

Diane M. Foley
Testimony- November 17, 2015
House Committee on Foreign Affairs
Subcommittee-Terrorism, Nonproliferation, and Trade

Dear respected members of Congress,

I am Diane Foley, the mother of American journalist James Foley, who was publicly executed by ISIS in August 2014.

First, I want to say that my thoughts and prayers are with the people of France who have suffered such tragic loss at the hands of ISIS.

We too have suffered from ISIS. Our son James was tortured and starved by ISIS for nearly 2 years, just for being an American. Our family's ordeal was made worse by our incoherent and ineffective hostage policy.

Jim was the oldest of our five children born into an average middle class American family. Jim was well educated, holding two Master's degrees, in writing and in journalism; but more importantly he was a man of service, teaching in our US inner cities of Phoenix through Teach for America, and later in Chicago and Massachusetts. He was passionate about those without a voice, be they hostages, conflict journalists or disadvantaged children in our inner cities. In fact, his belief in basic human rights led him to become a journalist, to tell us the unheard stories of the suffering in conflict zones.

Our current American hostage policy has not changed. I am very aware of our US public policy of no concessions to terrorists, to include no ransom or release of prisoners. However, our policy also states that the United States will use every appropriate resource to gain the safe return of American citizens who are held hostage by terrorists. During Jim's horrific captivity in Syria, our policy was interpreted to mean no negotiations, no engagement with his captors.

Since 9/11, our Government has often mistaken no concessions for no negotiations, leading to an inconsistent, unjust approach to the kidnapping of our citizens. The hands of our powerful FBI were tied during the 2014 Syrian captivity of our son Jim and the three other American citizens held by ISIS. I am told our strict adherence to this policy saves lives by decreasing the rate of capture of Americans; but no one has been able to show me the research behind our hostage policy. In fact, it would seem that Americans are becoming targets at an alarming rate!

I respectfully demand to see the proof that our current hostage policy is truly protecting Americans. It did not protect Jim, Steven, Peter, or Kayla. In the last 18 months, these four Americans have been killed because our policy was strictly applied; whereas the five other Americans* (Casey Coombs, Sam Farren, Scott Darden, Theo Curtis, and Sgt. Bergdahl) who were negotiated for, by us or others, have returned home safely. This inconsistent implementation of our American hostage policy is unacceptable.

Additionally, we were deceived as an American family. We were told repeatedly that Jim was their highest priority. We trusted in our government to help him return home. During the brief month that Jim's ISIS captors reached out to negotiate for his release, our government refused to directly engage with the ISIS captors, leaving us alone as parents, to try to negotiate for our son's freedom!

Eighteen months after Jim's kidnapping, our family and the three other families of hostages held with Jim in Syria were threatened three times by Colonel Mark Mitchell, a member of our National Security Council, with prosecution by our government (though there was no precedent) if we attempted to raise a ransom to free our loved ones. He also told us very clearly that our country would not ask allies to help negotiate their release and would not conduct a military operation to rescue them. He made it very clear that USG planned to abandon these four Americans.

Thus in May of 2014, it became frighteningly clear that Jim, Peter, Steven and Kayla were considered "collateral damage" and that we families were totally on our own. I had spent much of our family savings and quit my job as a nurse practitioner to travel monthly to Washington to beg for help for Jim, to the United Nations and countless embassies asking for help and to Europe to speak to the freed hostages all to no avail. While our US Senators reached out and were sympathetic, we never even heard from our US Congressman. The Foley family did try to raise a ransom for Jim's release, in spite of threats of prosecution. But we started too late and were unable to raise enough money to interest ISIS. The reality is that few American families would be able to raise the ransom needed to actually free their loved ones.

Our US government refused to engage at a high level with our allies, who also had citizens held by ISIS. In the spring of 2014, a freed French hostage had specific information from ISIS to negotiate for our four American hostages and the three British ones; but our government refused to engage with the French or UK to save our citizens. The result is that all the European hostages are now home; whereas our son, the other Americans and British were brutally killed.

Though we had specific information regarding the exact locations of their captivity beginning in the fall of 2013, a military mission was not attempted until July of 2014, after all the Europeans were safely home. We are sincerely grateful to the brave soldiers making the attempt, but it was much too late.

In our family's situation, our hostage policy prohibited our government from interacting in any way with Jim's captors...even investigating who our son's captors were. Had our government been allowed to engage the captors, perhaps vital intelligence about ISIS might have been gleaned. Our government's abandonment of our son Jim allowed their deaths to be used as propaganda for ISIS recruitment, thus strengthening and emboldening ISIS. It surely helped in their recruitment of other violent people who want to destroy us.

At one point there were more than 20 Western hostages held together by ISIS, all of whom were citizens of our allies. All of our European allies valued their citizens enough to negotiate for

their freedom. Had Jim been French, Spanish, German, Italian, or Danish he would be alive today.

We form coalitions for war...why did we not engage with our allies to free all of the western hostages? I believe much stronger coalitions with our allies are essential to deal with the shrewdness and hatred of these terrorist groups. I fear that our posture of no engagement with Jim's ISIS captors led to our underestimation of their intelligence and their deep-seated hatred for the US. What if we had been shrewd enough to engage with Jim's Syrian captors in the fall of 2013, to learn all we could about them, instead of ignoring them. Is it ever wise to ignore enemies of freedom and justice?

Jim believed in America. He believed that our government valued him as a journalist and as a citizen. He was hopeful until the end of his 20-month captivity. But he and our family were truly abandoned by our government. How would you feel if your son or daughter had been in Jim's predicament and treated similarly?

Is an individual American citizen no longer valuable? Why were Jim and the other Americans in Syria treated as collateral damage?

Does our United States of America truly want to protect and prioritize the return of its American citizens? If so, I ask you, esteemed members of Congress, to hold our new Hostage Recovery Fusion Cell accountable for the return of our citizens and to mandate a thorough re-evaluation of our current hostage policy to ensure that it also truly saves the lives of Americans.

Thank you.

Diane M. Foley

* "Two Americans freed in Yemen, but fate of third is unknown" – *Washington Post*, September 20, 2015

"American journalist held by rebels in Yemen is freed" – *Washington Post*, June 1, 2015