

**Congress of the United States**  
**Washington, DC 20515**

May 7, 2018

The Honorable Rodney Frelinghuysen  
Chairman, House Committee on Appropriations  
U.S. House of Representatives  
H-305 The Capitol  
Washington, D.C. 20515

Dear Chairman Frelinghuysen,

Further to the attached Congressional Notification, we write to request that a hold be placed on the Department of State's intent to obligate \$6,000,000 of FY17 International Narcotics Control and Law Enforcement funds to support the International Commission Against Impunity in Guatemala (CICIG, per its acronym in Spanish). The notification was sent to Congress on April 23, and any hold must be placed within fifteen calendar days of that date.

CICIG has been implicated in a miscarriage of justice, in which evidence indicates CICIG acted as the operational agent of Kremlin insiders pursuing a vendetta against a Russian family that sought refuge from them in Guatemala. This was first publicized in a series of articles in the *Wall Street Journal*, and was substantiated and detailed in an April 27 hearing of the Helsinki Commission entitled "The Long Arm of Injustice: Did a UN Commission Founded to Fight Corruption Help the Kremlin Destroy a Russian Family?" The hearing included testimony from the Bitkovs' lawyers and William Browder, a prominent activist in the defense of victims of Kremlin lawlessness, who led support for the Magnitsky Act (P.L. 112-208) and the Global Magnitsky Human Rights Accountability Act (P.L. 114-328).

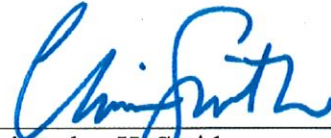
Congress has a special responsibility in this matter because the United States is one of the largest contributors to CICIG's budget, and has, until now, applied little oversight of CICIG. In light of this, we request that no further funds be dispensed until such time as Congress has conducted appropriate oversight on CICIG.

We welcome the opportunity to provide you with additional information should that be helpful.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roger F. Wicker", written over a horizontal line.

Roger F. Wicker  
United States Senator

A handwritten signature in blue ink, appearing to read "Chris Smith", written over a horizontal line.

Christopher H. Smith  
Member of Congress

A handwritten signature in blue ink, appearing to read "Marco", written over a horizontal line.

Marco Rubio  
United States Senator

A handwritten signature in blue ink, appearing to read "Mike Lee", written over a horizontal line.

Mike Lee  
United States Senator



18 079

United States Department of State

Washington, D.C. 20520

APR 23 2018

**CONGRESSIONAL NOTIFICATION TRANSMITTAL SHEET**

We wish to inform you of the Department of State's intent to obligate Fiscal Year 2017 International Narcotics Control and Law Enforcement (INCLE) funds. This notification is being submitted on behalf of the Bureau of International Narcotics and Law Enforcement Affairs.

- Department of State - \$6,000,000

These funds will support the International Commission Against Impunity in Guatemala. The planned activities are explained further in the attached enclosure.

The attached notification was sent to the Congress on  
Obligations may be incurred in fifteen calendar days.

APR 23 2018

Sincerely,

Mary K. Waters  
Assistant Secretary  
Legislative Affairs

Enclosure:  
As stated.



**UNITED STATES DEPARTMENT OF STATE  
CONGRESSIONAL NOTIFICATION**

**PROGRAM:** State Western Hemisphere Regional: Central America Regional Security Initiative (CARSI), Guatemala

**APPROPRIATION CATEGORY:** International Narcotics Control and Law Enforcement (INCLE)

**PROJECT TITLE:** Rule of Law

**INTENDED FY 2018 OBLIGATION:** \$6,000,000 (FY 2017 INCLE)

Pursuant to section 634A of the Foreign Assistance Act of 1961 (FAA), and sections 7015(c) and (f) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (Div. J, P.L. 115-31) (SFOAA), the Department of State intends to obligate \$6,000,000 in FY 2017 INCLE funds to support the International Commission Against Impunity in Guatemala (CICIG), as described herein. These funds will support the ongoing efforts of CICIG to assist the Guatemalan Public Ministry to combat impunity in Guatemala.

The U.S. Strategy for Central America (the Strategy) promotes prosperity, governance, and security in the region, with a focus on the Northern Triangle countries of El Salvador, Guatemala, and Honduras. The Strategy complements the work undertaken by national governments, multilateral development banks, and other international donors to support the priority objectives identified by the Northern Triangle countries in their Plan for the Alliance for Prosperity. The Strategy focuses on three overarching lines of action: 1) promoting prosperity and regional economic integration, 2) enhancing citizen security, and 3) promoting improved governance. FY 2017 INCLE funds continue to support CARSI programs, including CICIG in Guatemala in support of the governance objective of the Strategy, as described herein.

**International Commission Against Impunity in Guatemala**

**Rule of Law and Human Rights - \$6,000,000**

The Commission's mandate, agreed upon by the United Nations and the Government of Guatemala, and supported by the United States government and other international donors, permits CICIG to carry out independent investigations and complementary prosecutions with a focus on groups alleged to have infiltrated Guatemalan government institutions.

Funding will support the investigation of sensitive cases, the provision of technical assistance, and the transfer of investigative and prosecutorial capacity to the government institutions CICIG supports. CICIG, in collaboration with the Public Ministry will continue identifying the structures, activities, modes of operation, and sources of financing of clandestine groups. INL support for CICIG may include costs for staff and consultant salaries, travel, office equipment and supplies, and other requirements to allow CICIG to carry out its mission.