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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

September 14, 2018

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

Dear Secretary Pompeo,

I write today to request that you provide the Senate Foreign Relations Committee an unclassified version of the Department's recent Accountability Review Board (ARB) report on the incidents affecting the health of U.S. personnel serving in Cuba. I know that you share my deep concern for the safety and security of the Department's personnel, and for supporting the important work they do to promote US interests and values around the globe. To that end, I believe that an unclassified version of the ARB report is crucial to ensure that both Congress and the Executive are fully informed as we consider appropriate policy responses to meet our obligations to the American people and U.S. personnel serving overseas.

The Department's own public statements, as well as a recent unclassified GAO report on the attacks, point to several troubling issues in the Department's response, including a lack of leadership that hampered effective communication. As the Department stated, the "ARB found the lack of a single designated senior-level Department official with responsibility for responding to the attacks resulted in insufficient communications with employees and impeded coordination within the Department and with other agencies."¹

According to the GAO, the Department of State failed to officially inform the office responsible for leading a review of security-related incidents, M/PRI, until August 2017 – after the attacks had been reported in the press – and months after the first attacks occurred in late 2016.² Moreover, the fact that the State Department under Secretary Tillerson did not convene an ARB until January 2018 may have violated the ARB statute, 22 U.S.C. § 4831.

I understand that the Department is already in the process of implementing a number of the ARB recommendations – although there are several recommendations that remain outstanding. In the meantime, we must take immediate steps to ensure that no additional U.S. personnel remain vulnerable to similar incidents or injuries.

¹ U.S. Department of State, Cuba Accountability Review Board Fact Sheet, Aug. 30, 2018.

² GAO, *Reported Injuries to U.S. Personnel in Cuba: State Should State Should Revise Policies to Ensure Appropriate Internal Communication of Relevant Incidents*, GAO-18-615 (July 30, 2018; released publicly, Sept. 5, 2018).

As part of the process of assuring that the ARB recommendations are fully implemented as well as to make certain that the Department takes all the steps necessary to mitigate risk while remaining fully engaged in forward-leaning diplomacy, I ask that the State Department make available an unclassified version of the ARB report and provide it to the appropriate congressional committees no later than **October 26, 2018**. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez". The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping underline.

Robert Menendez
Ranking Member