Dear Chairman Cochran, Chairman Frelinghuysen, Ranking Member Leahy, and Ranking Member Lowey:

I write on behalf of the more than 410,000 lawyers in the American Bar Association (ABA) to underscore the importance of continued United States leadership and support for the promotion of democracy, human rights, and the rule of law around the world.

The Administration has recently made reassuring commitments that upholding American values remains a central focus of U.S. foreign and development policy. In recent correspondence with the ABA, Secretary Tillerson asserted that it is “important for the Department to stand up to global injustices, protect basic freedoms and rights, support peaceful and democratic political processes, and promote the rule of law,” and that doing so is vital to U.S. security and economic interests.

We welcome these reassuring words but remain deeply concerned that the Administration’s actions do not match its words. In the same letter in which Secretary Tillerson promised continued promotion of democracy, human rights, and good governance, he also noted that the administration has requested cuts of a $1 billion, or 38%, in FY2018 funding for these efforts. Most recently, the Administration proposed a $99 million cut to funding for the Democracy Fund as a part of its emergency supplemental appropriations request for disaster aid. These proposed cuts jeopardize our nation’s values-based foreign policy that has enjoyed bipartisan support for decades.
The Administration has underscored that it will prioritize U.S. interests and obtaining value for U.S. taxpayers in its foreign policy. Investments in good governance and the rule of law around the world unequivocally meet these criteria. They counter corruption, marginalization, and human rights abuse--drivers of extremism, conflict, and mass migration, the effects of which we feel here at home. They create a stable and predictable investment climate for American companies; and they advance environmental and labor standards abroad, giving American workers and businesses a level playing field on which to compete. Investments in preventive diplomacy and development are a fraction of the cost of military intervention required when governance fails.

For these reasons, as the Committees continue to negotiate the final FY2018 Department of State, Foreign Operations and Related Programs bill and the supplemental appropriations request, we urge you to consider the following:

**Democracy Programs.** Retain language in both the House and Senate bills requiring that not less than $2.308 billion shall be provided for democracy programs. Similar to language included in FY 2016 and FY 2017, this provision is necessary to ensure that this funding will not be diverted for other purposes. Funding for Democracy Programs supports critical programs supporting rule of law and justice sector institution building, countering human trafficking and human rights abuses, combating public and private sector corruption, and building accountable governance institutions.

**Choice of Implementing Instrument.** Retain the bill language that directs USAID to implement civil society and political competition and consensus building programs abroad in a manner that recognizes the unique benefits of grants and cooperative agreements, and to expand the language to include programs that develop institutions of an independent judiciary and legal profession. Non-profit organizations funded through grants and cooperative agreements are more likely to develop long-term relationships that build capacity and allow for sustainable assistance efforts. In addition, NGOs are more likely to leverage U.S. assistance dollars through the contributions of volunteers and additional sources of funding. Independent U.S.-based NGOs are best positioned to work as true partners with local leaders to make sure the outcomes are owned locally but are operated under the oversight of experienced implementers that also serve as fiduciaries of American taxpayer dollars.

**Democracy Fund.** Oppose any attempt to cut funding for the Democracy Fund through the emergency supplemental disaster appropriations process or any other legislation. Both House and Senate bills provided for $210.5 million for the Democracy Fund. We urge you to retain that level of funding for FY 2018 and to ensure that the Administration does not reprogram the $99 million from FY 2017 funds. While we appreciate the great need for assistance to communities impacted by the recent hurricanes, reducing this account at a time when the United States continues to face dangerous threats from the rise of violent extremism and democratic backsliding in some critical regions is not in the best interests of our country.
December 7, 2017
Page 3 of 3

National Endowment for Democracy. Support the $170 million included in both the House and Senate bills for the National Endowment for Democracy. The NED enables the strengthening of democratic institutions and civil society through support to U.S., international and foreign nonprofit organizations and through its core institutes. As a nongovernmental organization, NED is able to support democracy and rights work in some of the world’s most difficult environments.

Contributions to International Organizations. Support the Senate bill funding level of $1.449 billion for Contributions to International Organizations. This account funds the U.S. dues payment for the United Nations regular budget, along with assessments for specialized agencies such as the International Atomic Energy Agency, the World Health Organization, and other key international organizations such as NATO. These organizations act as a critical force-multiplier in promoting international peace and security, strengthening democratic governance, and protecting human rights. While the United Nations is not perfect, the United States can lead reforms from a stronger position when we meet our financial obligations and actively support those organizations that help advance our national interests.

We recognize that Congress faces many competing budgetary demands and appreciate the Committees’ past support for this essential funding for democracy, rights and governance programming. The United States has been able to play a critical leadership role in the world because it has, over multiple administrations of both parties, maintained a values-based foreign policy that advances the conditions for a peaceful and prosperous world. Failure to sustain and fund that policy risks ceding our leadership position to those who would remake the global order in ways that will certainly not serve U.S. interests.

Thank you for your attention to these important matters.

Sincerely,

Hilarie Bass