

## **Kerry, Leahy, Menendez Questions and Answers**

### ***1. Establish appropriately concrete, uniform metrics to evaluate the effectiveness of democracy programs worldwide in closed and semi-closed societies.***

USAID regulations require every country program and its implementing partners to develop and maintain a comprehensive performance management system. The system contributes to USAID's ability to manage for results by ensuring that partners provide performance and impact data. USAID uses performance and impact data for a range of purposes, including but not limited to, program planning and resource allocation.

For all democracy programs, USAID employs a wide array of "context" indicators from various sources including the World Bank Governance Indicators, Freedom House, Transparency International, and the IDB Governance Indicators Database. In terms of measuring results of activities, the Cuba programs utilize several indicators, including the number of Cubans with access to information otherwise unavailable on the island; the number of civil society groups engaged in advocacy, and the ability of victims of harassment to continue advocacy work as a result of USG support.

Given the closed country environment under which the Cuba programs operate and consequently, the lack of in-country presence, USAID is not able to directly visit programs in person. As a result, we have increased communication with those carrying out the programs and bolstered our performance management oversight. For example, USAID has a specific contract to provide technical assistance to partners regarding the development and monitoring of metrics to evaluate program impact. In addition, during regular meetings with partners, tracking and reporting program impact is an ongoing area of emphasis. Through these regular partner coordination meetings, implementing partners are required to make specific presentations on program impact and discuss critical lessons-learned.

Another key component of this contract is the conduct of periodic partner performance audits and evaluations. Through this contract, USAID is able to carry out routine partner performance audits to verify accuracy and supporting documentation available for results reported. In addition, the contract allows USAID to undertake independent performance evaluations of select implementing partners to assist USAID with decision-making and managing for results. The evaluations would help determine whether the implementing partners established appropriate targets, and whether they achieved progress towards them.

**2. *Assess the strengths and weaknesses of contractor/subcontractor and grantee/sub-grantee performance in the Cuba programs, based on those metrics, and identify steps to improve performance in each key area.***

USAID employs a strategic framework and an array of standard indicators to assess the effectiveness of all grantees. The strategic framework for the Cuba programs allows USAID to utilize a uniform method for measuring impact. In addition, USAID program staff meets with the grantees on a quarterly basis to review files and discuss in detail their progress reports. This performance management structure allows us to make quick adjustments in programming. For example, in the wake of the 2010 release of several political prisoners and recent increase of harassment by the Government of Cuba, one of USAID's humanitarian assistance implementing partners expanded its program to encompass politically marginalized individuals, in addition to the political prisoners and their families already receiving assistance..

Overall, the Cuba programs have trained hundreds of journalists whose work has appeared in major international news outlets, provided critical humanitarian assistance to political prisoners, their families, and other victims of repression. The programs have also increased the information flow into, out of, and within Cuba. USAID expanded access to social media and to other uncensored information to help Cubans communicate amongst themselves and with the outside world.

We have also trained human rights groups that have documented human rights abuses for submission to international bodies such as the United Nations and the Inter-American Commission on Human Rights. USAID also widely disseminated information on free market economies.

Recently, USAID has increasingly focused on building the capacity of civil society. We have observed these groups mature and become increasingly self-sufficient as evidenced by the expansion of their activities and geographic reach without our assistance.

In the last few years, we have made additional efforts at engaging a broader sector of the population to support Cuban people in being more active participants in advocating for the rights in resolving every day issues. For example, we have trained hundreds of students and young adults in critical thinking and promoted the contributions that Afro-Cubans have made through print media.

In the instances where programs do not produce the desired results, we are able to terminate the funding, adjust the program's scope of work, or not extend the project. We phased out programs that support activities in third countries as we deemed them less effective to advancing our goals than programs that provide support to Cubans on the island.

Over the years, the organizations to which USAID provides direct funding have changed. Such an evolution is a natural part of the competitive process and helps ensure that the USG is taking advantage of the most appropriate expertise available.

**3. *Assess the impact of the programs on the lives of Cubans receiving USG assistance and their communities with respect to advancing democracy, asserting their human rights, enhancing freedom of expression, obtaining access to uncensored information; and participating in social groups. As best as possible, assess how these programs are improving Cubans' lives and helping to promote a peaceful, democratic transition.***

Given the severe political restrictions existing in Cuba, the overall goal and guiding principle of the USG assistance programs is to increase access to information and improve the effectiveness of citizens to participate in activities affecting their lives. Foreign assistance is being used to increase grassroots participation; expand civil society networks; provide humanitarian assistance to political prisoners; support human rights activists; and support individuals in their pursuit of fundamental freedoms such as freedom of expression and freedom of the press.

The USAID programs reach out beyond the dissident community and engage average citizens to enhance local leadership skills, strengthen organizational capacity, facilitate outreach strategies, and support greater access to communication technologies. By developing knowledge, leadership, and capacity of civil society groups and individuals, the USAID programs often contribute to the formation of civil society groups that can eventually make significant contributions at the local and national level.

Since the inception of the USAID programs and despite the difficult operating environment, USAID has doubled the number of newsletters on critical democracy issues distributed on the island, doubled the number of Cubans who have completed USG assisted civic education programs and significantly increased the capacity of local civil society organizations in terms of their internal organizational capacity to conduct community work. Other notable achievements of the program include: training of over 100 independent journalists who have published news reports via the internet and through international news outlets; facilitated information sharing and communications into and out of Cuba via cell phone messaging and the internet with over 1,200 individuals; assisted over 200 families of political prisoners with critical humanitarian assistance; provided cell phones, cameras, flash drives and DVDs used by Cubans to share information, communicate, and document human rights abuses via social media.

**4. *Provide information about the number of Cubans who receive humanitarian assistance under the program and the specific nature of that assistance.***

During FY2010, the USAID program provided humanitarian assistance to 535 individuals, including political prisoners and their families in Cuba. The humanitarian assistance consisted of canned food, toiletries, vitamins, and over the counter medicine to help mitigate the financial hardship and health problems brought on by the political marginalization of these families. This assistance package is comprised of vital and basic staples to meet the families' needs for nutrition and medicine.

- 5. To the extent possible, assess the degree, if any, of Cuban Government penetration of the programs and the effectiveness of steps taken to mitigate such penetration. If investigation reveals that Cuban claims of having penetrated the programs are false, that should be reported as well.***

Because the Cuban government arbitrarily arrests and detains citizens who try to exercise basic freedoms, USAID's democracy programs in Cuba are carried out in a discreet manner to ensure the greatest possible safety of all those involved. These programs are comparable to what we and other donors do to support democracy and human rights in repressive societies all over the world.

USAID is not in a position to assess or determine the degree of Cuban Government penetration of the programs. Nevertheless, participation by Cubans in current programs remains active, and we continue to receive requests from Cubans on the island for additional assistance.

- 6. Assess the impact on the programs' effectiveness of the disclosure/non-disclosure to Cuban recipients that the assistance provided is by the USG under HB-109. Regarding Congressional oversight, please provide an explanation of why certain information, including the identity of U.S. companies and NGO subcontractors/sub-grantees receiving USG funds and their activities, cannot be provided to oversight committees. Please indicate whether the information provided to Congress on Cuba programming is consistent with the information provided to Congress for democracy programming in other closed and semi-closed societies.***

The information provided to Congress on Cuba programming is consistent with the level of information provided to Congress on other democracy programming implemented in similar repressive societies. A listing of all direct recipients of USAID Cuba grants or contracts is public information and is available on USAID's website.

Given the repressive environment in Cuba, were USAID to publicize the names of recipients of U.S. assistance, those individuals would likely be subjected to arrest, detention, harassment, or worse.

- 7. Please provide a statement of what information about Cuban and U.S. laws and what warnings and training State/USAID and/or their contractors/grantees provide on-island travelers regarding the risks of undertaking their activities in Cuba.***

Carrying out democracy assistance in authoritarian or totalitarian states such as Cuba inevitably comes with some level of risk. All grantees and contractors are well aware of such risks. Organizations applying to manage activities in Cuba must clearly demonstrate experience working in authoritarian or totalitarian states. The applicant must also understand the context of working in Cuba and the risks associated. Upon award of an agreement, we reiterate this risk through daily program oversight and during quarterly meetings with implementing partners.

We have also updated our "best practices" guidance to limit the number of trips to the island; restricted the quantity and type of equipment and technology transported by individuals; and

required that equipment transported be equivalent to the less sophisticated technology available in Cuba. We are no longer authorizing use of satellite Internet (BGAN) equipment. This guidance has been provided to all grantees.

**8. *Based on the reporting elements in items 1 – 7 above, as well as other USAID requirements for these programs provide a comparison of the oversight obligations for democracy/human rights programs in other closed and semi-closed societies, such as Tibet, China, Iran, Burma, North Korea, countries in Central Asia and Zimbabwe.***

The U.S. Government responds to autocratic challenges by providing training, materials, and internet and radio platforms and organizational support for civic groups, networks and the media. Support for universal values is a cornerstone of the National Security Strategy of the United States. Those values include people being allowed to speak their mind, assemble without fear, and have a say in how they are governed.

In our solicitations' selection criteria, we place an emphasis on prior experience and past performance, at both the organizational and personnel level, on working in closed societies. We have found that prior experience in similar environments facilitates implementation and project management since there is an understanding of the unique challenges likely to be encountered and effective measures to use.

Providing effective management oversight of programs in closed societies, while maintaining the safety of local actors, is challenging. Nevertheless, all USAID programs must comply with strict regulations governing program monitoring and evaluation metrics and performance management requirements. USAID programs in closed society are also bound by performance management requirements mandated in the Government Performance and Results Act (GPRA) of 1993. Other USAID programs operating in closed societies utilize similar management oversight measures to ensure full accountability of US taxpayers' money.

CLEARANCE PAGE FOR REPLY, second response, to Senator Patrick Leahy, John F. Kerry and Robert Menendez requesting information from USAID prior to the submission of a congressional notification for FY11 funds under the Cuba program.

Clearances:

LAC/CUBA:	Sharon Sadler	<u>(Clear)</u>	Date <u>02/09/12</u>
LAC/SPO:	James Stein	<u>(Clear)</u>	Date <u>02/16/12</u>
LAC/RSD/DHR:	Eric Kite	<u>MK</u>	Date <u>2/27/12</u>
DAA/LAC:	Mark Lopes	<u>(Clear)</u>	Date <u>02/16/12</u>
AA/LAC:	Mark Feinstein	<u>✓</u>	Date <u>2/1/12</u>
WHA/CCA:	Peter Brennan	<u>Clear (e-mail)</u>	Date <u>02/10/12</u>
WHA/CCA:	Cari Enav	<u>Clear (e-mail)</u>	Date <u>02/10/12</u>
DRL/FO:	Kathleen Fitzpatrick	<u>Clear (e-mail)</u>	Date <u>02/14/12</u>
GC/LAC:	Rebekah Eubanks	<u>Clear (e-mail)</u>	Date <u>02/14/12</u>
LPA/ <del>CL</del>	Jeffrey Mettill	<u>Clear (e-mail)</u>	Date <u>02/09/12</u>
<del>LPA/CL</del>	<del>Alice Taylor</del>	<u>                    </u>	Date <u>                    </u>


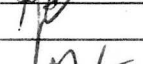
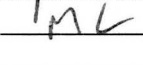
Drafted by: LAC/Cuba, Sharon Sadler: x2-4953: 02/09/2012

P:LAC/CUBA/Executive Secretariat/ES Taskers ES201102879 Hon. Menendez-Leahy-Kerry CN FY11 Funds 8-8-11/second response

P:/LAC SHARED/ES Taskers 2011/ES201102879 Letter to Hon. Menendez-Leahy-Kerry/Second Response

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DAA/LAC:	Mark Lopes		Date	2-15-12
AA/LAC:	Mark Feirstein		Date	
WHA/CCA:	Peter Brennan		<u>Clear (e-mail)</u>	Date 02/10/12
WHA/CCA:	Cari Enav		<u>Clear (e-mail)</u>	Date 02/10/12
DRL/FO:	Kathleen Fitzpatrick		<u>Clear (e-mail)</u>	Date 02/14/12
GC/LAC:	Rebekah Eubanks			Date
LPA/AA:	Jeffrey Mettill		<u>Clear (e-mail)</u>	Date 02/09/12
LPA/CL:	Alice Taylor			Date

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