. Renew the Ukraine Security Assistance Initiative and expand it to include anti-ship weapons
60. Continue to support the European Deterrence Initiative

Countering Disinformation and Supporting Democracy Activists within Russia

61. Direct the Department of State to assemble a strategy to communicate information directly to the Russian people

Advancing American Interests in the Middle East: Confronting Iran & the Jihadi Terrorist Movement

Enhancing President Trump's Maximum Pressure Campaign on Iran

62. Limit executive waivers that lift sanctions on Iran
63. Urge the Trump administration to trigger snapback sanctions against Iran
64. Support Trump administration efforts to extend U.N. arms embargo on Iran
65. Direct the Department of the Treasury to sanction the commander of the IRGC's Aerospace Force
66. Impose sanctions on Iran's petrochemical, financial, automotive, & construction sectors
67. Impose sanctions on the Instrument in Support of Trade Exchanges (INSTEX) and its Iranian counterpart, the Special Trade and Financial Institute (STFI)
68. Require the Office of Foreign Assets Control (OFAC) to broaden the scope of activities constituting 'significant support' to Iran's shipping sector
69. Codify and expand current human rights sanctions on Iran
70. Impose sanctions targeting Iranian individuals and entities involved in human rights abuses

71. Require the Trump administration to sanction the Iranian heads of foundations and holding groups constituting the Iranian Supreme Leader's financial empire
72. Impose sanctions on the Islamic Republic of Iran Broadcasting (IRIB)
73. Enact the Iran Human Rights and Hostage-Taking Accountability Act
74. Enact the Stop Corrupt Iranian Oligarchs and Entities Act
75. Enact a statement of policy supporting and expanding Secretary of State Pompeo's twelve points for the removal of sanctions on Iran

Protecting America by Solidifying the President's War Authorizations
76. Congress should enact a new AUMF to ensure the President has clear authority to keep the country safe from Foreign Terrorist Organizations.

Countering Iran's Regional Role
77. Congress should require the Department of State to designate a number of Iranian-backed proxy militias in Iraq and Syria as FTOs and maintain a watchlist of future Iranian-backed proxy militias.
78. Require a report on the long-term threats posed by backing the Iraqi Popular Mobilization Forces (PMF) and other Iranian backed militias in the war on ISIS
79. Block funding for the Iraqi Minister Ministry of Interior and Federal Police until certain safeguards are met
80. Enact the Iraq Human Rights and Accountability Act
81. Enact legislation to require Iraq to comply with sanctions on Iran
82. Cut all funding for U.S. security assistance to the Lebanese Armed Forces (LAF)
83. Prohibit sending taxpayer money to the International Monetary Fund (IMF) to bail out Lebanon
84. Expand sanctions on Hezbollah and its allies in Lebanon
85. Enact a statement of policy supporting the Trump administration policy of political transition in Syria and withdrawal of all Iranian forces from Syria
86. Require the Department of Defense to produce a feasibility assessment of a no-fly zone over Idlib, Syria
87. Sanction the Houthis in Yemen as a FTO and codify sanctions on those supporting the Houthis and destabilizing Yemen
88. Refrain from cutting arms sales to Saudi Arabia and the UAE
89. Direct the Department of Defense to provide a comprehensive assessment of U.S. capabilities to defend against Iranian ballistic missile, cruise missile, and unmanned combat aerial vehicles

Countering Salafi-Jihadi Ideology
90. Enact a statement of policy to more accurately define the goals of countering ISIS and Al Qaeda as countering the global Salafi-jihadi movement
91. Enact the Saudi Educational Transparency and Reform Act

Eliminating Safe Havens and Breeding Grounds of the Salafi-jihadi Movement
92. Create a strategic office designed specifically to defeat the Salafi-jihadi movement
93. Develop an expeditionary civilian capacity with coordination between USAID, State, and Defense Departments to support Chiefs of Missions and Combatant Commands
94. Require a report assessing the risks of a premature U.S. withdrawal from the Sahel region of Africa
95. Enact the Trans-Sahara Counterterrorism Partnership Act
96. Enact the Libya Stabilization Act
97. Support the ceasefire in Yemen and a resolution to the Yemeni civil war to help defeat Al-Qaeda in the Arabian Peninsula
98. Enact a statement of policy supporting human rights in Iraq and rejecting partnering with the Assad regime in Syria or Iranian militias in Iraq

99. Enact a statement of policy to ensure we continue to sustain the victory over ISIS, prevent the rise of other Salafi-jihadist terror groups, and protect oil resources from Iranian capture
100. Enact the Ensuring a Secure Afghanistan Act

Blocking Funding and State Support of Salafi-jihadi Movement

101. Codify Executive Order 13224 with enhancements made by President Trump to ensure the president has adequate statutory authority to target and designate terrorist organizations
102. Condition aid to Pakistan on actions and commitments to stop supporting the Haqqani group and the Taliban
103. Consider sanctions on senior officials in Pakistani defense and intelligence apparatus if they continue to support terrorism and destabilization of Afghanistan
104. Examine whether Pakistan meets the definition to be a State Sponsor of Terrorism
105. Increase resources to the OFAC and grant it direct-hire authority to increase the speed and effectiveness of sanctions implementation

Maintaining an International Order Based on American Values

Protecting an American Vision of Human Rights

106. Enact a statement of policy that standing for democracy and human rights is in the U.S. national security interest
107. Hold legislative hearings on the recommendations of the Commission on Inalienable Rights
108. Hold annual hearings on the state of democracy and human rights in the world
109. Lower the threshold under the Global Magnitsky Act from "gross" violations of human rights to "serious" violations of human rights
110. Remove references in U.S. law that rely upon the U.N. or other international organizations for human rights determinations
111. Prohibit the Department of State from using federal funding to report on violations of "social and economic rights"
112. Prohibit federal funding for promoting international guidelines and standards obligating businesses to protect and fulfill social and economic rights
113. Direct the Department of State to report on human rights inflation, including efforts of the U.N. bureaucracy to bypass normal procedures for recognizing universal human rights
114. Codify the Ministerial to Advance Religious Freedom as an annually held, U.S.-led forum

Promoting Accountability and Reform at the U.N.

115. Direct to the President to pressure the U.N. to shift member contributions toward a voluntary basis
116. Direct the Department of State Inspector General to inspect and audit the use of U.S. funds by international organizations
117. Direct the Department of State to rank U.N. organizations in terms of how valuable they are to U.S. interests
118. Continue to enforce the 25 percent cap on funding for U.N. peacekeeping
119. Require the State Department's annual Voting Practices in the United Nations report to include information on foreign assistance awarded to each nation
120. Require U.N. voting practices to be a mandatory consideration in U.S. foreign assistance allocations
121. Require certification that U.S. Ambassadors discuss the annual report on "Voting Practices in the United Nations" with the Minister of Foreign Affairs in the country where they are assigned
122. Restrict a portion of U.S. voluntary contributions to the U.N. on it increasing its employment of U.S. nationals
123. End U.S. funding for the U.N. Development Program, U.N. Office of Disarmament Affairs, the U.N. Human Settlements Program, the U.N. High Commissioner for Human Rights, the U.N. Intergovernmental Panel on Climate

Change, and the U.N. Framework Convention on Climate Change
124. Statutorily block funding for the U.N. Population Fund Agency
125. Codify President Trump's enhanced Mexico City Policy
126. Enact the Stop UN Aid for Assad Act
127. Enact a statement of policy promoting the Community of Democracies as an alternative multilateral organization to the U.N.

A Results-Oriented Approach to Foreign Aid and International Diplomacy

Foreign Aid Reform

128. Reduce legislative directives in foreign assistance
129. Consolidate foreign assistance programs into four assistance accounts with clear purposes and well-defined lines of authority
130. Move USAID functions under the Department of State
131. Test transitioning USAID's development assistance mission to the Millennium Challenge Corporation (MCC)
132. Direct the MCC to require countries receiving assistance to adopt policies to strengthen the rule of law, econoic freedom, and attract private investment

State Department Reform

133. Empower U.S. Ambassadors with more control regarding foreign assistance in their host country
134. Replace the Foreign and Civil Service with a modern hiring structure based on merit
135. Eliminate the Undersecretary of State for Economic Growth, Energy, and the Environment
136. Eliminate the Bureau of Conflict and Stabilization Operations
137. Reform current Under Secretary positions within the Department of State to elevate its work on human rights and the oversight of multilateral affairs and international organizations
138. Reconstitute the U.S. Information Agency and eliminate the Under Secretary of State for Public Diplomacy and Public Affairs and most of its bureaus, including the Global Engagement Center
139. Eliminate redundant, outdated, irrelevant, and duplicative reports at the Department of State

THE REPUBLICAN STUDY COMMITTEE'S TASK FORCE ON NATIONAL SECURITY AND FOREIGN AFFAIRS