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Congressional Oversight and Biden Administration Foreign Policy

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Nomination hearings for executive branch officials are an essential tool for Congress to utilize in conducting effective oversight of foreign policy. These hearings allow members of Congress to study an administration's approach to issues, secure policy commitments based on their own assessments and views, and identify lines of inquiry driven by national security concerns.

Congress has thus far developed an important foundation on U.S. policy toward China, Iran, and Russia through hearings for key Biden administration officials. This foundation will require sustained attention in the months ahead as Congress continues to engage with the Biden administration. The following are summaries of key statements by Cabinet-level officials and the questions that Congress should ask in future hearings for sub-Cabinet nominees and in broader oversight efforts. We periodically make these questions available on a range of national security issues.

China

Background: Members of Congress from both parties have expressed concerns regarding the Chinese Communist Party's (CCP's) "Military-Civil Fusion" (MCF) strategy and how it contributes to China's efforts to develop the most technologically advanced military in the world. A congressional oversight focus since 2019 has been the identification of Chinese military companies operating inside the United States and the development of policies to mitigate exposure risks, including in capital markets.

Administration Views: During her confirmation hearing, Treasury Secretary Janet Yellen acknowledged concerns regarding China's forced technology-transfer practices and intellectual property theft as issues that the United States must confront. In responses to Questions for the Record, Secretary Yellen committed to closely reviewing Treasury's response to China's MCF, but did not explicitly support continuing the policy of prohibiting U.S. persons from investing in Chinese military companies.

Follow-Up Questions:

Does the Biden administration believe that Chinese military companies and their subsidiaries and joint venture partners should be allowed to raise capital from U.S. investors to fund their operations?

Should these entities be allowed to invest directly or indirectly in U.S.-based assets that constitute critical technology, infrastructure, or data?

Will the Treasury Department continue implementing Executive Order 13959 (as amended), which prohibits U.S. persons from transacting in any publicly traded securities of certain Chinese military companies, as one tool to help mitigate the threat that the CCP poses to U.S. national security?

Does the Biden administration view the International Emergency Economic Powers Act as a relevant authority for taking action to protect U.S. national security interests from Chinese strategic subversion and malign influence?

Iran

Background: Republicans and Democrats in Congress have maintained a broad consensus that recognizes the threat posed by Iran's terrorist activities and that supports strengthening sanctions against Iran's sponsorship of terror. As one example, the Senate voted 98-2 to require the imposition of sanctions against Iran's Islamic Revolutionary Guards Corps, a Foreign Terrorist Organization, as part of a broader sanctions bill (the Countering America's Adversaries Through Sanctions Act).

Administration Views: Secretary Antony Blinken said during his confirmation hearing that he did not think it was in America's national security interest to lift sanctions imposed on Iran for its terrorist activities.

Follow-Up Question:

The Central Bank of Iran (CBI) has long been the key entity through which the Iranian government funds terrorist organizations. In September 2019, the Treasury Department's Office of Foreign Assets Control designated the CBI as a Specially Designated Global Terrorist (SDGT) under Executive Order 13224. The Treasury Department noted then that since at least 2016, Iran's Islamic Revolutionary Guards Corps (IRGC) Quds Force has received the "vast majority of its foreign currency" from the CBI.

- Does the Biden administration commit not to lift, waive, or otherwise mitigate the effects of CBI's designation as a SDGT so long as it is financing or facilitating terrorism?

Russia

Background: Congressional opposition to Russia's Nord Stream 2 pipeline has been longstanding, bipartisan, and bicameral. Members have signaled clear intent and established requirements in law that leave no room for ambiguity: Nord Stream 2 is a geopolitical weapon aimed at U.S. national security interests, including the well-being of our allies in Europe, and U.S. policy must seek to prevent its completion.

Administration Views: Secretary of State Antony Blinken said during his nomination hearing that he is "determined to do whatever we can to prevent" completion of the Nord Stream 2 pipeline, adding that President Biden strongly agrees with Congress that the Nord Stream 2 pipeline is "a bad idea."

Follow-Up Questions:

What actions is the Biden administration taking to prevent companies – European and non-European – from supporting the construction or commission of the Nord Stream 2 pipeline?

Will the Biden administration identify and sanction all entities engaging in sanctionable activity related to Nord Stream 2, as required by law?

How does the Nord Stream 2 pipeline fit into the Biden administration's plans to reinvigorate the NATO alliance and help secure our European allies and partners from malign Russian influence and coercion?