

Hearing Transcript

Senate Foreign Relations Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights and Global Women's Issues Hearing on Fiscal 2017 State Department Budget Request

April 26, 2016

RUBIO:

Good morning, this is a hearing of the Subcommittee on the Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights and Global Women's Issues.

And the purpose of this hearing is to review the resources, priorities and programs in fiscal year 2017 budget requests from the President's and the U.S. Department of State's Bureau of Western Hemisphere Affairs and the Bureau of Democracy, Human Rights and Labor, as well as the USAID's Bureau for Latin America and the Caribbean.

We'll have an official panel with three witnesses. Tom -- Mr. Tom Malinowski who is the assistant secretary of state for demography, human rights and labor. Mr. Francisco Palmieri who is the principle deputy assistant secretary of state for western hemisphere affairs.

Ms. Elizabeth -- Elizabeth Hogan who is the acting assistant administrator for Latin America and the Caribbean at the U.S. Agency for International Development. And I want to thank all of you for being with us today and we appreciate your time and commitment to furthering the important work of this committee.

And I also want to thank your staff for working with the committee and members of my staff to making this hearing possible. Today is an opportunity to learn more about the administration's priorities in the Western Hemisphere and in promoting demography and human rights around the world.

There're many challenges that we need to collaborate on in order to make U.S. programs maximally effective, building strong democratic institutions and promoting human rights around the world is in the moral and strategic interest of the United States and should continue to be one of our top priorities.

I believe it is important for U.S. programs to be aligned with our strategic priorities and not just in the Western Hemisphere but throughout the world. It's also important that U.S. tax payer dollars are not wasted but instead are used to address significant challenges related to our national security interests.

I believe Congress can continue to work in a constructive way to enhance the Department's efforts. I hope you address these issues today in your testimonies and with that I turn it over to our ranking member, Senator Boxer.

BOXER:

Mr. Chairman, thank you so much. I'd ask that my entire statement be placed on the record and I will summarize. This is an important hearing and I want to extend my warm welcome to our guests and witnesses. It is an opportunity to examine in more detail the department's budgetary priorities.

Our subcommittee is a very important one, it has jurisdiction over a range of matters including the countries of the Western Hemisphere as well as global responsibility for demography, human rights and women's issues.

While we face numerous challenges in the Western Hemisphere ranging from narcotics trafficking to assisting countries in the wake of natural disasters, the region is making tremendous progress and it is rife with opportunity due in large part to the support of the United States.

I know my Chairman and I, we're friends, but we disagree strongly on Cuba so I will just say that President Obama's decision to change a failed policy was welcome news for me, and I hope it will turn it out to be so for the Cuban people and the human rights activists there.

It's an unprecedented moment and I hope the Cuban people make the most of it and that the government understands that they've got to change. We have also witnessed progress in Columbia where due in large part to the support of the U.S. negotiations between the government and the FARC continue to move forward.

And we can look at Argentina where the United States is poised to build stronger ties. I visited Argentina a couple years ago and was so depressed and disgusted, frankly, with what I saw in that Kirchner government.

And I really have hope now and I really believe as we see the new government saying, yes, they're going to pay back the bonds and make investors at least partially whole, and maybe whole. It's an important point.

In Mexico, we continue to build upon and reinforce our relationship with our close neighbor. Our ties are very important and I -- and I am very concerned about threats posed by the spread of the Zika virus, and I think we're going to be heard more and more on that on floor of the United States Senate.

This is an emergency. We -- we shouldn't quibbling about it, it's an emergency and our people are going to get sick. Really sick. And we already have, I know, in Florida, I've heard 99 cases of the Zika and it's going to happen as sure as we are sitting here and in short order.

So we need to lead on that and we need to lead the world, and I know it's very difficult, there are sure answers. We're going to stumble and we're going to fall but as they say, what's important is how do you get back up? Have you learned the lessons?

Are you ready to make sure that we don't repeat those mistakes because in any kind of human relations let alone foreign relations, we make mistakes so I support funding for programs that support human rights defenders and civil society organizations. Those that promote religious freedom, strengthen accountability and the rule of law. And I thank again my Chairman.

RUBIO:

Thank you. Let's -- we'll begin with the testimony from our panelists. As you're aware, we'll have a vote at 11:00, so if we could -- but we'll get into the -- we have your statements for the record, so if you could summarize them so we can get into the question rounds that would be great. Thank you. Ms. Hogan.

HOGAN:

Mr. Chairman, Ranking Member Boxer and distinguished members of the subcommittee, thank you for the invitation to testify today. I'm pleased to present USAID's plans for fiscal year 2017. Our request of approximately \$970 million will promote the interest of the United States while also significantly improving the quality of life for those we help.

We have identified five priorities to focus our assistance where we can have the greatest impact: Prosperity, good governance and security in Central America, promoting a sustainable and equitable peace in Columbia, long-term development in Haiti, advancing democracy and human rights across the Americas and addressing environmental threats to livelihoods.

One of our highest priorities is Central America particularly in the countries of El Salvador, Guatemala and Honduras. We see prosperity, improved governance and security, the objectives of our Central America strategy as interdependent.

We know that opening doors for citizens, especially youth at risk of gang recruitment will bolster our efforts in security and lead to freer, more prosperous societies. That's why our prosperity programs include efforts to support small businesses and entrepreneurs, encourage private investment, train youth in job skills and improve agricultural productivity.

These efforts to grow prosperity are only sustainable in an environment where democratic values and institutions flourish, human rights are respected and civil society and the media can play their rightful roles.

To that end our governance programs are aimed at reforming institutions to root out corruption, strengthening civil society's ability to hold governments accountable, fostering a culture of respect for human rights especially for historically marginalized groups and improving fiscal transparency.

These are important programs but ultimately it will be difficult for our prosperity and governance efforts to take root in societies that are plagued by insecurity. Therefore, we're using tested approaches in the most violent-prone communities to create safe community spaces, provide job and life skills training and build trust between police and residents.

With sustained commitment on the part of the United States and host governments, we will help the Northern Triangle develop into a safer, more prosperous region for all those who live there.

Such sustained commitment yields results as we have seen with the notable strides made in Columbia. In 2017, USAID is requesting \$187 million to expand upon current programming to help the Colombian government establish a stronger presence in former conflict zones, provide post-conflict reconciliation and justice.

Promote inclusive rural economic growth and sustainably manage the country's vast natural resources. These programs will build upon current successes especially for marginalized populations.

Along with Central America and Columbia, Haiti remains a high priority for USAID. Our FY '17 request will continue our efforts to help Haiti grow into a stable and economically viable country.

We remain focused on promoting economic growth, job creation and agricultural advances, providing basic health care and education services, and improving the transparency of government institutions and their responsiveness to citizens.

While much more remains to be done, we are committed to supporting the Haitian people as they build a more prosperous and secure future. Throughout the region, our democracy and human rights programs address fundamental issues including anticorruption, promotion of press freedoms and the rule of law, and support for civil society.

USAID works to ensure that government institutions are open and accountable, they use public funds responsibly and effectively, and deliver critical services to citizens. We're also committed to supporting human rights everywhere we work.

Underpinning all of these efforts is support and protection for a strong and vibrant civil society that can hold governments accountable. Another challenge facing the region is the negative impact of extreme weather events. Our mitigation and adaptation efforts help reduce devastation to life, property and economic activity.

We're also speeding the development and deployment of advanced clean energy technologies and helping to create favorable legal and regulatory environments. We have one goal in mind with everything that we do to empower countries, to assume responsibility for their own development and grow beyond the need for international assistance.

We use science, technology, innovation and private sector partnerships to find new solutions and scale up what works. For every dollar we spent in the region in 2014, we mobilized five times that in private sector resources.

We take our responsibility to the United States tax payer seriously and we're committed to accountability, transparency and oversight of our programs. We use a full range of monitoring and evaluation tools to track our progress and ensure that our programs are meeting goals and delivering high-impact results.

With sustained commitment from countries in the region to advance their own development goals and our government's support, we are well placed for success. Thank you to the committee for your attention and I look forward to your questions.

RUBIO:

Thank you. Mr. Palmieri?

PALMIERI:

Chairman Rubio, Ranking Member Boxer, Senator Kaine, thank you for the opportunity to testify on the fiscal year 2017 foreign assistance request for the Western Hemisphere, and thank you for your ongoing support of our diplomatic and assistance efforts in the hemisphere.

The administration's approach to the region improves security, strengthens the rule of law, promotes democracy and human rights, advances partnerships and promotes prosperity and inclusive growth for all its citizens. U.S. assistance is a critical tool that supports these goals.

In our request for Central America and Mexico, we seek to address the underlying conditions driving migration from Central America through Mexico and to the United States.

The request also includes increases to support Columbia's implementation of an expected peace agreement marking the end of the hemisphere's longest running conflict. The request maintains support for key partnerships with Peru, Haiti and the Caribbean.

The FY 2017 foreign assistance request for our strategy in Central America continues support for prosperity, governance and security particularly for Central America's Northern Triangle in recognition of the acute challenges these countries face.

U.S. assistance through the strategy complements the investments Northern Triangle governments are making through own development plan, the Alliance for Prosperity. They plan to spend \$2.6 billion dollars this year on their own plan. Continued U.S. support will be vital to Columbia's success as it seeks to implement a peace accord.

Our partnership with Mexico remains an important priority for the United States and includes a range of issues that benefit both countries including trade and investment, energy and security. The Merida Initiative continues to provide the framework for our bilateral security cooperation at both federal and state levels.

Our request also includes the central democracy assistance for Cuba and Venezuela where the United States will continue to provide assistance that advances universal human rights and supports vibrant civil societies.

Promotions of democratic principles and human rights remains at the core of U.S. interests in Cuba. Our request for Haiti continues investments in infrastructure, agriculture, economic growth, basic education and health, expanded governance, democracy activities and security.

A sustained U.S. commitment is essential to build on the great -- on the past gains of U.S. efforts in Haiti and to build its capacity to respond to citizen's needs. Improving security and development in the Caribbean directly benefits U.S. interests.

The Caribbean Basin Security Initiative complements Caribbean efforts to reduce crime and violence, strengthen the rule of law and address the factors that put youth and marginalized communities at risk of insecurity.

U.S. counter narcotics assistance complements investments made by the government of Peru and maintains our strong partnership in eradication and alternative development to coca cultivation.

I urge the U.S. Congress to fully fund this request for the Western Hemisphere as it advances our national security and wisely invests our resources where they can have the most significant impact. I look forward to your questions. And Senator Kaine, I just wanted to point out there's a great group of students from Richmond, Virginia here today at the hearing.

KAINE:

Can I ask are they Maggie Walker students? Hey, congratulations on We the People. You guys are fantastic. Two of my boys went to that high school so.

RUBIO:

Secretary Malinowski?

MALINOWSKI:

Thank you. Thank you, Senator Rubio, Senator Boxer, Senator Kaine, it's a pleasure to be here. I will say a few words about our global programs to support people who are struggling for advances in democracy and human rights around the world.

And I'll start by acknowledging that this is obviously not an easy time to be doing this kind of work. It is a time as we can all see from the headlines when authoritarian governments beginning with big powers like Russia and China are striking out with great ferocity against freedoms of expression, association and the press.

There is the horrible war in Syria and the terror of ISIL, the mass migrations of refugees and the fear that all of this insecurity creates even in democratic countries with all of the impact on our

politics that we have seen. Now all of that should disturb us, I don't think it should surprise us, after all freedom has advanced in waves over the last few decades.

It has been followed by the advances in the Internet and the global civil society which have allowed people in just about every closed society in the world to know exactly what they are missing and to connect with each other and with people around the world to build effective movements for social change.

People often say to me that human rights is a soft issue. I think it is the hardest hard-power issue there is because its advance is a threat to some of the most dangerous people in the world.

If you're trying to steal an election or to stay in office for life or to profit from corruption then of course you are going to be threatened by NGOs and by journalists who try to expose those abuses of power. Of course you are going to fight back and you are going to fight hard and you are going to fight dirty, and that's what we are facing in many parts of the world. But as I look around the world, I find that the good guys are still winning as many victories as they're losing particularly when we're there to help them. Just in the last year look at the historic elections that took place in Burma, in Nigeria, in Sri Lanka.

Even in Venezuela where the people haven't won but they were able to manifest their enormous desire for change through an election. So the lesson I take from that is that if we have patience and determination, if we stick with these efforts and with these programs, we are going to win more victories than the defeats that we face.

And that's where the funding that you provide my bureau, DRL, through our human rights and democracy fund comes in. It's not a lot of money, it's \$85 million dollars this year. We like to think of it as our venture capital fund for freedom.

We're using it to get news, knowledge and even entertainment into North Korea, an effort that we know is changing minds and awakening expectations in the most closed society on Earth. We're using it to support the legal defense of activists and dissidents in multiple countries where they're being persecuted.

We're using it to support former political prisoners in Burma so that they can contribute to building democracy there and to fight the religious hatred that threatens their democracy. We're using it to develop and deploy cutting-edge technologies that break through China's great firewall and to protect activists in dozens of countries from cyber-attacks and cyber intrusions.

We're using it to help organizations defending freedom of expression in Latin America. One of our programs recently supported a campaign that saved Ecuador's number one press freedom watchdog.

We're using it to keep civil society organizations alive in Syria where groups we funded have negotiated cease fires, documented the crimes of the Assad regime and organized communities to stand up to ISIL and al-Nusra.

We're using it to prevent atrocities, for example, setting up early warning systems in remote areas of the Eastern Congo so that people there can call for help when they're threatened by armed groups, and in Nigeria to protect people from Boko Haram.

We're using to help women who have escaped ISIL captivity in Northern Iraq. We're using it to support organizations that try to build trust between Muslim communities and the police in Eastern Kenya so that they can unite against al-Shabaab.

We're using it to get help to people who need it faster than I think any other agency in the U.S. government. Our emergency grant programs can get small but sometimes lifesaving amounts of money to activists and NGOs under threat in as little as 48 hours.

We're using these programs right now to provide protection and assistance to some of the bloggers and others who have been threatened in Bangladesh, one of many examples. And to save the best for last, from a fiscal standpoint at least, let me say that we also use it to support the work of NGO's and journalists that expose corruption around the world.

This work has contributed to almost \$3 billion in confiscations and fines including over a billion dollars in Justice Department seizures, which is a pretty good investment for your DRL funds, I would say.

So, I want to thank you for the very strong support that this committee and the Congress has shown our programs, over the years. And I pledge to you, that with continued support, we will continue to do work that I think not only does our country proud, but that makes us safer, more secure -- stronger in the long run. Thank you, very much.

RUBIO:

Thank you. Secretary Malinowski, my first question is on the issue of human rights and the President's visit last week to Saudi Arabia. There are in particular, two cases -- Raif Badawi and Waleed Abu al-Khair. Do you know if either one of these cases were raised in those meetings?

And what are we doing to pressure -- there was bipartisan letter of a group of Senators last week, urging the President to make human rights a priority during his meeting with the King? Were these cases raised during that meeting and if not, what else are we doing with regarding these two -- these two people that are jailed unjustly?

MALINOWSKI:

These cases have been raised including, at the very highest levels, more than once with the Saudi government. And I know that the President, in his meeting with the King had an extensive conversation about human rights in Saudi Arabia. I think you may have seen some stories about how intensive that conversation was.

We will, I can pledge to you, continue to raise those cases and others, both privately with the Saudi government, and publically where appropriate, until people who are unjustly retained for peaceful expression, as these individuals are, are released.

RUBIO:

Recently, the Administration made its Countries of Particular Concerns designations and notably absent from the list was Pakistan. A recent example of religious intolerance with a horrific Easter attack in Lahore. What would have to happen, in your view, for Pakistan to be designated as a country of particular concern?

MALINOWSKI:

I think that there are a lot of tough calls, when the Secretary makes these decisions. I think that the test is not simply whether there are significant abuses of religious freedom in a particular country, but whether we feel that there is a commitment within the government to try to do something about it.

And it's an evaluation that the Secretary makes on a case-by-case basis. We added a country this year. We added Tajikistan, because after a lot of diplomatic efforts with the government, we were simply not getting a sufficient or acceptable response from that government to our requests for action on certain issues.

With respect to Pakistan, the Secretary made the judgment that the government is committed to trying to deal with this violence.

RUBIO:

The Secretary recently made his recent -- well, he made his Genocide designation. What steps does the department take to prioritize especially vulnerable communities, like the Ancient Christian or Yazidi communities which have found themselves in the crosshairs of ISIS?

MALINOWSKI:

This has been a burning priority for many of us since this conflict with ISIL began. I was in Northern Iraq about a month ago. Mr. Chairman, I visited the main Yazidi religious shrine in -- in Lalish, just a few miles north of the front line with ISIL.

We are, as I mentioned in my testimony, we have a lot of programs that we're funding to provide direct support -- not just humanitarian assistance, but also the psycho-social support for people who have faced violence, escaped captivity on the part of ISIL.

As you know, the first shots that we fired in this war to liberate territory in Iraq from ISIL, were fired to protect the Yazidi people on Mt. Sinjar when they were surrounded by the terrorists.

And, I think this is something that we need to think about, with particular focus in the next stage of the military campaign, as it focuses more closely on the Mosul and the Nineveh plain.

I think many, many members of Congress rightly urged us to look at the genocide determination and to call what was happening to the Christians, to the Yazidis, to other minorities by its name. But, using the terminology is the easy part.

The important thing is that we find a way to liberate these historical homelands of these people in a way that not only defeats ISIL, not only drives away the terrorists, but that enables these communities to go home with dignity and with security. And frankly, that's going to take resources.

And I think that we're going to be working with you, and reaching out to you to talk about what it's going to take to do this in the right way, so those people can go home.

RUBIO:

You say it takes resources, what additional budget resources are necessary to --

MALINOWSKI:

I'm probably not the best person to ask what the total cost of -- of -- of the entire stabilization.

RUBIO:

What kind of programs?

MALINOWSKI:

It's going to require support for -- in the short term, IDPs. For example, as Mosul is squeezed, there will almost certainly be hundreds of thousands of people fleeing that city. There are two million people in Mosul, as you know. Those people are going to need to be cared for somewhere, by somebody.

It's going to require stabilization funds after the liberalization of that area for -- for rebuilding -- for -- for restoring institutions of justice. It's going to require training and support for local security forces, including, I would say some of the local security forces that communities, including the Christian communities, have been forming in that area.

We are already beginning to working with those -- with those folks. But I think if you look at the various appeals, including the U.N. Appeal, just for the humanitarian support, you'll find that a lot more is needed.

RUBIO:

Secretary Palmieri, last year there were over 8,600 documented political arrests in Cuba. Cuba remains the only country in the Americas to be classified as not free, by Freedom House. And

groups such as Human Rights Watch provide details on the myriad of ways that basic rights and liberties are still not respected in Cuba.

In light of all of this, why then, would the Administrative request a reduction from the \$20 million that's provided annually in recent years in funding to democracy assistance for the Cuban people?

PALMIERI:

[OFF-MIKE]. Thank you for the question, Senator. The FY 17 request seeks to establish a sustainable of democracy support in Cuba. We believe the human rights situation there, merits continued attention and our assistance is designed to work with civil society -- Independent Civil Society Act, promote democratic values, human rights and advance fundamental freedoms.

The level of funding is one that we believe we can execute on the ground there.

RUBIO:

So, you're saying that we don't think we can spend \$20 million? We can't find programs to fund the \$20 million, so that's why you're asking for less? That's very unusual for a government agency to ask for less. That's why I'm bringing up this point -- why would we ask for less?

PALMIERI:

We believe that's the -- the sustainable level of programming that we can carry out, inside Cuba.

RUBIO:

Well, what does that mean, sustainable? The amount that you can get funded in the future or sustainable like, that's how much as you can handle?

PALMIERI:

It's a combination of the amount of money that we believe can be absorbed inside Cuba, at this time.

RUBIO:

That was not the feeling two years ago? Is that a change in position? Because a couple of years ago, the funding was at \$20 -- so what happened with the additional money that was appropriated in those past years?

PALMIERI:

I'll -- I'll have to get back to you on what happened to the previous funding, sir.

RUBIO:

Well, my point is, you're saying that you don't believe the island can sustain \$20 million dollars in spending on democracy programs. There's not enough programs to fund or that we -- we can sustain \$20 million, so that's why you're asking for less. But in past years, there's been more money. Are you saying that money wasn't spent?

PALMIERI:

Sir, I --

RUBIO:

If you're spending less this year than you were in the past, something that you were funding in the past is not getting funded now, isn't that correct?

PALMIERI:

I'm sorry, sir.

MALINOWSKI:

I can, yes, I mean -- yes, we have spent slightly more than -- than \$15 million in the past. I think what's -- what -- what we face every time we make these requests, to be honest, is overall, as you well know, a diminishing pool of resources to do almost everything that we want to do around the world.

The way I look at this, Senator Rubio, I obviously as the head of the Democracy and Human Rights Bureau, I -- I always welcome as much spending as -- as we can do in any country in the world that needs it.

I've got, as I mentioned, about \$85 million dollars, globally, for every single country, every single continent in the world, to spend on democracy and human rights programs. And, I could probably spend more in every single country where we're doing this kind of work.

Cuba, at this point, I think, next to Iraq is the country that receives the most human rights and democracy support of any country in the world. And it merits it, given the challenges, given the importance that this issue has to the United States. But I, you know, I sometimes look at it and say, gosh I'd like to have more.

Sometimes I look at it and say, you know, I'd rather have more than \$200,000 for a country in Africa or a country in Asia, where that's all we've got to deal with these issues. So those are some of the choices, I think...

RUBIO:

So, this is basically a part of reallocation of resources to be spent somewhere else?

MALINOWSKI:

It is...

RUBIO:

Within a limited budget.

MALINOWSKI:

I think we have a very limited -- I would say far too limited for democracy in governments around the world. You know the challenges that we've had overall, in trying to maintain an adequate level of spending for democracy in governments in a lot of places that we all care about, greatly. Cuba is one of them.

So it's certainly not a reallocation away from supporting democracy and human rights. But we have hard choices to make within the limited amount of money that we have for that. Obviously, I'd love U.S. to be able to do more in a lot of places.

RUBIO:

Senator Boxer?

BOXER:

Well, I would like you to be able to do more. I've watched you do it in a non-profit sector, and I think you could do it here as well. I want to get back to the Zika virus, because I think this is an absolute threat to this country.

So, Ms. Hogan, I'm going to direct this question to you -- I -- there's no doubt, this Zika virus is a public health emergency. It has infected thousands of people in the Western Hemisphere, including over 300 Americans. It causes severe birth defects in newborns, including brain damage and blindness.

In adults, it's linked to Guillan-Barre Syndrome -- Barre Syndrome, which can cause paralysis. In the last few months, the World's Health Organization described the Zika threat as quote, "one of alarming proportions." And earlier this month, an official from the Center for Disease Control described the virus as quote, "scarier than we originally thought" unquote.

We also have learned that Zika is sexually transmitted. Now, in our country, the most endangered Americans are those who live in the Gulf States. It is clear that these types of epidemics know no boundaries, so we have to respond quickly. In February, the President requested a \$1.9 billion dollar emergency supplemental for Zika.

A portion of this request would go to USAID to help fight the spread of the virus within the Western Hemisphere. Unfortunately and sadly and inexplicably, Congress has not provided the Administration with the funding it needs to respond to this outbreak. And those who oppose it, are going to be held accountable. It's as simple as that.

Time makes a big difference in these kinds of epidemics. The longer we wait, the more people get infected -- the more lives are painfully altered forever -- we have seen it -- it is coming, as sure as I'm looking at you.

So, I'm asking you with your limited funds, what efforts is USAID already undertaking to combat the spread of the Zika virus in the Western Hemisphere? I'm told by some of my Republican friends -- some of whom support this, a lot of whom don't -- take the money from Ebola we'll swell, you know. That's a whole other problem.

And that's not the answer, so I want to know what you're doing with your limited funds and do you agree we have a great need for the funds the President asked for?

HOGAN:

Thank you for that question, and we share your deep concern about the potential impact of Zika in the region, including in the United States. As you know, in addition to the \$1.8 million dollar supplemental that the President has requested, he's also sent forward to see then, to repurpose \$295 million dollars from our Ebola account to deal with the immediate needs.

Thus far, USAID has conducted assessments around the region, particularly in those countries where health systems are weak and we have developed a strategy, which we are ready to launch. We -- our strategy would include social behavior change, communications, vector control, investing in new diagnostic techniques, investing in research...

BOXER:

Can we -- sorry for interrupting -- can we diagnose it -- can we -- is it easy to find out if someone's carrying the virus?

HOGAN:

CDC is the expert in this area, but I know that they can diagnose it.

BOXER:

OK.

HOGAN:

But to do it more rapidly and more expensively is what we're -- we're hoping to bring about through a grand challenge that USAID just issued last week to the private sector for \$30 million to invest

in innovative technologies and in innovative approaches to do the kinds of things that I just mentioned, in terms of diagnostics, vector control...

BOXER:

OK, so to sum it up, you're doing everything you can with limited resources, but it's a race against time. And you know, Mr. Chairman, from my understanding, we have so much -- and I know you're supporting taking action, I'm so grateful to you. We don't even know how long the virus stays in your system.

And since it's sexually transmitted -- couples planning to have children -- they -- they better know the situation. Whether the man is infected and can pass it on. It's very problematical -- I raise it here because it's one of those unusual situations where there is a direct impact for Americans that's going on in another part of the world. We've got to connect the dots.

This isn't some foreign policy matter, this is -- this is a health emergency. And I'll be continuing to speak about it. Mr. Malinowski, over the last 14 years, Afghan women have made progress in education, health and political representation.

I've been engaged, every time I can, in meeting with the women and while President Ghani is a strong partner in women's issues, it's clear that women continue to face grave barriers, especially, in regard to their legal rights. Last year, for instance, a mob brutally killed a woman, falsely accused of burning the Koran.

This horrific murder happened in Central Kabul in broad daylight, in the presence of security officials. Disturbingly, the Afghan Supreme Court recently vacated the death sentences of four men charged with this murder, and reduced the sentences of nine others. This is but one example of ways in which Afghanistan's legal system continues to fail Afghan women.

How will the U.S. continue to work with Afghanistan to bolster the legal rights of Afghan women?

MALINOWSKI:

Thank you for that question. I'm sure I won't do justice to everything -- to every aspect of it, or everything that -- that we're doing. With respect to the Afghan Judiciary, one of the steps that President Ghani intended to take, was to appoint the first woman or women to the Afghan Supreme Court.

When I saw him last, I urged him to do that -- he said that he was committed to it -- he has been unsuccessful -- that his appointments there have been -- have been blocked.

BOXER:

Well, wait a minute. Where are they learning how to block appointments to the Supreme Court?

MALINOWSKI:

Their system, I think is...

BOXER:

I'm only kidding. That was...

MALINOWSKI:

Yes, oh sorry.

BOXER:

...a bad joke.

MALINOWSKI:

I was heading towards the same joke, anyway.

BOXER:

OK, nevermind.

(LAUGHTER)

MALINOWSKI:

So, yes, I'm resisting all kinds of ways -- yes.

BOXER:

Resist.

MALINOWSKI:

At a lower level, but at a very important level, we've done a lot of work with local justice institutions in Afghanistan through training and other assistance programs to help them implement the new violence against women law, which has been one important advance.

In that country, we have a program out of my bureau which supports sending talented young Afghan women to a university in -- a university for women in Bangladesh -- we've established a really interesting and important program there.

And the women who graduate from that program often then go back to Afghanistan and the -- enter government -- enter the justice system. So at a, you know, at a grassroots level, just

encouraging more and more women to take up positions in the justice system, has been an important priority in our programming.

RUBIO:

Senator Gardner.

GARDNER:

Thank you, to all the witnesses, for your time and testimonies, today. Thank you, Mr. Chairman, for holding this hearing. Just a couple of questions for you, Mr. Malinowski. I wanted to start with North Korea, if I could.

The legislation that the Senate and House passed, signed by the President just a few -- couple months ago, requires a designation of human rights violators in North Korea, and an investigation of those human rights violators. Out of curiosity, how are those investigations going?

And do you have any intention of naming people under the legislation passed by Congress? And if so, who and when?

MALINOWSKI:

The -- we are working very hard on identifying people. I have often spoken publically about this - - I think one of the most important things that we can do for human rights in North Korea is to send the message inside the system there.

To -- to the mid-level people, to the camp commanders, to the people in the public security ministries who are responsible for the worst abuses -- but guess what? We know who you are -- we know you're names.

And some day, when there's change in the Korean Peninsula, you're going to be on a list that you don't want to be on if you're associated with those abuses. Figuring out who those people are is not always easy, for reasons that I'm sure you'll understand. We are working with our partners including with the -- the South Koreans to try to -- to figure this out.

We've made some progress. Yes, we do intend to use the sanctions authority -- in fact, as you know, the President's executive order, before the legislation passed, created a human rights sanctions authority for the same purpose. I can't tell you who, because we're not there yet. The when -- hopefully as soon as possible.

GARDNER:

And will you be looking at the highest levels of government, though, for these sanctions?

MALINOWSKI:

We -- we -- we will be -- we can look at individuals -- we can also look at ministries -- I'll tell you my preference, in terms of effectiveness. Because I don't want to just, you know, say Kim Jung-un is a bad guy, that's -- we all know that.

My preference would be to try to identify some of the people who are less well known, in order to send that message that actually, we do know who they are and there may be some consequences in the future. If they are associated, for example, with executions in the prison camp system and the rest.

GARDNER:

We did provide additional authorities under the legislation in order to...

MALINOWSKI:

Correct.

GARDNER:

...communicate with the North Korean people to find ways to build the cheap and efficient and effective communication channels, in order to get the message out about the atrocities of the Kim Jong-un regime.

And hopefully those authorities, Senator Rubio -- Chairman Rubio, was a critical part of that and will be utilized and helpful in getting the word out about the acts that these people are carrying out.

MALINOWSKI:

Absolutely -- and I'm grateful for that. We already have some very interesting and creative programming. From old fashioned methodology, like radio broadcasting, to newer ways of getting information to the people in the north. There are about 3 million cell phone contracts, amazingly, in North Korea right now.

So, people are communicating with each other and also with people outside the country in surprising ways. And there are a lot of folks working on delivering content that will raise awareness -- that will bring information to people in North Korea about simple things like what life is like outside the country.

We fund some of that out of my bureau and I think there's room for a lot more.

GARDNER:

China, in the past, has had a policy of returning North Korea defectors to the regime -- are you in conversation with China about changing that policy? Is China still intending to change that policy and how is that dialogue taking place?

MALINOWSKI:

We've raised this many times with the Chinese government, as has some other countries in the region -- it's been a difficult conversation. I would note, that there are some cases, recently, in which China has allowed people to move on who have sought asylum .

I think there were some North Korean workers in Beijing recently, who managed to get themselves to South Korea without objections from the Chinese government. So we'll have to see, but it's an important issue and one we continue to raise.

GARDNER:

Thank you, Mr. Malinowski. And a couple more questions. The week, according to news reports, the week after President Obama visited -- I'll give you the quote from the news reports, the week after U.S. President Barack Obama's visit, things in Cuba have returned to normal.

More than 150 activists were arrested on Saturday in demonstrations, demanding the release of political prisoners. Is that an accurate assessment -- how many political prisoners are there today in Cuba, that we are aware of? And has there been an increase or decrease in the number of these arrests and jailed since our policy changed for Cuba?

MALINOWSKI:

The big distinction here is between long term political prisoners -- most of whom have been released, and the short term harassment -- often violence that is inflicted on people who try to hold meetings, organize rallies, discussions to engage in the politics of the island. That has absolutely, not let up.

I think there were a couple of thousands of those short term detentions, in the first three months of this year. And I think it -- it reflects both the highly repressive tendencies of this government, which we know extremely well.

But also, I think, their nervousness about the changes that are taking place in our relationship, in the hemisphere. I think it was very interesting to see the reaction of the Cuban government to President Obama's visit, after the fact. Fidel Castro basically, left his bed to -- to deliver a speech denouncing President Obama.

He said, we don't need any gifts from the empire. President Obama's syrupy words about brotherhood and shared history were enough to give Cubans a heart attack, he said. Raul Castro made similar statements. You know, it seems like the only argument these guys had, for the last few years, is the myth of American hostility towards Cuba.

And we have completely destroyed that myth in the eyes of the Cuban people and they've got nothing else. And I think they're extremely nervous and insecure as a result of that.

GARDNER:

Thank you, sir.

RUBIO:

Senator Flake.

FLAKE:

Thank you, Mr. Chairman. If I -- if I could, I'll just introduce you to these students who were here. Maggie L. Walker High School in Richmond, is a school for governmental and international studies. It's in a neighborhood where I live -- it was a vacant and abandoned building when I got elected to the City Council in 1994.

And over the course of about seven years, we worked with governments in the region to build it into this high school that is now commonly ranked as one of the 25 best public high schools in the United States. And these students were here as part of a constitutional competition that they've been participating in. I'm really happy to have them here.

With the school's focus on government and international studies, this is a good hearing to be at. I had the opportunity last week, to ask some questions about Ms. Hogan and Mr. Palmieri, with respect to the Northern Triangle, and I'm going to actually focus more of my questions to Secretary Malinowski today on human rights issues.

Yesterday, I had a wonderful meeting with Senators Baldwin and Senator Coons with a -- a inspirational councilwoman in Istanbul, Sedef Cakmak, who was here. She founded the Istanbul Pride Parade in 2003 and there were 30 marchers.

By 2014, there were over 80,000 marchers and last year the Turkish government used water cannons to shut the march down and disperse everyone, after it had grown so large. She was here visiting us, to talk about ways in which the United States could be helpful.

And when Senator Coons asked her, tell us how we can help human rights in Turkey -- this was her answer. And I wanted all of you to hear this because it's about your colleague, she said, the help that we have had that has enabled us to do what we've done has been the United States.

The support of the U.S. Ambassador, the support of the U.S. Consul of Istanbul has enabled the LGBT community in Turkey to -- not avoid persecution and hostility, as my story about the pride parade being dispersed suggests, but they've enabled us to finally at least come out of the shadows, to some degree, and organize.

And she really said that there has been no greater friend. So when we asked for -- what we could do to help, she said the main thing that you can do to help is just thank our diplomats and folks with the State Department, who have been our allies.

Talk to me a little bit about the work that you're doing in your bureau, with respect to LGBT rights around the world, because whether it's in Turkey or Russia, or Africa, or other countries we see serious, serious challenges. Please tell a little bit about how we factor that into our diplomacy.

MALINOWSKI:

Of course. Well, first of all, it's a very heartening story that you just told, and I will pass that on...

FLAKE:

Please.

MALINOWSKI:

...to Ambassador Bass who's one of our best Ambassadors on so many different scores and -- and -- and I know that he has been particularly principled in reaching out to the LGBT community and to the broader activist community in Turkey, which is facing a lot of challenges right now.

I would say, first of all, it begins with recognition of the legitimacy and dignity of people around the world who are working for the human rights of LGBT people. And simply, asserting their own rights to live in safety and in dignity.

And simply, reaching out and meeting with these folks, as you mentioned, in Turkey -- is an important part of it. I try to do it on all of my trips other U.S. Senior U.S. Officials do as well -- are seen doing it, if that makes a difference. We provide material support to people who are on the front lines of the struggle.

We have in our little DRL budget, something called the Global Equality Fund, which we've now gotten other governments to contribute to as well. It's one of those emergency funds that I mentioned in my opening statement.

And that we can -- we can deliver \$3,000 in 48 hours to someone who needs help for security, for travel, for basic support for an NGO that's doing good work -- sometimes for legal support. There have been successful legal challenges in various countries around the world to highly restrictive, repressive, anti-gay laws that we have provided some support to.

And -- and then just a directorial level. And we're very, very careful, in our public statements, not to suggest that this is about carving out special rights for special kinds of people. We're talking about is simply basic human rights that everybody in the world enjoys, whether they're straight or LGBT.

No one should be discriminated against -- no one should be subject to violence -- no one should be persecuted because of who they are. And I think that message increasingly resonates in countries, even where there's nervousness about the advance of -- of this issue.

FLAKE:

We met Sedef Cakmak, a number of us, in Istanbul in early January. We were with her right in the heart of the city near the Blue Mosque, about two days before the bombing there that occurred in early January -- very wonderful advocate.

And she definitely connects the feelings of government persecution of the LGBT community to the worries that other religious minorities or political opponents are feeling in Turkey. This isn't a hearing about Turkey. I would like to delve into that further at another moment. Let me switch to another area within your bailiwick, and that is press freedom.

Again, around the world, we're seeing -- Turkey is a good example -- Russia is a good example -- Honduras, sadly I've lived in Honduras -- a journalist at Radio Progreso, which is a Jesuit radio station in El Progreso, Honduras where I worked with the Jesuit community there, 35 years ago.

Carlos Majia Orellana was killed two years ago and a number of other journalists have been killed as well. I think the Chairman alluded to some freedom of press questions in his opening comments.

This is so fundamental, and again, if you see a government cracking down on a free press, you can pretty much bet they're going to be cracking down on political opponents. They're going to be trying to engage in other authoritarian activity.

As much as we, in politics, sometimes rankle under a free press that is, you know, free and robust and challenging, we sure wouldn't trade it for anything else. Tell us how the State Department, through your bureau tries to advance the notion of protecting freedom of the press around the world.

MALINOWSKI:

First of all, when a government cracks down on free press, we speak out about it and we -- we talk to them about it in our high level diplomatic engagements. We've done it with Turkey -- we've done it with Egypt, where we have worked really, really hard to get journalists out of prison.

We've done it in China, sometimes we're successful -- sometimes we're less-so. But journalists are persecuted because they're doing effective, hard-hitting work.

And I think, particularly, at the time when the issue of anti- corruption is coming to the floor in many countries around the world, it's making a lot of governments that are corrupt, nervous about the work of the free press that is uncovering their secrets.

And often times, you will find that we are supporting that kind of work -- not just rhetorically, because we have an interest in accountable, good governments and without a free press, we're not going to -- we're not going to get one. More generally, we also have programs that are specifically designed to help train journalists in difficult environments to stay safe.

Programs in digital safety, physical safety, that -- that, you know, obviously do not provide 100% protection. But that -- but I think are very helpful to journalists who are facing very real danger in the work that they do.

FLAKE:

Great. Thank you, very much. Thanks, Mr. Chairman.

RUBIO:

Just a quick question. You asked about the LGBT community in Istanbul -- is that criminalized under Turkish law? You say public government persecution -- under what form?

MALINOWSKI:

I will -- I will have to -- I will have to get back to you. I'm not -- I don't know if it's one of the countries where it's criminalized, but I will get back to you on that.

RUBIO:

OK. Senator Cardin?

CARDIN:

Thank you very much, Mr. Chairman. Let me thank all of our witnesses for their extraordinary work that they do every day, on behalf of human rights. Mr. Malinowski, I want to ask you a couple of questions, if I might.

First, the Russia media has been very actively engaged to try to rewrite history, as it would happen, in Sergei Magnitsky, and his tragic arrest, torture and death. The United States had -- the Administration has used its inherent authority to grant certain types of sanctions against those who perpetrated those crimes in Russia, and is also used the authority under the Magnitsky law that was passed.

Can you just comment as to the basis for imposing those sanctions -- as it relates to the allegations that have been made by the Russian press?

MALINOWSKI:

One thing I've learned about our sanctions programs in this job, is how high the bar is for our lawyers, our investigators, the folks who determine whether a particular individual meets the criteria that Congress has laid out for application of a particular sanction.

And I can tell you in the Magnitsky case, we rely on multiple sources of information in making these determinations. It's reviewed by many people in the United States government who have to be confident that the information is credible before we put somebody's name on that list.

The Justice Department is involved -- the Treasury Department is involved, in addition to the State Department. And we are very, very confident that the people, who are on that list, deserve to be on that list, based on hard evidence.

CARDIN:

I thank you for that -- there's been several people who have been sanctioned as a result of it, and there has been Congressional involvement working with the Administration on this issue.

And it -- it's clear of -- with the information that we have received the type of conduct that they perpetrated in Russia, to a person who was trying to bring to the attention of the authorities, a corrupt situation, and in fact, became a victim -- arrested, tortured, and he lost his life. I thank you for clarifying that point.

I want to move onto a tragic situation in Azerbaijan -- and we're seeing an increase in the number of political prisoners in that country and their oppression against those who differ with the government.

One of those cases, Khadija Ismayilova, a political prisoner and radio for Radio Free Europe/Radio Liberty reporter is currently serving a seven and a half year sentence in Azerbaijan on charges many human rights organizations regard as politically motivated.

She has been a tireless reporter on corruption in the country and is widely believed that she was targeted for her work. Could you just comment as to what diplomatic tools we have available in order to raise this issue?

MALINOWSKI:

Well, I would say first of all, that we have called and will continue to call for the release of Khadija Ismayilova -- we're very well aware of -- of her case. In the last several weeks, we have engaged very intensively with the government of Azerbaijan on human rights issues.

It has, I think, contributed to actions by the government of Azerbaijan to release a number of people who we consider to be political prisoners, including Intigam Aliyev, an internationally recognized human rights lawyer -- Rasul Jafarov -- Anar Mammadli, who was the Chairman of their Election Monitoring and Democratic Studies center.

We've seen some -- some, I think, very positive steps by the government of Azerbaijan in response to -- to our engagements, that we would certainly agree with you, that the good news we've seen is not yet enough. There are still others in detention who should not be, including Khadija -- Khadija Ismayilova.

And we very strongly, believe that by releasing the remaining political prisoners and more broadly expanding freedom of expression and freedom of the press in Azerbaijan would be good for that country's future and good for our relationship with Azerbaijan.

CARDIN:

And lastly, let me just raise that the tragic death that we saw in Bangladesh, just a few days ago, of the U.S. aide employee, Xulhaz Mannan, who founded the Bangladesh first LGBT magazine. That murder is still being investigated from a point of view of responsibility -- we know that an ISIL related group claimed responsibility.

But this is just outrageous, and I would hope that the Administration will keep its bright spotlight on this tragic death and make sure that we have full accountability as to who are responsible. And that, we hold the government to doing everything possible, not only to hold the perpetrators responsible, but to protect the civil society.

Civil society in Bangladesh is challenged and clearly, this murder will have an impact on that country.

MALINOWSKI:

It's absolutely horrific -- we're outraged by it. It's the latest in a series of killings, as you mentioned. This one cuts particularly close. We will do everything we can to encourage the government of Bangladesh to investigate this and bring the perpetrators to justice. We will support them in doing so.

And as I mentioned in my opening remarks, we also can use, and are using some of our emergency assistance programs to provide support in getting people who are threatened -- still threatened in Bangladesh, to safety, if they want to avail themselves of that kind of support.

CARDIN:

Thank you. I thank all the panelists for their commitment to these issues.

RUBIO:

Senator Markey?

MARKEY:

Thank you, Mr. Chairman, very much. Ms. Hogan, we have a Fentanyl epidemic in the United States and our sources now say that it's very clear that China and Mexico are two principle means by which Fentanyl is coming into the United States.

The number of opioid deaths in our country has escalated dramatically with the single largest, new addition to that plague being Fentanyl, as a killer in our country. What is our government saying to Mexico about the importation of Fentanyl?

It comes up right from Mexico and it winds up in Lawrence, Massachusetts, where people die -- but that's the story for most of our country. What is it that we are telling the Mexicans about this importation of Fentanyl?

HOGAN:

Thank you for the question. Actually, it's the State Department, that has the lead on that dialogue, so I would ask my colleague from the State Department to respond.

RUBIO:

Mr. Palmieri.

PALMIERI:

Yes, Senator, thank you. We are engaged in our broad based effort with Mexico to improve counter-narcotics and addiction. And -- and to improve their ability to eradicate opiate cultivation inside Mexico, as well strengthen our -- our border and law enforcement cooperation to prevent those kinds of drugs from leaving Mexico.

MARKEY:

Well, what about -- what's the -- what is -- what is -- are you talking specifically about Fentanyl? Fentanyl is the new addition, it's like a chemical concoction that is put together. What are you saying about Fentanyl specifically to the Mexicans? It's a killer.

PALMIERI:

We have a broad -- broad based conversation with Mexico on counter-narcotics. Our law enforcement agencies are engaged with Mexico across the full range of drug trafficking that emanates from Mexico into the United States and...

MARKEY:

No, I'm asking, are you having specific conversations about Fentanyl with them? It's much more deadly than heroine or anything that has ever been seen before. What are you saying to them about this one specific, new addition to the opioid death spiral that too many families in America have now fallen?

PALMIERI:

We -- we are pressing the Mexican government to do all it can to prevent illegal narcotics from entering the United States and to work collaboratively with our law enforcement agencies. And Fentanyl is definitely one of those substances that we are focused on, sir.

MARKEY:

Well, I -- I would just urge you as strongly as I can, to elevate Fentanyl to the top priority, which you have. It has the potential to kill tens of thousands -- tens of thousands of Americans over the next several years. And the root in, is through Mexico.

So, this is something that I just urge you to elevate to the level of -- of intense dialogue between our two countries, so that they know that we mean business on that issue. It is of critical concern - - not just in Urban America, but in every city and town in our country. Fentanyl is coming -- Fentanyl is the new drug that is killing people. And we've got to stop it.

And the Mexicans must be our aggressive partner in this. On human rights in Mexico, the -- the security forces have been implicated in repeated, serious human rights violations, including extra-judicial killings, enforced disappearances and torture, and the government has made little progress in investigating or prosecuting those responsible for abuses.

What is happening in Mexico, defies belief. In September of 2014, 43 students disappeared in Mexico -- that was nearly two years ago. At that time, I wrote a letter urging the Secretary of State to do everything possible to support the Mexican government by making additional investigative and forensic resources available.

My letter also urged assistance to the Mexican government, in its efforts to bring all those responsible to justice and to ensure positive postmortem identifications that allow families to begin their grieving and healing process. This, the Mexican government, has not done.

In 2015, an interdisciplinary group of experts appointed by the Inter American commission on human rights -- went to Mexico to investigate the case, and worked for about a year to uncover the truth. But then, the Mexican government refused to extend their mandate prematurely ending their work.

This past weekend, they released their final report and found serious abuses and inconsistencies in the Mexican government's investigation. The report throws the government's version of events into serious question, and suggest that the government did not seek to discover the extent of official culpability for these crimes.

Last Friday, the New York Times reported that the group of experts have enjoyed carefully orchestrated attacks in the Mexican News media. A refusal by the government to turn over documents or grant interviews with essential figures. And even a retaliatory criminal investigation into one of the officials who appointed them.

What is our government doing to persuade the Mexican government to allow the group of experts to continue its investigation? And what will we do now, in response to their report?

PALMIERI:

Senator -- Senator, we did take note of the April 24th report of the independent experts from the Inter American Commission on Human Rights. We commend the Commission's work and we do urge Mexico to consider the reports and respond to the report's recommendations.

Specifically, to provide assistance to the families and the victims -- to bring the perpetrators to justice, and to evaluate the suggested actions to address the forced disappearances associated with that incident.

MARKEY:

Well, what additional actions can we take, in order to impress upon the Mexican government, how serious we are about this issue?

PALMIERI:

Well, we -- we do have an ongoing human rights dialogue with the Mexican government. This is a topic that has been raised at many different levels and will continue to be raised directly with the government, sir.

MARKEY:

Yes, I think that we've got, obviously, a huge problem here -- 27,000 Mexicans have disappeared over the last 10 years -- that the government has done little to investigate. And I think that this is just an escalating problem inside of their country.

And I think it's up to the United States, since they are our partner on so many other issues, to use every bit of leverage we have to let them know that we are dead serious about this issue -- and it just cannot be allowed to continue. Thank you, Mr. Chairman.

RUBIO:

Thank you. We know there's a vote called, so we're going to wrap up. I just have one more question, Mr. Palmieri, I wanted to ask you. You know that there's been a significant uptake in the number of Cuban migrants -- just for example, from October of last year through February -- so just a five month period, 18,500 Cubans arrived at the Texas Laredo Field Office.

So, we're also getting kind of similar reports from the Coast Guard -- they've been -- they say since October of last year, 2,700 Cubans have attempted to enter the U.S. by sea, so there's -- but what's more concerning, is the number of people -- we've talked about this briefly last week, at another hearing -- coming in, I think, through Ecuador and Panama, and Costa Rica.

And if you read the press report, some of these governments -- they're body language or attitude is, we're going to put them on a plane and fly them as close as possible to the U.S. border so they can cross in. In essence, we don't want this problem. This is a major, developing issue here and much of the sub -- surge has occurred since the deal.

What is driving this new migration? And what is driving this new migration -- what is our position towards those countries that are talking about moving these people and their attitude is our job is kind of facilitate them -- get them through so they can get to the U.S., which is where they want to go? Secondly, are we confronting that attitude that they have?

And third, what is the best way to stop this?

PALMIERI:

Thank you for that question, Senator. The engagement with the countries in the region focus is on encouraging them to ensure safe, legal and orderly migration. Much of this migration is undocumented and irregular as it passed through the Central America region.

There is no question that earlier this year, Costa Rica and Panama worked with the government of Mexico and did airlift, almost 8,000 Cuban migrants from both countries to the Northern part of Mexico, where they crossed into the United States.

Costa Rica took the step at that time, of making clear that after that backlog was -- was addressed, that they were going to be more aggressive in enforcing their immigration laws, and returning people to their last point of origin.

We now see an additional backlog of -- of these migrants in -- in Panama, and there is now, at least as reported in the press, talk of another possible airlift between Panama and Mexico. We continue to urge the countries to enforce their migrations laws. To strengthen their border controls.

And to address undocumented and irregular migration by returning people to their last point of origin. We think that is the best way to...

RUBIO:

Well, have we pronounced ourselves against these airlifts? I mean -- have we pronounced ourselves against these airlifts? Whether it's the one that Costa Rica did or the one that Panama's now doing.

Because the minute that word gets out that you can get into this country, they're going to put you on a plane and fly you close to the U.S. border so you can get in, you're encouraging more people to do this. So, have we said to them, do not airlift people? I mean, we have significant potential leverage with these countries.

PALMIERI:

We -- we have worked with all three countries to ensure that they are going to strengthen their border controls and put in place better mechanisms to prevent this undocumented and irregular --

RUBIO:

That's future -- but what about the current backlog? Have we told them, do not airlift these people?

PALMIERI:

We have encouraged the countries in the region themselves to figure out the best solution to this surge of migration and we believe the best solution is stronger enforcement of their own immigration...

RUBIO:

But we haven't told them not to do the airlift?

PALMIERI:

We have not told them not to do the airlift, sir.

RUBIO:

OK, what is driving this -- I mean this -- Cuba's repressive -- they've been repressive for 60 years. What's the difference now -- is it the fear the Cuban Adjustment Act is going to go away that's driving people to try and get in here before it goes away?

PALMIERI:

We have no plans to change the Cuban Adjustment Act at this time, Senator. There continues to be a large migration flow out of Cuba. It reflects the difficult, economic and human rights conditions in the country.

RUBIO:

But -- but, and I understand that the Administration has no plans to advocate for a change in the Cuban Adjustment Act, which is an act of Congress. But my question is, is there fear -- what I -- what I hear, is that people in Cuba think the Cuban Adjustment Act might go away now that the situation's been normalized.

So they're trying to get into the U.S. before that happens.

PALMIERI:

I -- I -- I don't know -- I can't comment directly on the individual motivations of these Cuban migrants. But I -- I do -- I can make clear, that the Administration is not entertaining any idea of a change to the Cuban Adjustment Act, and so that shouldn't be a factor in their decision calculus.

RUBIO:

OK. Well, all right. I want to thank you all for being here today. I appreciate you participating in this. I think it was informative and I'm -- and I'm pleased as well, that we have so many members attend and ask great questions.

Again, we always thank you for the work that you all do on behalf of our country and with that, I just wanted to end by noting the record will remain open into the close of business on Thursday, April 28th. And with that, the hearing is adjourned.

MALINOWSKI:

Thank you.