United States Senate
WASHINGTON, DC 20510

July 12, 2022

The Honorable Samantha Power
Administrator
U.S. Agency for International Development
1300 Pennsylvania Avenue NW
Washington, D.C. 20004

Dear Ambassador Power,

The world has not faced a conflict-driven humanitarian and hunger crisis of this magnitude since World War II. Nations in Africa, the Middle East, and elsewhere have sounded the alarm that without immediate aid, their people could face acute hunger and starvation, opening the path for violence and instability in large parts of the world. Data detailing the magnitude of impact that Russia's war in Ukraine is having on global food security is devastating and revealing. The U.N. Food and Agriculture Organization (FAO), for example, projects up to 181 million people across forty-one countries are now facing significant food shortages. The stakes are high, and Congress has met the moment by providing your Agency with generous funding, greater than the gross domestic product (GDP) of some European nation-states.

The clear purpose of both emergency Ukraine supplemental appropriations packages is to provide life-saving assistance to the 13.1 million Ukrainians currently in need of food, medicine, and shelter following Russia's invasion, as well as to assist hundreds of millions more people facing food insecurity due to Russia's blockade of the Black Sea. We request that you lead decisively, meet Congress's intent, and expedite the delivery of the nearly $10 billion in emergency assistance provided to the U.S. Agency for International Development (USAID) to meet these extraordinary needs.

To date, USAID's effectiveness and stewardship in responding to Russia's invasion of Ukraine warrants significant concern. At the beginning of the response, the Agency failed to move quickly, especially when compared to other sudden onset emergencies. As of May 16th – more than two months after funds were appropriated – only 60% of the funds for humanitarian aid had been committed, with less than a third obligated. There also were reports that senior Agency leadership was responsible for the relatively slow rate of programming by second guessing humanitarian priorities and seeking to deviate funding to support irrelevant development priorities, thereby undermining humanitarian requirements to scale-up and respond quickly to save lives and alleviate human suffering.

1. Speed - To date, USAID has not yet programmed or even committed all emergency funding from the March 2022 Ukraine Supplemental package. Public reporting on June 24th indicated that fully funded and available U.S. commodity aid may not reach critical areas of need until later this fall.
2. Withholding funds - USAID has elected to withhold more than half of the appropriated funds from the May 2022 Ukraine Emergency Supplemental Appropriations package until the next fiscal year. While the Agency may be required to carry over a small portion of International

Disaster Assistance funds annually in order to bridge gaps between the end of a fiscal year and the enactment of appropriations, there is a striking imbalance between the amount of base and supplemental resources being carried over verses obligated.

3. Inefficient management - USAID leadership has failed to adapt its organizational structure and culture to obligate, expend, and effectively manage newly appropriated money marked specifically for its Ukraine-related response.

The Bureau of Humanitarian Assistance (BHA) is the lead for addressing rising levels of emergency food insecurity and life-saving humanitarian assistance. Facing the enormous scope of work, including effective stewardship of nearly ten billion dollars of U.S. taxpayer money, BHA remains poorly resourced, trapped within an inflexible bureaucracy. Data collected from USAID as of June 2022 revealed BHA has fewer than five full-time warranted Contracting and Agreement Officers (CO) to handle 1,244 awards, even while USAID has 177 CO's at its disposal. By comparison, the USAID Africa Bureau has 54 CO's overseeing 1,345 grants. The workload differences are stark. A BHA-warranted CO Officer is tasked with processing ten times more than counterparts in other USAID bureaus, on average. Each BHA-warranted CO is currently overseeing 276.4 grants on average, compared to approximately 25 grants per CO in other major bureaus. While BHA processes more than 20% of the Agency's grants, it is only provided with 2.5% of the Agency's COs.

Delays from senior leaders in the Agency, in addition to the apparent lack of strategic staffing within USAID, have significant consequences. Pre-vetted humanitarian aid groups have been forced to wait until mid-July or later for a determination or technical grant application assistance. USAID has existing tools and authorities to move quickly to expedite humanitarian aid that would mitigate Putin's efforts to starve the developing world. The need to meet strategic staffing requirements within BHA appears long overdue and does not require Congressional action to address.

In 2020, USAID issued a final ruling, "*Designation of Personal Services Contractors (PSCs) as Contracting Officers and Agreement Officers (85 FR 11859),*" which allows certified and trained individuals as defined in *FAR Subpart 1.6* to be issued contracting and agreement officer warrants. These individuals are permitted to approve and process certain types of awards and contracts, and would significantly reduce the burden on the handful of existing BHA contracting officers. These individuals could work for a specified temporary period to augment full-time CO's through programs developed to satisfy a growing need for surge capacity and backfill full-time staff in emergencies, like the *Support Relief Group (SRG)*. These authorities have already been used for similar purposes with solicitations for qualified U.S. PSCs to assist in a surge response for the Food for Peace (FFP) program, in 2018 and 2019. Trepidation or sluggishness within the Agency to address strategic staffing challenges within your remit is unacceptable, and there must be an immediate course correction.

Stopping Russia's military campaign across Ukraine is a security necessity, and preventing a large-scale humanitarian crisis that triggers global unrest, mass migration, and widespread starvation is necessary to preserve the safety and prosperity of Americans here at home. Unless the United States translates well-meaning rhetoric and appropriated dollars into a swift humanitarian response, Russia's crimes against humanity and weaponization of the global food supply will go unpunished. The most significant proposal of humanitarian aid in modern U.S. history must be accompanied by an infrastructure that assumes more prudent risk and quickly delivers support.

Therefore, we urgently request a briefing and information on the following:

1. USAID's intent and/or plan to utilize its existing authorities to hire more CO's to expedite the movement of humanitarian aid to Ukraine and countries affected by Russia's war in Ukraine.
2. USAID's efforts to mitigate the severe CO shortage within BHA and efforts to transfer or supplement BHA with more CO's permanently.
3. USAID's timetable, in writing, to obligate and deliver Congressionally-approved commodity-based food aid, including accompanying data and an explanation of why such lifesaving aid may take half a year to deliver.

Sincerely,

Joni K. Ernst
United States Senator

James M. Inhofe
United States Senator

John Cornyn
United States Senator

James E. Risch
United States Senator

Roy Blunt
United States Senator

Rob Portman
United States Senator

Tim Scott
United States Senator

Shelley Moore Capito
United States Senator

Bill Cassidy, M.D.
United States Senator

Steve Daines
United States Senator

Thom Tillis
United States Senator

Rick Scott
United States Senator

Mark Kelly
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